

Tufts University

Sexual Assault *

Sexual assault is an egregious form of sexual harassment and it is a crime. The University takes all incidents seriously. The University supports the right of the survivor of a sexual assault to decide how best to utilize various university, community, private, and public support systems designated to address crimes of sexual assault.

Although the legal definition of rape varies from state to state, rape is generally defined as forced or nonconsensual sexual contact. Rape and/or sexual assault is forced, manipulated, or coerced sexual contact by a stranger, friend or acquaintance. A person is forced into sexual contact through verbal coercion, threats, physical restraint, and/or physical violence. Consent is not given.

Rape/Sexual Assault is a legal term that is defined in the state of Massachusetts by three elements:

- Penetration of ANY orifice by ANY object,
- Force or threat of force, or
- Sexual contact against the will of the victim.

Consent cannot be given (legally) if a person is impaired, intoxicated, drugged, underage, mentally challenged, unconscious, or asleep.

Massachusetts Law

Chapter 265: Section 22. Rape/Sexual Assault generally; weapons; punishment; eligibility for furlough, education, training or employment programs

Section 22. (a) Whoever has sexual intercourse or unnatural sexual intercourse with a person, and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury and if either such sexual intercourse or unnatural sexual intercourse results in or is committed with acts resulting in serious bodily injury, or is committed by a joint enterprise, or is committed during the commission or attempted commission of an offense defined in section fifteen A, fifteen B, seventeen, nineteen or twenty-six of this chapter, section fourteen, fifteen, sixteen, seventeen or eighteen of chapter two hundred and sixty-six or section ten of chapter two hundred and sixty-nine shall be punished by imprisonment in the state prison for life or for any term of years. **For additional information visit:** <http://www.mass.gov/legis/laws/mgl/265-22.htm>

Chapter 265: Section 24. Assault with intent to commit rape; weapons; punishment; eligibility for furloughs, education, training/ employment programs

Section 24. Whoever assaults a person with intent to commit a rape shall be punished by imprisonment in the state prison for not more than twenty years or by imprisonment in a jail or house of correction for not more than two and one-half years; and whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term of years. Whoever commits any offense described in this section while armed with a firearm, rifle, shotgun, machine gun or assault weapon shall be punished by imprisonment in the state prison for not less than five years. Whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term of years, but not less than 20 years. **For additional information visit:** <http://www.mass.gov/legis/laws/mgl/265-24.htm>

Massachusetts General Laws-Crimes Against the Person: <http://www.mass.gov/legis/laws/mgl/gl-265-toc.htm>

Reporting Sexual Assault:

Within the University, instances of sexual assault should be reported to:

Tufts University Police Department

Medford Campus: 617.627.6911

Boston Campus: 617.627.6911

Grafton Campus: 508.839.6911

Students:

Students who are survivors of sexual assault are highly encouraged to contact University police. Reporting an assault to University police does not require filing criminal charges; however, it does allow the University to assist and support the survivor

Students may also contact the appropriate dean of college/school. On the Medford campus, students may contact Elaine Theodore, Sexual Violence Resource Coordinator located in Health Services, at 617.627.3350 or contact Counseling and Mental Health Services at 617.627.3360 (or visit <http://ase.tufts.edu/counseling>).

***Tufts Policy on Sexual Assault is currently under revision.**