



KNOW YOUR RIGHTS

Sexual violence is a crime as well as a violation of College policy. Therefore, students who experience sexual violence may file a complaint with the College, the police department, both or neither. The differences between the College and criminal justice processes are explained below.

	COLLEGE SEXUAL MISCONDUCT PROCESS	CRIMINAL JUSTICE PROCESS
Purpose	<ul style="list-style-type: none"> • Equal access to education • A safe and supportive campus community 	<ul style="list-style-type: none"> • Public safety • Deterrence • Sanctioning
How to File a Report	<ul style="list-style-type: none"> • Contact the Title IX Coordinator, Julie Yura, yura@lakeforest.edu; 847-735-6009 • File electronically (and even anonymously) at lakeforest.edu/sexualmisconduct • Tell any non-confidential source at the College 	<ul style="list-style-type: none"> • 911 for emergencies • Lake Forest Police Department (non-emergency) for incidents occurring on or near campus, 847-234-2601 • Chicago Police Department (non-emergency) for incidents occurring on or near the Loop Program, 312-745-4290
Statute of Limitations	None; however, please recognize that the College may be more limited in its ability to respond to older reports.	Because Illinois law has many different types of sex crimes and the age of the survivor plays a role, statutes of limitation vary. In most cases of criminal sexual assault or abuse of persons over the age of 18, the statute of limitations is within 10 years of the commission of the offense if the survivor reported the offense within 3 years after its commission.
Parties to Proceedings	A Complainant is the individual alleging misconduct and the Respondent is the individual accused of the misconduct.	The survivor is a "complaining witness." If a criminal trial is brought against the individual accused of the misconduct, that individual will be named as a defendant. The State, not the survivor, is the plaintiff, e.g., <i>The People of the State of Illinois vs. Alleged Offender</i> .
Investigator	College sexual misconduct complaints are investigated by the Title IX Coordinator or another trained investigator.	A criminal complaint is investigated by the local police and then turned over to the State's Attorney to determine whether charges will be brought and a trial pursued.
Investigation Timeline	Typically, the College's investigation is completed within 25–30 days after a report is made. Colleges are required by federal law to investigate concurrently with law enforcement, but may briefly postpone investigation upon police request to allow for police evidence collection.	The investigation takes as long as necessary to gather the relevant evidence and make a determination as to whether charges will be brought and/or a trial pursued.
Investigation process	Investigations may include one or more interviews with the Complainant, Respondent and any other identified witnesses, and the gathering of physical, documentary and/or other relevant evidence. Complainants and Respondents may have a support person present during all meetings related to the investigation.	Investigations typically include one or more interviews with the survivor and the alleged offender, the identification and interview of other reliable sources of information, and the collection, preservation and analysis of physical, medical, forensic, digital, demonstrative and corroborative evidence.
Post-Investigation Procedure	After the investigation has been completed, the Title IX Coordinator (or other Investigator) will prepare an investigative report summarizing the evidence collected, analyzing the relevant facts from the investigation and determining whether a policy violation occurred. The investigative report will include summaries of interviews with the Complainant, Respondent, third-party witnesses, photographs, physical evidence, electronic records and/or forensic evidence if presented.	If the State's Attorney's office approves criminal charges, an arrest will be made. A trained counselor from the Victim/Witness Assistance Division of the State's Attorney's office will contact the complaining witness to discuss the status of the proceedings. Possible next steps include: bond hearing; arraignment; grand jury; indictment; preliminary hearing; trial; and sentencing.
Burden of Proof	Preponderance of the Evidence (is it more likely than not that sexual misconduct occurred)	Beyond a Reasonable Doubt
Resources Pending Investigation/Resolution	Where available and appropriate, the College offers the following accommodations pending the outcome of sexual misconduct investigations: referral to counseling, health and/or Employee Assistance Program services; modification to housing, work, academic, transportation and/or dining arrangements; campus escorts; issuance of "No Contact Orders"; and enforcement of Civil Stalking No Contact and other Restraining Orders. In cases where the Respondent is a threat to persons or property, suspension and/or loss/cancellation of other privileges may also be issued prior to or during an investigation and determination.	Upon reporting the incident to law enforcement, the complaining witness will be put in contact with the Police Department's social worker. In addition, the Zacharias Sexual Abuse Center in Gurnee can provide medical and legal advocates and trained counselors to assist throughout any hospital exam, law enforcement proceedings and beyond. If charges are filed, a counselor from the Victim/Witness Assistance Division of the Lake County State's Attorney's Office will be appointed to educate the complaining witness about the criminal process, keep the complaining witness informed of proceedings and provide social service referrals.
Complete Resolution Timeline	Typically, the College's process from report to appeal takes 60 days. This timeline may be extended as necessary with written notice to the parties of the reason for the extension.	Criminal justice proceedings take time. If a case goes to trial it could take several months or years for conclusion; however, the complaining witness will be informed of the status of the proceedings and at which proceedings attendance is required.
Privacy of Investigation/ Proceedings	The College shares information only on a "need to know" basis with parties and those involved in the proceedings. Identifying information is not shared with the greater campus community.	Police investigations are private, but not confidential. Information is shared with individuals involved in the proceedings. Criminal charges and trials are public with exceptions for minors.
Possible Outcomes	<ul style="list-style-type: none"> • A finding that a policy violation has been committed • A finding that there is insufficient evidence of a policy violation 	<ul style="list-style-type: none"> • The accused may plead guilty without a trial • The case can be dismissed by the court prior to a trial • A verdict of guilty or not guilty issued after a trial by a judge or jury
Possible Sanctions	If a policy violation has occurred, the College may impose one or more of the following sanctions depending on the specifics of the violation: verbal or written warning; mandatory educational programming; community service; probation; removal from housing or other campus programs/activities/leadership positions ; performance improvement/management process (employees only); restrictions regarding entering certain buildings or areas of campus; suspension from school or employment (with or without pay, in the case of employees); termination of contract with the College; and/or dismissal or other separation from the College.	If the accused is found guilty, the Court may issue a sentence of probation, monetary fines, prison or any combination of the above.