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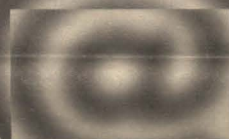
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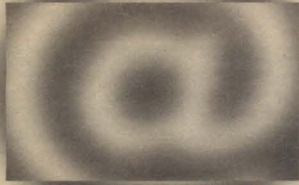
FEB. 1999

s e x u a l



**It Happens Here.
But You May Not See or Hear About it.**

s e x u a l



The numbers may seem small, but sexual assaults happen on this campus.

There are reasons why you don't hear about it.

By Erik Siemers

With one final test to take, and all of her studying done, Jane and a few friends decided it was time for a few beers to finish off a fine spring day.

It was 10 p.m., and after sharing a few drinks in a dorm room, Jane and her companions decided to say a summer's goodbye to a few friends at a fraternity. The people they were searching for weren't there, but an acquaintance of Jane's was, and offered them more alcohol.

Jane had first met him, the acquaintance, during the first week of school. They dated a few times, but had never let it get much farther than that. He was a friend, someone she could trust.

But on this one night, Jane's last night before her last final, she would find out just how misplaced her trust really was.

Most of the night was taken up by simple pleasures; a little piano playing, some chatting, a little relaxation coupled with a lot of loaded beverages. This went on for hours.

Jane's acquaintance at this house had left for a while and came back around 2 a.m. By that time, Jane's freshman body had taken as much alcohol as it could hold.

Her friend, who had just returned, came over and sat down

next to her on the couch. He started talking to her, and since they had dated before, they started kissing.

About 15 minutes later, Jane's companions for the night entered to say they were leaving. Jane, who was pre-occupied, waived to say "hold on." Her friends mistook the wave to mean, "I'm fine, go ahead with out me."

So they left.

Jane's friend then offered to let her stay with him that night. He offered to set his alarm early enough for her to make it to her final in the morning.

They left the couch and entered his room. His roommate and roommate's girlfriend were there too. Jane, was lying in bed nearly passed out when he said: "You can't fall asleep with your pants on."

So he took them off.

Then, they just laid there, and Jane fell asleep.

Five minutes later, her nightmare began. That's when she awoke, to find her acquaintance, her friend, on top of her.

She began telling him no. Then, her thoughts changed, and she asked if he needed a condom. After all, if she was going to have sex she wanted protection.

But her thoughts then changed again. She told him they shouldn't be doing this and she began telling him no again. It took five no's before her acquaintance, her friend, said no.

He penetrated, but stopped before he reached orgasm. But it didn't matter to Jane. She had been violated. She had been hurt by a person she trusted.

Later that day, after asking him for a ride home, the dreaded thoughts hit her like a brick: "Oh my God, oh my God, this didn't happen!"

But it did, and she called her friend to ask him what really happened the previous night.

He was quiet, and told her nothing happened. He told her not to worry about it.

"I knew that he knew what had happened was wrong."

Jane's name isn't real, but her story is. She was a student at UND whose name is being withheld for purposes of anonymity.

And her story happened. It happened at UND, but you probably never heard about it.

Sexual assaults may seem like a rarity on the UND campus, but they're not. You just don't hear about them. And when you do hear about them, or see numbers, the facts may be misleading.

For example, only eight sexual assaults were reported to the UND Police Department in 1998. Figures for 1997 show only two sexual assaults were reported.

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"Oh my God, oh my God, this didn't happen!"

One has been reported this semester. An acquaintance rape at 2808 University Avenue on January 9, according to a report at the UND Police Department.

Each year the Division of Student Affairs is required to compile these campus crime statistics. But these are numbers which could lead people to have a false sense of security.

That's because nationwide figures show that 90 percent of sexual assault victims don't report what happened to them, according to Jerry Bulisco, assistant dean of students and director of judicial affairs and crisis programs at UND.

On campuses, the number rises. There, 99 percent of victims don't report, according to Donna Oltmanns, coordinator of UND's Women's Center.

The fact that these assaults don't get reported may skew the reality behind many of the facts and figures.

But why don't these people report the crimes? Why don't they want to go and seek the help they need to convict the people who they believe sexually assaulted them?

There are a number of reasons. "For the people it happens to, there is a lot of guilt," said Kari Kerr Welsh, direct services coordinator for the Community Violence Intervention Center (CVIC) in Grand Forks.

Perhaps that guilt comes from the fact that a large number of these assaults are incidents where alcohol is related. Or perhaps they don't want to implicate the person who did it. After all, of the 779 reported sexual assaults in North Dakota, 145 of them were committed by an acquaintance or while on a date.

"In their mind (the victims) may be hesitant to come forward, or they have been threatened with 'you better not tell anyone about this or I'll kill you,'" Welsh said.

Even still, many of these victims often think less of themselves, and more about the actions they've taken.

Dick Grosz, director of the UND Counseling Center, said this could be a possible scenario: "If I'm a woman and I come forward to report (a sexual assault), then I'm responsible for ruining someone's life."

All of these scenarios may lead to a sexual assault victim, most of which are women, to not want to report the incident until it's too late to prove it happened, at least physically proven with a rape kit conducted by a hospital.

And when they're not reported, not only do people not realize the frequency of these crimes, they also can't be helped.

Just ask UND Police Chief Duane Czapiewski.

Czapiewski recalled a rumor that was floating around about five years ago that five to nine women who had been raped on campus in a short period of time. He said people began wondering why the police department hadn't been doing anything about this.

"We started trying to track them down," he said.

Czapiewski found someone who said they knew four women who had been raped. He asked this person if the women had reported the crimes. That person said no.

"How are we to address it if we have no idea it occurred," Czapiewski said.

But even in the rare cases of sexual assault that do get reported on campus, the chances of you hearing about them are slim.

When a sexual assault first gets reported on campus, it goes through two separate actions, according to

Bulisco. First, the police pursue a criminal investigation. The student affairs division conducts an investigation as well, and depending on the severity of the crime and the location, Bulisco would hear the case. Bulisco can administer a lot of sanctions, but he can't suspend a student unless it's what he calls an "emergency suspension" where that person is perceived as being dangerous.

The second process that can occur, is that a person with a complaint can be brought to the Student Relations Committee (SRC). The SRC is a body comprised of five students and five faculty members which are appointed by the president via recommendations from the student body president, Bulisco said.

A hearing before the SRC is much like a criminal hearing. All hearings are closed unless the people involved consent to it being open. The University presents its case and witnesses, as does the person accused. The SRC meets to determine if there was a violation of the Code of Student Life, and the accused can present evidence and argument on the appropriate sanction.

The punishment that can be handed by the SRC ranks from a written reprimand all the way to indefinite suspension.

The reason why you don't hear about these trials is because the University is committed to confidentiality under the Family Education Rights and Privacy Act, Bulisco said.

"Back in the '60s, if someone got in trouble, I'd call the parents and tell them," Bulisco said. "We were, in theory, surrogate parents."

With the freedom movements of the '60s and '70s this no longer happened.

"Students attained certain rights to privacy," Bulisco said. "If a stu-

dent signs a release, then we can tell people.

"We also feel, philosophically, that students are adults."

But some people feel less assured about the success of a judicial process like SRC.

Oltmanns, from the Women's Center, is one of those who have skepticism.

"That's a real awkward kind of role to put students in," she said.

"When you start talking about sexual assault, you begin talking about kicking someone out of school and that could be a lot of pressure on a student.

"I don't know how appropriate that is."

Bulisco said that many of his colleagues have found students to be much harder on their peers when it comes to punishment, and that he hasn't received any responses from people who may have been unhappy with the process.

But a lack of faith in the judicial system goes beyond the campus process, according to Welsh from the Crisis Intervention Center.

When a sexual assault is filed off-campus with the police department, they are then sent to the emergency room where a rape kit is administered.

"A rape kit is horrible," Welsh said. "They're not only doing tests for any STDs (Sexually Transmitted Diseases), they're also getting evidence."

After the police report is filed, the case then goes to the state's attorney where it becomes the State of North Dakota vs. John Doe. From there, the victim is merely a spectator, and they don't have the final say in what happens during the case. Their only connection to the case is through an appointed Victim's Advocate who passes information from them to the attorney.

Most of the cases Welsh has seen don't lead to any convictions. That's because many of the cases are difficult to prove; they may have been instances where the people involved had dated before, or may have had sexual relations before.

"Basically it becomes one person's word against another," she said. "Is that a problem with our criminal justice system?"

"Maybe."



• • •

In her seven years on campus, Donna Oltmanns has seen a lot of women who have been sexually assaulted.

"Sometimes it feels like they're coming out of the woodwork," Oltmanns said. "But other times it may be very few."

"It does happen (here) more often than people realize."

Since she set foot on campus Oltmanns has been trying to implement a way for students to anonymously report sexual assaults.

"I don't care if everyone of them is Jane Doe," she said. "What I'm concerned with is that everybody gets the care that they need."

Oltmanns said that distinct, accurate numbers are hard to come by, and an anonymous reporting system would help this.

"It would give me a piece of paper to put in front of an administrator (that says) this happened on our campus," she said. "I would be able to say there were this many people assaulted on campus."

Critics of Oltmanns proposal question who will be doing the paperwork and keeping the statistics.

But Oltmanns, with a pained look in her face, said that's not what's really important.

"It's not about politics or who

Concluded on next page

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If You're **RAPED**

- Get to a safe place and call the police or the Abuse and Rape Crisis Program. Remember, reporting a rape is not the same as prosecuting the attacker.

- Do not bathe, change clothes, or apply makeup. Even though you may feel unclean, it is important to preserve the evidence.

- Seek medical attention to treat injuries, collect evidence and test for disease, infection and pregnancy. Call the crisis center and ask that an advocate accompany you.

- Talk about the assault. Call or stop by the crisis center. It is normal to experience feelings of denial, helplessness, loss of control over your life, confusion, grief, anger, numbness, shame and fear. These feelings may resurface weeks or months later, and are easier to deal with if you talk about them.

For more information and assistance feel free to call the North Dakota Confidential hotline at 1-800-472-2911.

Source: Community Violence Intervention Center

Continued from previous page

can handle the paperwork, it's about getting them help," she said, emotionally, holding her head in her hands. "I'm so frustrated by it I could scream."

Despite the lack of numbers, there's one important figure that administrators don't want people to forget — the number of places to get help.

Oltmanns urges victims to come to the Women's Center to help recover from their assault. Dick Grosz, at the UND Counseling Center said they will provide confidential services to anyone who walks in their door. Welsch said the Community Violence Intervention Center offers both private and group assistance, as well providing public education throughout the community. UND also has a Crisis Coordination Team which is available at 777-2664 from 8 a.m. to 4:30 p.m. and at 777-3491 at any hour.

"I knew how wrong it was and I knew it wasn't my fault, I did the 'why me, why did this happen to me,' but he knew I was drunk and he took full advantage of the situation," she said.

She's currently working on a project at her current campus where she distributes posters advertising good communication and other tips for healthy relationships. She also goes to high schools to talk to students there about sexual assaults, giving them examples of how it can happen.

But to her, regardless of what happened to her as a student at UND, the bottom line is simple: she's getting better.

"Every week I find something new that's healing," she said. "I have to focus on myself and on my soul."

Third degree rape law symbolic of "Why Me?" society

Column by Christina Miller
The Washington Daily

(U-WIRE) SEATTLE, Wash. — Hello. My name is Christina Miller and I am a victim of rape.

Now, considering that I'm a 20-year-old college woman living in a culture where tell-all biographies and memoirs of terrible childhoods make the bestseller's list each year, this confession may not surprise you.

However, if you are sexually active, you have likely been a rape victim yourself.

Surprised yet? According to a Committee Organizing Rape Education presentation I attended in December, the definition of third degree rape in this state defines the crime as such: if two parties willfully engage in sexual activities, but neither gives explicit verbal consent, and one party feels violated the next day, a rape has occurred.

Assuming that the sense of violation is implicit in the act of pressing charges, and that most lawmakers wouldn't presume to legislate something as intangible as emotion, this law states that in the absence of verbal consent, any sexual encounter is a potential rape.

True rape victims should be offended at my claim of sharing their painful experience of survival, as well as should any sensible person be offended at my presumption. Rape implies one party overpowering, dominating, and victimizing another. How can this mere lack of verbal consent be considered rape when the "victim" presumably has the power to end the encounter by saying no?

This is not an instance of rape;

it is an instance of sexual miscommunication fueled by a lack of assertiveness and self-respect. Most of us have come to learn that no means no, but it takes a far stretch of the imagination, not the mention the law, to claim that active participation or indifference means no.

Regardless of when the law hit the books, it's a perfect symbol for our waning, whining decade. This law feeds right into our overwhelming culture of victimhood by allowing an easy way out of accepting responsibility and into the more desirable position of placing blame.

Instantly, with one morning-after accusation, the "victim" can shed all personal responsibility regarding the sexual act, forget any shame or regret at not refusing unwanted sex and place all the blame and responsibility on the unwitting partner. Rather than accepting the fact that he or she is responsible for his or her choice to shut up and put out, this definition of rape provides a legal means of blame, magically transforming an irresponsible person into a victim - a modern Cinderella story.

If the '70s introduced the "Me" generation, the '90s have certainly produced the "Why Me?" generation. Never before has the status of victim held such appeal. Victims of childhood abuse tell their chilling stories not in a therapist's office or among close friends and relatives, but on national talk shows in the new trend of daytime traumatization.

Those who can't remember alleged abuses search for them pas-

sionately. The unproven, non-scientific theory of memory recovery has exploded into our consciousness, spawning a booming business of therapeutic techniques and books aimed at consumers just itching to find traumas to explain away their every flaw.

A syndrome has been created to justify every personality flaw, and perfectly valid psychological ailments have been exploited to do the same. It was only a few years back that a lawsuit claiming that a man's perpetual tardiness to work could be explained by his suffering from Post Traumatic Stress Disorder as a result of childhood verbal abuse was brought against his employer who had fired him for consistent lateness.

Not surprisingly, he won his job back with disability benefits to boot, helping to spread our love affair with victimhood into the judicial arena and paving the way for the use, and abuse, of such inane laws as that applying to third degree rape.

People are no longer so much admired for what they accomplish in their lives, but for what they've survived in the past. We live in a time where what's been done to you is considered more a part of your character and personality than what you'll ever do, a backwards and dangerous notion.

Our culture is breeding a generation of overly self-analytical, responsibility-phobic wussies; the trend doesn't seem to be letting up.

We've got one year left to salvage this "Why Me?" decade. I certainly hope this isn't the legacy we leave for future generations to remember us by.

Forgive my anger and bile, you'll have to remember that I'm a victim.

But then, aren't we all?

...
oday Jane is on a different campus. The memories at UND were too difficult and painful for her to stay.

But rather than remaining the victim, she looks back at what happened to her and makes the best of it.

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