



WV PIVIT Toolkit

West Virginia Prevention and Interpersonal Violence Intervention Training (PIVIT) Toolkit

Prevention Edition

West Virginia Intercollegiate Council Against Sexual Violence

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Forward

INTRODUCTION

This document is one of the three editions of the *West Virginia Prevention and Interpersonal Violence Intervention Training (PIVIT) Toolkit* created by the West Virginia Intercollegiate Council Against Sexual Violence, a collaborative of colleges and universities, rape crisis centers, and allied professionals in West Virginia.

The target groups for the three editions are:

- ✓ Campus law enforcement and security officers;
- ✓ Campus personnel involved in interpersonal violence prevention efforts; and
- ✓ Campus judicial boards

It is the hope of those who worked on this project that the users of this toolkit will review and utilize all toolkit sections in order to provide a more effective and comprehensive response to student victims of sexual violence, dating violence, domestic violence and/or stalking (collectively referred to as interpersonal violence).

Project Partners

The Office on Violence Against Women (Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence, and Stalking on Campus Program) provided financial support for the development of this toolkit. Project partners included Fairmont State University (grant administrator), Concord University, Davis & Elkins College, Glenville State College, Marshall University, Shepherd University, West Virginia State University, the West Virginia School of Osteopathic Medicine, West Virginia Wesleyan College, CONTACT Huntington, Family Counseling Connection/REACH Program, Family Refuge Center, HOPE, Inc., Shenandoah Women's Center, Women's Aid in Crisis, Women's Resource Center, the West Virginia Higher Education Policy Commission, and the West Virginia Foundation for Rape Information and Services (grant coordinator).

Project Coordination

Nikki Godfrey of the West Virginia Foundation for Rape Information and Services served as Project Coordinator.

Kristin Littel served as Project Consultant.



User's Guide

OVERVIEW

The *West Virginia Prevention and Interpersonal Violence Intervention Training (PIVIT) Toolkit: Prevention Edition* was developed to enhance and standardize the knowledge that college personnel involved in interpersonal violence prevention efforts have regarding this type of violence and their role promoting prevention as well as responding to disclosures of violence. It also offers tools to facilitate training programs for campus personnel on this topic. (Note that in this toolkit, colleges and universities are referred to as colleges.)

Reviewing the toolkit and utilizing the training materials can assist you in:

- ✓ Understanding the nature and dynamics of interpersonal violence, victimization, victim trauma and victim behavior, as well as perpetration;
- ✓ Increasing knowledge about criminal laws related to interpersonal violence, relevant college policies and federal civil laws;
- ✓ Building comfort and competency in discussing these issues in general and with victims of these crimes; and
- ✓ Increasing knowledge of how to respond to reports of interpersonal violence as per the scope of your duties and intervene in a coordinated manner with other campus and community responders; and
- ✓ Promoting prevention of interpersonal violence on your campus and evaluating the effectiveness of your efforts.

The toolkit can also be a reference source to help address issues and challenges that arise in the course of dealing with this issue with college students.



Acquiring new knowledge and putting it into practice is a process. You are not expected to “know” the information in the toolkit all at once. Instead, you can work through toolkit sections at your own pace, building your knowledge base as you go and considering how new information fits into your work. You will see this note at the beginning of most toolkit sections, to encourage you not to get overwhelmed by the extensive amount of information presented.

ORGANIZATION

The toolkit is organized into several sections as summarized below. See the toolkit's *Table of Contents* for specific topics covered in each section.

A. Are You Ready to Respond? This section offers a self-assessment tool to help prevention educators (1) assess their readiness for promoting prevention and responding to interpersonal violence on campus, (2) identify their strengths and areas for improvement,

and (3) identify training needs and sections of the toolkit to help build upon identified strengths and address informational needs. This survey takes just a few minutes to complete.

B. What You Need to Know. This section includes general and college specific information on the different types of interpersonal violence as well as provides a brief overview of gender bias, victim blaming and perpetrators.

C. Responding to Disclosures. This section discusses what you need to know to respond effectively when someone has been victimized, criminal investigation and school-based judicial processes, and resources available to students.

D. Getting Started Promoting Prevention. This section offers basic information on the concept of primary prevention and its relevance to the elimination of interpersonal violence on college campuses. It challenges you to look beyond the “one-time presentation” and suggests ways to implement a comprehensive campus approach.

E. Evaluation. This section provides basic information to help facilitate evaluation planning and implementation for your prevention program.

F. Training and Education Resources. This section offers interpersonal violence training materials (PowerPoints, suggested agendas, facilitator’s guides) as well as a compilation of supplemental resources which were reviewed and selected for training college personnel who will be conducting prevention activities.

G. Sample Policies and Procedures. This section offers sample policies and procedures on issues that can impact interpersonal violence prevention efforts with students. You are encouraged to review these carefully and make adaptations as appropriate to your department’s mission and services as well as the needs on your campus.

Be sure to periodically check www.fris.org for toolkit updates.



Explanations of terms can be found throughout the toolkit. Two initial explanations:

(1) Although both males and females are victims of interpersonal violence, most reported and unreported cases involve female victims (Rennison, 2002; Tjaden & Thoennes, November & April 1998, 2000; Catalano, 2007) and male offenders (Greenfeld, 1997; Catalano, 2007). Thus, victims are often referred to in this toolkit as females and offenders as males. This use of terms is not intended to minimize the fact that male victimization and same gender violence do occur.

(2) In this toolkit, the term “interpersonal violence” generally refers to sexual violence, domestic violence, dating violence and stalking. “Sexual violence” and “sexual assault” are generally used in this toolkit to encompass sexual assault, sexual abuse and other forms of sexual violence, unless otherwise specified.

College personnel doing prevention programming are strongly encouraged to partner with their local rape crisis centers and domestic violence programs. These centers offer a range of direct services for victims. They also have prevention education specialists on staff who can assist in preparing and implementing prevention activities. In addition, these centers have access to most of the resources identified in the toolkit.

REPRODUCTION OF MATERIALS

The non-commercial use and adaptation of this toolkit to increase knowledge about interpersonal violence and/or to use as a supplement or guide to training or professional development is permitted.

Please **credit any material used from this toolkit** to the **West Virginia Intercollegiate Council Against Sexual Violence**. Visit www.fris.org for additional information about this collaboration.

REFERENCES

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A. Are You Ready?

INTRODUCTION

This toolkit provides essential information for you, as an interpersonal violence prevention educator or trainer working on college campuses. Presenting information on interpersonal violence requires more than just being knowledgeable on the subject content. You need to be prepared to respond to the full range of reactions to doing training and prevention work, such as enthusiastic and critical responses to your presentations, complex discussions on the issues (victimization and perpetration) and disclosures of victimization (addressing what to do, where to go and how to help). Doing interpersonal violence prevention training and education on college campuses requires you to have *multiple layers of knowledge* about these types of violence and prevention programming, both in general and as they specifically relate to college students. The diversity of college audiences and the need for targeted interventions with specific populations require a dynamic yet flexible presentation style to quickly be able to recognize when group dynamics suggest the need for modifications.

College students generally range in age from adolescents, often minors, to young adults and non-traditional students who may be older adults at varying stages of life. You will need a solid understanding of different learning styles and to be certain that activities, resources, and interventions are age-appropriate and culturally sensitive – not “one size fits all.”

You are encouraged to review the toolkit in its entirety to build your knowledge base. You are also encouraged to think about how you can best utilize this toolkit to maximize the positive impact of your

training and prevention efforts with students, faculty and staff as well as with campus administrators.

This self-assessment tool is designed to help you identify your strengths as well as the areas in which you need to build your knowledge base as you prepare to present effective interpersonal violence trainings and prevention programs for college students. *This self-assessment tool is solely for your individual use.* It is designed to help you:

- Assess your readiness to do interpersonal violence training and prevention work with campus staff and students;
- Recognize and address areas of privilege, bias or discomfort related to your own experiences or beliefs;
- Identify any related gaps in knowledge you may have; and
- Find the sections of the toolkit that provide information to fill those gaps.

If the assessment tool helps you identify specific areas where you require additional knowledge, you can focus on the sections of the toolkit that address those areas.

You are also encouraged to seek guidance and information as needed from your supervisor and others doing this and similar work on your campus and in the local community (such as the local rape crisis center). The West Virginia Foundation for Rape Information Services (WVFRIS) can also be a source of guidance and information.

It is likely that even those experienced in this work will identify areas in which knowledge could be expanded. Those with less experience may find a need to build knowledge on the majority of toolkit topics. The purpose of



the toolkit is not to overwhelm you but to provide a reference tool for you to learn what you need to know to

effectively do interpersonal violence training and prevention education. Acquiring new knowledge and putting it into practice is a process—you are not expected to “know” the information all at once. Instead, work through toolkit sections at your own pace, building your knowledge base and considering how new information fits into your programming efforts.

SELF-ASSESSMENT TOOL: READINESS FOR PROMOTING PREVENTION PROGRAMS ON CAMPUS AND RESPONDING TO DISCLOSURES

This self-assessment tool is designed to help you evaluate the depth of your knowledge and your comfort level with different issues as you prepare to present interpersonal violence training and prevention programs on campus. It is important that you answer each item honestly. Additional instructions on how to use this tool are provided at the end.

Consider your current level of knowledge, skill and readiness for each item, and then rate each statement according to the following scale. (Circle one for each.)

1-----2-----3-----4-----5
 This statement is not true. This statement is true.
 I have very little knowledge on this topic. I have a great deal of knowledge on this topic.

Interpersonal Violence Knowledge	
1. I can describe different forms of interpersonal violence. (See B2. Types of Interpersonal Violence)	1 2 3 4 5
2. I can explain how gender bias and victim blaming reinforce society's tolerance for interpersonal (gender-based) violence. (See B3. Gender Bias & B4. Victim Blaming)	1 2 3 4 5
3. I can provide current information on the prevalence of interpersonal violence in the general population. (See B2. Types of Interpersonal Violence)	1 2 3 4 5
4. I can provide information on the risk factors for perpetration of interpersonal violence in the general population and against college students. (See D2. Prevention Principles & B2. Types of Interpersonal Violence)	1 2 3 4 5
5. I can clearly convey the role of a bystander in safely intervening to prevent interpersonal violence. (See D4. Options for Responding & Safety First)	1 2 3 4 5
6. I can provide information on the risk factors for victimization among college students. (See D2. Prevention Principles)	1 2 3 4 5
7. I can cite state laws related to interpersonal violence. (See B2. Types of Interpersonal Violence)	1 2 3 4 5
8. I can cite state laws regarding the victimization of adults who are incapacitated specifically due to the influence of a controlled or intoxicating substance. (See B2. Types of Interpersonal Violence & C2. Policies Guiding Response to Disclosure)	1 2 3 4 5
9. I know whether I am a mandated reporter of sexual violence against children as well as adults who are considered incapacitated under state law. (See C2. Policies Guiding Response to Disclosures)	1 2 3 4 5
10. I am knowledgeable of federal requirements regarding mandatory interpersonal violence prevention programs on campus. (See C2. Key Federal Legislation Influencing Campus Response)	1 2 3 4 5
11. I can provide detailed information on student conduct/judicial affairs policies and procedures regarding sexual violence on my campus. (See C2. Policies Guiding Response to Disclosures & the student conduct/judicial affairs policies for your campus)	1 2 3 4 5
12. I understand and can describe the potential impact of interpersonal violence on victims. (See C3. Understanding Victims' Needs)	1 2 3 4 5
13. I could provide crisis intervention if someone disclosed victimization before, during or after one of my presentations. (See C4. Be Prepared to Intervene in a Crisis)	1 2 3 4 5
14. I can explain the purpose and benefits of a forensic medical examination. (See C4. Encourage Evidence Preservation in Sexual Assault Cases)	1 2 3 4 5
15. I am knowledgeable about the specific resources available on my campus and in my community for victims of interpersonal violence. (See C4. Be Ready to Provide Information and Referrals)	1 2 3 4 5
16. I am knowledgeable about victimization specific to:	
16a. Students with disabilities. (See C5. Victims with Disabilities)	1 2 3 4 5
16b. International students. (See C5. International Students)	1 2 3 4 5

1-----2-----3-----4-----5

This statement is not true.
I have very little knowledge on this topic.

This statement is true.
I have a lot of knowledge on this topic.

16c. LGBTQ students. (See C5. LGBTQ Students)	1 2 3 4 5
17. I can explain reporting options for college students who are victims of interpersonal violence on my campus, specifically:	1 2 3 4 5
17a. On how a student can report a sexual assault to law enforcement and how a case typically proceeds in the criminal justice system. (See C4. Be Prepared to Explain Reporting Options & Criminal Justice Response vs. Civil Legal Remedies)	1 2 3 4 5
17b. Any procedures in place if a victim wishes to report anonymously or not report to law enforcement at all. (See C4. Be Prepared to Explain Reporting Options)	1 2 3 4 5
17c. How a student can report interpersonal violence as a violation of the code of conduct on my campus and what happens after a report is made. (See C4. Be Prepared to Explain Reporting Options)	1 2 3 4 5
18. I can describe civil legal options, including protective orders, available to victims of interpersonal violence on my campus and in the community. (See C4. Criminal Justice Response vs. Civil Legal Remedies & Protective Orders)	1 2 3 4 5
19. I can describe reporting procedures for students experiencing sexual harassment on my campus. (See C4. Inform Victims of Sexual Harassment of Their Options)	1 2 3 4 5

Interpersonal Violence Training and Prevention Programming	
20. I can explain the differences among primary, secondary and tertiary prevention programs. (See D2. Continuum of the Prevention of Violence)	1 2 3 4 5
21. I can explain how a primary prevention approach can be used to counteract the root causes of interpersonal violence. (See D2. Impact of Primary Prevention on Interpersonal Violence & D3. Socio-Ecological Approach to Violence Prevention)	1 2 3 4 5
22. I can identify characteristics of effective prevention programs. (See D3. Characteristics of Effective Prevention Programs)	1 2 3 4 5
23. I can identify key issues in planning to present interpersonal violence training and prevention programs. (See D3. Planning Your Programming Approach)	1 2 3 4 5
24. I can describe ways to create a comprehensive prevention program that are also culturally relevant. (See D3. A Comprehensive Program Approach & D3.Planning Your Programming Approach)	1 2 3 4 5
25. I can identify ways to involve men in interpersonal violence prevention work. (See D3. Types and Topics: Prevention Activities)	1 2 3 4 5
26. I can communicate how the development of healthy sexuality reduces the risk of violent and abusive behavior. (See D2. Promoting Protective Factors)	1 2 3 4 5
27. I can evaluate the effectiveness of interpersonal violence training and prevention programs. (See E. Evaluating Prevention Programs)	1 2 3 4 5
28. I can identify resources that could be useful in planning and implementing interpersonal violence training and prevention programs on my campus. (See F. Resources)	1 2 3 4 5
29. I can identify policies and procedures that could be adapted for use on my campus to help address and prevent interpersonal violence. (See G. Sample Policies and Procedures)	1 2 3 4 5

If you answered 1, 2 or 3 for any of the above statements, you are encouraged to review the specific sections of the toolkit indicated in parenthesis at the end of each item.

Contact the West Virginia Foundation for Rape Information and Services (www.fris.org) if you would like more assistance with general issues related to presenting sexual violence training and prevention education programs.



B. What You Need to Know About Interpersonal Violence

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INTRODUCTION

Interpersonal violence is defined as "the intentional use of physical force or power, threatened or actual, against another person or against a group or community that results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation" (Dahlberg & Krug, 2002). **The term interpersonal violence may be used interchangeably with the terms gender-based violence or power-based personal violence in this toolkit.** While each frames the violence slightly differently, all involve violence used against a person using power, control and/or intimidation to harm another.

Interpersonal violence is a serious problem on college campuses. As noted in *Beyond Title IX: Guidelines for Preventing and Responding to Gender-based Violence in Higher Education* (Fleck-Henderson, 2012), women of traditional college age continue to be at particular risk for interpersonal violence:

- ✓ Approximately 80% of female rape victims experienced their first rape before the age of 25 (Black et al., 2011). About 1 in 5 women experience sexual assault during their college years (Krebs et al., 2007).
- ✓ About 12% of completed rapes, 35% of attempted rapes and 22% of threatened rapes on college campuses occurred on a date (Fisher, Cullen & Turner, 2000).
- ✓ Women ages 20 to 24 are at highest risk for violence by an intimate partner (Rennison & Welchans, 2000).
- ✓ Women ages 18 to 24 are at highest risk of stalking (Baum et al., 2009).

The main acts of interpersonal violence explored in this toolkit are sexual violence, domestic violence, dating violence and stalking. Intervening in and preventing interpersonal violence requires understanding the fact that while anyone can be a victim or a perpetrator, research indicates that specific populations are more likely to experience these types of violence at a higher rate (e.g., women, people with disabilities, etc.) and that men are more likely to be offenders than women.



Acquiring new knowledge and putting it into practice is a process. You are not expected to “know” the information in the toolkit all at once. Instead, you can work through toolkit sections at your own pace, building your knowledge base as you go.

B1. EXPLANATION OF KEY TERMS

It is helpful to be familiar with terms that explain the nature and scope of interpersonal violence.

Consensual Sex: The voluntary agreement, by words or conduct, to engage in sexual activity. Lack of consent is critical in determining whether a sexual assault has occurred. People have the right to change their minds at any point in a sexual encounter and to withdraw consent by words or conduct. Consent cannot be provided under the following conditions: when the victim was incapable of consenting due to age, mental or physical incapacity; when the victim used words or conduct to indicate “no;” or when the victim changed his/her mind. In West Virginia, a person cannot legally consent to sexual activity if she/he is under the age of 16. (See *WVC §61-8B-2*.)

Coercion: The use of manipulation, threat or force to have sexual contact with someone without her/his consent. Many behaviors that are deemed socially acceptable actually promote and lead to sexual coercion (e.g., initiating any sexual contact without explicit permission and/or without explicit awareness of what the other person wants, acting despite mixed signals from the other person, sexual contact with someone who is drunk or on drugs or otherwise unable to give consent, and impulsive sexual action or acting on a dare) (University of Chicago).

Electronic Aggression: Any kind of aggression perpetrated through technology or the Internet and cell phone harassment or bullying (Hertz & David-Ferdon, 2008). Electronic aggression may be used interchangeably in this toolkit with the term cyberstalking.

Dating Violence: Dating violence is controlling, abusive and aggressive behavior against a person on a date or a dating partner. It can include any combination of physical, emotional or

sexual abuse. Dating violence should not be viewed simply as a form of domestic violence—the fact that individuals are on a date or dating doesn't necessarily mean they are in an intimate relationship. Even if they have been intimate, it does not mean they consider what they have as a relationship. In many instances on college campuses, violence while on a date may have more to do with sexual than domestic violence.

Domestic Violence: Abusive behavior perpetrated by an intimate partner against another is domestic violence. Under West Virginia law, the definition extends to include a victim who is related to the abuser's family or who is another household member.

Drug-Facilitated Sexual Assault: This type of sexual victimization occurs when drugs or alcohol are used to compromise an individual's ability to consent to sexual activity. Drugs and alcohol are also used to minimize the victim's resistance to sexual assault as well as her/his memory of the assault. Drugs commonly used to incapacitate a victim include Ecstasy, Ketamine, Benzodiazepines, GHB and GBL (RAINN, 2009).

Non-Stranger Sexual Assault and Abuse (generally referred to as non-stranger sexual assault): Involves coercive sexual activities that are imposed upon a person by someone she/he knows, including a friend, date or acquaintance (adapted from Rape, Abuse & Incest National Network—RAINN, 2009). In the vast majority of sexual assaults, the victim knows the offender.

Sexual Abuse: Occurs when a person subjects another to sexual contact without her/his consent, and that lack of consent is due to physical force, threat or intimidation (according to West Virginia law).

Sexual Assault: Sexual intercourse or sexual intrusion without consent (according to West Virginia law). Some types of sexual acts which fall under the category of sexual assault include forced sexual intercourse, sodomy (oral or anal sexual acts), incest and attempted rape.

Sexual Harassment: Unwanted and unwelcome sexual behavior that makes the person being harassed feel uncomfortable and affects her/his employment, unreasonably interferes with his/her work or school performance or creates an intimidating, hostile or offensive work or school environment.

Sexual Violence: Conduct of a sexual nature which is non-consensual and is accomplished through threat, coercion, exploitation, deceit, force, physical or mental incapacitation and/or power of authority (Virginia Sexual and Domestic Violence Action Alliance).

Stalking: A course of conduct directed at a specific person that would cause a reasonable person fear. West Virginia's stalking statute includes stalking (repeated following) and harassment. Under West Virginia law, stalking includes one behavior - repeated (more than one time) following. Harassment can include many types of unwanted behaviors, including telephone harassment; sending/giving unwanted gifts, letters or e-mails to the victim; monitoring of telephone calls or computer use; spreading rumors or otherwise defaming the victim's character; vandalism or other destruction of property; and threats to the victim and her family, friends and pets.

B2. TYPES OF INTERPERSONAL VIOLENCE

Sexual violence, dating violence, domestic violence and stalking are serious crimes affecting millions of individuals across the nation, including many attending college. This section offers general information on these crimes and applicable criminal offenses, as well as data specific to various forms of interpersonal violence against college students.

Sexual Violence

Sexual violence is broadly defined by the World Health Organization (Krug et al., 2002) as **any sexual act or attempt to obtain a sexual act** (as well as unwanted sexual comments or advances or acts to traffic) **directed against a person's sexuality using coercion**. For the toolkit's purpose, this **overview of sexual violence is focused on those acts which are considered crimes in West Virginia**. Examples of crimes of sexual violence include:

- ✓ Rape—sexual intercourse against a person's will;
- ✓ Forcible sodomy—anal or oral sex against a person's will;
- ✓ Forcible object penetration—penetrating someone's vagina or anus, or causing that person to penetrate her/himself, against that person's will;
- ✓ Unwanted sexual touching;
- ✓ Sexual contact with a person who lacks the capacity to give consent;
- ✓ Incest (sexual contact between family members); and
- ✓ Any other nonconsensual sexual contact (see blue chart below).



When discussing criminal offenses (see below), specific terms are used to describe specific criminal acts. However, unless otherwise specified, the terms sexual violence and sexual assault are generally used in this toolkit to encompass the spectrum of sexual assault, sexual abuse and other forms of sexual violence.

STATE LAWS



Sexual assault and sexual abuse are the two major classifications of sex offenses in West Virginia (WVC§61-8B).

Sexual abuse occurs when a **person subjects another to sexual contact without her/his consent**, and that **lack of consent is due to physical force, threat or intimidation**. There are **three levels** of sexual abuse in West Virginia:

- ✓ **1st Degree:** Sexual contact without the victim's consent due to forcible compulsion, the victim is physically helpless, or the victim is younger than age 12 and the perpetrator is age 14 or older. *Penalty:* An indeterminate term of not less than 1 nor more than 5 years in a state correctional facility; and/or a fine of not more than \$10,000. However, if the defendant is 18 or older and the victim is younger than 12, the penalty is not less than 5 nor more than 25 years in a state correctional facility; and/or a fine of not less than \$1,000, nor more than \$5,000.

- ✓ **2nd Degree:** Sexual contact with someone who is mentally defective or mentally incapacitated. *Penalty:* Confinement in a regional jail for not more than 12 months; and/or a fine of not more than \$500.
- ✓ **3rd Degree:** Sexual contact with a victim under age 16 without her/his consent. *Penalty:* Confinement in a regional jail for not more than 90 days; and/or a fine of not more than \$500.

Sexual assault is sexual intercourse or sexual intrusion without consent. There are **three levels** of sexual assault in West Virginia:

- ✓ **1st Degree:** The perpetrator inflicts serious bodily injury, uses a deadly weapon, or the perpetrator is over age 14 and the victim is younger than 12 years old and is not married to that person. *Penalty:* An indeterminate term of not less than 15 nor more than 35 years in a state correctional facility; and/or a fine of not less than \$1,000 nor more than \$10,000. However, if the defendant is 18 or older and victim is younger than 12, the penalty is not less than 25 nor more than 100 years in a state correctional facility, and or a fine of not less than \$5,000 nor more than \$25,000.
- ✓ **2nd Degree:** Sexual intercourse or intrusion without consent and lack of consent is due to forcible compulsion or physical helplessness. *Penalty:* An indeterminate term of not less than 10 nor more than 25 years in a state correctional facility; and/or a fine of not less than \$1,000 nor more than \$10,000.
- ✓ **3rd Degree:** Sexual intercourse or intrusion with someone who is mentally defective or mentally incapacitated, or when someone age 16 or older assaults someone less than 16 who is at least 4 years younger than the perpetrator and not married to him/her. *Penalty:* An indeterminate term of not less than 1 nor more than 5 years in a state correctional facility; and/or a fine of not more than \$10,000.

There is **no statute of limitations for felony sex offenses (all degrees of sexual assault and 1st degree sexual abuse); 2nd and 3rd degree sexual abuse must be charged within 1 year** after the offense was committed (*WVC§61-11-9*).

Explanation of Terms: WV Sexual Abuse and Sexual Assault Laws

Forcible compulsion: (a) physical force that overcomes such earnest resistance as might reasonably be expected, under the circumstances; (b) threat or intimidation, expressed or implied, placing a person in fear of immediate death or bodily injury to him/herself or another person or in fear that he/she or another person will be kidnapped; or (c) fear by a person under 16 years of age caused by intimidation, expressed or implied, by another person who is at least 4 years older than the victim. For the purpose of this definition, "**resistance**" includes physical resistance or any clear communication of the victim's lack of consent.

Married: for the purpose of this article, in addition to its legal meaning, includes persons living together as husband and wife regardless of the legal status of their relationship.

Mentally defective: a person suffers from a mental disease or defect which renders that person incapable of appraising the nature of his/her conduct.

Mentally incapacitated: a person is rendered temporarily incapable of appraising or controlling his/her conduct, as a result of the influence of a controlled or intoxicating substance administered to that person without his/her consent or a result of any other act committed upon that person without his/her consent.

Physically helpless: a person is unconscious or for any reason is physically unable to communicate unwillingness to an act.

Sexual contact: intentional touching, either directly or through clothing, of the anus/any part of the sex organs of another person, or the breast of a female or intentional touching of any part of another person's body by the actor's sex organs, where the victim is not married to the actor and the touching is done to gratify the sexual desire of either party.

Sexual intercourse: any act between persons involving penetration, however slight, of the female sex organ by the male sex organ or involving contact between the sex organs of one person and the mouth or anus of another person.

Sexual intrusion: any act between persons involving penetration, however slight, of the female sex organ or of the anus of any person by an object for the purpose of degrading or humiliating the person so penetrated or for gratifying the sexual desire of either party.

Bodily injury: substantial physical pain, illness or any impairment of physical condition.

Serious bodily injury: bodily injury which creates a substantial risk of death, which causes serious or prolonged disfigurement, prolonged impairment of health, or prolonged loss or impairment of the function of any bodily organ.

Deadly weapon: any instrument, device or thing capable of inflicting death or serious bodily injury and designed or adapted for use as a weapon or possessed, carried or used as a weapon.

While some terms are not the most sensitive choice of language, they currently define the law. Avoid use of legal terms such as "mentally defective" when talking with victims as this could increase their reluctance to seek assistance.

DRUG FACILITATED SEXUAL ASSAULT/ABUSE

In West Virginia, someone who is drunk or drugged cannot give consent to sex.

Perpetrators may intentionally drug their victims or prey on persons who have been voluntarily drinking in order to have sexual intercourse with them. If a person has sex or sexual contact with someone who is in such an incapacitated condition, it is a form of sexual violence.

Sexual violence is often linked to the abuse of drugs, primarily alcohol, that decrease inhibitions and make the user incapacitated. In addition to alcohol, the drugs most often used to facilitate sexual violence are GHB, Ecstasy, Rohypnol (a benzodiazepine), Ketamine and Soma, although other benzodiazepines and sedative hypnotics are used as well. (RAINN offers a brief [explanation of each of these drug's street names, what they are and their effects.](#))

These drugs cause unconsciousness—an effect that is quickened and intensified when the drugs are taken with alcohol. They can also cause intense sleepiness, memory loss, nausea, lack of coordination, slurred speech, loss of inhibition, confusion, seizures and even death.

Victims may be unconscious during all or parts of the sexual assault and, upon regaining consciousness, may experience anterograde amnesia—the inability to recall events that occurred while under the influence of the drug.

Victims often are reluctant to report drug facilitated sexual violence because of a sense of guilt, embarrassment or perceived responsibility because they lack specific recall of the assault. Many of the drugs used in these cases are rapidly absorbed and metabolized by the body, making them undetectable in routine urine and blood drug screenings.



Potential signs a person may have been drugged:

- ✓ Feeling more intoxicated than usual for the amount of alcohol that was consumed;
 - ✓ Waking up feeling hung over or still feeling intoxicated/drugged;
 - ✓ Experiencing memory lapse and not being able to account for periods of time;
 - ✓ Remembering taking a drink but not being able to recall what happened for a period of time after consuming the drink; and/or
 - ✓ Thinking sex occurred, but not being able to remember the actual incident.
-

SEXUAL VIOLENCE AGAINST COLLEGE STUDENTS

What number of college students experience sexual assault?

In the U.S., it is estimated that 1 in 6 women and 1 in 33 men will become a victim of attempted or completed rape in their lifetimes (Tjaden & Thoennes, 1998, 2006). In West Virginia, 1 in 6 women and 1 in 21 men will experience an attempted or completed forcible sexual assault during their lifetimes (West Virginia Behavior Risk Factor Surveillance System Survey, 2008).

College women have even higher rates of sexual victimization than the general and state populations. The *National College Women Sexual Victimization Study* (Fisher, Cullen & Turner, 2000) found 35 incidents of rape per nine-month academic year for every 1,000 female students at a college. When projected to a full calendar year, nearly 5% of college women are victims of rape annually (Pennsylvania Coalition Against Rape, 2004). This projection coincides with the findings of several other national studies (Kilpatrick, Edmunds & Seymour, 2007; Mohler-Kuo et al., 2004). Based on these figures, **1 in 5 women (20%) experience rape during a now-typical five-year college career** (Pennsylvania Coalition Against Rape, 2004). Similarly, the more recent *Campus Sexual Assault Study* (Krebs et al., 2007) found **19% undergraduate women had been victims of an attempted or completed sexual assault since entering college.**

Who sexually assaults college students?

According to the West Virginia State Police 2012 Incident-Based Reporting System, **85% of sexual assault victims knew their offenders: 47% of sexual assaults were committed by an acquaintance (non-intimate partner)**, 9% by an intimate partner, 29% by other family members, 5% by a stranger and in 11% of these cases, the relationship between victim and offender was unknown. Similarly, Fisher, Cullen and Turner (2000) found 9 out of 10 of the female rape victims knew their offenders. Most often they were boyfriends, ex-boyfriends, classmates, friends, acquaintances or co-workers. Another survey indicated that 3 out of 4 victims knew their offenders (Hart, 2003). Clearly, **the vast majority of sexual assaults are perpetrated by persons known to victims rather than by strangers.**

In what contexts does sexual assault occur in the college environment?

Non-stranger sexual assault in college settings occurs in a variety of contexts, including:

- ✓ **At a party:** For example, at an off-campus residence, involving a perpetrator plying the targeted victim with alcohol or targeting someone who is intoxicated.
- ✓ **On a date:** For example, after going out to the movies together and then kissing back at the victim's house, the perpetrator forces sex on the victim.
- ✓ **Non-party, non-date situation:** For example, where two students who are just becoming acquainted and the perpetrator sexually assaults the victim in a car or residence.
- ✓ **Sexual assault by a current or former intimate partner:** For example, one current partner overpowers the other and forces sex on them.



The majority of sexual assaults of college students are not perpetrated by dating partners or during a date, but occur when the victim and perpetrator are otherwise in the same place, such as at a party together (Pennsylvania Coalition Against Rape, 2004).

Unfortunately, the term “date rape” so commonly used on college campuses has led many to believe that rapes are committed by “basically good guys” who, when faced with the combination of too much alcohol and “miscommunication,” accidentally commit a sexual assault. However, research on sexual perpetrators over the last two decades has clearly shown that **many campus rapes are not “accidents” due to miscommunication and, in fact, are committed by a small number of students who are, in essence, serial rapists** (West Virginia Foundation for Rape Information and Services, 2012). Lisak and Miller (2002) found that perpetrators of sexual assaults on college campuses were often premeditating, repeat offenders, who targeted females who were most vulnerable and would lack credibility.

Where and when do sexual assaults of college students occur?

Fisher, Cullen and Turner (2000) found that sexual assaults of college women took place both on- and off-campus, in the victims' residences and other living quarters, and at fraternities, bars, nightclubs and work settings. They also found that the vast majority of sexual victimizations occurred in the evening after 6 p.m.

Do victims experience physical injuries in the course of a sexual assault?

Fisher, Cullen and Turner (2000) found that in about 1 in 5 rape and attempted rape incidents of college women, victims reported being injured, most often citing the response “bruises, black-eye, cuts, scratches, swelling or chipped teeth.” **As perpetrators are often successful in using coercion, intimidation and the threat of force to facilitate sexual assault, excessive force is generally not a factor. As a consequence, most victims of sexual assault have few visible physical injuries.** Note, however, that the absence of physical evidence in no way correlates with the level of fear and terror that victims may have experienced during an assault.

Emotional trauma as result of a sexual assault is more likely than physical injuries. Victims also may be at risk for getting a sexually transmitted infection, including HIV/AIDS, from their perpetrators, becoming pregnant if they are females, or having short- and long-term physical ailments associated with emotional trauma caused by sexual victimization (see *C. Responding to Disclosures*).

What factors may raise college women’s risk for sexual victimization?

Numerous risk factors as cited below are associated with sexual victimization for college students. Note that most studies cited focus on women rather than men due to the high rates of sexual assault of college women. Just being a female is a risk factor for victimization.

Alcohol and Drug Use: Most college sexual assaults involve alcohol consumption, by either or both the victims and perpetrators (Abbey, 2002; Abbey et al., 1996; Koss et al., 1987; Presley et al., 1997; Mohler-Kuo et al., 2004; Tjaden & Thoennes, 2006). Attending a college where heavy drinking is the norm (where more than 50% of students "binge drink") has been connected with increased risk of alcohol-involved sexual assault (Mohler-Kuo et al., 2004; Norris, 2008). In addition, heavy drinking puts women at risk for more severe assaults (Abbey et al., 2003). Drug use has also been linked with increased risk of sexual assault (Mohler-Kuo et al., 2004). There is a connection between alcohol consumption and drug-facilitated rape—Lawyer et al. (2010) found that 84% of drug-facilitated sexual assaults were preceded by the victim’s voluntary alcohol consumption. See Norris (2008) and Abbey (2008) for more discussion of the ways that alcohol can contribute to sexual assault perpetration and victimization. Note that alcohol does not cause someone to be an offender or a victim—it can, however, reduce the inhibitions of offenders and render their victims helpless.

Class Rank and Age: The first weeks of the fall semester, referred to as “the red zone” by some researchers, often are the most risky for sexual victimization for new students. There is also a **greater risk of sexual victimization for freshmen and sophomores than for juniors and seniors.** Gross et al. (2006) found that during their first four semesters, 84% of college women had sexually coercive experiences. Mohler-Kuo et al. (2004) found that underage women are more likely to experience sexual assault than those 21 and over.

Greek Affiliation: Research suggests that **students who live in sorority houses or belong to sororities have an increased risk for sexual victimization** (Copenhaver & Grauerholz, 1991; Franklin, 2010; Kalof, 1993; Mohler-Kuo et al., 2004; Tyler, Holt & Whitbeck, 1998). **Fraternity members and student athletes are more likely than any other men on campus to commit a sexual assault** (Murnen & Kohlman, 2007). Fisher, Cullen and Turner (2000) found that of the rapes reported by students surveyed in their study, 10.3% occurred in a fraternity house.

Prior Victimization: Women who experience a sexual assault while attending college or prior to college are at risk for further victimization while in college (Fisher, Cullen & Turner, 2000, Krebs et al., 2007). Similarly, women who have experienced intimate partner violence are more at risk for sexual violence while in college (American College Health Association, 2004).

Race/Ethnicity: White women and Native Americans may be most at-risk for rape on college campuses, while Asian-Americans appear to have the lowest risk (Tjaden & Theonnes, 2006). However, white women are less likely to experience physically forced or threatened forcible rapes than women of other ethnicities or races (Mohler-Kuo et al., 2004).

Consensual Sexual Experiences: There is a **connection between the number of sex partners a college woman has had and an increased risk for being sexually assaulted, especially when intoxicated** (Tyler, Hoyt & Whitbeck, 1998; Parks et al., 2008). One study (Parks et al., 2008) indicates that “women who have more consensual sexual partners are more likely to encounter a sexually aggressive individual and are more likely to experience sexual victimization.” At the same time, women who increased their drinking are more likely to be behaviorally and cognitively impaired and less likely to recognize, avoid or defend themselves against sexual aggression (Science Daily, 2008).



Regardless of the circumstances, sexual assault is never the victim’s fault. The presence of one or more risk factors does not cause or justify sexual assault. Even if, for example, a woman had too much to drink, the consequence for naive or regrettable

decisions should never be rape. Perpetrators must be held accountable for their actions.

How often is sexual assault of college students reported?

National studies indicate that only 14% to 39% of all sexual assaults or rapes are reported to law enforcement (Kilpatrick, 2000). Some of the most common reasons victims are reluctant to report are self-blame, fear of retaliation, fear of rejection and the negativity they perceive might accompany criminal justice system involvement (Office on Violence Against Women, 2004).

College students appear to report sexual assault even less frequently than the general population. Fisher, Cullen and Turner (2000) found that of students who indicated they experienced completed or attempted rape, only 5% said reported it to law enforcement.

College students may want help following a rape, but most are aware of the tendency of others to blame victims rather than hold offenders accountable (see *B4. Background: Victim Blaming*). To a degree, they may even buy into victim-blaming (“if I haven’t been drinking,” “if I had only stayed with my friends,” etc.) and be silenced by their shame. Victim-blaming can be particularly harsh when victims know their offenders. Not surprisingly, **victims of non-stranger sexual assault indicate reasons such as the following for not reporting:**

✓ Self-blame	✓ Lack of anonymity	✓ Participation in illegal activity during assault (e.g., underage drinking)
✓ Not seeing the assault as serious enough to report	✓ Fear of publicity	✓ Outstanding warrants
✓ Not sure if a crime had been committed	✓ Fear of reprisal	✓ Possible immigration concerns
✓ Lacking proof of the assault	✓ Fear of isolation	
✓ Not knowing how or to whom to report	✓ Fear of not being believed	
✓ Desire to protect the offender	✓ Fear of being treated with hostility or indifference (e.g., by law enforcement or college administrators)	
	✓ Community backlash	

What reactions are common for sexual assault victims?

(Section adapted from the Pennsylvania Coalition Against Rape, 2000. Also see *C3. Responding to Disclosures: Understanding Victims’ Needs*.)

Some **common victim reactions to sexual assault** include:

✓ Humiliation	✓ Guilt	✓ Fear of people
✓ Shame and self-blame	✓ Grief	✓ Concern for the rapist
✓ Feeling a loss of control over life	✓ Depression	✓ Anger and irritability
	✓ Denial	✓ Memory loss

Each person reacts to trauma differently. As described above, some reactions are fairly common, but emotional trauma triggered by a sexual assault can surface in many forms. Some victims may react by being hysterical and crying, while others might giggle, be devoid of emotion, or move from one emotion to the next. It is more realistic to expect that victims will react differently following an assault or a disclosure of one—in the timing of their reactions, their concerns, their facial and body language, their coping strategies and their feelings and

understanding about their experience. Thus, **avoid make assumptions about the situation based solely on the victim's reactions** (e.g., if she was raped she won't be laughing now).

CHILD SEXUAL ABUSE

On college campuses, it is more likely that sexual assault and sexual abuse as defined by the West Virginia Code will occur than child sexual abuse. However, child sexual abuse is not out of the realm of possibility, as minors can come/be brought to campus for any number of reasons (e.g., summer programs, athletic programs/events, etc.).



In addition to sexual assault and sexual abuse, West Virginia law describes other **sex offenses involving children**. Sexual abuse of children includes, but is not limited to, sexual intercourse, sexual intrusion and sexual contact (West Virginia Department of Health and Human Resources, Child Protective Services, 2008).

Additional laws include:

- ✓ **Use of minors in filming sexually explicit conduct** (*WVC§61-8C-2*);
- ✓ **Distribution and exhibiting of material depicting minors engaging in sexually explicit conduct** (*WVC§61-8C-3*);
- ✓ **Sexual abuse** by a parent, guardian, custodian or person in a position of trust to a child; a parent, guardian, custodian or person in a position of trust to a child allowing sexual abuse to be inflicted on that child; and displaying of a child's sex organs by a parent, guardian or custodian (*WVC§61-8D-5*);
- ✓ **Sending, distributing, exhibiting, possessing, displaying or transporting of material** by a parent, guardian or custodian **depicting a child engaged in sexually explicit conduct** (*WVC§61-8D-6*); and
- ✓ **Incest**—engaging in sexual intercourse or sexual intrusion with one's father, mother, brother, sister, daughter, son, grandfather, grandmother, grandson, granddaughter, nephew, niece, uncle or aunt (*WVC§61-8-12*).

Generally speaking in West Virginia, child abuse involves **a parent, guardian or custodian of a child who knowingly or intentionally inflicts an injury upon that child**. However, teenagers, for example, can experience sexual assault perpetrated by their peers.

Examples of Child Sexual Abuse

- ✓ Sexual touching and fondling of a child's sexual body parts
- ✓ Attempted or actual oral, anal or vaginal penetration
- ✓ Forcing a child to touch another person's sexual body parts or engage in sexual activity with animals
- ✓ Exposing a child to adult sexual activity or pornography or taking pornographic pictures of a child
- ✓ Having a child undress, pose or perform in a sexual manner
- ✓ Voyeurism, exposing oneself to a child or masturbating in front of a child
- ✓ Sexualized talk with a child or making fun of a child's sexual development, preferences or organs
- ✓ Forcing overly rigid rules on dress or forcing a child to wear revealing clothes
- ✓ Stripping a child to hit or spank, or getting sexual excitement out of hitting

Symptoms a Child Who is Being Sexually Abused May Display

(Note the presence of such symptoms is not necessarily indicative of abuse)

- ✓ Sleep disturbances or nightmares and bedwetting
- ✓ Change in eating habits
- ✓ Excessive clinging or crying
- ✓ Depression and/or anxiety
- ✓ School problems
- ✓ Running away
- ✓ Hostility or aggression
- ✓ Sexually transmitted diseases
- ✓ Fear/dislike of particular adults/places
- ✓ Drug/alcohol problems
- ✓ Withdrawal from family, friends or usual activities
- ✓ Frequent touching of private parts or sexual behavior inappropriate to the age of the child
- ✓ Physical symptoms involving the genital, anal or mouth area
- ✓ Any dramatic change in behavior or development of new behavior

Common Emotional Responses of Children to Sexual Abuse

- ✓ **Fear** of the abuser, of getting into trouble/getting a loved one into trouble, and/or of not being believed
- ✓ **Guilt** for not stopping the abuse, believing they consented to it, telling/keeping the secret, etc.
- ✓ **Shame** about the abuse and/or their body's reactions
- ✓ **Confusion** due to their emotions (e.g., because they love the abuser)
- ✓ **Anger** at themselves and/or the abuser and others who failed to protect them
- ✓ **Sadness** at being betrayed by someone they trusted
- ✓ **Isolation** because they feel alone and have trouble talking about the abuse

Sexual Harassment

The U.S. Equal Employment Opportunity Commission defines sexual harassment as a **continuum of acts, including unwelcome sexual advances, conduct of a sexual nature and requests for sexual favors**. These acts must explicitly or implicitly affect a person's employment, unreasonably interfere with work or school performance or create an intimidating, hostile or offensive work or school environment. Sexual harassment can be (examples may overlap):

Category	Examples
Verbal or Written (via in-person comments, mail, phone calls, texting, e-mails, other social media, etc.)	<ul style="list-style-type: none">✓ Requesting sexual favors/repeatedly asking a person out✓ Offering academic benefits/employment advancement in exchange for sexual favors✓ Making sexual innuendoes/comments with sexual overtones✓ Describing attributes of a person's body, clothing or behavior in a sexual manner✓ Telling sexual or sex-based jokes✓ Asking a person about her/his sexual experiences, fantasies or preferences✓ Spreading rumors about a person's personal or sexual life✓ Making statements that threaten a person or involve sexual bribery✓ Making threats after a negative response to sexual advances✓ Calling a person sexually oriented names such as hunk, doll, babe or honey✓ Calling a person a sexually derogatory name such as bitch, whore or slut

Non-verbal/visual	<ul style="list-style-type: none"> ✓ Looking/staring up and down a person's body ✓ Making facial expressions of a sexual nature such as leering, winking, throwing kisses or licking lips ✓ Making sexually suggestive or derogatory gestures ✓ Sending/distributing sexually explicit or derogatory posters, drawings, pictures, cartoons, cards, publications, screensavers, novelties, etc. ✓ Creating public graffiti about a person's sexuality ✓ Touching or rubbing oneself sexually in view of another person ✓ Exposing oneself to another person ✓ Following a person
Physical	<ul style="list-style-type: none"> ✓ Impeding or blocking a person's movement/path ✓ Inappropriately touching a person or a person's clothing ✓ Standing closer than appropriate or necessary to a person ✓ Assaulting a person ✓ Having unwanted sexual contact with a person ✓ Patting, hugging, kissing or stroking

Sexual harassment victims can be of the opposite or same sex as their harassers. It is not always confined to unwanted sexual conduct. For example, *WVC§5-11, Legislative Rule Title 77-4* indicates that hostile or physically aggressive behavior may constitute sexual harassment, if it is based on gender.

What are forms of sexual harassment?

Quid pro quo ("this for that" behavior): In this form of sexual harassment, educational or employment decisions are made on the condition that a person accepts unwelcome sexual behavior. This behavior only needs to happen one time to be considered sexual harassment. An example would be a professor making a passing grade contingent upon whether a student has sex with him.

Hostile environment: This form of sexual harassment is characterized by pervasive (persistent or all encompassing), sex-related verbal or physical conduct that is unwelcome or offensive, and can unreasonably interfere with school or work performance. For the conduct to be considered sexual harassment, the hostile environment must be extreme or sustained and non-trivial. An example would be a male student continuously e-mailing degrading jokes about women to the only female student in his engineering classes even after she tells him to stop.

How many college students experience sexual harassment?

The American Association of University Women Education Foundation estimates that **2/3 of college students have experienced sexual harassment while in college** (Hill & Silva, 2005).

What sexual harassment laws apply to college students?

Sexual harassment is a civil rights violation of federal and state discrimination laws in qualifying settings. The law applicable in educational settings is Title IX of the Education Amendment of 1972. The amendment includes a prohibition of sexual harassment in schools that receive federal funding. Sexual harassment, along with other forms of sexual violence, is typically also a

violation of a campus's student code of conduct. (See *C6. Reporting on College Campuses: Options for Reporting and Key Federal Legislation Influencing Response*.)

Keep in mind that students may be employed, on or off campus. If sexual harassment occurs at their workplaces, there may be laws that protect them from sexual harassment as employees. Federal discrimination laws apply to certain work sites (Title VII of the Civil Rights Act of 1964). West Virginia law (*WVC§5-11, Legislative Rule Title 77*) addresses certain work settings.

A surprising number of campus staff until recently were uninformed about Title IX, thinking that it only applied to athletics. Title IX offers protection to victims of interpersonal violence and sexual harassment (See *C6. Reporting on Campus: Title IX*.)

How do victims react to sexual harassment?

(Drawn from West Virginia Foundation for Rape Information and Services, 2012)

Sexual harassment can cause victims to feel:	At school, sexual harassment can lead to:	In the workplace, sexual harassment can lead to:
<ul style="list-style-type: none"> ✓ Powerlessness, anger and anxiety ✓ Self-blame, depression and lowered self-esteem ✓ Denial that the harassment is occurring ✓ Isolation—family, friends and co-workers may minimize the victimization, and peers may blame and reject them ✓ Decreased mental/physical well-being 	<ul style="list-style-type: none"> ✓ Inability to concentrate ✓ Lower grades ✓ Withdrawal from courses ✓ Changing majors ✓ Absenteeism ✓ Dropping out of school 	<ul style="list-style-type: none"> ✓ Decreased productivity ✓ Denial of advancement and/or benefits ✓ Loss of income or job

Sexual harassment is not necessarily confined to the person targeted for sexual harassment; anyone can be negatively affected by this offensive conduct.

Domestic Violence

(Section adapted in part from [National Coalition Against Domestic Violence](#), 2007)

Domestic violence is **abusive behavior**—e.g., willful intimidation, physical assault, battery and sexual assault as well as emotionally abusive and controlling tactics— **perpetrated by an intimate partner against another**. This **definition sometimes extends, as it does in West Virginia law, to include victims who are related to the abuser or are other household members**. Domestic violence affects individuals in every community, regardless of age, economic status, race, religion, nationality, education, gender identity or sexual orientation. In addition to emotional trauma caused by domestic violence, physical harm can vary from simple assault to homicide (Sampson, 2006).

STATE LAWS



WVC §48-27-202 defines **domestic violence or abuse** as the occurrence of one or more of the following acts **between family or household members**:

- ✓ Attempting to cause or intentionally, knowingly or recklessly **causing physical harm** to another person with or without dangerous or deadly weapons
- ✓ Placing another person in **reasonable apprehension of physical harm**
- ✓ **Creating fear of physical harm** by harassment, stalking, psychological abuse or threatening acts
- ✓ **Committing either sexual assault or sexual abuse**
- ✓ **Holding, confining, detaining, or abducting another person** against that person's will

A **family or household member**: current or former spouses, persons living as spouses or who have formerly resided as spouses, current or former intimate partners, persons who are dating/have dated, persons who are presently or in the past have resided together in the same household, persons who have a child in common, parents and in-laws, siblings, children and stepchildren, grandparents, aunts and uncles, and nieces, nephews, first and second cousins.

Domestic violence offenses and penalties (WV §61-2-28) in West Virginia:

Domestic Assault: The unlawful attempt to commit a violent injury of another family or household member or unlawfully committing an act which places another family or household member in reasonable apprehension of immediately receiving a violent injury.

Domestic assault is a **misdemeanor charge**, with penalty of confinement in a county or regional jail for not more than 6 months, or fined not more than \$100, or both. For the **2nd violation**, the penalty is confinement in a county or regional jail for not less than 30 days nor more than 6 months, or fined not more than \$500, or both.

Domestic Battery: The unlawful and intentional physical contact of an insulting or provoking nature with another family or household member or unlawfully and intentionally causing physical harm to another family or household member.

Domestic battery is a **misdemeanor charge**, with penalty of confinement in a county or regional jail for not more than 12 months, or fined not more than \$500, or both. For the **2nd violation**, the penalty is confinement in a county or regional jail for not less than 60 days nor more than 1 year, or fined not more than \$1,000, or both.

A 3rd violation for domestic assault or battery is a **felony charge** if the offense occurs within 10 years of a prior conviction of these offenses. The penalty is confinement in a state correctional facility not less than 1 nor more than 5 years and/or fined not more than \$2,500.



Domestic violence victims often seek **civil protective orders** against their abusers. In West Virginia, they can petition their **county magistrate** for an emergency order—if the magistrate finds that domestic violence or an imminent threat of domestic violence exists, an emergency order may be issued. The order will require the abuser to stop abusing, harassing, stalking, threatening or otherwise intimidating the victim. The emergency order is good until the family court hearing is held and a decision is made whether to issue a final protective order. If the abuser violates the conditions of an emergency or permanent protective order, it may result in a contempt of court charge or a criminal charge.

(See the West Virginia Supreme Court of Appeal's brochure, [Domestic Violence Protective Orders](#), for more information.)

BASIC DATA ON DOMESTIC VIOLENCE

As for **domestic violence in West Virginia in general** ([West Virginia Coalition Against Domestic Violence](#), 2012): 14,880 domestic violence cases were filed in West Virginia Family Court in 2010 (West Virginia Supreme Court of Appeals) and 12,661 domestic violence offenses were reported to law enforcement in 2010 (West Virginia State Police, 2010).

The incidence of domestic violence in the state is likely much higher than the above statistics reflect as many victims do not report this crime. In fact, domestic violence is chronically underreported: nationally, women report only 1/4 to 1/2 of their assaults to police and male victims report perhaps even less (Tjaden & Thoennes, 2000; Rennison & Welchans, 2000; Klein, 2009). However, domestic violence related law enforcement calls have been found to constitute the single largest category of calls received by law enforcement, accounting for 15% to more than 50% of all calls (Friday, 2006; Hendricks, 1991; Klein, 2009.)

Approximately **1/3 of homicides in the state were related to domestic violence** (West Virginia State Police, 2010). **Over 2/3 of women murdered were killed by a family or household member** (West Virginia Bureau of Public Health, 2010).

In general, what is the nature of the physical violence?

When physical assault does occur in domestic violence situations, it often involves pushing, slapping and hitting (Tjaden & Thoennes, 2000; Rennison & Welchans, 2000; Sampson, 2007). The 2010 [National Intimate Partner and Sexual Violence Survey](#) found that 1 in 4 women and 1 in 7 men have been the victim of severe physical violence by an intimate partner. It also indicated that many female victims experienced multiple forms of violence (physical and sexual violence and stalking) while male victims most often experienced physical violence. Another study found that sexual assault occurs in approximately 40 to 45% of abusive intimate relationships (Campbell et al., 2003).

How many college students experience domestic violence?

Rennison and Welchans (2000) found that women within the typical age bracket of high school and college students, ages 16 to 24, experience the largest per capita rate of intimate partner violence (defined as violent crimes committed against persons by their current or former spouses, boyfriends or girlfriends). Catalano (2007) found that women ages 20 to 24 are at the greatest risk of nonfatal intimate partner violence.

What is the general context in which domestic violence occurs?

(Adapted from the University of Michigan's Sexual Assault Prevention and Awareness Center)

Unfortunately, **violence in an intimate relationship typically reoccurs**. It seldom is a one-time occurrence. It **usually begins with verbal and emotional abuse to establish control**. It

can be so subtle that the other person doesn't even recognize it. **Physical violence may not even begin until the abused partner decides to leave or becomes committed to the relationship** (e.g., becoming monogamous, moving in together, gets engaged or married or have a child together).

Most abused women try to escape the relationship at some point, but face many barriers in doing so. For example, they may still have hope in the relationship and love the abuser. Emotionally abusive tactics used by the abuser may have led them to lack faith in themselves. They may fear increased violence, death, or violence against their loved ones or pets if they try to leave. They may be isolated from their support system. They may fear losing custody of their children. They may feel they lack the resources needed to stay safe and support themselves once they leave.

Abusers tend to escalate their violence when the abused person tries to leave, wants more independence, or has already left.



Educate students about warning signs of an abusive intimate or dating partner. For example, a boyfriend might frequently check his girlfriend's phone or e-mail without permission, constantly tell her what to do and put her down, be possessive and jealous, be moody, have an explosive temper, be financially controlling, and try to isolate her.

What factors may raise the risk of experiencing domestic violence?

(Also see *Factors Linked with Perpetration of Sexual and Domestic Violence*.)

Numerous risk factors as cited below (Sampson, 2007) are associated with domestic violence victimization for women. The presence of any of these factors does not mean that a person will become a victim.

Age: As cited earlier, women ages 16 to 24 are at highest risk for intimate partner victimization.
Socioeconomic Status: Victimization surveys indicate that lower-income women are more frequently victims of domestic violence than wealthier women (Rennison & Welchans, 2000).
Race: Black females experience intimate partner violence at a rate 35% higher than that of white females. Black males experience intimate partner violence at a rate about 62% higher than that of white males and about 2 ½ times the rate of men of other races (Rennison & Welchans, 2000). Another study that was more inclusive of additional racial groups found that American Indian/Alaskan Native women experience significantly higher rates of physical abuse than the general population (Tjaden & Thoennes, 2000).
Being young, black, low-income, divorced or separated, a resident of rental housing, and a resident of an urban area have all been associated with higher rates of domestic violence victimization among women and men (Rennison & Welchans, 2000).
Women whose partners are verbally abusive are at increased risk for physical intimate partner violence (Tjaden & Thoennes, 2000).
Women whose partners are jealous or tightly controlling are at increased risk of intimate partner violence and stalking (Tjaden & Thoennes, 2000).
Although alcohol and drug use do not cause intimate partner violence, the risk of victim injury increases if the abuser is using alcohol or drugs (Tjaden & Thoennes, 2000).

What are common victim reactions to domestic violence?

(Adapted from the University of Michigan's Sexual Assault Prevention and Awareness Center)

Like sexual assault victims, individuals react differently to domestic violence. However, it is common for a person who has just experienced the first incident of violence by her/his intimate partner to **respond with disbelief or denial and feel responsibility, shame and/or embarrassment. As violence increases in severity and frequency**, victims may **become more afraid**, but also may **internalize the problem and feel guilt and failure**. Other **common victim responses** include:

<ul style="list-style-type: none"> ✓ Feeling hopeless or worthless ✓ Becoming depressed ✓ Having nightmares ✓ Hypervigilance ✓ Lacking emotion 	<ul style="list-style-type: none"> ✓ Becoming isolated ✓ Becoming suicidal ✓ Using alcohol or other drugs as a means to numb emotions ✓ Developing post-traumatic stress disorder 	<ul style="list-style-type: none"> ✓ Developing physical health problems—e.g., headaches or migraines, fatigue, insomnia, musculoskeletal issues, anxiety, eating disorders, gastrointestinal disorders, and chronic pain
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Dating Violence

(Drawn in part from Dating Violence Resource Center, [Campus Dating Violence Factsheet](#))

Dating violence is controlling, abusive and aggressive behavior against a person on a date or a dating partner. Like sexual and domestic violence, it can occur regardless of the sexual orientation of the victim and perpetrator. It can include:

- ✓ **Physical abuse**—intentional use of physical force with the intent to cause fear or injury, such as hitting, shoving, biting, strangling, kicking or using a weapon
- ✓ **Emotional abuse**—non-physical behaviors such as threats, insults, constant monitoring, humiliation, intimidation, isolation or harassment
- ✓ **Sexual abuse**—when a person subjects another to sexual contact without her/his consent, and that lack of consent is due to physical force, threat or intimidation.

Is dating violence the same as domestic violence?

In some situations, dating violence is the same as domestic violence. For example, college students may experience physical, sexual and emotional violence (including stalking) by a current or former boyfriend or girlfriend (dating partner). In other situations, dating violence may have different dynamics than domestic violence. For example, students may be abused by someone with whom they are casually dating or had a few dates. Abusive tactics in these situations may be more subtle than in established intimate relationships, but this is not always true. Dating violence may be a more comfortable term for teens and college students to use to explain their circumstances than domestic violence, especially if they associate domestic violence with couples who are older or in more serious or long-term relationships.

How many college students experience dating violence?

In a study by Sellers and Bromley (1996), 32% of college students reported dating violence by a previous partner and 21% reported violence by a current partner. Fisher, Cullen and Turner (2000) found that 12% of completed rapes, 35% of attempted rapes and 22% of threatened

rapes on college campuses occurred on a date, and that of the college women who had been stalked, 42% indicated the stalker was a boyfriend or ex-boyfriend. A survey of college students by Straus (2004) asked about perpetration of dating violence; nearly 1/3 of students reported physically assaulting a dating partner in the previous year.



Research on dating violence sometimes lumps intimate partner violence together with violence that occurs on a date but not necessarily between individuals who have an intimate relationship. Such a view can be misleading.

- ✓ While a date could involve persons who are already in an intimate relationship, a **date could also be a casual encounter of persons who have not yet been intimate** or may have been intimate but **do not consider themselves in a relationship** (e.g., if they had a one-night fling only after drinking at a party they both attended but otherwise do not interact). Note that many sexual assaults in college environments occur when the victim and offender are at the same location/function (a party, a bar, a dance, etc.) but not dating or on a date.
- ✓ **Violence committed on a date is often mainly sexual in nature**, making it more sexual rather than domestic violence.
- ✓ **Individual acts of violence committed by a date which are criminal offenses should be investigated as such** and not minimized because they occurred in a dating relationship. Violence is violence regardless of the victim's relationship to the offender.

For these reasons, when possible **avoid using the term dating violence and instead use terms that more powerfully describe the individual behaviors**—sexual assault, physical assault, intimidation, battery, stalking, etc.

Stalking and Harassment

The [Stalking Resource Center](#) defines **stalking as a course of conduct directed at a specific person that would cause a reasonable person fear**. Under this definition, stalking can include a variety of behaviors, including harassment.

STATE LAW



West Virginia law (WVC §61-2-9a) differentiates stalking from harassment. To be charged with stalking in West Virginia, someone must repeatedly (two or more times) follow another person, knowing or having reason to know that the conduct causes the person followed to reasonably fear for his or her safety or suffer significant emotional distress. **To be charged with harassment**, someone must repeatedly (two or more times) harass or make credible threats of bodily injury against another person. **Both stalking and harassment are misdemeanors charges in West Virginia**, with penalties upon conviction of confinement in the county or regional jail for not more than 6 months and/or fined not more than \$1,000. If a person stalks or harasses another in violation of an order by the circuit court, magistrate court or family court judge, they are also guilty of a misdemeanor, and upon conviction, can be incarcerated in the county/regional jail for not less than 90 days nor more than 1 year and/or fined not less than \$2,000 nor more than \$5,000.

Note that the term stalking is used to refer to both stalking and harassment in this toolkit.

The federal stalking statute adds protection. It specifically addresses and makes it a crime to travel across state lines or tribal jurisdiction with the intent to kill, injure, harass or place under surveillance with similar intent. The stalker must have the intent to harass, or intimidate the victim, or to place the victim, a family member, or a partner of the victim, in fear of death or serious bodily injury. [Details on the federal laws and penalties](#) for related federal violations can be found at the national Stalking Resource Center or by accessing the [stalking section \(18 U.S.C. 2261A Interstate Stalking\) of the federal code](#).

BASIC DATA ON STALKING AND HARASSMENT

What tactics do stalkers use?

Under West Virginia's definition of stalking/harassment, there are **many behaviors that could potentially be considered stalking or harassment** (Stalking Resource Center; West Virginia Foundation for Rape Information and Services, 2014):

- Surveillance or watching the victim;
- Pursuing/following the victim;
- Unexpected appearances where the victim works, lives, goes to school or visits;
- Approaching or confronting the victim;
- Telephone harassment;
- Sending/giving unwanted gifts, letters or e-mails to the victim;
- Monitoring of telephone calls or computer use;
- Use or misuse of technology to stalk and harass;
- Spreading rumors or otherwise defaming the victim's character;
- Vandalism or other destruction of property;
- Threats to the victim and/or her/his family, friends and pets; and
- Physical attacks, including sexual assault.

These behaviors may not seem anything more than simply coincidental or annoying. Initially victims, their friends and families, law enforcement and the courts may not fully recognize that these offenders can be dangerous. However, **it is the cumulative pattern of behaviors that forms the "course of conduct" that can cause the targeted individual to be afraid and distressed** (and thus may be considered criminal). For example, a single e-mail or bouquet of flowers may not be frightening, but 150 e-mails, bouquets of dead flowers and late night threatening calls become actions that cannot and should not be ignored.



Most stalkers use multiple tactics. The **most common tactics** reported by female college victims in the Fisher, Cullen and Turner 2000 study included **being telephoned** (78%), having a **stalker waiting** outside or inside places (48%), being **watched from a distance** (44%), **being followed** (42%), **being sent letters** (31%) and **being e-mailed** (25%).

How many people are stalked?

According to the *National Crime Victim Survey* (2012), **6.6 million people in the U.S. were stalked in one year**. Stalking does not just happen to celebrities and well-known people. Although high profile cases make the news, **stalking can happen to anyone. One in 6 women and 1 in 19 men have experienced stalking victimization at some point during their lifetime** (Black et al., 2011), during which they were very fearful or believed that they or someone close to them would be harmed or killed.

Persons ages 18 to 24 experience the highest rate of stalking (Baum et al., 2009).

According to [*The National Intimate Partner and Sexual Violence Survey: 2010 Summary Report*](#) (Black et al., 2011), more than 1/2 of female stalking victims and more than 1/3 of male stalking victims indicated that they were stalked before the age of 25. Fisher, Cullen and Turner (2000) found that **more than 13% of college women had experienced stalking** (defined as experiencing repeated, obsessive and frightening behavior that made the victim afraid or concerned for her safety). College campuses have ideal environments for stalking as they are closed communities to a degree, where class schedules and other campus activities can be easily monitored (Fisher, Cullen & Turner, 2000). As students are making friends, learning about campus activities and registering for classes, they are likely to give their names and share cell phone numbers or dorm locations with virtual strangers.

What is the relationship between victims and their stalkers?

The Bureau of Justice Statistics' 2006 *Supplemental Victimization Survey* found that **nearly 3 in 4 stalking victims knew their offenders** (Baum et al., 2009). Fisher, Cullen and Turner (2000) found that **4 out of 5 of college women who experienced stalking knew their stalkers**: In this study, the stalkers were victims' boyfriends or ex-boyfriends 43% of the time, classmates 25% of the time, acquaintances 10% of the time, friends 6% of the time and coworkers 6% of the time. Another national study of female college students found that about 5% reported being stalked by a partner or ex-partner over a 7-month period (Fritsch et al., 2005; Logan, 2010). A smaller study found that almost 7% of college women were stalked by a current or former partner (Buhi, Clayton & Surrency, 2009; Logan, 2010).

Current or former partners know about the likes, dislikes, habits, interests and other details of their victims' lives that can assist them in stalking. Partner stalkers also may have or could easily gain access to passwords, account numbers and other sensitive information that could be used against victims.

Where are college students stalked?

Fisher, Cullen and Turner (2000) found that of the female students who were stalked, about 30% were stalked only off campus and about 70% were stalked either only on campus or both on and off campus.

What is the typical length of time stalking lasts?

Fisher, Cullen and Turner (2000) found that almost **2/3 of the college women who were stalked indicated that they were stalked at least 2 to 6 times a week**. Stalking incidents lasted an average of 60 days. Tjaden and Thoennes (1998b) found that, for the general population, the **average case lasts 1.8 years**. Logan (2010) found that for partner stalking, the average duration was just over 2 years.

Do stalkers engage in other violence?

As noted earlier, **stalking often occurs in the context of sexual assault, domestic violence and dating violence**. Jordan, Wilcox and Pritchard (2007) found that **3/4 of college women who experienced stalking-related behaviors also experienced other forms of violence**. Approximately 26% of stalking victims experienced stalking and sexual assault, while 11% experienced stalking and physical and sexual assault. Fisher, Cullen and Turner (2000) similarly found that in over 10% of campus stalking incidents, the victim reported that the stalker forced or attempted sexual contact and in over 15% of incidents, victims reported that the stalker either threatened or attempted to harm them.



Research on sexual assault at colleges found that **perpetrators of sexual assaults were often premeditating, repeat offenders who use classic stalking strategies to select and ensure the vulnerability of their victims** (Lisak & Miller, 2002).

How dangerous are stalkers?

Stalking behaviors should always be taken seriously. While stalking victims may not always be in imminent danger, the potential always exists. Stalkers can be violent and can escalate their stalking over time (Stalking Resource Center). They most likely will not stop if their behavior is ignored. In fact, ignoring the behavior sometimes seems to cause the behaviors to increase in frequency and/or become more disturbing or bizarre. Stalkers have physically assaulted, sexually assaulted and/or murdered their victims. It can be useful for victims to develop a safety plan (see *C3. Responding to Disclosures: Understanding Victims' Needs*).

Who is at risk for escalations in stalking violence?

Being stalked by an intimate partner presents an increased risk of danger for victims. Partner stalkers are more likely to physically approach their victims, be more insulting, interfering and threatening, and use weapons. Their behavior is more likely to escalate quickly. They are more likely to re-offend even after criminal justice intervention. Stalking can be extremely dangerous for female victims if it involves a recently ended intimate relationship.

The risk of violence is also heightened when the stalker makes direct threats of violence, is jealous of the victim's relationships with others, and uses illegal drugs.

There is a **higher risk for lethality when stalking accompanies physical or sexual violence** than for either physical or sexual violence alone.

How often is stalking reported to law enforcement?

Fisher, Cullen and Turner (2000) found that **only 17% of stalking incidents were reported to law enforcement**. However, the vast majority (93%) of victims confided in someone, most often a friend, that they were being stalked. It is worth considering how to reach out to and educate those individuals to whom a student might disclose victimization.

As mentioned earlier, victims may not initially be aware that they are being stalked and thus not report. When they do become concerned, they may look back on the pattern of behaviors and realize that they were being stalked. If stalking is reported, the college should be prepared to educate students as to how stalking typically presents and take all stalking behaviors seriously.

What reactions are common for stalking victims?

(Also see C3. *Responding to Disclosures: Understanding Victims' Needs*)

Fisher, Cullen and Turner (2000) found that 3 in 10 college women who reported they were stalked indicated being injured emotionally or psychologically. Findings from the *2006 Supplemental Victimization Survey* offers a snapshot of victim reactions (Baum et al., 2009):

- ✓ When stalking victims were asked about their worst fears related to stalking, 46% indicated they feared not knowing what would happen next, 30% were afraid of bodily harm, 29% feared the behavior would never stop, and 9% feared death at the hands of their stalker.
- ✓ As the stalking progressed, 74% of victims reported being angry/annoyed, 36% were anxious or concerned, 26% were frightened, 16% felt helpless, 10% felt depressed, and 10% felt sick.
- ✓ About 1 in 8 of employed victims lost time from work due to the stalking.
- ✓ About 3 in 10 victims accrued out-of-pocket costs associated with the stalking.

In addition, stalking victims may experience sleep and eating disturbances, nightmares, hyper-vigilance, shock and disbelief, and a feeling of loss of personal safety (National Center for Victims of Crime, 2010; West Virginia Foundation for Rape Information and Services). If victims are in school, their academic performance could be affected. Some victims feel that they have to move to end the stalking.

Cybercrimes

Cybercrimes are criminal activities facilitated through the use of technology. Technology used is not limited to computers and the Internet, but can extend to a broad range of electronic devices and media (e.g., telephones, fax machines, TTY/TTD equipment, cameras, webcams and spycams, computer software and hardware such as global positioning systems, caller ID systems, computer monitoring software, and keystroke logging systems and software).

Stalking, sexual violence and domestic and dating violence may involve cybercrimes.

Electronic aggression is a term used to describe any kind of aggression perpetrated through technology (Hertz and David-Ferdon, 2008). The Internet creates opportunities for electronic aggression to occur through e-mail, instant messaging, chat room exchanges, website posts, creating web pages, videos or profiles on social networking sites, taking pictures and distributing them, and uploading videos and posting them on-line for the world to see. The cell phone—via phone calling, texting, taking/distributing photos/videos, and connecting to the Internet— is another popular tool for electronic aggression.

Below are some examples of how electronic aggression is used in interpersonal violence cases (both alone and in combination with other controlling, abusive and/or violent tactics):

- ✓ **Sexual predators can victimize individuals online.** For example, they may (Wolak, Mitchell & Finkelhor, 2006): request victims to engage in sexual activities or provide personal sexual information, attempt offline contact with victims, expose victims to unwanted sexual material, and/or harass victims.
- ✓ **Prior to or following a sexual assault, a sex offender may also use electronic aggression to threaten or retaliate against the victim.**
- ✓ **For abusers in dating or domestic violence situations,** technology offers a host of readily available tools to **repeatedly control, pressure or threaten someone** they are in an intimate relationship with or dating.
- ✓ **Stalkers can use any form of electronic or technological media and/or devices to threaten, harass or intimidate their victims (sometimes referred to as cyberstalking).** With their technology arsenals, stalkers can easily gather information and spy on victims, impersonate them, intercept and monitor their communications with others, and embarrass, insult, harass and exploit them.



See Campus Safety Magazine's [*Your Ultimate Guide to Student and School Internet Safety*](#) (Swanson, 2011) to explore how to protect students from cyberstalking and Internet predators.

B3. GENDER BIAS AND VIOLENCE

Gender bias is prejudice in treatment or action towards other persons on the basis of their sex. **Gender bias greatly influences social norms that tolerate interpersonal violence.** It is useful to examine gender stereotypes you may have to be able to dispel myths related to interpersonal violence and avoid gender bias in your own interactions.



Individuals' beliefs and behaviors are shaped by the environment in which they are socialized and its norms. Norms are habits, beliefs and standards that are grounded in a particular culture. **Norms provide society with patterns and signals to model "proper" behaviors.**

When interpersonal violence is typical, expected and reinforced by media, family, peers, schools or the community, it will occur more often. If norms reinforced healthy, safe relationships, there would be a change in the level of violence in our society.

(Drawn from International Association for Chiefs of Police's *National Campus Law Enforcement Institute on Violence Against Women*, 2010.)

We are socialized from an early age—through the media, family, community, peers, schools, religious institutions, etc.—accept stereotypes of females and males that reflect and reinforce gender bias. **Due to gender bias, girls and women are more at risk for violence throughout their lives.** The following are a few examples of societal beliefs about gender roles, relationships and sexuality that support gender-based violence:

- ✓ It's acceptable to tell jokes and show visual images that degrade women.
- ✓ If a man takes a woman out on an expensive date, it is OK for him to expect sex in return.
- ✓ It's OK for males to be sexually aggressive, while females are expected to set and enforce limits on male sexual behavior.
- ✓ In an intimate relationship between males and females, women traditionally were expected to listen and be supportive to their male partners, fulfill their sexual needs, care for their children, and cook and clean their home. An abusive husband may rationalize the use of violence if his wife fails to live up to such expectations. (For more on domestic violence and adherence to gender roles, see [University of Michigan, Sexual Assault Prevention and Awareness Center](#).)

While many men and women do not buy into beliefs rooted in gender bias, the overall message of male power and female submissiveness is inescapable in our culture. **Note the following overlapping social norms that contribute to gender-based violence** (The Prevention Institute, 2007; Cohen, Davis & Graffunder, 2006):

- ✓ **Traditional male roles** promote domination, exploitation, objectification, oppression, risk-taking behaviors in men and boys, often glorifying victimizing women and girls.
- ✓ **Limited female roles that sexualize women** from a very young age blur the morality of age and ability to give consent, sending the message that women are objects for the pleasure of

men and allowing men/boys to see themselves as the takers and users of the “commodity” of women.

- ✓ **Images of power support violent norms** that allow men to exert control over women.
- ✓ **Violence as an acceptable option** and tolerated as normal behavior that can be used as a way to solve problems (and where blame for using aggression is attributed to the victim).
- ✓ **The norm of privacy and shame encourages secrecy and silence around violence and fosters stigmatization and lack of intervention.** This norm promotes a shame-based culture that perpetuates abuse by immobilizing victims and their supporters with public shame and stigma. Privacy effects victim reporting rates, as victims say that they are reluctant to come forward because of the victim blaming from media, friends, family, etc.

Community factors can reinforce societal norms, such as weak sanctions against perpetrators and lack of support for victims from institutions that are supposed to help them seek justice. For example, college students who had been sexually victimized give a number of reasons for not reporting their victimizations to law enforcement officials. Fear of being treated with hostility by law enforcement and anticipation that law enforcement would not believe the incident was serious enough and/or would not want to be bothered with the incident were listed as barriers to reporting (Fisher, Cullen & Turner, 2000).



Gender bias is exacerbated by discrimination based on race, ethnicity, sexual orientation, perceived gender identity, socio-economic status, class, disability and/or age. These forms of discrimination can further increase a person’s vulnerability to violence and make safety, healing and justice less feasible (Amnesty International).

Gender bias affects all victims of interpersonal violence. When men are victims of sexual or domestic violence, they may be even less likely than female victims to seek help because these crimes are seen as ones that “happen to” females, who are perceived as the “weaker” sex. Despite the public’s growing awareness about male victimization, there is still a sense of disbelief that boys and men could be violated sexually or by a female intimate partner. Heterosexual male victims may fear being perceived as homosexual, feminine or weak if they were assaulted by a male. If they were sexually assaulted by a female, many believe that they should just enjoy “the sex” instead of “complaining” about it. When girls and women experience sexual or domestic violence by a female perpetrator, gender bias that sanctions violence against women can still be a factor.

B4. VICTIM BLAMING

It’s important for you to recognize that a key reason for a victim’s reluctance to report or seek help following an act of interpersonal violence is society’s tendency to blame the victim. **Victim blaming in essence removes the responsibility for the violence from the offender and places it upon the victim.** We can address these myths during education and prevention programs by focusing on the offenders’ behaviors and the realities of interpersonal violence.

Some **examples of myths that people believe that support victim blaming in interpersonal violence cases** include:

- ✓ If a woman wears revealing clothing, flirts with or walks home with the perpetrator, she is enticing him, so it can't be sexual assault.
- ✓ If a woman is out alone at night, she deserves what she gets.
- ✓ If a woman did not physically resist the perpetrator's advances or there was no "real" threat of physical harm, then it cannot be sexual assault.
- ✓ If an individual had sex previously with the perpetrator, it can't now be sexual assault.
- ✓ A woman might fabricate interpersonal violence to seek attention or revenge.

When women remain in abusive relationships, people may question why they stay and blame them for "letting" the abuse happen. Some may justify the violence if they feel the woman provoked it. Some may excuse violence as a side effect of the abuser's use of alcohol or drugs. **The blame that victims receive from others often erodes their confidence and develops into self-blame**, which can manifest into feelings of guilt, shame, anxiety, depression, lack of trust and isolation. It makes it harder for victims to come forward and report the violence. **Just as damaging, victim blaming can lead to backlash and retaliation against victims**—for example, a victim might be labeled promiscuous by peers after being sexual assaulted by a classmate or sexually harassed by a professor. If the incident is reported, a victim may be subjected to retaliation (e.g., her stalker may increase the level of attacks or others may harass her if her abusive partner or rapist is a popular public figure such as an athlete). In addition, institutions and the media can add to the damage by portraying victims negatively.

Why do people blame victims of interpersonal violence? Some thoughts and theories:

- ✓ **Men and women are socialized to believe stereotypes that support gender discrimination, including gender-based violence.**
- ✓ **People want to believe that as long as they behave "appropriately," nothing bad will happen to them.** This belief leads to the view that victims must have done something to encourage or deserve the violence and thus are to blame. Those who blame victims may feel a sense of security because they view themselves as acting appropriately and therefore are not vulnerable to violence. (Bullet adapted from Rape Crisis Information Pathfinder.)
- ✓ **People may believe that sexual violence is caused by uncontrollable sexual desire,** which leads them to conclude that the way a person looks or behaves can elicit irrepressible sexual arousal in others.
- ✓ **People may find it difficult to comprehend that a person they know is capable of interpersonal violence.** This is especially true when the alleged perpetrator is someone they like and/or respect.
- ✓ **People may not be educated about the nature of interpersonal violence.** Some people maintain victim blaming attitudes simply because they have not been taught about the realities of interpersonal violence and have not had the opportunity to counter their assumptions and biases with facts.



Some tips ([Center for Relationship Abuse Awareness](#)): Challenge victim-blaming statements. Don't agree with perpetrators' excuses for violence (they will try to rationalize their actions). Let victims know that it is not their fault. Hold perpetrators accountable for their actions. Provide victims with resources and support. Avoid victim blaming.

B5. PERPETRATORS OF INTERPERSONAL VIOLENCE

This section is intended to provide you with a very brief overview of perpetrators of different types of interpersonal violence. Note there is some overlap of this section with *B2*.

Sex Offenders

(Partly drawn from the Center for Sex Offender Management's ([CSOM](#)) publications)

The primary motivation for sex offenders to commit sexual violence is generally not sexual gratification, although that may be part of it. More commonly, **offenders use sexual violence as a tactic to overpower, control and/or humiliate another person**. They often have a need to compensate for their own feelings of inadequacy, anger and/or powerlessness. By humiliating victims, their anger is discharged and their feelings of strength and capability are validated. Offenders' dehumanizing acts of sexual coercion may help them gain a temporary sense of control, while leaving their victims feeling devastated, traumatized and powerless.

There is no profile of a typical sex offender (Becker & Murphy, 1998; Hunter, 2006; Marshall, 1996; Talbot et al., 2002). Instead (paragraph and bullets drawn from CSOM, 2010; Gilligan, 2008):

- ✓ Sex offenders vary from one another in terms of demographics, range of offending behaviors, motivations, intervention needs and levels of risk they pose (Carter, 2008).
- ✓ Sex offenders can be adults or juveniles. Sex offenders may offend against adults and/or children, males and/or females.
- ✓ The vast majority of sex offenses are committed by males, but females do commit these crimes (FBI, 2005; Schwartz & Cellini, 1995).
- ✓ Sex offenders vary in marital status, socio-economic level, education and family ties.
- ✓ Some have been victims of sexual abuse, but many have not. Being sexually abused does not cause people to become sex offenders.
- ✓ Offenders' sex crimes can range from non-contact offenses such as flashing or voyeurism to contact offenses such as fondling or rape.
- ✓ Most sex offenders commit multiple sex crimes against multiple types of victims with whom they have varying types of relationships (Denver Police Department, 2011).
- ✓ Sex offenders may have a long criminal history or none at all.

Key points about sex offenders (drawn in part from [Lisak & Miller](#), 2002):

- ✓ When discussing sexual assault that occurs on college campuses, people may have an image of a male student "who, under the influence of alcohol, mistakenly crosses the line between sexual pressure and rape." However, the **majority of rapists plan their assaults as well as how to get away with them** (e.g., by identifying potential victims who are vulnerable, accessible and easily manipulated/isolated, and whose credibility will be called into question if they report due to factors such as they were drinking or doing drugs, involved in illegal activities, have a mental disability, had sex with the rapist previously, etc.).
- ✓ **Offenders use violence as needed**. They may not need to use physical force if they can incapacitate, intimidate or wear down resistance of victims. It is easier to avoid prosecution if

force is not used. Bachman (1998) found that the only factors associated with rape that increased the likelihood of victim reporting were physical injuries and the use of a weapon.

Between 12 and 24% of convicted sex offenders are known to have repeated sex crimes, as indicated by a new charge or conviction for a sex offense (Hanson & Harris, 2004; Hanson & Morton-Bourgon, 2005). However, **these rates likely are underestimated since most sex crimes are not reported**. There is usually no single factor that makes someone more likely to reoffend, but rather a combination of factors that might include problems in relationships, difficulty in dealing with emotions such as anger, having antisocial values, hostile attitudes toward women, or being sexually attracted to children. Treatment may help sex offenders develop skills to manage their behavior, which can reduce their chances of reoffending. But whether they will be successful depends on whether they are motivated to change their behaviors (Aos, Miller & Drake, 2006). (Paragraph drawn from CSOM, 2010.)



It is likely that **sex offenders committed far greater number of sex crimes than they are or will be convicted of (most will likely not be convicted at all)**. Lisak and Miller (2002) found that of 1,882 men they assessed for acts of interpersonal violence, 120 reported acts that met legal definitions of rape or attempted rape, but were never prosecuted by criminal justice authorities. The majority (76) were repeat rapists. The 76 repeat “undetected” rapists together committed: 439 rapes and attempted rapes, 49 sexual assaults, 277 acts of child sexual abuse, 66 acts of child physical abuse, and 214 acts of battery. Lisak and Miller also found common characteristics between incarcerated and undetected rapists: Anger directed at women, need to dominate women, belief in rape myths, hyper-masculine attitudes, view of violence as normal, view of women as objects to be conquered, and deficits in empathy.

Lisak and Miller noted that with both incarcerated and undetected rapists, there is **a pattern that a small number of men committed the majority of sex crimes** (rather than many men committing single acts of sexual violence).

As mentioned earlier, **the courts can impose a variety of sentences for sex offending, depending upon the offender, the facts of the case and state laws**. While some offenders are sentenced to prison or jail, others are sentenced to community supervision (e.g., probation). Depending on their age and conviction, some are on the sex offender registry for their lifetimes, others for 10 years, and some not at all. For those sentenced to prison or jail, some are released with parole or probation supervision, while others are released with no supervision. When they are under community supervision, sex offenders are required to abide by certain restrictions and rules, such as the following (Paragraph and bullets drawn from CSOM, 2010):

- ✓ No contact with their victims;
- ✓ No or limited contact with minors;
- ✓ Participation in sex offender-specific treatment;
- ✓ Limited or no Internet access;
- ✓ No use of alcohol or drugs;
- ✓ Restrictions on where they can live and work;
- ✓ Restricted movement within the community and within and across state line; and
- ✓ Reporting to a probation/parole officer as required.



In every state, law enforcement agencies must maintain registries of certain convicted sex offenders (e.g., including data such as offenders' names, addresses, photographs and crime or conviction). The State Police administers the [West Virginia sex offender registry](#), as per the stipulations of the *Sex Offender Registration Act (WVC§15-12)*. In addition to updating the registry on a daily basis, the State Police distributes registrant data to the FBI and local entities in the county that the registrant resides, owns or leases property that he/she regularly visits, is employed or attends a school/training facility.

Abusive Partners

Like sex offenders, there is **no one profile for abusive intimate partners**. They come from all socioeconomic backgrounds, races, religions and walks of life. However, what they have in common is the **use of power and control as the main tactic in their abusive behavior**.

Abusive partners often (from [Maricopa Association of Governments Domestic Violence Council](#); Wilson, 1997):

- ✓ **Equate jealousy with love**—continually question their partners about people spoken to or associating with, become jealous of time their partners spend with others, including family;
- ✓ **Use controlling behavior** to inhibit almost every aspect of their partners' lives;
- ✓ **Lie** or alter or withhold the truth;
- ✓ **Pressure their partners** to become committed to their relationship quickly;
- ✓ **Hold unrealistic expectations**—they may expect their partners to meet all of their needs;
- ✓ **Isolate** their partners by severing outside ties, support and resources, accuse others of being "troublemakers," block partners' access to use of vehicles, work or telephone service;
- ✓ **Blame others for their feelings** and may use their feelings to manipulate their partners—e.g., "You are hurting me by not doing as I want;"
- ✓ **Hold children to high expectations** and then punish them for not performing up to their harsh standards;
- ✓ Exhibit **cruelty to animals**;
- ✓ **Use force in sex**—may restrain their partners against their will during sexual activity, act out fantasies in which their partners are helpless, force sex when their partners are asleep, ill or tired; show little concern for their partners' desire to be touched, and use sulking or anger to manipulate sexual compliance;
- ✓ **Verbally abuse their partners**; and
- ✓ **Hold rigid gender roles**.

Although both men and women are abusers, the vast majority are men. Like sex offenders, they may refuse to accept responsibility for their behavior and believe that it is justified. Often they will try to excuse the violence or blame the victim for causing it. The tendency to use abuse as a control tactic can be aggravated by the use of drugs and alcohol, but overcoming a substance abuse problem does not usually end the abusive behavior. There is treatment available to help abusive partners address abusive behavior. (Paragraph from Maricopa Association of Governments Domestic Violence Council.)

Stalkers

Most stalkers are men; however, females can also be stalkers. Like sex offenders and abusive intimate partners, stalkers are a heterogeneous group. One broad way they can be categorized is by their relationship with their victims: current or former intimate partner, acquaintance or stranger (Mohandie, Meloy, Green-McGowan & Williams, 2006; Logan, 2010).

Many stalkers know their victims, particularly those who stalk women. For 66% of female stalking victims and 41% of male victims identified in *The National Intimate Partner and Sexual Violence Survey: 2010 Summary Report*, a current or former intimate partner was their stalker (Black et al., 2011). About 10% of stalkers are strangers to their victims (Baum et al., 2009).

Partner stalkers are more likely to be threatening and violent towards their victims than stalkers who are acquaintances or strangers. For example, 71% of the partner stalking victims who were threatened were actually assaulted compared to 33% of non-partner stalking victims who were threatened (Thomas et al., 2008; Logan, 2010). Similarly, Tjaden and Thoennes (1998) found that 81% of women who were stalked by current or former intimate partners were also physically assaulted by them; 31% were also sexually assaulted.

Compared to stalkers who were acquaintances or strangers, **partner stalkers were also more likely to be violent towards third parties and damage property, and reoffend after court interventions** (Logan, 2010). **They also appeared to engage in stalking more frequently and intensely than non-partner stalkers.**

Factors Linked with Perpetration of Sexual and Domestic Violence

Research suggests that most college men who commit non-stranger sexual assaults perceive their behavior as normative and reasonable (PCAR, 2004). Their peer groups often also consider their behavior as normal (Sampson, 2002). Their likelihood of committing sexual assault is associated with factors such as negative attitudes toward women and a belief that men are entitled to sex under certain conditions (PCAR, 2004). Based on Krug et al. (2002), the CDC (2004, 2009) identified a combination of individual, relational, community and societal factors that may contribute to the risk of becoming a perpetrator of sexual violence in the general population (see below, *Factors Associated with Perpetration of Sexual Violence*). The CDC (2010) also identified a list of risk factors that may contribute to a greater likelihood of domestic violence perpetration in the general population (see below, *Factors Associated with Domestic Violence Perpetration*). Note that the CDC indicated that some risk factors for perpetration of domestic violence are the same for victimization.

Factors Associated with Perpetration of Sexual Violence	Factors Associated with Perpetration of Domestic Violence
<p>Individual risk factors</p> <ul style="list-style-type: none"> ✓ Alcohol and drug use ✓ Coercive sexual fantasies ✓ Impulsive and antisocial tendencies ✓ Preference for impersonal sex ✓ Hostility towards women ✓ Hyper-masculinity ✓ Childhood sexual/physical abuse ✓ Witnessed family violence as a child <p>Relationship factors</p> <ul style="list-style-type: none"> ✓ Association with sexually aggressive and delinquent peers ✓ Family environment characterized by physical violence and few resources ✓ Raised in homes with strong patriarchal structures rather than egalitarian structures ✓ Emotionally unsupportive familial environment <p>Community factors</p> <ul style="list-style-type: none"> ✓ Lack of employment opportunities ✓ Lack of institutional support from police and judicial system ✓ General tolerance of sexual violence within the community ✓ Weak community sanctions against sexual violence perpetrators <p>Societal factors</p> <ul style="list-style-type: none"> ✓ Poverty ✓ Societal norms that support sexual violence ✓ Societal norms that support male superiority and sexual entitlement ✓ Societal norms that maintain women's inferiority and sexual submissiveness ✓ Weak laws and policies related to gender equity ✓ High tolerance levels of crime and other forms of violence 	<p>Individual risk factors</p> <ul style="list-style-type: none"> ✓ Low self-esteem ✓ Low income ✓ Low academic achievement ✓ Aggressive or delinquent behavior as a youth ✓ Heavy alcohol and drug use ✓ Depression ✓ Anger and hostility ✓ Antisocial personality traits ✓ Borderline personality traits ✓ Prior history of being physically abusive ✓ Having few friends/being isolated from others ✓ Unemployment ✓ Emotional dependence and insecurity ✓ Belief in strict gender roles ✓ Desire for power/control in relationships ✓ Perpetrating psychological aggression ✓ Being a victim of physical/psychological abuse ✓ History of poor parenting as child ✓ History of physical discipline as child <p>Relationship Factors</p> <ul style="list-style-type: none"> ✓ Marital conflict-fights, tension, other struggles ✓ Marital instability-divorces or separations ✓ Dominance/control of relationship by one partner over the other ✓ Economic stress ✓ Unhealthy family relationships and interactions <p>Community Factors</p> <ul style="list-style-type: none"> ✓ Poverty and associated factors (e.g., overcrowding) ✓ Low social capital- lack of institutions, relationships, and norms that shape a community's social interactions ✓ Weak community sanctions against intimate partner violence <p>Societal Factors</p> <ul style="list-style-type: none"> ✓ Traditional gender norms

Note that there is considerable overlap between the risk factor for perpetration of sexual and domestic violence. To that end, a 2011 WHO report identified **risk factors associated with perpetrators of both intimate partner violence and sexual violence**: lower levels of education, exposure to child maltreatment, witnessing parental violence, harmful use of alcohol, attitudes accepting of violence and violence against females in particular, antisocial personality disorder, males with multiple partners or who are suspected of infidelity, beliefs in family honor and sexual purity, ideologies of male sexual entitlement.

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*Note: As a convenience, hyperlinks to sources are often provided. If a listed hyperlink cannot be accessed, it is suggested you search online for the resource by title and author.



C. Responding to Disclosures

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INTRODUCTION

While participating in interpersonal violence prevention programming, there is a good chance that students will disclose victimization. It is critical that you know what to do in these situations. **Your main role is to ensure that the student is provided with a supportive and informative response and is connected to campus and community resources based on their needs and concerns.** It is recommended that you **partner with the local rape crisis center and domestic violence program** so that victim advocates who are experienced in dealing with disclosures are available during/after your programming. However, you should also know what to say if a student discloses victimization to you and advocates are not available.

This section reviews elements important to an effective response—knowledge of related laws, understanding of victims' needs, awareness of steps in an immediate response, issues when working with specific populations, and resources available to students who are victimized.

A first responder's words and actions can have a tremendous impact on a victim of interpersonal violence. Victims' perceptions of being supported, believed, protected and helped in the aftermath of a disclosure of sexual assault can impact their reactions as much as the assault itself. Reacting to a disclosure with judgment and blame may lead a victim to think that the violence was her fault and lead her to suffer in silence. Conversely, responding with support, compassion and accurate information about the violence, traumatic reactions and resources can empower the victim to begin the process of healing.



Acquiring new knowledge and putting it into practice is a process. You are not expected to “know” the information in the toolkit all at once. Instead, you can work through toolkit sections at your own pace, building your knowledge base as you go.

C1. EXPLANATION OF KEY TERMS

It is helpful to be familiar with terms related to the response to interpersonal violence:

Anonymous Reporting: When a victim or friend of a victim reports a crime without revealing the victim's identification (National Organization for Women, 2008). Anonymous reporting may also be referred to as blind or third party reporting. It allows victims and/or third party reporters to share critical information about an incident with authorities without compromising confidentiality and filing a formal complaint. It also provides law enforcement with information about crimes that might otherwise go unreported (Office on Violence Against Women, 2004).

Confidentiality: Maintaining confidentiality in the case of a disclosure of interpersonal violence by a college student means not sharing student identifying or personal information or any information that the student has communicated to you/your campus (outside of entities identified in your campus protocol), unless there is a court mandate or the student has given informed consent to release the information.

First or Immediate Responder: A professional or paraprofessional who initially responds to a disclosure of interpersonal violence, typically following institution/agency-specific policies. Those who traditionally have been responsible for a community's immediate response include victim advocates, 911 dispatchers, law enforcement officers and health care providers. Others also may be involved, such as emergency medical technicians, public safety officials, protective service workers, mental health providers, social service workers, school personnel, employers, corrections staff, religious/spiritual counselors, etc. (Office on Violence Against Women, 2004). On college campuses, first responders can vary but likely include those who coordinate immediate services, provide emotional support and health care, offer protection, take reports and collect evidence, conduct preliminary investigations, and provide information and referrals.

Forensic Medical Examination: Following an assault and particularly a sexual assault, a victim may require medical attention for injuries and related health concerns. There may be bodily evidence to collect and information to be gathered about the assault, if the victim is considering or undecided about reporting to law enforcement. The purpose of a forensic medical exam is to assess a victim's health care needs and collect evidence when appropriate for potential use during case investigation and prosecution (Office on Violence Against Women, 2004).

Mandatory Reporting: West Virginia law identifies (1) individuals who must report suspected abuse or neglect of *adults* who are incapacitated or emergency situations where adults who are incapacitated are at imminent risk of serious harm; and (2) individuals who must report suspected or observed mistreatment of *minors*. Requirements vary slightly for children and adults, but both can initially be verbally reported to the local Department of Health and Human Resources or the 24-hour hotline (800-352-6513). If a crime is suspected, a report should be made to law enforcement.

Protective Order: A court order issued in a jurisdiction to protect a victim of domestic or dating violence, sexual violence or stalking that restricts the conduct of an individual toward the victim.

Safety Plan: An individualized plan of actions, strategies, and resources to address the safety of a person who fears having violence committed against her/him.

Sexual Assault Nurse Examiner (SANE): A registered nurse who completes specialized education to perform a forensic medical examination with sexual assault victims. Common duties of a SANE: providing comprehensive victim care, identifying physical trauma, documenting injuries, collecting evidence and maintaining the chain of custody, offering referrals for medical/psychological care and support, and being an expert witness during court proceedings (West Virginia Foundation for Rape Information Services—WV FRIS, 2008).

Sexual Assault Response Team (SART): A group of professionals who work jointly to minimize the trauma that sexual assault victims may experience when they seek initial support, medical care and legal assistance. Through coordinated responses, a SART seeks to facilitate victim healing, provide appropriate and compassionate medical care, reduce repeated questioning of victims, and increase effective collection and preservation of evidence. SART members typically include emergency medical personnel, prosecution, law enforcement and a sexual assault victim advocate (WV FRIS, 2008). Colleges may have their own SARTs and/or

participate on a community SART.

C2. POLICIES GUIDING RESPONSE TO DISCLOSURES

It is important that you are aware of your duties to report interpersonal violence in specific circumstances, whether it be a state, federal or college-specific requirement.

State Requirements

MANDATORY REPORTING

In West Virginia, an individual can decide whether or not to report interpersonal violence to law enforcement **unless** the situation meets the criteria for mandatory reporting. It is possible you will come across such situations. If a mandatory report is required, encourage the victim to initiate the report and offer assistance in reporting. You must fulfill your mandatory reporting responsibilities.



Note that in West Virginia, **sexual assault victims in non-mandatory reporting situations can have a forensic medical exam conducted without reporting the incident to law enforcement.** (The exam process will be discussed in the next section.)

What are mandatory reporting requirements in West Virginia?

In West Virginia, state law (*WVC§9-6-9*) identifies individuals who must report suspected abuse or neglect of **adults who are incapacitated or of emergency situations where adults who are incapacitated are at imminent risk of serious harm.** Reporters include: medical, dental and mental health professionals, Christian Science practitioners, religious healers, social service workers, law enforcement officers, humane officers, state or regional ombudsmen (an advocate for residents of nursing homes, board and care homes, and assisted living facilities), and employees of nursing homes or other residential facilities.



An **adult who is considered “incapacitated,”** according to state law, is **someone who cannot independently conduct daily life sustaining activities due to a physical, mental or other infirmity.** Note the incapacity can be temporary.

Reporting procedures for suspected mistreatment of an incapacitated adult:

- ✓ Abuse, neglect or an emergency situation involving an adult who is incapacitated should be reported to the local Department of Health and Human Resources (DHHR), Adult Protective Services (APS), *or* the 24-hour hotline provided for this purpose (800-352-6513).
- ✓ If it is suspected that a crime has occurred (e.g. a sex offense), report to the local law enforcement agency.
- ✓ The oral report to DHHR should be followed with a written report within 48 hours, using DHHR’s form or a form your organization has developed for this purpose.

Mandatory reporters of suspected mistreatment of a *minor* in West Virginia include: religious healers and clergy members, Christian Science practitioners, social service workers, school teachers and other school personnel, child care or foster care workers, humane officers, emergency medical services personnel, peace officers or law enforcement officials, circuit court and family court judges, employees of the Division of Juvenile Services and magistrates, youth camp administrators or counselors, employees, coaches or volunteers of an entity that provides organized activities for children, and commercial film or photographic print processors.

Reporting procedures for suspected mistreatment of a minor:

- ✓ Reports should be made immediately to DHHR, Child Protective Services (CPS) or 800-352-6513 (same as above number).
- ✓ If it is believed that a child suffered serious physical abuse, sexual abuse or sexual assault, the reporter shall *also* immediately report, or cause a report to be made, to the State Police and any law enforcement agency having jurisdiction to investigate the complaint.
- ✓ If the mandatory reporter is a staff member or a volunteer of a public or private institution, school, entity that provides organized activities for children, facility or agency, the reporter should immediately notify the person in charge of that institution school, entity, facility or agency, or a designated agent thereof, who may supplement the report or cause an additional report to be made.
- ✓ The oral report to DHHR should be followed with a written report within 48 hours if so requested.



In addition to the above mandatory reporters, **any person over the age of 18 who receives a disclosure from a credible witness or observes child sexual abuse or sexual assault** is required to immediately report or cause a report to be made to DHHR, the State Police, or the law enforcement agency having jurisdiction to investigate the report.

INFORMED CONSENT AND GUARDIANSHIP/CONSERVATORSHIP

Why is a victim's informed consent important?

It is critical to respect the right of victims of interpersonal violence to make their own decisions about reporting, unless the situation meets the criteria for mandatory reporting. It is also **up to victims to decide what services to utilize, if any**, following a disclosure.

You can help ensure that victims' decisions are informed by offering them, as early as possible in your interaction with them, information about the college's requirements related to reporting, their options for assistance and the potential impact of their decisions about reporting and seeking assistance. For example, you can briefly explain to students during prevention programming your reporting requirements to the school and the state if they tell you about victimization and the rationale for such reports. If a student approaches you after a program and tells you about a sexual assault, even if the student does not wish to make an official report but just wants emotional support, you should review who you are required to tell, if anyone (e.g., the dean of students, the Title IX coordinator, local law enforcement if a

minor or incapacitated adult is involved, etc.), why and what will happen after a report is made. You should let the student know that if the assault was recent, there are health issues to consider (e.g., risk of pregnancy, sexually transmitted infections including HIV) and a limited window of time for the collection of potential forensic evidence. Of course, you also should offer to connect the student with the services upon request. Note that **having an advocate from the local rape crisis center present during/after prevention programming allows you to shift this role of explaining options and limitations and connecting victims with services to the advocate**. The advocate also can likely offer disclosing students a greater degree of confidentiality.

What do I need to know about guardianship/conservatorship?

A West Virginia resident over the age of 18 is presumed to be competent to make her/his own decisions unless a court determines otherwise. However, if a person is declared to be legally incompetent, the circuit court may determine she/he is a “protected person” and appoint a guardian/conservator to make decisions on her/his behalf. A **guardian** is responsible for the personal affairs of a protected person. A **conservator** is responsible for managing the estate and financial affairs of a protected person. The terms and conditions of a court appointment indicate the scope of the guardianship or conservatorship. There likely are students attending your college who have guardians and/or conservators.

If abuse or neglect of a protected person by a guardian/conservator is suspected, suspicions should be reported to DHHR at 800-352-6513. If it is suspected that a crime has been committed against a protected person or that they are in imminent danger, law enforcement should be contacted. If it is suspected that a guardian/conservator is not acting in the protected person’s best interest, the circuit court that appointed the guardian/conservator or a private attorney for information on options should be contacted. In cases in which DHHR is the appointed guardian, contact a DHHR supervisor.

CONFIDENTIALITY

Maintaining confidentiality is a key to developing trust with victims. Victims are asked to share very personal information about their experiences of being violated in order to receive medical, emotional and legal support. They may be traumatized and embarrassed by having to recount what happened. They frequently have grave concerns related to disclosing their victimization, reporting to law enforcement and seeking services. Given such difficulties and concerns, it is critical for victims to be able to trust that the communications they have with violence prevention personnel will be kept in confidence as appropriate and allowable by law and campus policies. Information should not be released about victims without their informed, written consent, except in cases mandating reporting. As noted earlier, it is important to convey related reporting requirements to individuals before they disclose, to the extent possible. Campus personnel should follow policy guidelines and maintain privacy.

Special conditions regarding the release of information and informed consent exist for minors and some “incapacitated” adults (WVC§9-6-9) with cognitive disabilities.

- ✓ Minors are typically unable to legally provide informed consent. Therefore, when the victim is a minor, the written release of information should be signed by the minor where possible and her/his non-abusive parent or guardian. Emancipated minors and minors who are married, however, can make most of their own decisions and do not need a signature of their parent or guardian (*WVC§49-7-27*).
- ✓ With adults who are incapacitated, the issue is whether they are competent to give consent. If an adult is not capable of providing consent to release information, the written release should be signed by the adult where possible and the non-abusive guardian, if one exists.

Note that **release of information forms should be time-limited (e.g., 15 days) and specific (what will be released to whom)**.



As mentioned earlier, it is likely that **advocates from the local rape crisis center and domestic violence program can offer students disclosing interpersonal victimization a greater degree of confidentiality than college personnel**. It is recommended that colleges publicize students' option for reaching out to these off-campus programs as a way to preserve students' ability to make their own decisions about reporting, increase their privacy, and increase their understanding of the full scope of available resources and how to access them. Of course, community-based advocates need to be familiar with and able to explain to college students their options for help on-campus.

Key Federal Legislation Influencing Campus Response

THE CLERY ACT

The **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act** (otherwise known as the **Clery Act**) is named after Jeanne Clery. Jeanne was a 19-year-old college student who was raped and murdered in 1986 in her Lehigh University dormitory. The Clery Act was passed in 1990, requiring higher education institutions whose students receive federal financial aid **to collect and report crime data to the U.S. Department of Education**. It has been amended multiple times to expand the parameters of the legislation, including through the 2013 Campus Sexual Violence Elimination Act or Campus SaVE Act. (Paragraph partly drawn from [The Clery Center for Security on Campus](#).)

Basic components of the Clery Act include (Center for Public Integrity, 2010):

- ✓ Campuses must publish and distribute an **annual security report** that includes **crime statistics for the past three years as well as campus security policies**. (Note that the Campus SaVE Act includes sexual assault, domestic and dating violence, and stalking in the crimes to be included and also requires colleges to describe their response and prevention policies related to these crimes. See the upcoming section on Campus SaVE Act.)
- ✓ If a college has a campus law enforcement or security department, a **public daily crime log** must be kept.

- ✓ **Crimes** that pose a serious or continuing threat to the campus community **must be reported to the community** in a **timely manner**.

Under the Clery Act, which college employees have a responsibility to report interpersonal violence that is disclosed to them by students?

A crime is considered reported under the Clery Act when it is brought to the attention of a “campus security authority” (CSA) by a victim, witness or other third party or even the offender. CSAs must report allegations of crimes to campus or local law enforcement as per campus policy, even if the victim does not file a report. **The Clery Act defines a CSA as any person or body with significant responsibility for student and campus activities** (e.g., a dean, coach, student affairs staff or campus law enforcement or security staff). CSAs do not include faculty who do not have responsibility for student or campus activities beyond the classroom or clerical, cafeteria or facility/maintenance staff (Center for Public Integrity, 2010).

However, it is imperative that colleges clearly outline and publicize their policies and procedures related to who among their employees are CSAs; what interpersonal violence information needs to be shared (identifying versus non-identifying data) and to whom; and what the reporting process entails. The policies and procedures must go beyond Clery Act stipulations to also incorporate other relevant federal, state and college requirements.



The [Clery Center for Security on Campus](#) provides a clearinghouse of information and resources regarding Clery Act compliance and changes as per the Campus SaVE Act. It also allows you to [search for a specific campus' security data](#).

[The Handbook for Campus Safety and Security](#) (2011) presents procedures, examples and references for college administrators to follow in meeting the campus public safety requirements of the Higher Education Act of 1965 (specifically the Clery Act).

CAMPUS SEXUAL ASSAULT VICTIMS' BILL OF RIGHTS

The federal Campus Sexual Assault Victims' Bill of Rights was enacted as a component of the 1992 amendments to the Higher Education Act of 1965 (*Public Law: 102-325, section 486(c)*). It is now **part of campus security reporting requirements of the Clery Act**. It requires schools to provide basic rights to sexual assault victims on campus (Center for Public Integrity, 2010):

- ✓ Giving the alleged victim and perpetrator equal opportunity to have others present in disciplinary proceedings and equal notification of the outcome of such proceedings;
- ✓ Notifying alleged victims of counseling services and their right to pursue legal options through local law enforcement; and
- ✓ Notifying alleged victims of their option to change classes or dormitory assignments to avoid contact with alleged assailants.

The Campus SaVE Act expanded upon several of these rights for sexual assault victims as well as broadened them to apply to victims of interpersonal violence (see below). Title IX also

supports the provision of victim rights (see below).

CAMPUS SAVE ACT REQUIREMENTS

The 2013 **reauthorized Violence Against Women Act** included the **Campus Sexual Violence Elimination Act (Campus SaVE Act)**, which amends the **Clery Act** and affords additional rights to campus victims of sexual violence, dating violence, domestic violence and stalking. It requires every post-secondary institution participating in Title IV financial aid programs to **compile statistics** of incidents of sexual assault, domestic violence, dating violence and stalking that occur within its Clery geography and are reported to campus security authorities. It also requires these institutions to include **a statement of policy in their annual security report** regarding:

Procedures for Victims

- ✓ **Procedures victims should follow** if a sex offense, domestic violence, dating violence, sexual assault or stalking has occurred, including information in writing about: importance of preserving evidence; to whom the alleged offense should be reported; and options regarding law enforcement and campus authorities (including notification of the victim's option to notify on-campus and local law enforcement, be assisted by campus authorities in notifying law enforcement if the victim so chooses, the option to decline to notify such authorities, and, where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil or tribal court).
- ✓ **Written notification to students about services available for victims** on campus and in the community.
- ✓ **Written notification for victims about options for, and available assistance in, changing academic, living, transportation and working situations**, if requested by the victim and such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus or local law enforcement.
- ✓ **Written explanation of the student's or employee's rights and options to a** student or employee who reports to the institution that they have been a victim of one of the aforementioned crimes.
- ✓ Information about **how the institution will protect the confidentiality of victims**.

Procedures: School Response to a Report

- ✓ **Procedures when an incident has been reported**, including a statement of the standard of evidence that will be used during institutional conduct proceeding arising from the report.
- ✓ **Procedures for institutional disciplinary action** in cases of alleged domestic violence, dating violence, sexual assault and stalking, which shall include statements that proceedings shall provide a prompt, fair and impartial investigation and resolution; **be conducted by officials who receive annual training** on issues related to domestic violence, dating violence, sexual assault and stalking, and how to conduct an investigation and hearing process **that protects the safety of victims and promotes accountability**. The accuser and the accused are entitled to the same opportunity to have others present during an institutional disciplinary proceeding, **including the opportunity to be**

accompanied to any related meeting or proceeding by an advisor of their choice. Both the accuser and the accused shall be simultaneously informed, in writing, of: the outcome of the institutional disciplinary proceeding; the institution's procedures for the accused and the victim to appeal the results; any change in the results that occurs prior to the time the results become final; and when the results become final.

- ✓ **Possible sanctions on protective measures** the institution may impose following a final determination of an institutional disciplinary procedure regarding sexual assault, domestic violence, dating violence or stalking.



The Campus SaVE Act also includes requirements for prevention and awareness programming for incoming students and new employees, as well as ongoing programs for students and faculty. See *D. Getting Started Promoting Prevention*.

TITLE IX

(This section is drawn from [Know Your Rights: Title IX Prohibits Sexual Harassment and Sexual Violence Where You Go to School](#) and the [Sexual Violence Dear Colleague Letter](#), both by the U.S. Department of Education, Office for Civil Rights; and [Title IX and Sexual Assault: Know Your Rights and Your College's Responsibilities](#) by the American Civil Liberties Union.)

Title IX of the Education Amendments Act of 1972 (20 U.S.C. Sec. 1681, et seq.) prohibits sex-based discrimination in any educational institution receiving federal funds. This law defines sexual assault and sexual harassment as discriminatory because their occurrences in educational settings discourage full participation in educational opportunities or extracurricular programs. They are forms of sex discrimination, given that they are disproportionately experienced by female students. Title IX requires schools to take reasonable steps to protect students and provide an environment free of sex discrimination.

Schools receiving federal funds must designate a coordinator to oversee its compliance with Title IX. The coordinator's role is to review complaints of sex discrimination and identify and rectify any patterns of discrimination on campus. **The school must inform all students and employees of the Title IX coordinator's contact information,** as well as **post a non-discrimination policy** explaining that the school does not discriminate on the basis of sex in any education program or activity.

To remind schools of their **Title IX responsibilities to take immediate and effective steps to respond to sexual violence**, the U.S. Department of Education, Office for Civil Rights (OCR) issued a [Dear Colleague Letter](#) (DCL) in 2011. The DCL provided guidance on addressing concerns that arise in these cases and on Title IX. It discusses (1) proactive efforts that schools can take to prevent sexual violence, (2) the interplay between various pieces of federal legislation relating to a victim's right to know the outcome of her/his complaint, and (3) examples of remedies and enforcement strategies that schools and the OCR may use.

The DCL noted that Title IX requires schools to do the following:

- ✓ Once the school knows of possible sexual violence, it must **take immediate and appropriate action to investigate or otherwise determine what occurred.**
- ✓ If sexual violence has occurred, the school must **take prompt and effective steps to end it, prevent its recurrence and address its effects**, whether or not the sex discrimination is the subject of a criminal investigation.
- ✓ The school must **take steps to protect the victim as necessary**, including interim steps taken **prior** to the final outcome of the investigation.
- ✓ The school must **provide a grievance procedure for students to file complaints of sexual violence.** These procedures must include an **equal opportunity for both parties** to present witnesses and other evidence and the same appeal rights.
- ✓ The school's grievance procedures must **use the preponderance of the evidence standard to resolve complaints** of sexual violence. (This procedure is usually the college's disciplinary process for violations of the student code of conduct.)
- ✓ The school must notify **both parties of the outcome of the complaint.**

The DCL stressed that **a criminal investigation does not relieve a school of its obligation under its school code of conduct or Title IX to investigate and resolve a complaint of sexual misconduct.** Nor does a **school investigation relieve law enforcement agencies of their duty to investigate crimes reported in their jurisdictions.** Investigations may be conducted concurrently.



For additional information on Title IX and colleges, contact the U.S. Department of Education, Office of Civil Rights at (800) 421-3481 or through ocr@ed.gov. Also see the resources of the [National Center for Higher Education Risk Management](#) (NCHERM) and resources made available by the White House at www.notalone.gov.

Which college employees have a responsibility to report under Title IX?

The Association of Title IX Administrators (Sokolow, 2013) noted that “some campus officials have seized on language in the DCL to imply a duty to fully investigate and remedy all complaints regardless of the wishes of a victim, which is an overreaction to OCR's clarification of its expectations for Title IX compliance.” OCR's intention was to encourage a victim-centered response by schools to disclosure of victimization, not drive victims away from reporting (Sokolow, 2013). Part of the issue here is that there is some confusion about who among college faculty and staff are required to report to college administration when a student discloses sexual violence to them, what is the extent of information each must provide, and how they should handle situations where the student does not wish to report to the campus. There is also ambiguity about how the college investigates a case if the victim requests confidentiality or does not want the complaint pursued (which is discussed in the next question).

The definition of “responsible employee” under Title IX would allow a college to treat only some faculty and staff as mandated reporters. As was discussed in the previous section on the Clery Act, **college policies and procedures need to clearly spell out who among their**

employees are mandatory reporters, what sexual assault and harassment information needs to be reported (identifying versus non-identifying data) and to whom, why, what the reporting process entails, and what happens once a report is made.



The Association of Title IX Administrators offers a model (access through Sokolow's 2013 *Chronicle of Higher Education* article, [*Mandatory Reporting of Title IX: Keep it Simple*](#)) that recommends that all campus employees be mandatory reporters, but different employees have different mandates in the information they are required to share (identifying versus non-identifying). Specifically, the model suggests that all employees report to the Title IX coordinator or other designated campus personnel, who would then pass the crime information on to the public safety office as per the Clery Act. Supervisors would be required to report all incidents in full detail. Nonsupervisory employees such as resident assistants and some faculty members and staff would also be required to report, but should be empowered to make anonymous reports, at least initially, that include the details of an incident except for anything that would personally identify those who were involved. If an employee is talking with a student who appears to be about to disclose victimization, the employee can explain their confidentiality limitations and offer to connect them with a campus counselor or advocate, with whom they may have more confidentiality.

Although not indicated in this model, keep in mind that connecting such students with an advocate from the local rape crisis center would afford them even more confidentiality, as these centers are not obligated to report to campus authorities.

How should a college proceed with an investigation if the victim requests confidentiality or does not want a complaint pursued?

The college should respect the wishes of the victim to the extent possible and explain any limitations. The DCL indicates that a college should inform and obtain consent from the victim before beginning an investigation. If the victim requests confidentiality or asks that the complaint not be pursued, the school should take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or not to pursue an investigation. If a victim insists that identifiable information not be disclosed to the alleged perpetrator, the school should inform the victim that its ability to respond may be limited.

Again, there is merit in **connecting students with the local rape crisis center** as soon as possible so the full range of options can be discussed and then determinations made if students wish to report to college personnel, knowing that the college must initiate a school-based investigation.

FEDERAL GUIDELINES TO ADVISE CAMPUSES ABOUT SEX OFFENDERS

(This section was drawn from the U.S. Department of Education's *The Handbook for Campus Safety and Security Reporting*, pages 146-8.)

Upon release from prison, individuals convicted of sex crimes may be required to register with law enforcement agencies (under Megan's Law). **If registered sex offenders are enrolled or**

employed at a postsecondary institution, the offenders must also provide this information to the state. The state must then provide this information to campus law enforcement departments or to other law enforcement authorities in the jurisdiction where the institution is located (colleges are not required to request this information from the state). This information is strictly for use by the campus law enforcement agencies and is not meant to be disseminated to the campus or community. **The college is only required to inform the campus community how information about registered sex offenders on campus can be obtained** (e.g., the campus law enforcement department, a local law enforcement agency with jurisdiction of the campus, or a computer network address). The intention is to afford a campus community the same availability of information about registered sex offenders as they would have in their home communities under Megan’s Law.

How FERPA Affects these Guidelines

Nothing in the Family Educational Rights and Privacy Act (FERPA) prohibits an educational institution from disclosing information about registered sex offenders, including personally identifiable, non-directory information without prior written consent or other consent from the individual. Colleges also have authority to disclose information about registered sex offenders that may otherwise become available to educational institutions through the operation of state sex offender registration and community notification programs.

C3. UNDERSTANDING VICTIMS’ NEEDS

(Note that local rape crisis centers and domestic violence programs are a resource to assist the college prevention staff and students in further understanding these needs.)

Unique Needs

Whoever is at the receiving end of a disclosure of interpersonal violence victimization must recognize that victims’ circumstances and needs vary considerably. While acknowledging the courage it took to share victimization and that you are sorry they experienced it, don’t jump to conclusions about their situation, state of mind or needs.

For example, a student might approach you at the end of a prevention activity and disclose sexual victimization that occurred years ago. She may only tell you because she wishes to share the impact it has had on her and express her interest in becoming a peer prevention educator. In addition to thanking her for her willingness to become active in prevention work, it might be useful to provide her with resource information if she ever wants emotional support. This scenario is different from one in which a student discloses a very recent sexual assault, is clearly distraught and has immediate medical issues. It is also different from one in which a student discloses a recent assault, but does not appear in crisis nor wishes to take further action.

A person’s experiences of and reactions to interpersonal violence, and related needs, may be affected by multiple factors, such as (adapted from Office on Violence Against Women, 2004):

- ✓ When the violence occurred (hours, days, weeks, months, years ago)

- ✓ Whether physical injuries were sustained, the severity of the injuries, and whether they were treated
- ✓ Level of emotional trauma experienced, capacity to cope with it, and support received
- ✓ Whether the victim fears continued threats and violence
- ✓ History of prior victimization
- ✓ Age and developmental level
- ✓ Gender and/or gender identity
- ✓ Sexual orientation
- ✓ Existence of a disability
- ✓ Language and communication needs
- ✓ Ethnic and cultural beliefs and practices
- ✓ Economic status
- ✓ Immigration and refugee status
- ✓ Past experiences with responding systems (medical, criminal justice, victim advocacy, etc.)
- ✓ Whether the victim was involved in activities prior to the violence that generate victim blaming
- ✓ Whether the violence involved alcohol and/or drugs
- ✓ Whether the victim engaged in illegal activities at the time of the violence or has outstanding criminal charges
- ✓ Prior relationship with the offender, if any



Because there are so many variables that can affect a victim's experience of and reaction to interpersonal violence, as well as related needs and concerns, it is critical to **ask each victim: "Is there anything I should know that will enable me to better assist/support you?"** Let the person guide you in how to support her.

Needs Specific to College Students who are Victims

As mentioned above, each victim is different. However, victims who are college students may face some similar challenges due to their association with campus life.

College students who are victims of interpersonal violence often face challenges associated with a "closed" campus environment. For example, a victim may continue to live in danger after an abusive incident, particularly if the perpetrator resides in the same dormitory or knows where the victim lives and how to enter that residence, attends the same classes, or has meals in the same location. The perpetrator may be able to easily stalk the victim if he/she knows the victim's class and extracurricular schedule. The victim may be harassed by the perpetrator's friends who claim the victim "asked for it" or "provoked" the crime. On smaller campuses, the victim may wish to remain anonymous but may find it almost impossible in such an insular setting. (Paragraph adapted from Alternatives to Domestic Violence.)

Due to emotional trauma from interpersonal violence—past, present and/or threat of future violence—**victims may experience academic difficulties as well as problems with extracurricular activities**, to the point that they drop out of classes and activities, lose a sports or academic scholarship, feel that they can no longer live in the same residence, isolate themselves from their former social groups, etc. If they are employed, they may not be able to perform adequately, may lose work time and/or may be in financial jeopardy.

It is essential that colleges provide their students who experience interpersonal violence

with access to accommodations to help them stay in school in a healthy and safe manner as they recover from trauma associated with the violence and deal with any ongoing threats. Key federal legislation discussed earlier includes requirements for some accommodations. For example, the Campus SaVE Act requires that colleges notify victims about their options for changing academic, living, transportation and working situations, if requested by the victim and such accommodations are reasonably available, regardless of whether the victim chooses to report the crime. Similarly, the Campus Sexual Assault Victims' Bill of Rights of the Clery Act requires notifying victims of counseling services and their option to change classes or dormitory assignments to avoid contact with perpetrators. Title IX mandates colleges protect victims as necessary, including prior to the outcome of an investigation.

Key Victim Issues

(Note that WV FRIS offers online training courses on most of the topics addressed in this section. See the [Sexual Assault Services Training Academy at www.fris.org](http://www.fris.org).)

It is important to generally be prepared to help victims understand:

- ✓ The full extent of the problem (especially in the case of ongoing violence);
- ✓ Common victim reactions as well as others' reactions to their victimization;
- ✓ Common medical needs and concerns;
- ✓ Emotional trauma that may result from their victimization;
- ✓ Common safety needs;
- ✓ Related financial concerns; and
- ✓ Remedies and resources available to them.

B. What You Need to Know discussed the different types of interpersonal violence and initial victim reactions, as well as society's tendency to blame victims. The issues of emotional trauma, physical health consequences, safety and financial concerns are examined briefly below. Immediate intervention strategies, legal and non-legal remedies, and resources are the focus of the remaining sections of *C. Responding to Disclosures*.

EMOTIONAL TRAUMA

Understandably, experiencing interpersonal violence causes emotional trauma for many victims. **Examples of factors that may influence whether a person's emotional reactions to the violence are traumatic** include: severity and frequency of the event; personal history (e.g., if there was a prior victimization); individual coping skills, values and beliefs; and the level of support from family, friends and/or professionals (Santa Barbara Graduate Institute et al.). Examples of traumatic reactions include (Santa Barbara Graduate Institute et al.):

- ✓ **Physical:** changes in eating patterns, sleep disturbances, sexual dysfunction, low energy and chronic, unexplained pain.
- ✓ **Emotional:** depression; spontaneous crying; feelings of despair and hopelessness; anxiety and panic attacks; fearfulness; compulsive and obsessive behaviors; feelings of being out of

control, irritable, angry and resentful; emotional numbness; and withdrawal from normal routines and relationships.

- ✓ **Cognitive:** memory lapses (especially about the violence), difficulty in making decisions, decreased ability to concentrate, hyperactivity and impulsivity.

Additional symptoms—e.g., intrusive re-experiencing of the trauma, emotional numbing and avoidance, and hyper-vigilance and overreactions—are **key indicators of post-traumatic stress disorder (PTSD)**.

Nearly **1/3 of rape victims develop PTSD** during their lifetimes (Kilpatrick, Edmunds, & Seymour, 1992). **PTSD symptoms specific to survivors of sexual violence are also known as rape trauma syndrome (RTS)**. **Phases of RTS** include (Burgess & Holmstrom, 1974):

- ✓ **Acute:** Occurs immediately after the assault and usually lasts a few days to several weeks. Common reactions include being openly emotional, being controlled/without emotion and experiencing shock, disbelief and/or disorientation.
- ✓ **Outward adjustment:** Individual resumes what appears to be her "normal" life, but inside is suffering from considerable turmoil. Primary coping techniques include: minimization (pretends that "everything is fine" or that "it could have been worse"); dramatization (cannot stop talking about the assault); suppression (refuses to discuss or acts as if it did not happen); explanation (analyzes what happened); and flight (tries to escape the pain by moving or changing jobs, appearance or relationships, etc.).
- ✓ **Resolution:** The assault is no longer the central focus of the individual's life. She may recognize that while she will never forget the assault, the pain and negative impact usually lessen over time.

Unfortunately, **this stress response is often not a one-time experience but can be reactivated** when a victim has intrusive symptoms related to the violence (a nightmare or flashback of the actual incident) or other traumatic events.

A substantial portion of women who experience domestic violence exhibit PTSD symptoms—31 to 84% according to a review of research. Multiple victimization experiences also increase the likelihood of PTSD. (Paragraph from Jones, Hughes & Unterstaller, 2001.)

If not addressed, emotional trauma can result in lasting negative effects for victims, such as substance abuse, eating disorders and other compulsive behavioral patterns, self-destructive and impulsive behaviors, inability to make healthy professional or lifestyle choices, dissociative symptoms, feeling permanently damaged, a loss of previously sustained beliefs, and feelings of ineffectiveness, shame, despair and hopelessness. It can also contribute to sexual problems, the inability to maintain close relationships or choose appropriate friends and partners, social withdrawal, and feelings of being constantly threatened and hostile towards others (Paragraph adapted from Santa Barbara Graduate Institute et al.).

PHYSICAL HEALTH CONCERNS

Interpersonal violence has many potential short- and long-term health consequences for victims. Some victims sustain **physical injuries** during the violence. As discussed above, **emotional trauma from interpersonal violence victimization can lead to a wide range of physical, emotional and cognitive repercussions**. Victims of sexual assault may also fear their victimization will lead to **pregnancy and sexually transmitted infections, including HIV**. Some may **develop gynecological problems and stress-related illnesses** as a result of their victimization. The health consequences of interpersonal violence victimization can **profoundly impact many individuals' capacity to lead productive and healthy lives**.

SAFETY

(Section adapted in part from Victim Rights Law Center, 2009)

Interpersonal violence can shatter many victims' feelings of safety. They may not feel safe for months or years after an incident(s), and have a variety of safety concerns. For example:

- ✓ Victims may fear continued and escalating **physical harm, intimidation and retaliation by their perpetrator(s)** against themselves and their family, friends, pets and service animals. If they have or worry about ongoing contact with their perpetrators, their fears and hyper-vigilance may be especially acute.
- ✓ Victims may be concerned their **perpetrators will target other individuals**.
- ✓ Victims may develop **elevated fears of persons, places and things they associate with the violence** (e.g., fear of men, being out at night, etc.). Their existing fears may also be exacerbated by the violence (e.g., of being alone or in crowds).
- ✓ Victims may face or fear **threats to their health**, such as contracting a sexually transmitted infection (STI), including HIV.
- ✓ The emotional distress that victims experience can increase their **risk of self-inflicted harm and other self-destructive behaviors**.

Unfortunately, **some victims may not seek help to enhance their safety because they are too afraid of further harm or humiliation or immobilized by their reaction to the violence**. Some victims with disabilities may have trouble accessing help due to challenges presented by their individual circumstances (e.g., a victim may be physically dependent on an abusive caregiver and unable to seek help because the caregiver isolates her from others and she lacks the social support, financial means or transportation needed to escape).

FINANCIAL CONCERNS

Interpersonal violence can result in out-of-pocket expenses (e.g., for medical treatment, counseling, legal fees, change of residence, etc.) **and loss of income for victims**. For some victims, **worry about money causes considerable stress and may even prevent them from reaching out for assistance**. College students who are financially dependent on parents may worry about their parents finding out about the violence if they are charged for services. Students with disabilities may be concerned that their independence could be restricted if their parents found out about the violence and became concerned about their ability to take care of themselves.

As mentioned earlier, college students who are victims may **face the potential of losing financial aid and scholarships** if they are not performing adequately as per scholarship/aid requirements. **Loss of income from jobs may also jeopardize their ability to pay their college tuition and other fees.**

C4. YOUR ROLE AS AN IMMEDIATE RESPONDER

Some general **strategies you can use to mitigate victims' emotional trauma:**

- ✓ **Establish working relationships with local victim advocates and medical responders** so that they can be connected with victims at the earliest point possible to help quickly address their needs;
- ✓ **Listen to the victim and be supportive;**
- ✓ **Let the victim know that no one deserves to be a victim of interpersonal violence;**
- ✓ **Dispel untruths and misconceptions;**
- ✓ **Normalize common reactions** to the violence (e.g., “what you’re feeling is normal”);
- ✓ **Create a safe environment** for the victim;
- ✓ **Be aware of the victim’s non-verbal cues;**
- ✓ **Offer the victim information and options rather than advice;** and
- ✓ **Allow the victim to make her/his own choices.**

Encourage Victims to Access a Victim Advocate

Having the support of a victim advocate as soon as possible after a disclosure of victimization can not only help victims with their healing, but also may allow them to tap into a wider range of useful services and increase their willingness to participate in justice processes.

Some colleges may have campus-based victim advocates—they are an excellent resource for victims. However, do not forget that students who are victimized should be aware of the availability of victim advocates from the local rape crisis center or domestic violence program. Not only can they offer victims their expertise and advocacy, they also are typically able to offer confidential communications with no requirements around reporting to the campus or local law enforcement (except as per state mandatory reporting mandates). In addition to providing 24-hour support and information, rape crisis center/community-based advocates are typically available to accompany and advocate for victims during the forensic medical examination, investigative interviews, court processes and school hearings. Domestic violence victim advocates offer similar services to domestic violence victims. (More on advocacy services in C6. *Resource for Victims on College Campuses.*)

Endorse a Coordinated Team Approach

The **coordination of interventions among those involved in the immediate response to disclosures of interpersonal violence is critical to helping victims and facilitating timely criminal and school investigations.** College personnel doing violence prevention work should

identify other campus offices and community agencies to which victims can be referred and/or directly linked for help (See *C6. Resources for Victims on College Campuses*). At a minimum, core community responders include (depending upon the circumstances):

- ✓ Advocates from the local rape crisis center;
- ✓ Advocates from the local domestic violence program;
- ✓ Hospital emergency department medical staff (in sexual assault cases, often sexual assault nurse examiners);
- ✓ Local law enforcement (including campus law enforcement); and
- ✓ Prosecutors (may/may not be involved in an advisory capacity in immediate response).



A sexual assault response team (SART) may exist in your community to promote a coordinated response in sexual assault cases. See [WV FRIS](#) for more information on local rape crisis centers and SARTs. A resource for colleges is Barry and Cell's 2009 [*Campus Sexual Assault Teams—Program Development and Operation Management*](#).

Be Prepared to Intervene in a Crisis

Varying incidences can trigger crisis reactions for a victim of interpersonal violence—traumatic reactions to the violence itself, disclosing the violence, the reactions of others to the disclosure (e.g., minimizing it or not believing it happened), memories of the violence (e.g., hearing a song that was on the radio at the time of a sexual assault), events connected to the violence (e.g., the release of an offender from jail or prison) and unresolved trauma related to the violence (e.g., attending social events in which an offender is present).

Crisis intervention attempts to stabilize a person's reactions to an immediate problem. Crisis intervention is sometimes referred to as “emotional first aid” designed to “stop the emotional bleeding.” Crisis management rather than resolution is the goal.



Ideally, if a person in crisis discloses interpersonal violence to you, immediately enlist the assistance from someone trained in crisis intervention (e.g., a victim advocate from a rape crisis center/domestic violence program, a counselor or other person designated by the college). However, until that trained person arrives, your **initial response to a victim in crisis** might encompass:

- ✓ Helping to calm the victim to facilitate rational, informed decisions;
 - ✓ Helping the victim planning for short-term safety;
 - ✓ Addressing medical concerns and encouraging the victim to seek needed care;
 - ✓ Discussing reporting options and encouraging evidence collection, if appropriate;
 - ✓ Addressing additional specific concerns and helping to prioritize urgency;
 - ✓ Providing contact information for the local rape crisis center or domestic violence program, explaining services and connecting the victim, with her permission, with an advocate; and
 - ✓ Providing additional information and referrals as needed.
-

Be Ready to Provide Information and Referrals

Information and referrals may include:

- reporting options, mental health counseling options and resources for family and friends,
- information on the justice process, medical care and sexual assault forensic evidence collection,
- the West Virginia Crime Victims' Compensation Fund,
- school investigations of code of conduct violations,
- civil remedies and victim rights, and
- potential school accommodations for victims.

They will also need contact information for relevant college and community resources— be sure to include the local rape crisis center and domestic violence program on this list.



Consider bringing along to prevention programming a stack of brochures with this information to offer to individuals who disclose victimization. If you don't want to create such a booklet yourself, find out if a similar brochure is already available through another college or community entity.

Encourage Medical Care

It is important to **encourage victims to seek medical care as soon as possible after physical or sexual violence**. They can be examined for **acute and non-acute injuries**. Victims of sexual assault may also need antibiotics to prevent STIs; female victims can receive medication to protect against pregnancy. Sexual assault forensic medical examinations encompass both non-acute medical care related to the assault and forensic evidence collection. (See below.)

Be Prepared to Explain Reporting Options

College students generally have two options for reporting—

(1) Victims can report interpersonal violence to law enforcement. Reporting provides the criminal justice system with the opportunity to begin an investigation into the matter. Whether a college has a law enforcement or security department can impact student procedures for making a criminal report—

- ✓ If victims disclose to a campus law enforcement department, the department can take a report and initiate an investigation, if appropriate. Victims may choose not to participate in the criminal justice process.
- ✓ If victims disclose to a campus security department, the department would typically need to refer the student making a report to a local law enforcement agency if they are requesting a criminal investigation. The school might advise the student to contact local law enforcement her/himself or could automatically pass on the report to local law enforcement, with the student's permission and based on campus policy.

(2) Victims can also report interpersonal violence by another student as a violation of the student code of conduct. Each college has procedures on what students should do to report violations of its student code of conduct and how the college administration deals with such violations. A school's response to disclosures of interpersonal violence should be in accordance not only with the school's stated policy, but also with any applicable federal laws (Title IX, Clery Act, etc.). Policies should clearly explain any time limitations for reporting a violation.

If the perpetrator was a faculty or staff member, the student can still report it to the college, in addition to making a criminal report. Colleges typically can take disciplinary action against employees that violate their personnel policies. **If the perpetrator was not a student at the college**, the school may not be able to discipline the perpetrator, but it could still assist the student to some degree with safety issues, making a criminal complaint, seeking support, etc.

A formal report of interpersonal violence to college administration typically initiates a school investigation into the violation. Colleges often utilize campus judicial boards to make a determination of whether there was a violation of their student code of conduct, with the potential of campus judiciary action that could result in disciplinary sanctions against the violator. (This report also could lead to a separate Title IX investigation, although Title IX complaints are typically handled through the school's grievance procedures as a violation of the school code of conduct. See *Title IX* below.) School processes likely vary to some extent when determining if there was a violation by a college employee.

What is helpful for victims to know prior to reporting?

Prior to making decisions about reporting, students should be informed of the potential benefits and consequences of reporting, and their rights to decline. An advocate from the local rape crisis center or domestic violence program who has knowledge of both jurisdictional and college issues may be best positioned to provide such information. Victims should understand:

- ✓ **They have the choice of whether or not to report to law enforcement authorities**, unless the incident meets state mandatory reporting requirements and they disclose to a mandatory reporter.
- ✓ **Not reporting, or delaying a report, can lead to the loss of evidence and be detrimental** to case investigation and prosecution, as well as to the school judicial investigations and hearing (although not necessarily).
- ✓ That it is **important to preserve evidence** if the case is or may be reported and be informed of the preservation procedures they should follow. In addition to crime scene and other evidence, preserving forensic evidence is particularly critical in sexual assault cases.
- ✓ If sexual assault victims choose to have a sexual assault forensic medical examination, the **state pays the forensic evidence collection costs** (see below). The victim is responsible for medical costs for prophylactic treatment related to the assault.
- ✓ **A criminal report allows a criminal investigation to commence**, which is the first step in holding the offender accountable. When making a criminal complaint, that report along with other **case information becomes public record**.

- ✓ When reporting a violation of the student code of conduct to their college, a number of **school officials may be informed of the incident in order to carry out the school policy** (e.g., assist the student with transferring to another residence or class). Also, the Clery Act requires colleges to maintain a public daily log of crimes reported to the college or local law enforcement (the log excludes identifying victim information).
- ✓ **Prosecution or campus judicial practices could influence reporting decisions**—e.g., if prosecution will likely pursue charges of illegal alcohol use by underage victims, or if voluntary alcohol use by victims may be used against them in campus judicial hearings (adapted from Office on Violence Against Women, 2004).
- ✓ If word of their victimization becomes public knowledge, there **sometimes is backlash against victims**. It is helpful if victims are aware of strategies they can use to cope with such consequences.
- ✓ If they **do not report the victimization to law enforcement within 72 hours, they will not be eligible for compensation** of their related out-of-pocket expense **through the West Virginia Crime Victims Compensation Fund. However, there may be some exceptions for a delayed report.**
- ✓ **Other administrative support remedies may be available** if a student does not wish to formally report interpersonal violence to the college, or go through a formal school investigation. For example, campus administration may be able to make changes in a sexual assault victim's housing and class schedule or provide accommodations in testing and completion of assignments. The student can also discuss options and resources with the campus Title IX Coordinator.
- ✓ Students who report may wish to **consider seeking a private attorney to advocate on their behalf** in a criminal case or during campus judicial system proceedings.



Criminal Justice Response vs. Civil Legal Remedies

(Drawn from International Association of Forensic Nurses, 2010; Brandl et al., 2007.)

With **criminal offenses**, the **county prosecutor makes the decision whether or not to prosecute the case and what level of offense is charged**. Once a crime is reported to law enforcement, a criminal investigation may begin. Law enforcement makes the initial determination of what charges to file against a suspect. However, at the time an indictment is sought, the prosecutor makes the decision as to what charge(s) should be brought in connection with a case. To charge a suspect with a crime, sufficient evidence that the crime occurred is needed. **Law enforcement seeks to reconstruct details about the crime during an investigation**. Bodily evidence on victims can be collected, as applicable. There may be crime scene evidence as well as evidence on suspects' bodies/clothes and at other locations. Statements from victims, suspects and witnesses may support evidentiary findings.

Under criminal law, when a person is a victim of another person's criminal act, the crime is considered to be committed against the State, not the individual victim. Thus, prosecution represents the state rather than victims in criminal cases. Certain restrictions are placed on prosecutors in order to protect the rights of the accused. For example, the accused has the right to have an attorney, to not be subjected to unlawful search or seizure, to confront witnesses,

and to not be forced to testify against oneself. Prosecutors are required to share any information with the defense that might prove that the accused is not guilty or less culpable of a criminal act.

Whether or not there are criminal charges filed, civil legal remedies may be available to victims of interpersonal violence. A civil protective order is one remedy available to victims of domestic violence, dating violence, sexual assault and stalking in West Virginia.

Civil cases occur when private individuals or states file lawsuits against an individual, corporation or the government for harm/loss that has occurred. A civil lawsuit may list one or more torts (civil wrongs or injuries), including assault, negligence, infliction of emotional distress, false imprisonment or wrongful death. Sanctions usually include the injured party receiving monetary compensation. Sometimes other awards can be made, but imprisonment cannot be imposed. The burden of proof in a civil case is a “preponderance of the evidence,” a lower standard than required in a criminal case (which requires guilt beyond a reasonable doubt).

Encourage Evidence Preservation in Sexual Assault Cases

Evidence preservation is key if the victims are considering reporting the crime to law enforcement or considering having a forensic medical exam. Once victims of sexual assault are safe and have their acute medical and emotional needs addressed, it is important to preserve potential evidence that may help in the investigation and prosecution.

To preserve potential forensic evidence, victims are generally advised:

- ✓ Do not shower, bathe or clean any body parts.
- ✓ Do not douche, brush teeth or comb/brush hair.
- ✓ Do not go to the bathroom.
- ✓ Do not eat or drink anything.
- ✓ Do not change clothes.
- ✓ If clothing must be changed prior to going to the hospital, remove carefully, place each item in a separate paper bag and take to the hospital.
- ✓ Bring extra clothing to the hospital to replace any items that law enforcement may take to test for evidence.
- ✓ Do not touch, straighten or clean anything at the crime scene area.

Let victims know that **a victim advocate from the local rape crisis center can accompany them through the forensic medical examination.** (If an advocate is not already involved, the hospital should contact the rape crisis center to send an advocate to support the patient during the exam.)



Even if sexual assault victims are uncertain about reporting the crime, encourage them to preserve evidence and get medical care. The *WV Code §61-8B-16(5c)* states that a victim of sexual assault is NOT required to participate in the criminal justice system or cooperate with law enforcement in order to have a forensic medical exam.

Licensed medical facilities in West Virginia can provide medical care and collect evidence without reporting the assault to law enforcement, if the victim wishes (except in mandatory reporting cases). The evidence will be collected and stored for up to 24 months. With no statute of limitations on felony sexual assaults, the victim can later decide to report the crime to law enforcement and the evidence can then be retrieved. If the victim does not want a forensic medical exam to collect the evidence, medical care is still important to treat physical injuries and address possible exposure to sexually transmitted infections and pregnancy.

- ✓ The **West Virginia State Police Forensic Lab indicates that 96 hours post-assault** is the outside limit for conducting a forensic medical examination using the state Sex Crime Evidence Collection Kit, **unless circumstances exist where evidence may be present**. If there is any question about the appropriateness of forensic medical care in a particular case, err on the side of caution and encourage the victim to go to the hospital.
- ✓ **Because so many sexual assaults are committed by offenders who are known to the victim, the collection of biological identifying evidence may not always be the most vital component of the forensic medical exam**. Forensic examiners can collect an assault history and document any pain, soreness or injury whether or not they collect physical evidence. This information and documentation can corroborate force and/or the assault history provided by the victim and is therefore critically important to the investigation and prosecution of the case.
- ✓ **If drug or alcohol facilitated sexual assault is suspected** based on the statement of the victim's activity or the victim's physical symptoms, **act quickly to expedite the collection of blood and/or urine analysis**. Preferably urine should be collected at the hospital. The likelihood of detecting the drugs used to commit the sexual assault lessens each time the person urinates. If victims cannot wait to urinate until their arrival at the hospital, first responders should ask them to provide a sample in a clean container and bring it to the hospital, documenting the chain of custody. They should be asked if there are other materials that might provide evidence of a drug facilitated assault (e.g., a glass that held the drink).

Be Prepared to Help with Safety Planning

If safety concerns exist, it is important to give victims the opportunity to create a plan to enhance their safety. Each victim's safety concerns are unique. Short-term safety planning may be a component of responding to a victim in crisis; longer-term planning is usually done when a victim has more time and is not in crisis.

Victims' feelings of security and control in their lives can be enhanced when they identify their safety concerns and concretely plan how to reduce their risk of further harm. An increased sense of safety can contribute to healing from the effects of sexual violence. Recognizing that victims' situations and safety concerns may change over time, **planning for safety often needs to be an ongoing process rather than a one-time event**.



Safety Planning with Victims in Crisis

(1) Ask victims if they have pending safety concerns for themselves, their family, pets or service animals. (2) Then ask them if you can help in developing a plan of action to address their immediate safety needs. (3) The plan should identify:

- ✓ **Specific steps** victims can take to address immediate safety concerns;
- ✓ **Supportive persons** who can help provide safety;
- ✓ Any **essential items** that victims need if they flee their current locations;
- ✓ Safety strategies that may be difficult to achieve (e.g., fleeing a situation if the victim has a physical disability) and **accommodations to reduce/eliminate barriers**; and
- ✓ **Referrals to community resources** to meet their urgent needs.

(4) For longer-term safety planning, encourage victims to seek the assistance of the rape crisis center or domestic violence program (depending on the circumstances). The college may be able to help victims identify and/or implement longer-term safety strategies specific to the college environment.

PROTECTIVE ORDERS

A victim of sexual assault, dating violence, domestic violence and stalking in West Virginia can request a protective order through their [county magistrate court](#)—a [Personal Safety Order](#) (PSO) for victims in non-domestic relationships or a [Domestic Violence Protective Order](#) (DVPO).

- ✓ Filing fees may be waived.
- ✓ These are civil remedies; there is no obligation to file a criminal report.
- ✓ The petition may be filed by any person for themselves, or by a parent, guardian or custodian on behalf of a minor child or incapacitated adult. In the petition, it will need to explain exactly what the perpetrator has done to make the victim afraid.
- ✓ Upon filing the petition, if a magistrate finds reasonable cause to believe the offender committed the offense in question, then a temporary order can be issued.
- ✓ Under a PSO, the magistrate can order the offender to “stay away” from the victim’s home, work and school; refrain from contact; not interfere with the victim and, if the victim is a minor, any siblings or minors in the home. Under a DVPO, additional remedies can include temporary custody, possession of the residence and/or financial support.

Encourage Documentation of Ongoing Interpersonal Violence

It can be helpful for victims of ongoing interpersonal violence to document their offender’s harassing and abusive behaviors. Below is an example of how to document incidents (from the Stalking Resource Center’s [stalking incident/behavior log](#)). Such a log encourages victims to be specific and thorough in their documentation. In addition, they can note the negative consequences resulting from the incident on themselves and their family and friends. This information can be kept in a notebook or binder created specifically for this purpose. It may be helpful when seeking a protective order or reporting the violence to law enforcement.

Date of Incident	Time of Incident	Description of Incident (attach any photos or evidence, e.g., e-mail/phone messages, texts, video-recordings, gifts)	Location of Incident	Witness Names (Attach Address & Phone #)	Law Enforcement called (Date, time, report #)	Officer Name (Badge #)
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If Victims have Financial Concerns

Some victims are reluctant to seek critical medical care, mental health counseling and other services due to concerns about money. Some may receive services but then find themselves beset with financial problems. **West Virginia has a Crime Victims Compensation Fund to reimburse eligible victims for eligible expenses related to crime victimization if the crime is reported to law enforcement within 72 hours.** Advocates at local rape crisis centers and domestic violence programs are trained to assist victims in accessing this fund. These advocates can also help victims consider other financial resources and options. **Colleges should review their policies to ensure that they are supporting student victims of interpersonal violence in their recovery and return to full school activities** (e.g., by temporarily waiving requirements to maintain a certain grade-point average for a scholarship or allowing them to change residences with no financial repercussions).

Inform Victims of Sexual Harassment of their Options

While victims cannot be held responsible for stopping sexual harassment, they should understand they can document and report it.

- ✓ **Victims can inform their harassers directly that the conduct is unwelcome and must stop.** However, it is not always safe for victims to confront their harassers, for reasons of physical safety or retaliation. Victims do not have to inform their harassers that their behavior is unwelcome in order to file a complaint of sexual harassment, if doing so may jeopardize their physical safety, emotional well-being or school success.
- ✓ **Victims can document the harassing behavior.** Write down specifically what was done or said and if there were other witnesses. In addition to documenting incidences of sexual harassment, keep notes about negative actions that result from the harassment (e.g., loss of an academic scholarship) and about school performance (e.g., lower grades after the harassment began). Keep a copy of any written communications sent to/from harassers.

It is important for students to be familiar with the sexual harassment policies and grievance procedures of the college (they should be posted for easy student access).

Depending on the severity of the harassment and the campus policy, a formal report may not always be needed. For example, if a student is made uncomfortable due to a hostile class environment created by other students, she/he may inform the professor or the dean of the department to allow the issue to be resolved without involving the campus judicial system. Students should be informed if their college requires that a report be made within a certain

amount of time after an incident. Students should also know who among college personnel are required to report student disclosures of sexual harassment to the college Title IX coordinator and what level of information they must provide.

If the harassment continues after a reasonable amount of time following a report to the college, victims may have the right to file a formal complaint with the below entities. Note that college policies may or may not indicate what constitutes “a reasonable amount of time.” A complaint should initially be filed with a single entity outside of the college so an investigative process can begin. An attorney is not needed to file a complaint.

U.S. Department of Education, Office of Civil Rights (for schools receiving federal funding): Complaints must be filed within 180 days from the date of the sexual harassment. 800-421-3481
West Virginia Human Rights Commission (for qualifying workplaces, and public and housing accommodations): Complaints must be filed within 365 days from the date of the sexual harassment. 304-558-2616 or 888-676-5546
West Virginia Equal Employment Opportunity Office (for state employees): 304-558-0400
U.S. Equal Employment Opportunity Commission (EEOC) (for qualifying workplaces): File complaints within 300 days of the date of the harassment. 800-669-4000 or 800-669-6820 (TTY)

If a formal complaint outside of the college is filed, the college first responds to the complaint. An investigation is conducted (by the agency who received the complaint) where relevant information is gathered to determine if there is reasonable cause to believe sexual harassment occurred. If there is reasonable cause, mediation may be made available to reach a settlement. If no settlement is reached, the case can go to a civil trial. After the case is presented, the judge makes a ruling. If the ruling is in favor of the victim, various remedies can be ordered, including monetary compensation.



While an attorney is not needed to file a complaint of sexual harassment at any level, some victims may wish to consult with an attorney to help them through the legal process and/or to file a private civil lawsuit.

Discuss Potential Accommodations with Victims

As noted earlier, **it is essential that colleges provide students who experience or are threatened with interpersonal violence with access to accommodations to help them stay in school.** Examples of accommodations include: changing academic, living, transportation and working situations; loosening requirements for maintaining financial aid and scholarships; providing protection to victims such as escorting them to their classes and cars; increased security around their residence; etc. Students and college personnel should know which campus office(s) can assist victims with identifying needed accommodations and implementing them. Colleges should listen to victims’ concerns and be willing to “think out of the box” to create an accommodations “package” that speak to each victim’s unique circumstances.

C5. WORKING WITH SPECIFIC POPULATIONS

Victims with Disabilities

Given that almost 20% of West Virginia's population has a disability (U.S. Census, American Community Survey, 2010), **it is likely you will interact with students with disabilities in the course of your work, including those who have experienced interpersonal violence.**

Victims may have a cognitive, sensory or mobility disability or mental illness, or any combination of disabilities. Like other victims of interpersonal violence, victims with disabilities may feel powerless, vulnerable and afraid. However, many factors can complicate their ability to disclose the violence to others, reach out for help and/or access services.

Commonly cited risk factors for sexual victimization for persons with a disability are listed below—most also apply to other types of interpersonal violence (Ticoll, 1994; Day One et al., 2004):

- ✓ Negative attitudes towards persons with disabilities may lead offenders to view them as easy targets
- ✓ Gender—females with disabilities have a higher risk of victimization
- ✓ Type of disability—risk may be higher for persons with certain physical and cognitive disabilities, developmental disabilities and severe mental illnesses
- ✓ Reliance on others for care, assistance and management of personal affairs
- ✓ Communication barriers
- ✓ Social isolation
- ✓ Lack of resources/knowledge of resources
- ✓ Lack of accessible transportation
- ✓ Poverty
- ✓ Lack of knowledge about sexuality and healthy intimate relationships

Potential barriers for persons with disabilities to seeking help include:

- ✓ Lack of accessibility to services (e.g., due to reliance on a caregiver to access resources)
- ✓ Situational factors (e.g., lack of a needed service in the community)
- ✓ Fear of perceived consequences (e.g., retaliation or loss of independence)
- ✓ Socialization and education (e.g., they may have been taught to be compliant)
- ✓ Physical/programmatic inaccessibility of services themselves

When interacting with a person with a disability (Adaptive Environments Center, Inc., 1992; Ward, 1994):

- ✓ Keep in mind that **a disability may influence the person's ability to communicate**
- ✓ Remember that **a person with a disability is entitled to the dignity, consideration, respect and rights** you expect for yourself
- ✓ Use **terminology that places the person before the disability** (e.g., “a person with epilepsy” rather than “an epileptic”)
- ✓ Take the time **to listen and understand the situation**
- ✓ **Be honest** if you do not understand the message a person is trying to communicate and **ask for suggestions** to improve the interaction
- ✓ If someone with a disability is accompanied by another individual, address the person with the disability directly—**don't speak through the other person**

- ✓ When interacting with a person who uses a wheelchair, **sit at her/his level and do not touch the wheelchair** (if you inadvertently bump into the wheelchair, excuse yourself)
- ✓ If you offer assistance and the person declines, **do not insist**
- ✓ Help the person to **make her/his own choices**, to the extent possible



If a victim discloses having a disability, **it is helpful to identify concerns related to if and how the disability may affect the person’s safety options, ability to access services, needed accommodations, and reactions to the assault/abusive incident.**

An accommodation for a disability is a modification to goods, services and structures that allows for inclusion and participation by a person with a disability.

Campus disability services programs might be helpful in assisting students in identifying useful accommodations for disabilities in these situations.

International Students

Addressing interpersonal violence on college campuses merits additional considerations when it involves students from other countries and cultures. When working with these students, it is important to provide information in a way that is culturally sensitive. For example, in some cultures, sexual assault may be seen as a consequence of being female. Cultural perspectives should be taken into account when responding to international student victims, while also explaining what the laws are in the U.S. and the jurisdiction in which they reside.



Some cultural practices reinforce sex discrimination against females. For example, if a daughter in some traditional Latin-American families is raped, family members may regard the assault as bringing great shame to the family. The victim’s trauma may be overlooked in an effort to maintain family honor. As a first responder, listen closely when victims disclose interpersonal violence to hear if there are cultural influences that affect their willingness to seek help (e.g., “I can’t report because it would ruin my family or my brothers would try to kill the perpetrator.”). While recognizing victims’ concerns, offer to help them identify their options for assistance and available resources (even if they don’t report, they could still seek confidential counseling for themselves).

Note that international students who have been victimized may be reluctant to seek services because they are not aware of resources available to them. Those who are recent immigrants may fear that interaction with the criminal justice system or other government agencies could lead to deportation (Battered Women’s Justice Project). Below are a few questions that these students may ask (Leppington, Orloff, Kuguyutan & Olavarria, 2002):

Can international students who hold a J visa (student visa) transfer to a different college within the United States?

Students who have been victimized may wish to transfer to another college. Once admitted to the new school, the J visa can be transferred once the student provides the proper paperwork.

What protections are available to documented and undocumented immigrants?

<p>Protective orders: Victims of sexual or domestic abuse are eligible for protective orders. There is no citizenship or permanent resident status requirement.</p>
<p>Shelter: Non-citizens in domestic violence situations have the same legal right as U.S. citizens to access domestic violence shelters.</p>
<p>Law enforcement assistance and criminal justice system intervention: Anyone can report a crime to law enforcement, regardless of immigration status. It is important, however, to know what the practices are in your community regarding non-citizen victims, including those who are not legally present in the United States. With few exceptions, federal law does not require law enforcement officers to ask crime victims about their immigrant status. But this does not mean that law enforcement <i>won't</i> ask victims about their status (or that defense counsel won't try to make it an issue in a case). In some states, local law enforcement agencies have entered into what are referred to as a "287(g) agreements" with the federal government. Through these agreements, local law enforcement officers are trained by the Immigration and Customs Enforcement program and agree to implement federal immigration enforcement procedures at the local level. Victims and witnesses as well as defendants may be turned in to the federal authorities under these agreements. However, no West Virginia law enforcement agency had a 287(g) agreement in effect as of 2013. (Drawn from Mindlin, 2011; Battered Women's Justice Project; Southern Poverty Law Center, 2010).</p>
<p>U visa: The U visa is a protection available for noncitizen victims through the Violence Against Women Act of 2000 (VAWA). Obtaining a U visa allows victims of certain crimes to gain legal status and work eligibility for up to four years (U.S. Immigration Support, 2010). Crimes covered by the U visa include: rape, torture, abusive sexual contact, hostage situations, peonage, false imprisonment, involuntary servitude, slave trade, kidnapping, abduction, unlawful criminal restraint, blackmail, extortion, manslaughter, murder, witness tampering, obstruction of justice, perjury or attempt, conspiracy, sexual assault, trafficking, domestic violence, prostitution, sexual exploitation, felonious assault, female genital mutilation, incest or solicitation to commit any of the above mentioned crimes (Leppington, Orloff, Kuguyutan & Olavarria, 2002). No relationship to the perpetrator is needed to obtain a U visa. Additionally, the perpetrator does not have to be a U.S. citizen or lawful permanent resident. Visa requirements include: the victim has suffered substantial physical or mental abuse as a result of the crime, the victim has information about the crime, and law enforcement certifies that the victim has been helpful (Leppington, Orloff, Kuguyutan & Olavarria, 2002).</p>
<p>T visa (WomensLaw.org, 2008): A T visa gives temporary non-immigrant status to victims of severe forms of human trafficking, on the condition that they assist law enforcement in investigating and prosecuting related crimes. Victims under 18 years of age are not required to cooperate with law enforcement to obtain a T visa. T visas allow victims to stay in the United States for four years from the date the T visa application is approved, although longer than four years may be permitted if a law enforcement authority certifies that a victim is necessary for investigating or prosecuting the crime.</p>
<p>Petitioning for resident status under VAWA: A protection that may be helpful to married victims of domestic violence derives from VAWA 1994. It allows spouses or children of U.S. citizens or lawful permanent residents to file for resident status if they have been battered or subjected to extreme cruelty (Leppington, Orloff, Kuguyutan & Olavarria, 2002). This protection allows for immigrant victims of domestic violence to obtain a lawful immigration status independent of the abuser.</p>



See www.womenslaw.org or [U Visa for Immigrants who are Victims of Crimes](#) for more information about the above protections.

Non-English Speaking Students

Some students may not speak English or may prefer to communicate in a language other than English. **Accommodate their language needs to the extent possible when responding to disclosures of victimization.** Make every attempt to help students obtain language assistance as needed (e.g., interpretation services and translated materials). An international student programs office on campus may be able to help identify the range of languages used by students on your campus. Interpreters used should be educated on interpersonal violence issues, confidentiality and cultural concerns. Take students' country of origin, acculturation level and dialect into account when arranging any response to disclosures. (Paragraph primarily from Office on Violence Against Women, 2004.)

Note that language skills may deteriorate if a person is upset or in a crisis.



Develop partnerships with the international programs office and other campus departments that provide support and services to international students

(Leppington, Orloff, Kuguyutan & Olavarria, 2002). These offices are typically the main connection to international students. Also keep in mind that local rape crisis center and domestic violence program advocates often have access to interpreter services for victims they serve. With the victim's permission, facilitate a referral to access those services.

LGBTQ Students

Sexual assault, domestic violence, dating violence and stalking are often viewed as heterosexual crimes with a female victim and a male perpetrator. In reality, **any of these forms of interpersonal violence can also happen to students within the LGBTQ—lesbian, gay, bisexual, transgender, and/or queer or questioning—community.**

Little research has been conducted exploring the prevalence of interpersonal violence within the LGBTQ community, especially research with a focus on LGBTQ victims who are college students. However, recent findings from the *Sexual Violence Survey: 2010 Findings on Victimization by Sexual Orientation* (CDC, 2011) provide some insight regarding gay, lesbian and bisexual victims:

Sexual Violence:

- ✓ Approximately 1 in 8 lesbians (13%), nearly 1 in 2 bisexual women (46%), and 1 in 6 heterosexual women (17%) have been raped in their lifetime.
- ✓ Almost half of bisexual women (48%) and more than a quarter of heterosexual women (28%) were first raped between the ages of 11 and 17.
- ✓ Nearly 1 in 2 bisexual men (47%), 4 in 10 gay men (40%), and 1 in 5 heterosexual men (21%) have experienced sexual violence other than rape in their lifetime.

Domestic Violence

- ✓ Among women who experienced rape, physical violence, and/or stalking in the context of an intimate relationship, the majority of bisexual and heterosexual women (90% and 99%, respectively) reported only male perpetrators while self-identified lesbians (67%) reported having only female perpetrators.
- ✓ Among men who experienced rape, physical violence and/or stalking by an intimate partner in the

context of an intimate relationship, most bisexual and heterosexual men (79% and 100%, respectively) reported having only female perpetrators, while the majority of self-reported gay men (91%) reported having only male perpetrators.

- ✓ More than 1/3 of lesbians (36%), over 1/2 of bisexual women (55%), and more than 1/4 of heterosexual women (30%) have been slapped, pushed, or shoved by an intimate partner at some point in their lifetime. Approximately 1/4 of all men, regardless of sexual orientation, reported being slapped, pushed, or shoved by an intimate partner at some point during their lifetime (24% gay men, 27% bisexual men, and 26% heterosexual men).
- ✓ Nearly 1 in 3 lesbians (29%), 1 in 2 bisexual women (49%), and 1 in 4 heterosexual women (24%) experienced at least one form of severe physical violence by an intimate partner in her lifetime. Severe physical violence by an intimate partner in their lifetime was reported by 16% of gay men and 13% of heterosexual men.

Stalking:

- ✓ Approximately 1 in 3 bisexual women (37%) and 1 in 6 heterosexual women (16%) have been stalked at some point during their lifetime.

Other research suggested that 11% of women cohabiting with a female partner have experienced violence from their partner in the form of rape, physical assault and/ or stalking (Tjaden & Thoennes, 2000). A study by Greenwood et al. (2002) found that 39% of gay men were battered at least once in the last 5 years by a partner. It has also been suggested that the transgender population faces relatively high rates of intimate partner violence (Stotzer, 2009).

In addition to the typical barriers faced by any victim of interpersonal violence, **students who identify as LGBTQ may be reluctant to report because of discrimination within the criminal justice system, lack of specialized services to meet their needs, the potential that no one will believe them** (e.g., because they have a hard time envisioning how a man could sexually assault another man or a woman could sexually assault another woman) **and feelings of guilt for “betraying” the LGBTQ community if they are reporting “one of their own”** (California Coalition Against Sexual Assault—CALCASA, 2010). Also, victims may not want to disclose their sexual orientation or gender identity if they report violence by an intimate or dating partner as they may risk losing friends, family and employment, experiencing further isolation (CALCASA, 2010).

LGBTQ victims may also experience violence or harassment that is motivated by hate and homophobia. For example, a lesbian might be targeted because of a masculine appearance and be sexually victimized by heterosexual men who seek to “feminize” her (CALCASA, 2010). Not only are lesbian women at risk for men’s generalized sexist violence, but also men’s homophobic violence, which may increase the intensity of the violence (Funk, 2006).

Along with the trauma that victims face after interpersonal violence occurs, **LGBTQ victims may find that the violence complicates the challenges they face due to their sexual orientation or gender identity** (CALCASA, 2010). Transgender victims face additional issues, as they may be dealing with discrimination based on their anatomy. They may decline a physical or forensic medical exam for this reason. To help make LGBTQ victims feel more comfortable, mimic the language they use to describe themselves and their partners.



Identify if there are campus and/or community support resources for LGBTQ

students in the event that they experience interpersonal violence. Connect them with these resources, if they so desire.



You need to **be aware of your own views about sexual orientation and gender identify to be able to effectively respond to LGBTQ victims** (CALCASA, 2010).

C6. RESOURCES FOR STUDENTS WHO ARE VICTIMS

Campus Resources

Resources available to students who experience interpersonal violence differ greatly among colleges across the state. **Finding the answers to the following questions posed in the chart below can assist you in identifying related resources available on your campus.**

<p>Are there campus policies/procedures for responding to sexual assault, domestic and dating violence, and stalking?</p> <ul style="list-style-type: none"> ✓ If such policies/procedures exist, how is the campus community informed of them (student and staff orientations, student/personnel handbooks, the school's website, etc.)? ✓ Do policies/procedures differ if students are victimized on-campus versus off-campus? If so, how? ✓ Do students have easy access to the policies/procedures so they can quickly find out about resources for reporting, medical care, evidence collection, counseling, etc.?
<p>Does the college identify the campus office(s) and/or staff person(s) responsible for the immediate response to victims of sexual assault, domestic and dating violence, and stalking?</p> <ul style="list-style-type: none"> ✓ What help does each entity provide (service coordination, emotional support, advocacy, protection, report taking, evidence collection, investigation, health care, information and referral, etc.)? ✓ What hours is each office/person available? What is the contact information? If hours for a particular responder are limited, what happens when students seek assistance outside of available hours? ✓ What training does each involved person/office receive to allow them to be effective responders to disclosures of sexual assault, domestic and dating violence, and stalking?
<p>What specific assistance can victims expect from campus law enforcement or security department if they seek help after a sexual assault, domestic or dating violence, or stalking incident?</p> <ul style="list-style-type: none"> ✓ They should be able to assist victims with: safety; accessing support from advocates; explaining reporting options; reporting an incident to the school and the local criminal justice system; explaining the importance of getting medical care, emotional support and preserving evidence; and arranging safe transportation to a nearby hospital for medical care and/or forensic evidence collection. ✓ In the case of ongoing threats of violence, do campus law enforcement or security officers notify victims of protective measures available through the college and the local justice system, how to access immediate assistance, and how to document further violence?
<p>Is there an entity on your campus that provides support and information to victims of sexual assault, domestic and dating violence, and stalking? (Sometimes support is available through the campus women's center.)</p> <ul style="list-style-type: none"> ✓ If so, what is the extent of services they provide to each type of victim? ✓ Can they provide confidential support to victims? ✓ Does a permanent physical location exist to ensure that students know where to find such support? ✓ What hours is assistance available? What happens if assistance is sought outside of these hours? ✓ Does this entity coordinate services with the local rape crisis center and domestic violence program? ✓ Is the support offered widely publicized on campus?

<ul style="list-style-type: none"> ✓ Are campus faculty, staff and paraprofessionals aware of the support available and how to access it?
<p>Is there a campus student health/counseling center? What specific assistance is offered to victims of sexual assault, domestic and dating violence, and stalking?</p> <ul style="list-style-type: none"> ✓ Are counseling staff trained to provide crisis intervention and counseling to these victims? ✓ What hours is assistance available? What happens if assistance is sought outside of these hours? ✓ Is emergency medical care available on campus? What is the scope of care provided (e.g., treatment for acute versus non-acute injuries)? What hours is emergency care available? If emergency care on campus is not available or if presenting injuries are beyond the scope of care of the campus health facility, what is the procedure for ensuring that victims have immediate access to appropriate care? ✓ Are there medical personnel on campus trained to conduct a sexual assault forensic medical exam? What is the procedure for notifying those personnel of the need for their services? If forensic medical exams are not done on campus, what is the procedure for ensuring that victims have immediate access to these exams? A forensic medical exam optimally should be done within 96 hours after the assault. In the absence of these services on campus, students should be advised to go to the nearest hospital emergency department for medical care.
<p>How will a report of sexual assault, domestic or dating violence, or stalking on campus be dealt with by school administration, regardless of whether there is a criminal investigation?</p> <ul style="list-style-type: none"> ✓ What incidents violate the school's student code of conduct and/or personnel policies? ✓ How is an administrative report made? ✓ Is there a campus judicial board that investigates complaints, decides whether the student code of conduct has been violated, and makes recommendations as to possible sanctions for violators? ✓ What measures of protection is the school able to offer students experiencing interpersonal violence (recognizing that each circumstance is unique)? Is there any difference in measures available if the perpetrator is student versus a school employee versus a non-student or non-college employee? ✓ Are victims kept apprised of the outcomes of their cases? How? ✓ How are related violations of personnel policies dealt with by the college?
<p>Is there a designated Title IX Coordinator on campus?</p> <ul style="list-style-type: none"> ✓ Is this person easily identified by campus personnel so they can direct victims to this office? ✓ Is the coordinator's name and contact information made widely available to students? ✓ Is the coordinator aware of Title IX provisions regarding interpersonal violence on campus?
<p>Does the college have its own SART and/or participate on the local SART, if one exists? A community SART helps first responders act in a coordinated manner to provide victims with emotional support, forensic medical care and legal assistance, and to address issues arising in specific cases.</p> <ul style="list-style-type: none"> ✓ If the college has a SART, who is involved and what are each of their roles? How can it be accessed? ✓ Who participates from the college on the community SART? What are their roles? How can it be accessed? ✓ Does the college participate in any collaboration to respond to domestic and dating violence or stalking? If yes, explain.

Community Resources

It is helpful for campuses to compile a list of community resources available to students who experience interpersonal violence.

- ✓ Call **911 for emergency assistance** (if the campus utilizes a security rather than a law enforcement department), particularly if there are serious injuries and/or safety concerns, to report an assault and facilitate evidence collection. Calling 911 can trigger law enforcement response and/or emergency medical assistance.

- ✓ In West Virginia, there are **9 rape crisis centers** which can be utilized by victims of sexual violence, including college students (see below). These centers can also assist if the sexual violence includes domestic or dating violence or stalking. Rape crisis centers typically provide a range of services for victims and their family and friends, such as crisis intervention, emotional support, information and referral, advocacy, medical and legal accompaniment, safety planning, and counseling/support groups. All centers have 24-hour hotlines which can be used by victims who are seeking assistance. Information about the specific services offered at the rape crisis centers and their service areas can be found through the [West Virginia Foundation for Rape Information Services](#) (WV FRIS). These centers provide free and confidential services. In addition to calling a center directly, support can also be accessed by calling 800-656-HOPE.
- ✓ In West Virginia, there are **14 domestic violence programs, 6 of which are also rape crisis centers** (see below). Most programs offer core services such as individual safety planning, shelter, a 24-hour emergency hotline, legal advocacy, peer support counseling, support groups, and services for children. Information about the service area for each program can be found at through the [West Virginia Coalition Against Domestic Violence](#) (WVCADV - go to member programs).
- ✓ **Local hospital emergency departments** can provide care for acute injuries. Those with trained forensic examiners on staff are able to perform sexual assault forensic medical exams, in addition to providing general medical care. **Find out which hospitals in your area to send students to for general medical care and for a forensic medical exam.**
- ✓ Victims without health insurance or access to a school with student health services should be informed that medical and counseling bills as a result of interpersonal violence may be reimbursed through the **West Virginia Crime Victims Compensation Fund**. In West Virginia, victims of interpersonal violence who are residents or students who were victimized in the state are eligible to file a claim with the fund (the claim must be filed within two years of the assault). The crime must be reported to law enforcement within 72 hours (with possible exceptions). [WV FRIS](#) offers information about how to apply.
- ✓ **Community SARTs** can be an invaluable asset to college campuses to facilitate an immediate response to a student who has been sexually assaulted. Contact your local rape crisis center or WV FRIS to see if there is a SART in your geographic area.
- ✓ The [WVCADV](#) offers state-specific information on domestic violence. The national domestic violence hotline is 800-799-SAFE.
- ✓ The [WV FRIS](#) provides general and state-specific information and resources on sexual assault and stalking. The national sexual assault hotline is 800-656-HOPE.

West Virginia's Regional Rape Crisis Centers (* Indicates center is also a domestic violence program)	
CONTACT Huntington P.O. Box 2963 Huntington, WV 25729 304-399-1111 www.contacthuntington.com	RDVIC- Rape and Domestic Violence Information Center* P.O. Box 4228 Morgantown, WV 26505 304-292-5100 www.rdvic.org

<p>Family Refuge Center* P.O. Box 249 Lewisburg, WV 24901 304-645-6334 www.familyrefugecenter.org</p>	<p>SAHC-Upper Ohio Valley Sexual Assault Help Center, Inc. P.O. Box 6764 Wheeling, WV 26003 304-234-8519</p>
<p>HOPE, Inc. Task Force on Domestic Violence* P.O. Box 626 Fairmont, WV 26555 304-367-1100</p>	<p>Shenandoah Women's Center* 236 West Martin St. Martinsburg, WV 25401 304-263-8292 www.swcinc.org</p>
<p>REACH/The Counseling Connection 1021 Quarrier St., Suite 414 Charleston, WV 25301 304-340-3676 www.tccwv.org</p>	<p>Women's Aid in Crisis* P.O. Box 2062 Elkins, WV 26241 304-636-8433 www.waicwv.com</p>
	<p>Women's Resource Center* P.O. Box 1476 Beckley, WV 25802-1476 304-255-2559 1-888-825-7835 (TTY) www.wrcwv.org</p>

In addition to the 6 “dual” rape crisis and domestic violence agencies listed above (*), West Virginia has an additional 8 stand-alone regional domestic violence programs—

Branches, Inc.
P.O. Box 403
Huntington, WV 25708
(304) 529-2382
1-888-538-9838

Lighthouse Domestic Violence Awareness Center
PO Box 275
Weirton, WV 26062
(304) 797-7233

YWCA Family Violence Prevention Program
1100 Chapline Street
Wheeling, WV 26003
(304) 232-2748

Family Crisis Center
PO Box 207
Keyser, WV 26726
(304) 788-6061
1-800-698-1240

[Stop Abusive Family Environments](#)
P.O. Box 669
Welch, WV 24801
(304) 436-8117

[YWCA Resolve](#)
1114 Quarrier Street
Charleston, WV 25301
(304) 340-3573
1-800-681-8663

[Family Crisis Intervention Center](#)
P.O. Box 695
Parkersburg, WV 26102
(304) 428-2333
1-800-794-2335

Tug Valley Recovery Shelter
PO Box 677
Williamson, WV 25661
(304) 235-6121

National Resources

It is useful to be familiar with national resources that address interpersonal violence so you can connect victims with them when it is appropriate.

Sexual Assault

- ✓ For victims seeking information or someone to talk to outside of their campus, [Rape, Abuse and Incest National Network](#) (RAINN) offers the 24-hour **National Sexual Assault Hotline** at **800-656-HOPE**. Callers will be connected to the nearest available rape crisis center based on the caller's area code. The hotline is confidential and anonymous (no personal information including phone number will be recorded).
- ✓ [National Sexual Violence Resource Center](#) is an excellent source for additional information.

Stalking

- ✓ [Stalking Resource Center](#) (202-467-8700 or src@ncvc.org) is a clearinghouse for stalking information, including help for victims.
- ✓ [Privacy Rights Clearinghouse](#) provides practical information on privacy protection, as well as specific fact sheets related to stalking.

Domestic and Dating Violence

- ✓ A 24-hour [National Domestic Violence Hotline](#) is available at 800-799-SAFE (7233) or 800-787-3224 TTY.
- ✓ A 24-hour [National Teen Dating Abuse Helpline](#) is available at 866-331-9474 or 866-331-8453 TTY.
- ✓ A few additional resources are the [National Coalition Against Domestic Violence](#) and the [Workplaces Respond to Domestic Violence – A National Resource Center](#).

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D. Getting Started Promoting Prevention

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INTRODUCTION

Colleges have significant responsibilities related to proactively dealing with the complex problem of interpersonal violence on their campuses. With the growing recognition of the pervasiveness of sexual assault, dating and domestic violence and stalking, college administrators have had to come face-to-face with the reality that their campuses are not safe havens from these types of violence. This reality can make it difficult for admissions staff to promote their institutions to potential students and parents and potentially influence student retention. In recent decades, federal legislation has required colleges to increasingly account for violence on their campuses, implement effective responses when violence occurs and take preventative measures. Colleges expose themselves to liability risk if they don't comply with these legal mandates or otherwise fail to adequately address the problem. (Paragraph drawn in part from Langford, 2004.)

Unfortunately, there are no easy answers to address this multi-faceted problem. It cannot be solved by a one-time program, nor is there a one size-fits-all blueprint for change (Langford, 2004). In fact, to foster zero-tolerance for interpersonal violence on a college campus, it is becoming clear that a comprehensive approach that supports the broader institutional mission (e.g., to create an environment conducive to student learning and growth) is necessary (Langford, 2004). Both effective intervention and prevention of the violence are integral to such a comprehensive strategy. In *C. Responding to Disclosures*, interventions were explored. This chapter focuses on facilitating interpersonal violence prevention on college campuses.

Townsend (2009) pointed out that violence prevention is a slow process—it requires long-term commitment and vision as well as an awareness that the long-term goal (e.g., cultural values and social norms and actions that support zero tolerance for interpersonal violence) must be broken down into incremental steps. Incorporating evaluation into the process allows you to know if you are making process towards the intermediate steps and the ultimate goal. Townsend also noted that cultural values and social norms that support interpersonal violence and other forms of oppression are entrenched in our society. It's important that you recognize that moving towards zero tolerance will not happen overnight but requires a long-term plan of getting the prevention message out repeatedly in multiple settings until it “sticks.” Also recognize that you cannot do prevention promotion in isolation. Instead, you need to reach out to potential allies on your campus and in the community to promulgate the prevention message across systems and settings and maintain the positive changes facilitated through your programming.

Campus SaVe Prevention Programming Requirements

Over the last 20 years or so, colleges have been a venue for the development of interpersonal violence prevention programming, particularly around sexual violence (Gibbon, 2013). One of the most recent and compelling reasons for colleges to engage in interpersonal violence prevention programming is the fact that federal law mandates it. Specifically, the Campus Sexual Violence Elimination Act (**Campus SaVE Act**) of the Clery Act requires colleges to explain in their annual security reports their policies related to prevention and promoting awareness of domestic violence, dating violence, sexual assault and stalking. Under this

legislation, **colleges must have primary prevention and awareness programs for incoming students and new employees, and ongoing prevention and awareness programs for students and faculty.** At the least, these programs should make clear:

- ✓ The **institution prohibits these offenses**;
- ✓ **Jurisdictional definitions**—domestic violence, dating violence, sexual assault and stalking;
- ✓ The **definition of consent** in reference to sexual activity;
- ✓ Safe and positive **options for bystander intervention**; and
- ✓ Information on **risk reduction** to recognize warning signs of abusive behavior.

In recognition of your role in facilitating interpersonal violence prevention programming for your campus, *D. Getting Started Promoting Prevention* offers basic information on prevention principles and college prevention programming issues and options. Note that while a handful of specific program examples are mentioned in this chapter, *F. Resources* provides more comprehensive information and links.



As indicated in *B. What You Need to Know*, **the term interpersonal violence may be used interchangeably with the terms gender-based violence or power-based personal violence.** While each views the violence slightly differently, **all involve violence used against a person using power, control and/or intimidation to harm another.** To promote prevention, it is important to use terms and approaches that are inclusive of all who may experience or perpetrate these types of violent acts, while recognizing that specific populations are more likely to experience the violence (e.g., women, students with disabilities, etc.) and specific populations are more likely to be the perpetrators (e.g., men).



Seek out research, publications and programs related to interpersonal violence prevention. **VAWnet** offers links and special collections. A few examples: [Domestic Violence Prevention](#), [Sexual Violence Prevention](#), [Special Collection: Sexual Violence in Lesbian, Gay, Bisexual, Transgender, Intersex, or Queer \(LGBTIQ\) Communities](#), [Special Collection: Preventing and Responding to Domestic Violence in Lesbian, Gay, Bisexual, Transgender, or Queer \(LGBTQ\) Communities](#), [Special Collection: Violence in the Lives of the Deaf or Hard of Hearing](#), [Men and Boys: Preventing Sexual and Intimate Partner Violence](#), and [Special Collection: Safety & Privacy in a Digital World](#). The **MINCAVA Electronic Clearinghouse** offers links to articles on [sexual violence on college campuses](#). The **National Sexual Violence Resource Center (NSVRC)** offers links to [campus sexual violence resources](#).



Acquiring new knowledge and putting it into practice is a process. You are not expected to “know” the information in the toolkit all at once. Instead, you can **work through toolkit sections at your own pace, building your knowledge base as you go.**

D1. EXPLANATION OF KEY TERMS

It is helpful to be familiar with a few prevention terms in advance (listed in the order they are introduced in this chapter, with references cited in upcoming sections):

Public health: Activities that society undertakes to assure the conditions in which people can be healthy, including organized efforts to “prevent, identify and counter threats to the health and safety of the public.”

Prevention: In the public health field, violence prevention is a systematic strategy or approach that reduces the likelihood of risk of victimization or perpetration, delays the onset of adverse health problems, or reduces the harm resulting from conditions or behaviors.

Levels of prevention: Prevention efforts exist on a continuum—primary, secondary and tertiary prevention. **Primary prevention** approaches seek to prevent violence before it occurs.

Secondary prevention approaches seek to identify those who are already affected by violence and reduce the severity of the impact. **Tertiary prevention** approaches take place after a violent event that aim to lessen its long-term effects and reduce the chances of reoccurrence. Together, these efforts seek to bring about change in individuals, relationships, communities and society by promoting factors that buffer against violence.

Directed prevention interventions categorize approaches by the targeted audience.

Universal prevention interventions are directed at groups or the general population regardless of individual risk for violence perpetration or victimization. **Selected prevention interventions** target those who are thought to have a heightened risk for violence perpetration or victimization. **Indicated prevention interventions** are directed at those who have already perpetrated violence or have been victimized.

Socio-ecological model of violence prevention: This model explains the occurrence of violence and helps identify potential prevention strategies on four levels: individual, relationship, community and societal. A fifth level may also be considered: institutional. Factors at one level are often influenced by factors at other levels. Primary prevention strategies simultaneously address multiple levels of the model.

Risk factors: Characteristics that increase the likelihood of a person becoming a victim or perpetrator of violence. **Protective factors:** Those factors that decrease the likelihood of a person becoming a victim or perpetrator of violence, as they provide a buffer against risk.

Bystander intervention: A strategy in the prevention field to mobilize bystanders to intervene when they see acts of violence or situations that are likely to escalate to violence. Such interventions can help redirect the peer pressure toward healthy and respectful social norms.

D2. PREVENTION PRINCIPLES

(This section was adapted from several other WV FRIS toolkits and training modules.)

Three key principles discussed in this section are critical when doing interpersonal violence prevention work (adapted from [VetoViolence](#)):

- ✓ **A public health approach** to help you move from the problem of interpersonal violence to the potential solutions;

- ✓ **A focus on primary prevention**—strategies to stop violence before it initially occurs—to reduce the factors that put students at risk for experiencing and perpetrating violence and increase the factors that buffer students from risk; and
- ✓ **A social-ecological model** to explain the complex web of factors that may contribute to or buffer against violence and to develop more comprehensive campus programming strategies.

Public Health and Violence Prevention

A **public health approach** offers those who promote prevention of interpersonal violence on college campuses **a foundation for framing the problem that draws upon knowledge from many disciplines and for recommending effective prevention strategies.**

Public health is described as “the science of protecting and improving the health of communities through education, promotion of healthy lifestyles and research for disease and injury prevention” (Association of Schools of Public Health). **Rather than focusing on one individual at a time, it addresses the health of the whole population** (PREVENT, 2005b). Public health involves an organized effort to “prevent, identify and counter threats to the health and safety of the public” (Turnock, 1997). Unquestionably, interpersonal violence is one of those threats.

The public health perspective asks foundational questions: Where does the problem begin? How could we prevent it from occurring in the first place? (Centers for Disease Control and Prevention or CDC). **To answer these questions, it relies on solid evidence**, drawing upon knowledge from many disciplines including medicine, epidemiology, sociology, psychology, criminology, education and economics (World Health Organization & London School of Hygiene and Tropical Medicine, 2010). The evidence gathered can then be used to identify the extent of the problem, determine the factors that need to be addressed to reduce the occurrence and severity of the problem, and guide program and policy development (PREVENT, 2005b). Public health **emphasizes a culturally appropriate response to health problems**—recognizing that cultural practices and beliefs influence the way data on the problem should be collected and how prevention programs should be developed and disseminated (PREVENT, 2005b).

From the public health perspective, interpersonal violence is viewed as a preventable problem. Data indicates it is caused by the interplay of multiple factors, rather than due to a single factor. Notably, this approach does not identify actions of victims as a cause of violence.

In summary, **steps in the public health approach to interpersonal violence prevention** include (CDC):

1. **Define the problem**—collect data to determine who, what, where, when and how.
2. **Identify risk and protective factors**—scientific research methods are used to identify the factors that increase the risk for interpersonal violence. Factors that may buffer against these risk factors are also identified. The goal of violence prevention is to decrease risk factors and increase protective factors. (See *D. Risk and Protective Factors*)
3. **Develop and test prevention strategies.**
4. **Strategies shown to be effective are disseminated and implemented broadly.**



Because violence is a multi-faceted problem, violence prevention requires an equally multi-faceted response involving many sectors of society (World Health

Organization & London School of Hygiene and Tropical Medicine, 2010). Many communities are moving toward multidisciplinary collaboration to not only intervene when violence occurs, but to collectively consider how to best prevent it from occurring. Key players in this response include community-based organizations, criminal and civil justice systems, state and local health departments, schools, health care systems, social services, media, policy-making bodies and workplaces (PREVENT, 2005b).



Public health is rooted in science and medicine, while sexual and domestic violence have been viewed more as social justice issues related to the oppression of women. However, both the public health and anti-violence against women fields have “strong underpinnings in social equity.” Clearly, sexual violence, domestic violence, dating violence and stalking are public health problems. **Partnerships between the public health field and those working to end interpersonal violence make sense** given the limited resources available for research, intervention and prevention, and the great potential for maximizing effectiveness of prevention through collaboration. (Paragraph adapted from Chamberlain, 2008.)

Continuum for the Prevention of Violence

LEVELS OF PREVENTION

From a public health perspective, there are **three levels on the prevention continuum** that focus on **WHEN** an intervention has an effect on a specific problem (PREVENT, 2005a):

1. **Primary prevention** includes approaches that take place **BEFORE** violence has occurred to prevent initial perpetration or victimization. Examples include activities to prevent interpersonal violence that teach students about healthy relationships and healthy sexuality, teach them to intervene when they see situations that are likely to escalate to violence, and encourage college administrators to develop school policies that support these behaviors and include consequences for noncompliance (adapted from Valle et al., 2007).
2. **Secondary prevention** includes immediate responses **AFTER** violence has occurred to deal with the short-term consequences. Examples related to sexual violence might include crisis intervention, advocacy and medical care for a victim, SANE (sexual assault nurse examiner) programs to improve the collection of forensic evidence, and the development of SARTs (sexual assault response teams) to create a collaborative multidisciplinary response.
3. **Tertiary prevention** includes long-term responses **AFTER** violence to deal with the lasting consequences, with the goal of lessening the long-term effects and reducing the chances of reoccurrence. Tertiary prevention is designed to address problems through policies, programs and services for people who have already experienced a problem (e.g., those who have been victimized by interpersonal violence). Examples are counseling services and self-defense classes for survivors of interpersonal violence and sex offender treatment/batterer intervention programs.

DIRECTED PREVENTION STRATEGIES

The continuum of violence prevention interventions can also be divided into the following **three categories**, based on **WHO is at risk for victimization or perpetration and to whom primary prevention efforts should be directed** (CDC, 2004; PREVENT, 2005a):

1. **Universal interventions** are directed at groups or the general population regardless of individual risk for violence perpetration or victimization. Examples of universal interventions might include public awareness campaigns about violence, bystander intervention programs and reducing media violence. In universal interventions, everyone is protected whether they experience increased risk factors. Everyone shares the burden of the intervention.
2. **Selected interventions** target those who are thought to have a heightened risk for violence perpetration or victimization. Selected interventions might include activities for students who use drugs and/or alcohol, sexuality education for persons with intellectual disabilities and college programs addressing high-risk components of Greek life.
3. **Indicated interventions** are directed at those who have already perpetrated violence or have been victimized. Examples of indicated interventions might be counseling services and crisis intervention for victims, incarceration of and treatment for perpetrators, or campus-wide discussions following a sexual assault of a student.

Primary prevention targets universal and selected approaches, since its focus is to stop violence before it occurs (PREVENT, 2005a). The differentiation between universal and selected approaches speaks to the dilemma of viewing interpersonal violence as a problem facing all members of society while acknowledging that specific populations are more at risk for being victims or perpetrators.

Impact of Primary Prevention on Interpersonal Violence

“There is an often quoted parable that tells of a man and woman fishing downstream. Suddenly a person comes down the river struggling for life. The fisherfolk pull her out. Then another comes who must be rescued. This happens all afternoon and the fisherfolk are getting very tired from constantly pulling people from the river.

When they go upstream, they find that people are drawn to the edge to look at the river, but there is no safe way to do this. Many of them fall. The fisherfolk go to the community leaders and report the number of people who have fallen into the river. They also report that this is due to the lack of a protective barrier on the cliff. Community leaders build a wall behind which people may safely view the water. Some still fall, but there are many fewer victims to rescue.”(CDC, 2004; PREVENT, 2005a)

The community above employed a primary prevention strategy to stop the problem from happening in the first place, instead of expending all resources and energy on rescuing people who have fallen into the river (PREVENT, 2005a).

RISK AND PROTECTIVE FACTORS

A primary prevention approach typically employs a variety of strategies to counteract the root causes of a specific problem (PREVENT, 2005a), addressing related risk factors and promoting protective factors:

- ✓ A **risk factor** is a behavior or condition that increases vulnerability to a specific condition.
- ✓ A **protective factor** is a behavior, social influence or policy that reduces vulnerability to a specific condition or other behaviors. In an earlier example of primary prevention activities that focused on reducing risk for interpersonal violence, healthy relationships and healthy sexuality were protective factors which the programming was promoting.

In the parable above, the community devised a protective barrier to prevent people who get too close to the cliff's edge from accidentally falling into the river (the root problem). Other primary prevention strategies they might employ include posting warning signs near the cliff and publicizing related safety tips.



The presence of a risk factor associated with interpersonal violence does not mean that a person will always experience violence or always become a perpetrator. Similarly, a single protective factor does not necessarily prevent violence. However, **the presence of multiple protective factors can decrease the chance of victimization and/or perpetration** (Perry).

Socio-Ecological Approach to Violence Prevention

(Also see the CDC's [The Socio-Ecological Method: A Framework for Violence Prevention](#).)

The public health approach to violence prevention is driven by a **socio-ecological model** that **outlines how an individual's health status is influenced not just by that individual's attitudes and practices, but also by personal relationships and community and societal factors** (PREVENT, 2005c). The World Health Organization (WHO) (Krug et al., 2002), used a variation of this model to discuss violence prevention. Based on this WHO discussion, the CDC delineated specific **risk factors for perpetration of violence**. Levels include (CDC, 2004):

1. **Individual level**—biological and personal history factors that increase the likelihood of becoming a perpetrator. Risk factors include but are not limited to alcohol and/or drug use, attitudes and beliefs that support interpersonal violence, impulsive and other antisocial tendencies, preference for impersonal sex, hostility towards women and childhood history of sexual abuse or witnessing family violence (Krug et al., 2002). An individual may also be influenced by demographic factors such as age, income and education (PREVENT, 2005c).
2. **Relationship level**—factors that increase risk because of relationships with peers, intimate partners and family members. These relationships can shape an individual's behavior and range of experiences (Krug et al., 2002).
3. **Community level**—settings in which social interactions occur (e.g., schools, churches, neighborhoods and workplaces) and characteristics of these settings that are associated

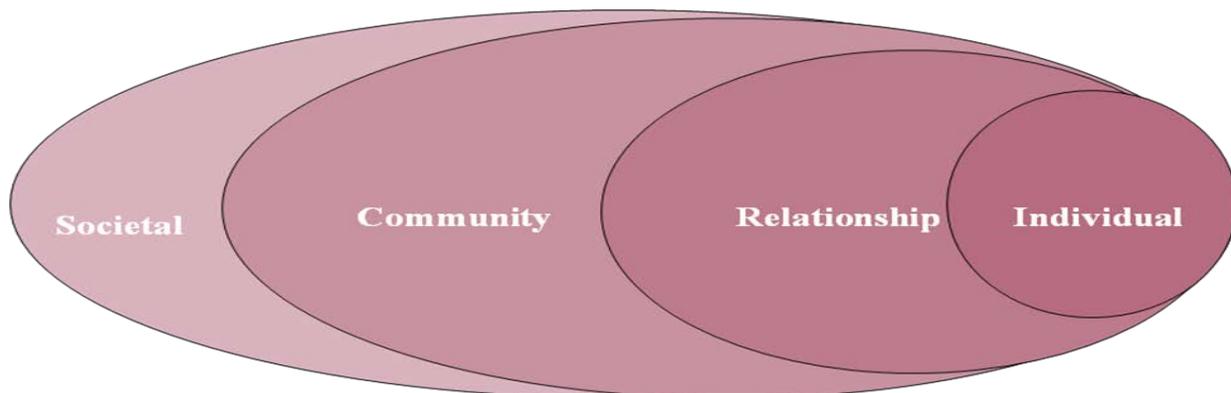
with becoming perpetrators. For example, a lack of enforced campus policies on sexual harassment can send a message that this type of violence is tolerated.

4. **Societal level**—broad societal factors that help create a climate in which violence is encouraged or inhibited. Risk factors include but are not limited to gender inequality, religious or cultural belief systems, societal norms and economic or social policies that create or sustain gaps and tensions between groups of people. A society may choose to legislate behavior (public policy), affecting norms indirectly, or develop interventions that influence social norms directly—an example of the latter would be to determine the social norms that contribute to a rape culture and identify strategies for changing those norms (Washington Coalition of Sexual Assault Programs, 2007).

A variation of this model adds an institutional level, recognizing that people spend one third to one half of their time in institutional settings, particularly schools and workplaces. In the four-level model above, the majority of interventions included at an institutional level are included in the community or societal levels. (Paragraph from the Washington Coalition of Sexual Assault Programs, 2007).

How do the levels work together to influence culture and behavior?

Below is a graphic illustration of the socio-ecological model, as found in Chapter 1 (p. 12) of the WHO report.



In this “nested” illustration, **risk factors work together to influence culture and behaviors related to the perpetration of violence** (CDC, 2004). The illustration highlights the **pivotal role that societal factors play in influencing behaviors and interactions between people and entities** (PREVENT, 2005c). (*B. What You Need to Know: Risk Factors for Sexual and Domestic Violence Perpetration* illustrates this model in chart form.) Curtis and Love (2009) offered an analogy for this model and the importance of societal-level prevention efforts:

“Tree roots distribute nourishment to the trunk, branches and leaves. The **societal level issues** of oppression and norms that support inequality **correspond to the roots** because they influence every other level. In this case, the roots send information and expectations to the other parts of the tree. Additionally, these norms hold in place factors and behaviors at the other levels, just as roots anchor a tree. The other levels of the

ecological model correspond to the different pieces of the tree as follows: the **community level to the trunk**, the **relationship level to the branches** and the **individual level to the leaves** of the tree.

If we think about the process of creating lasting change, we can see how **treating the whole system through the roots is more effective than focusing on the leaves or branches**. If only the leaves, branches or trunk are treated, then the tree may still be unhealthy. **We must become prevention gardeners and tend to the roots of the tree**. We can work for change at the root level by addressing issues of oppression and creating equity across all groups. **If we make the roots healthy, the tree will take care of the trunk, branches and leaves.**”

Promoting Protective Factors

As mentioned earlier, **promoting protective factors that influence culture and behaviors related to violence can buffer against the risk of interpersonal violence victimization or perpetration** (CDC, 2009). For example, protective factors that guard against youth violence and substance abuse which can be encouraged through prevention programming include (Hawkins, Catalano & Miller, 1992; Lang, Rosati, Jones & Garcia, 1996; National Center for Mental Health Promotion and Youth Violence Prevention, 2004):

Individual Protective Factors

- ✓ Resilient temperament;
- ✓ Positive social orientation;
- ✓ Positive relationships that promote close bonds and encourage a young person's competence; and
- ✓ Healthy beliefs and clear standards.

Family Protective Factors

- ✓ Positive bonding among family members;
- ✓ Parenting that includes high levels of warmth, avoids severe criticism and provides a sense of basic trust and clear and consistent expectations, including children's participation in family decisions and responsibilities; and
- ✓ Emotionally supportive parents/family.

School Protective Factors

- ✓ High expectations for youth;
- ✓ Clear standards and rules for appropriate behavior; and
- ✓ Opportunities for youth participation in after-school activities.

Community Protective Factors

- ✓ High expectations for youth;
- ✓ Opportunities for youth participation in community activities; and
- ✓ Community norms and laws unfavorable to violence or substance abuse.

Those doing college interpersonal violence prevention work should be aware of both the risk factors for perpetration and victimization of interpersonal violence and the protective factors that guard against interpersonal violence. Campus prevention programming should promote these factors. **Ideally, multiple prevention activities simultaneously occur to promote protective factors at the different levels of the socio-ecological model** (see the examples below). The key is to recognize that different levels of the model reinforce various aspects of the prevention message.



Examples of approaches to sexual violence prevention based on the socio-ecological model and promotion of protective factors ([*The Social Ecological Model*](#), Washington Coalition of Sexual Assault Programs):

- ✓ **Individual level programming** that promotes healthy beliefs and rejection of social norms that support oppression—educational sessions that encourage individuals to challenge violence, sexism, racism, homophobia, etc. Comprehensive sexuality curricula that promote healthy sexual relationships.
- ✓ **Relationship level programming** that builds skills to interrupt and address inappropriate comments and behaviors that support violence—peer or bystander programs that give students tools to change the climate of their social circles by rejecting or intervening when they hear or witness behaviors that support violence or sexism.
- ✓ **Community/institutional level programming** that reinforces the college’s expectation of student conduct—a social marketing campaign on campus that promotes consent and safe practices in sexual relationships. Corresponding workgroup that proposes a student bill of sexual rights.
- ✓ **Societal level programming** that targets law makers to increase funding for prevention activities at colleges and to assist campus administrators in enforcing zero-tolerance for interpersonal violence—a program that provides state law makers with reasons to promote college-based interpersonal violence prevention. An initiative that reaches out to college leadership to offer assistance in implementing the prevention stipulations of the Campus SaVE Act.



The Sexuality Information and Education Council of the United States (2004) offers examples of **levels of the socio-ecological model if healthy sexuality were a successful part of sexual violence prevention** (National Sexual Violence Resource Center, 2012):

- ✓ Individuals would know that the human development process includes sexual development, which may or may not include reproduction or sexual experience;
 - ✓ Relationships would be based on honest communication, respect and consensual sexual interactions;
 - ✓ Individuals would express their sexuality while respecting other’s rights;
 - ✓ Communities would work to prevent sexual violence by advocating for legislation that was in line with their values related to sexuality; and
 - ✓ Society would promote access to age-appropriate and accurate information on sexuality and work to enhance individuals’ ability to create and maintain healthy relationships.
-

D3. PREVENTION PROGRAMMING

To prepare to choose among programming options and implement a programming plan, this section discusses characteristics associated with effective prevention programs and provides a framework for developing a comprehensive, multi-level primary prevention approach that is well coordinated with the overall campus response to interpersonal violence. It offers tools to assist in planning, explanations about audiences, types and topics for activities, and related emerging promising practices.

Characteristics of Effective Prevention Programs

In *What Works in Prevention: Principles of Effective Prevention Programs* (Nation et al., 2003), the below **characteristics were consistently associated with effective prevention programs**:

1. **Comprehensive**: Strategies should include multiple components and affect multiple settings to address a wide range of risk and protective factors of the target problem.
2. **Varied teaching methods**: Strategies should include multiple teaching methods, including some type of active, skills-based component.
3. **Sufficient dosage**: Participants need to be exposed to enough of the activity for it to have an effect.
4. **Theory driven**: Preventive strategies should have a scientific justification or logical rationale.
5. **Positive relationships**: Programs should foster strong, stable, positive relationships between children and adults (for the college population, between students and mentors/authority figures as well as among students).
6. **Appropriately timed**: Program activities should happen at a developmental stage in a participant's life that can have maximal impact;
7. **Socio-culturally relevant**: Programs should be tailored to fit within cultural beliefs and practices of specific groups as well as local community norms.
8. **Outcome evaluation**: A systematic outcome evaluation is necessary to determine whether a program or strategy worked.
9. **Well-trained staff**: Programs need to be implemented by staff members who are sensitive, competent and have received sufficient training, support and supervision.

Berkowitz (2004) similarly suggested that effective prevention programs have a number of characteristics that are independent of particular issues or topical areas. In particular, effective campus prevention programs should be:

- ✓ **Comprehensive** (all relevant campus community members or systems should be involved and have clearly defined roles and responsibilities);
- ✓ **Intensive** (offer learning opportunities that are interactive and sustained over time with active rather than passive participation);
- ✓ **Relevant to the audience** (tailored to the age, culture and socioeconomic status of the campus community and take into consideration an individual's peer group experience); and

- ✓ **Deliver positive messages** (build on participants' values and predisposition to act in a positive manner).

A Comprehensive Prevention Approach

(Section adapted from Cohen & Chehimi; Chamberlain, 2008)

How do you begin to craft a comprehensive approach to violence prevention for your campus? The “**spectrum of prevention**” below offers a framework for developing effective, **multi-level primary prevention programs** that is aligned with the socio-ecological model. The framework for the [spectrum of prevention](#) was originally developed by L. Cohen of the Prevention Institute, based on the clinical work of M. Swift in treating developmental disabilities.

Level of Spectrum	Definition	Example
1. Strengthening individual knowledge and skills	Enhancing an individual's capacity to prevent injury and promote safety	<ul style="list-style-type: none"> ✓ Bystander intervention programs ✓ Freshmen orientation education on campus intervention and prevention policies. ✓ Programs that teach healthy sexuality and healthy relationship skills.
2. Promoting community education	Reaching groups of people with information and resources to promote health and safety	<ul style="list-style-type: none"> ✓ Campus awareness campaigns and plays that reinforce positive norms and models of bystander action ✓ Awards program recognizing campus and community leaders working to prevent interpersonal violence
3. Educating providers	Informing providers who will transmit skills and knowledge to others	<ul style="list-style-type: none"> ✓ Training for faculty/staff to interrupt inappropriate comments and behaviors that promote a climate condoning violence
4. Fostering coalitions and networks	Bringing together groups and individuals for broader goals and greater impact	<ul style="list-style-type: none"> ✓ Partnerships with local rape crisis centers and domestic violence programs in prevention programming and public awareness efforts
5. Changing organizational practices	Adopting regulations and shaping norms to improve health and safety	<ul style="list-style-type: none"> ✓ Implementation and enforcement of campus violence prevention policies
6. Influencing policy and legislation	Developing strategies to change laws and policies to influence outcomes	<ul style="list-style-type: none"> ✓ Creation of campus policies to provide sexual and domestic violence prevention curricula to students

The spectrum of prevention is a useful planning tool to develop broad initiatives for preventing interpersonal violence. The six levels of the spectrum allow practitioners to identify a variety of areas in which prevention can be implemented. When used together, each level reinforces the others, leading to greater effectiveness. Some programming may involve several different levels on the spectrum. For example, a bystander intervention program may not only include educational sessions for students and college personnel, but also a media campaign.



See *Spectrum of Prevention: Towards a Community Solution* (Davis, Fujie Parks & Cohen, 2006) for a fuller discussion on applying the spectrum to sexual violence prevention. Also see [Fact Sheet: Sexual Violence and the Spectrum of Prevention](#) (NSVRC, 2011), which is based on the work of Cohen and Swift (1999).

Prevention as Part of Comprehensive Campus Response

You need to know not only how to comprehensively promote prevention of interpersonal violence on your campus, but also how to encourage strong campus interventions at the policy level and in individual cases of violence. Significantly reducing perpetration requires intervention strategies that reflect intolerance for interpersonal violence paired with a multi-layered prevention effort. Below are a few suggestions for campuses to **move toward a comprehensive response to interpersonal violence**:

- ✓ **Develop comprehensive intervention and prevention policies for each type of interpersonal violence.** The policies should encompass the multiple campus departments and local agencies that need to coordinate efforts to intervene in and/or prevent the violence. Both intervention and prevention components are essential to address the problem. Specific policy goals are necessary to direct and enforce the policies.
- ✓ **To develop and implement policies that involve coordination between colleges and communities, colleges will need to partner with their local community**—rape crisis centers, domestic violence programs, medical and counseling providers, law enforcement, prosecution, courts and with existing coordinating entities such as a sexual assault response team (SART). ([WV FRIS](#) offers information on [SARTS](#), as well as an online course on collaboration through its online Sexual Assault Services Training Academy (SASTA).)
- ✓ **Work to ensure college policies and practices are in line with all relevant federal and state requirements.** (See *C. Responding to Disclosures: State Requirements and Key Federal Legislation Influencing Campus Response*.)
- ✓ **Provide training on each type of interpersonal violence for campus personnel and outside agencies involved in intervention and/or prevention.** Make sure the information presented is accurate and tailored to the roles of involved departments and agencies. Contact WV FRIS for suggestions on developing training programs for campus departments.
- ✓ **To appropriately respond to students who disclose interpersonal violence, provide campus staff and paraprofessionals** with information on where to make a criminal report and how to report a violation of campus policies, specific campus staff who are first responders in such cases, and on- and off-campus programs which can offer confidential information and assistance to victims of interpersonal violence.

- ✓ **Educate students, their parents and the community about the college’s intervention procedures and prevention efforts.** Present accurate information that is specific to college student populations. For example, Fisher, Cullen and Turner (2000) found that many colleges they surveyed did not include information about acquaintance rape in their prevention programs, in spite of the fact that most rapes that occur on campuses are perpetrated by acquaintances. Without information about acquaintance rape, students may have the misconception that most rapes are perpetrated by strangers. When an acquaintance rape does occur, they may not understand that what they experienced was rape.
- ✓ **Gather statistics about each type of interpersonal violence specific to your campus,** so that college administrators can understand the need for campus intervention and prevention efforts, collaboration with local agencies, training for personnel, education for students, etc.
- ✓ **Take measures to promote student reporting of interpersonal violence.** For example, Karjane, Fisher and Cullen (2005) identified several campus policies and practices that may prevent some students from reporting, such as policies on drug and alcohol use, requirements for victims to participate in adjudication, and messages that overemphasize students’ responsibility to avoid interpersonal violence while de-emphasizing offender accountability and bystander intervention strategies. Colleges should consider how they can remove such barriers for students seeking help after victimization.

A comprehensive approach at the college level will be even more effective if is preceded with similar approaches in K-12 schools and supplemented with similar approaches in workplaces, professional organizations and more broadly in the community. The prevention strategies in each of these situations need to be relevant to the audience and linked to services for those who disclose victimization or perpetration (adapted from Michigan Sexual Assault Systems Response Task Force, 2001).



Some states’ college systems and colleges have **written policies and/or plans to guide their comprehensive response to interpersonal violence.** For example: [A Safer Campus: A Guidebook for Prevention and Response to Sexual and Intimate Partner Violence and Stalking for Ohio Campuses](#); and [California State University, Northridge Campus Plan to Prevent Sexual and Domestic Violence](#). A more general **resource for college administrators to enhance and evaluate their safety programs** is *Creating and Maintaining Safe College Campuses: A Sourcebook for Evaluating and Enhancing Safety Programs* (Jackson et al., 2007).

Planning Your Programming Approach

Violence prevention is not a one-time program or event, one skill-building session or one protocol. **Violence prevention is** an ongoing, multi-faceted process, requiring investment of the whole campus and integration into the campus community infrastructure.

Below are preliminary issues to consider—in checklist and chart form—as you plan your overall programming approach and individual activities and initiatives.

Issues to Consider for Your Overall Approach

(You can also use and/or adapt the chart below to assist you in your planning.)

- Over the course of an academic year, what are interpersonal prevention programming goals and objectives? (On the below chart, the goals are aligned with those on Cohen's spectrum of prevention.) What about a longer-term plan (e.g., three to five years)?
- What activities are you planning to implement your goals and objectives?
- How do activities you have selected address the different levels of the spectrum of prevention and socio-ecological model? How will the various activities serve to reinforce or supplement each other?
- Identify any issues and challenges that might influence which activities are selected.
- Create a timeline for the implementation of activities.
- What can you do to support the campus in being prepared to respond to an increase in reports of interpersonal violence as a result of prevention programming?

Goals for Year 1	Objectives	Activities	Timeline
Strengthen individual knowledge and skills			
Promote community education			
Educate providers			
Foster coalitions and networks			
Change organizational practices			
Influence policy and legislation			

Issues to Consider for Each Programming Activity

(You can also use and/or adapt the chart below to assist you in your planning.)

Think about the characteristics of the activity in terms of (1) comprehensiveness, (2) dosage, (3) teaching methods, (4) theory-driven, (5) nurturing positive relationships, (6) timing, (7) socio-cultural relevance, (8) outcome evaluation and (9) staffing (Nation et al., 2003).

- What activity are you planning (see the upcoming *Types of Activities*)?
- How will this activity fit into and reinforce the overall prevention message?
- Who is the target audience? How can you make the activity most relevant to this audience?
- What topics do you want to address through the activity?
- What are the desired outcomes?
- What is the planned format, timing and dosage? What teaching methods will be used? Will this instructional approach get the message across effectively for this audience?
- What strategies can you use to increase the effectiveness of the activity in achieving the desired outcomes and reinforcing the prevention message?

- Who should be involved in the coordination of this activity?
- If it is a specific event, who would you like to involve as presenters, facilitators and/or staff?
Do they have the experience and training to effectively deliver this activity to this audience?
- How will you evaluate the effectiveness of the activity in achieving the desired outcomes?
What will you do with the evaluation results?
- What are the logistics of coordinating the event? Consider as applicable: timing, location, room arrangements, publicity, presenters and facilitators, other staffing, security issues, agenda, handouts, name tags, audio-visual equipment, beverages and food needs, accommodations (wheelchair accessible, sign language interpreter, etc.), etc.
- What supports will be in place in the event that a participant discloses victimization?
- What materials and other resources are available to you to implement this activity?

Planning an Activity to Promote Interpersonal Violence Prevention	
Activity	
Time/Location	
Target Audience	
Desired Outcomes	
Topics to Cover	
Teaching Methods	
Format/Dosage	
Evaluation Strategies	
Logistics Tasks and Responsible Parties for Each Task	
Supports to Respond to Disclosures	
Issues, Challenges and Solutions	

Also see Townsend (2009) for a checklist on primary prevention options (pages 41-44).



Townsend (2009) **urges paying close attention in your program planning and implementation to ensuring that all forms of interpersonal violence that are the focus of an activity are explicitly addressed and any unique dynamics are explored.** She cautions that if this attention is not paid, necessary skill building may be overlooked. She offers the example of a bystander prevention program that addresses both physical and sexual violence. Using intervention skills in situations potentially leading to sexual violence requires that the bystander recognize sexual assault and rape culture for what they

are. A bystander intervention program that only uses examples of physical violence may leave participants unable to recognize sexual coercion or expressions of rape culture.

WHO IS YOUR TARGET AUDIENCE?

Identify the intended audience for each activity (think about which programs are best suited to a specific population). Consider:

- **Universal population** (the entire campus community, all students, all faculty and staff, etc.);
- **Mixed-gender audiences;**
- **Single gender audiences;**
- **Selected populations at heightened risk for interpersonal violence perpetration or victimization**—e.g., freshman, athletes, students with disabilities, fraternity members, sorority members, international students or students studying abroad;
- **Populations who have already experienced victimization or perpetrated violence;** and
- **Those who can be trained to promote the college’s prevention message in their work** (e.g., the college’s governing body, faculty, staff, student leaders and local professionals).

Some emerging data indicates that certain types of prevention activities might be better suited to certain types of audiences (see the upcoming *Emerging Promising Practices*).

INSTRUCTIONAL METHODS TAILORED TO YOUR AUDIENCE AND GOALS

(Drawn from Fisher, Lang and Wheaton, 2010)

Adult Learning Principles

When doing interpersonal violence prevention work in the college environment, it is useful to understand and apply **basic principles of adult learning**. Knowles (1998) indicated that **adult learners retain** 20 percent of what they hear, 30 percent of what they see, 50 percent of what they see and hear, 70 percent of what they see, hear and say (e.g., discuss and explain to others), and **90 percent of what they see, hear, say and do** (Fisher, Lang & Wheaton, 2010; National Cancer Institute, 2007). Thus, **programming that engages students at multiple levels and using a variety of teaching methods is critical**. Consider the following **ways to maximize student learning** when doing interpersonal violence prevention programming (adapted from Fisher, Lang & Wheaton, 2010; National Cancer Institute, 2007):

- ✓ Design learning experiences to be **more active than passive**;
- ✓ Focus on **building knowledge and skills and changing attitudes**;
- ✓ Design learning experiences to **tie program concepts to participants’ immediate needs**;
- ✓ The **older the audience, the more likely they will accept responsibility for their own learning**, so make sure the program is relevant to their experiences;
- ✓ The **older the audience, the more self-directed the learning should be**, so involve them to the extent possible in deciding the program content;
- ✓ Design **learning environments to be as conducive to learning as possible** for your specific audience (e.g., safe to share, comfortable and enjoyable);

- ✓ Reinforce teaching by **practicing skills, applying knowledge and providing feedback**;
- ✓ Provide opportunities for learning in **both small and large groups**; and
- ✓ Value, respect and incorporate **learners' contributions and perspectives**.

Teaching Methods that Support Goals

Connect teaching methods to the goals of each specific programming activity. For example, if you are educating student leaders on interpersonal violence, use strategies that reinforce increasing knowledge. If you want them to consider how social norms about violence and gender roles impact tolerance for interpersonal violence, use methods that allow them to explore and shift attitudes. If you want them to learn new skills for identifying and interrupting violence with their peers, use methods designed to teach those skills. Fisher, Lang & Wheaton (2010) connected teaching methods with goals in an easy-to-reference chart. (Paragraph and below chart adapted from Fisher, Lang & Wheaton, 2010.)

Teaching Methods	Knowledge	Attitude	Skill
Lecture and handouts	X		
Film, video, T.V.	X		
Small group discussion	X	X	
Panel presentation (e.g., survivors)	X	X	
Brainstorming	X	X	
Vignette/case study	X	X	X
Simulation/demonstration	X		X
Role play	X	X	X

Presenters and Facilitators

When selecting educators, trainers and facilitators for your prevention programs, consider if the person has (Fisher, Lang & Wheaton, 2010):

- ✓ Firm grounding in primary prevention;
- ✓ Knowledge of, experience in and commitment to the specific content to be presented;
- ✓ Credibility with those they are educating or training, which includes experience, profession, position and language similar to or respected by the participants;
- ✓ Experience delivering content with cultural competence; and
- ✓ Experience dealing with possible disclosures of victimization or perpetration from program participants.



For those presenters and facilitators who are new to doing presentations, Fisher, Lang and Wheaton's [Training professionals in the primary prevention of sexual and intimate partner violence: A planning guide](#) offers a tip sheet, *Expert Solutions to the 12 Most Common Training Delivery Problems of Novice Trainers* (pgs. 80-82), which addresses potential presenter problems such as fear, credibility, personal experience, difficult learners, participation, timing, adjusting instruction, questions, feedback, use of media, materials and facilities, opening and closing, and dependence on notes. It is based on the work of Search Institute (2006).

Cultural Relevance

(Fisher, Lang & Wheaton, 2010, based in part on National Cancer Institute (2007) and Guajardo Lucero (2000))

To present programs with cultural relevance, consider the audience and specific cultural needs. Think broadly about culture—gender and gender identity, sexual orientation, age, race, ethnicity, physical abilities, language, extent of acculturation, regional differences, level of education, profession, spiritual beliefs and practices, Greek involvement, etc. Also consider diverse perspectives and influences that individual audience participants bring to prevention programs, such values, roles they assume in groups, their comfort with touching or talking, class and status, etc. Some tips:

- ✓ **Involve diverse learners in the development of your programs.**
- ✓ **Ensure physical and language accessibility.**
- ✓ **Be inclusive**, involving, reaching and empowering all participants.
- ✓ **Be sensitive to the timing and tempo** of the group you are working with, watching for clues as to when individuals are ready to accept new ideas.
- ✓ **Go beyond literal translations of materials**—the translation of material from one culture to others may not capture nuances or concepts in a way that works for other cultures.
- ✓ **Avoid jargon and generalizations.**
- ✓ **Respond to individuals.** Remember that people within a group might share some common traits, but each individual is unique.
- ✓ **Be self-aware.** Recognize your own cultural influences on how you think and act.

TYPES AND TOPICS: PREVENTION ACTIVITIES

A comprehensive campus approach to prevent interpersonal violence should include a variety of types of activities and address a variety of topics. Different activities can be used to teach about a common topic and/or reinforce the same prevention message. Consider the below activities.

Educational Sessions

Lonsway (2009) noted that sexual violence prevention education programs **usually include some combination of the following topics**—most of which apply to other types of interpersonal violence (Gidycz et al., 2002):

- ✓ Defining the violence;
- ✓ Providing statistics on incidence and prevalence;
- ✓ Challenging sex-role stereotypes and prevailing myths that support the violence;
- ✓ Discussing the effects of the violence on victims;
- ✓ Explaining societal pressures and causes;
- ✓ Discussing common attitudes and characteristics of victims and perpetrators;
- ✓ Promoting victim empathy;
- ✓ Teaching risk recognition;
- ✓ Identifying consent versus coercion;
- ✓ Teaching about safe dating behaviors (including healthy relationships and sexuality); and
- ✓ Providing information about victim resources.

Also important to cover during educational programming are the following (see C. *Responding to Disclosures*): sharing information on campus and local policies on responding to interpersonal violence and preventing violence; explaining what to do if victimization occurs in general and in cases where drug-facilitated violence is suspected; and pointing out where this information can be quickly accessed if needed (e.g., campus web site, student handbook, etc.).

In terms of **teaching methods**, most educational programs involve a lecture component, but usually also incorporate other more active strategies, including videos or films followed by a discussion, interactive drama, vignettes, presentations by survivors, interactive and skill-building/reinforcing exercises (adapted from Gidycz et al., 2002; Lonsway, 2009).



The Washington Coalition of Sexual Assault Programs offered a listing and links for curricula that teaches [healthy relationships](#) and [health sexuality](#). See [Smarter Sex](#), a sexual health web site for college students meant to encourage students, educators and parents to discuss and learn about smart sex and healthy relationships. See the National Sexual Violence Resource Center's [Healthy Sexuality: A Guide for Advocates, Counselors and Prevention Educators](#) for guidance and practical tools for discussing healthy sexuality within the context of sexual violence. It explores healthy sexuality across the life span and connects this information with primary prevention tools.

Bystander Intervention Programs

These programs focus on bystanders to change social norms in a peer culture that supports abusive behavior (Lonsway et. al., 2009). This proactive approach discourages victim blaming and shifts responsibility for prevention to both men and women (Tabachnick, 2009). The [Mentors in Violence Prevention \(MVP\) Program](#), created in the early 1990s, was one of the first programs to introduce bystander intervention to the domestic and sexual violence prevention education field. Since then, there have been numerous programs and campaigns developed based on this approach—see Prevent Connect for [Programs that Promote Bystander Intervention](#), as well as the [NSVRC Bystander Resources](#). The NSVRC site describes multiple bystander programs, including [Step Up! Sexual Assault Bystander Intervention](#), [Know Your Power](#), ["Green Dot" campaign](#), [Hollaback!: I've got your back!](#), [Virginia's Red Flag Campaign](#), [University of New Hampshire Bringing in the Bystander Campaign](#), [MVP](#), [Circle of 6](#), [Where Do You Stand? Campaign Guide](#), and the [William and Mary bystander playbook](#). (Also see the upcoming *Primer on Bystander Intervention* and *D. Resources*.)

Risk-Reduction Programs

These programs typically target women, providing information about risk reduction techniques, the impact of the violence on victims and local resources (Gidycz et al., 2002). One type of risk-reduction activity, **self-defense programs**, teaches students, usually women, how active resistance strategies can deter the completion of an attempted sexual assault. (Paragraph from Lonsway et al., 2009).

It is important that risk reduction activities unequivocally make it clear that offenders bear the full blame for their violence. Risk reduction activities focus on what individuals can do to protect themselves from sexual assault, domestic violence, dating violence and stalking. While such activities do have merit (e.g., enhancing individual's sense of control and safety and providing practical tips), they also can inadvertently send a message to the college community that these types of violence are just facts of life and it is up to individuals to avoid victimization (by defending themselves if attacked, not drinking at a party, staying with friends, etc.). And because these programs teach individuals to protect themselves from offenders, it is not uncommon for people to blame victims for their own victimization. It must be clear that participation in risk reduction activities does not transfer any liability to a student participant who becomes a victim. Risk reduction activities should be offered in combination with a range of programs that include education on myths and facts about interpersonal violence and social norms that support violence, campus policies and jurisdictional laws, men's roles in preventing violence against women, ways that women and men can intervene to stop potential violence, the promotion of campus policies and practices that support zero tolerance for interpersonal violence, and collaboration across campus and the community to support strong prevention and intervention efforts. (Paragraph drawn from the California Coalition Against Sexual Assault (CALCASA).)

Mobilization of Men to Take an Active Role in Stopping Violence

Lonsway (2009) noted that programs designed specifically for men focus on men taking responsibility for their own behaviors and confronting abusive behaviors in other men (Gidycz, Rich, & Marioni, 2002). These programs often include presentations and discussions, live or taped discussions of survivors and behavioral interventions such as interactive videos, guided imagery exercises, and/or theatrical vignettes. This type of programming can create a safe environment for men to discuss and challenge each other with respect to information and attitudes about men's violence (Berkowitz, 2004). The National Center on Sexual and Domestic Violence (NCSADV) offers a [listing and links to various men's groups and initiatives that work to end gender-based violence](#), with several offered or created at the college level.

Programming that mobilizes men is not intended to put men on the defensive. Rather, Berkowitz (2004) noted a number of underlying principles of effective violence prevention for men:

- ✓ Men should assume responsibility for preventing men's violence against women.
- ✓ Men should be approached as partners in solving the problem rather than as perpetrators.
- ✓ Workshops and other activities are more effective when conducted by peers in small, all-male groups due to the immense influence that men have on each other and because of the safety all-male groups can provide.
- ✓ Discussions need to be interactive and encourage sharing of feelings, ideas and beliefs.
- ✓ Opportunities need to be created to discuss and critique prevailing understandings of masculinity and men's discomfort with them, as well as men's misperceptions of other men's attitudes and behavior.
- ✓ Positive anti-violence values and healthy aspects of men's experience must be strengthened, including teaching men to intervene in other men's behavior.

- ✓ Work with men should be in collaboration with and accountable to women working as advocates, educators and prevention specialists.

Berkowitz (2004) found that the literature suggested that these programs can produce short-term change in men's attitudes linked with a proclivity for violence, encourage men to intervene when abusive behavior occurs, and reduce men's future violence.

Public Awareness and Media Campaigns

Public awareness and media campaigns—both stand alone and those that are part of a broader strategy—can help achieve change in community norms, awareness and/or behavior. These campaigns may be particularly effective when those in the prevention field partner with experts in changing attitudes and behaviors. An example is the domestic violence television advertisements that were developed by the [Family Violence Prevention Fund in collaboration with the Advertising Council](#). (Paragraph from Lonsway, 2009.) Colleges must consider how they can best utilize not only traditional media outlets but also social media to extend the impact of their efforts.



See the NCSDV for [a listing and links to various public awareness campaigns](#). Also see the NSVRC for [examples of public awareness events and media campaigns employed by state sexual assault coalitions during sexual assault awareness month](#). In addition, several [Prevent Connect e-courses](#) address using media and technology in sexual and domestic violence prevention efforts. Also see CALCASA's [Media Advocacy Guide](#).

Staff and Faculty Training

Those doing interpersonal violence prevention work in the college environment usually do not have enough resources, time or avenues to reach all constituents. However, they can reach out to college faculty and staff as well as professionals in the community with whom students interact. They can educate them on the topic and on campus and local policies. They can also ask for their help in incorporating prevention messages into their own work (into training for resident assistants, judicial peer educators and other student leaders, as a topical discussion in a sociology class, into public safety literature, etc.). Training those professionals to be aware of the complexity of the issue and to incorporate interpersonal violence prevention into their existing work can increase the impact. (Paragraph adapted from Fisher, Lang & Wheaton's [Training professionals in the primary prevention of sexual and intimate partner violence: A planning guide](#). Note this publication can be a resource when you do this type of programming.)

Note also that a component of some primary prevention programs, in addition to educating students and media campaigns, is training college personnel to engage more allies in supporting a prevention message.

Mobilization of the Campus around Violence Prevention

Examples of activities that mobilize the campus might include rallies, candlelight vigils, marches and walks (e.g., [Take Back the Night](#) events), or a series of initiatives during a specific month or week (e.g., [sexual assault awareness month](#), [campus safety awareness month](#), [stalking awareness month](#)). These kind of activities encourage the members of a college community to come together, speak out against different types of interpersonal violence and take initiative in promoting prevention.

Collaboration with Community Groups

College violence prevention can be enhanced when the college participates in broad-based coalitions that further the goal of prevention (e.g., the college could hold a series of prevention activities for students and the public with the local sexual and domestic violence programs during a week designated by a national organization). Individual community agencies can also partner with colleges to reach out to promote violence prevention among the college population (e.g., see the brochures that the San Diego Police Department developed in collaboration with Community Policing Associates and students from local colleges—[What College Men Should Know about Sexual Assault, Rape and Sexual Battery](#) and [What College Women Should Know about Sexual Assault, Rape and Sexual Battery](#)). Colleges frequently reach out to the local rape crisis centers and domestic violence agencies for assistance with developing and presenting educational programs.

Promotion of Policy Change

Activities can be designed to promote policy change to support appropriate campus intervention and prevention of interpersonal violence (e.g., organizing a petition or coming up with recommendations and seeking meetings with campus leaders to promote policy adoption and implementation). Tools are available regarding the content of such policies—e.g., [SAFER](#) (Students Active For Ending Rape) offers resources on what should be covered in a campus policy, tips for changing policies and policy examples from colleges around the country. The NCHERM (National Center for Higher Education Risk Management) Group, Ltd. offers a number of [free model protocols and policies](#).

SAFER's [Moving Beyond Blue Lights and Buddy Systems: A National Study of Student Anti-Rape Activists](#) revealed that students activists identified college campus policy as a key tool in addressing sexual violence. Also see SAFER & V-Day's 2013 [Making the Grade? Findings from the Campus Accountability Project on Sexual Assault Policies](#), which recommends increased availability and accessibility of survivor resources; increased primary prevention efforts and the creation of more opportunities for students to engage meaningfully in primary prevention activities; sexual assault policies that are accessible to students; amnesty clauses to encourage reporting by survivors who may have been in violation of other school policies at the time of their assault; and the creation of more opportunities for students to participate in policy decisions.



Awareness, risk reduction or primary prevention? Curtis and Love (2009) noted that activities that raise **awareness** of interpersonal violence (e.g., a media campaign) **can help build support for primary prevention efforts**. However, awareness itself does not create the changes in attitudes or behaviors that lead to violence. **Risk reduction** focuses on helping potential victims change their behaviors to avoid being victimized or to stop an incident in progress (self-defense classes, campaigns to inform the public about drug-facilitated sexual assault and how to reduce the likelihood of being drugged at a party or bar, etc.). Whereas risk reduction programs address the violence itself, **primary prevention seeks to change the conditions** (e.g., aggression or lack of empathy) **that influence a potential offender's decision to rape, assault, stalk, threaten or harass**.

EMERGING PROMISING PRACTICES

As was mentioned earlier, there is a need for research-based evidence is needed about what is most effective in college interpersonal violence prevention programming. However, some data is emerging that can be used to guide your program choices. As Gibbons (2013) noted, while sexual violence has been the focus of incidence studies and prevention programming at the college level for much of the last 20 years, the future of campus prevention programming seems to be evolving toward a more comprehensive approach that encompasses other forms of gender-based violence as well, such as dating violence and stalking.

Gibbon (2013) identified the following themes after reviewing the literature related to the **evaluation of campus-based sexual violence**:

- ✓ Campus-based programs have been **effective at increasing knowledge and decreasing rape supportive attitudes**, especially in the short term.
- ✓ Although mixed-gender audiences have shown improvements in desired outcomes, **the effect of interventions is greater with single-gender audiences** (an **exception is bystander programs**).
- ✓ The effectiveness of anti-violence programming is greatly reduced over time, but **booster sessions can help to maintain positive changes**.
- ✓ **Longer and more frequent exposures to interventions** result in greater outcomes.
- ✓ **Complex discussions of gender roles and myths that support a climate of silence and shame** are key elements of programs that seek to change attitudes about sexual violence.
- ✓ Effective programs require **well-trained prevention practitioners**.
- ✓ **Bystander programs have demonstrated a link between change in attitudes and change in behavior**.
- ✓ **Bystander models show clear promise** as effective violence prevention programs (in both single and mixed-gender groups), but more evaluation is needed.
- ✓ **Risk reduction/resistance strategy models for women and empathy-based programs for men show promise**, but more evaluation is needed.

[The ICASA Project: Best Practices for School-Based Sexual Assault Prevention Programming](#) (Illinois Coalition Against Sexual Assault & Schewe) looks at numerous characteristics as it

identified the **best practices among high school-based sexual assault prevention efforts in 2001-2002 of its state's rape crisis centers**. For example:

Characteristics of Prevention Programs Associated with Success

- ✓ More sessions are better than fewer;
- ✓ Shorter sessions are better than longer sessions;
- ✓ A male/female team of prevention educators produces the overall best results for both male and female students; and
- ✓ Younger students change more than older students.

Content of Prevention Programs Associated with Success

- ✓ Discussing how to help a friend who has been assaulted;
- ✓ Describing what you should do if you are victimized;
- ✓ Addressing healthy relationship skills;
- ✓ Identifying rape myths and presenting factual information;
- ✓ Discussing gender roles;
- ✓ Describing the school's sexual harassment policy (especially for "high risk" students); and
- ✓ Discussing drugs that facilitate sexual assault.

Many of these characteristics have relevance for college-level programming.



Acknowledging myths that contribute to interpersonal violence and gender discrimination is stressed in the studies above. Discussion on myths and facts like the ones below can be integrated into programming.

Myth: Rape is an impulsive, uncontrollable act of sexual gratification.

Fact: Most rapes are planned and motivated by aggression and a desire for dominance.

Myth: Women in college do not have to worry about becoming victims of domestic violence.

Fact: For traditionally-aged college students, dating violence is a problem and often an indication of abuse in subsequent relationships. Also, colleges today have significant populations of nontraditional-aged students who are at risk for dating and domestic violence.

Myth: If a person is being stalked and she/he just ignores the unwanted behavior, it will go away.

Fact: Stalking behavior rarely just goes away on its own without appropriate interventions.

Myth: Rapists are strangers who hide in dark alleys waiting to attack women late at night.

Fact: Most rapists are someone the victim knows. Rape can occur at any hour of the day.

Myth: Battered women can always leave their abusers.

Fact: It may be difficult to leave a partner. Individuals stay in violent relationships for both emotional and practical reasons, including love, economic dependence, fear of reprisals, social isolation and shame.

Myth: People are to blame for putting themselves into situations that lead to sexual assault, such as staying out late, drinking, using drugs, going out alone and/or talking to strangers.

Fact: Most victims of sexual assault are assaulted in places they thought were safe, by someone they thought they could trust. Perpetrators are solely responsible for their assaults.

Myth: Sexual harassment is usually just harmless flirtation or a way to compliment someone.

Fact: Sexual harassment is unwelcome sexual advances, conduct of a sexual nature and requests for sexual favors that make the individuals targeted feel uncomfortable, humiliated, distressed and/or fearful for their safety. It can adversely affect a person's work or school experience. It is unacceptable on college campuses and can be illegal.

(Adapted from the California Coalition Against Sexual Assault and based on information from the web sites of the Santa Barbara Rape Crisis Center, Los Angeles Unified School District, Minnesota Coalition Against Sexual Assault, and the National Resource Center on Domestic Violence's *Organizing College Campuses Against Dating Abuse* (1999).)

D4. PRIMER ON BYSTANDER INTERVENTION

As mentioned earlier, one of the more promising directions in sexual and domestic violence prevention in recent years is to focus on men and women as bystanders to change social norms that support abusive behavior. A primary component of bystander intervention involves enhancing the responsibility of men and women to intervene proactively with their peers to deter potential abusive incidents. (Paragraph from Lonsway et al., 2009.)

Because of its relative newness as a prevention programming option, this chapter includes this primer on bystander intervention. Having this information can help you determine how to fit this type of activity into your overall programming approach.

Bystander intervention is a philosophy and strategy to prevent various types of interpersonal violence. It is based on the fact that people make decisions and continue behaviors based on reactions they get from others. For instance, commonly-asked questions in bystander intervention trainings are: Why don't we pick our noses in public? Why don't we eat hot dogs for breakfast? The answers examine social expectations and cultural conditioning and norms taught to us through reactions from others. (Paragraph from Prevent Connect [Bystander Intervention](#)).



See Prevent Connect's 2012 podcast [Why and How We Teach/Facilitate Bystander Intervention](#) (based on a presentation L. Langford offered at the Bystander Intervention: From Its Roots to the Road Ahead Conference).

Background

(Drawn from Tabacknick, 2009; Powell, 2011; Prevent Connect)

In [Engaging Bystanders in Sexual Violence Prevention](#) (2009), Tabachnick wrote:

“In 1964, the rape and murder of Kitty Genovese shocked Americans from coast to coast. While a man attacked, raped and eventually killed this young woman for over half an hour, 38 men and women witnessed the assault and did nothing to help. The shock and confusion surrounding this single event captured the country’s attention and launched a substantial debate into how caring people could watch such an attack, and yet do nothing.

This one event launched new research and programs about the ‘bystander effect.’ This one event also marked the beginning of an approach by programs and researchers to move bystanders to act more responsibly. People in a bystander role often describe feeling scared, alone and afraid to say or do something in the face of violence. They say that they fear making someone angry, possibly misunderstanding the situation or even triggering further violence. Yet over the years, the bystander intervention approach has recognized that saying or doing something is not necessarily a single event by a single hero. In fact, in many situations, there are a variety of opportunities and numerous people who can choose to intervene.”

In the wake of the Genovese case, researchers Darley and Latane (1968) theorized that, in group settings, **the responsibility for intervening was diffused among the bystanders**, such that individuals were less likely to feel responsible for taking action and more likely to think that somebody else may intervene or had already called for help. They introduced **five steps that bystanders move through before they are able to take action**:

1. Notice the event as something that falls along the continuum of behaviors that lead to violence;
2. Interpret the event as requiring intervention;
3. Decide to assume responsibility to act;
4. Choose how to help; and
5. Are confident in their capacity to intervene (and can do it safely).

Given the complexity of most interpersonal violence situations, bystanders often find these steps overwhelming and choose to do nothing. Several decades of research has detailed situational factors that may affect a person’s willingness to act. These include: the presence and number of other witnesses, the uncertainty of the situation, the perceived level of urgency or danger for the victim, and the setting of the event. Bystanders’ behaviors may also be influenced by their relationship to the victim and/or perpetrator, their attitudes and beliefs, their perception of social norms, their perception of the potential personal costs of their action, and their intention to act.

Types of Bystanders

In bystander theory, there are **passive bystanders** who do nothing in the face of a potentially dangerous situation and **active bystanders** who do something to decrease the likelihood that something bad will occur or get worse. Bystander intervention addresses the behaviors of others that surround an act or pattern of violence, offering an opportunity to address behaviors BEFORE violence has been perpetrated.

If bystanders are to be active and intervene, they need to feel good about identifying potentially risky behaviors. They need to **understand the five steps to intervention** listed above. It's important that they **take an honest look at themselves and what keeps them from acting**. We all have walked away from situations or failed to “check things out” when our gut has alerted us to something concerning. What keeps bystanders silent? They need to **identify their obstacles and learn to work around them**.

Obstacles to Response

Bystander dynamics can create obstacles to action:

- ✓ **Diffusion of responsibility:** As previously mentioned, bystanders are more likely to help in a potentially abusive situation if they are by themselves and less likely to help when more people are around because responsibility literally diffuses.
- ✓ **Evaluation apprehension:** Bystanders risk embarrassment if they act and the situation turns out not to be an emergency or if a bystander does something wrong. Fear of getting embarrassed can dramatically decrease the chance bystanders will do anything.
- ✓ **Pluralistic ignorance:** If the bystander is not sure if the situation is an emergency, they may look around to others and see how they are responding. If they aren't, bystanders don't.
- ✓ **Cause of misfortune:** Bystanders are less likely to help if they perceive the person to be responsible for his/her own misfortune.
- ✓ **Other:** Bystanders may face other obstacles, such as peer influence or personal issues (shyness, fear of confrontation, safety concerns, feeling like it is not their business, etc.).

But, here is the key: **if bystanders see someone else modeling a helping behavior, they are more likely to step up and provide assistance themselves.**

Options for Responding

The [Green Dot Bystander Intervention Program](#) uses the “3 Ds” for responding, giving bystanders **options for how they can intervene**:

1. **Direct:** directly interacting with the people involved and addressing your concerns. It may be a confrontation “Hey—what are you doing?” or it may just be checking in with a friend, “Are you OK?”
2. **Distract:** diverting the attention of the people in the situation. If you see a situation and can think of a way to divert the attention of the people in the situation, distraction is the perfect option. Sometimes all a situation needs to diffuse is a small diversion.
3. **Delegate:** recognizing a potentially high-risk situation where you may be uncomfortable saying something yourself or feeling like someone else is better suited to handle it (e.g., a friend, police or bartender). The action can be just as effective if you get someone else to do it. It also has the additional benefit of making someone else aware of what is going on and that something needs to be done.



Example of the 3 Ds: You are at a party and you see a female student who is intoxicated being pulled up the stairs toward the 'designated' bedroom by a male student. Given your obstacles, what are you most likely to do?

Distract: Go up to them and say you are about to throw up and you need the woman to help you in the bathroom.

Direct: Go up to the guy and ask him what he is doing. Or go up to the woman and tell her you want to talk to her in private.

Delegate: Tell the woman's friend and suggest that she go get her.

Safety First

Safety is increasingly an issue for bystanders the closer they are to a situation, the fewer people that are around and the more imminent the violence. Bystanders need to consider:

- ✓ How can I keep myself safe?
- ✓ Are there others I may call upon for help?
- ✓ What are my available options?
- ✓ What are the benefits/costs for taking action?

Those facilitating bystander intervention programs should take the time to brainstorm with participants how to keep in mind and address their own safety when intervening. Creating a plan for their own safety may increase the likelihood they will feel more confident about intervening in these situations.

Features of Effective Bystander Intervention Programs

This list of features of effective bystander intervention programs (Powell, 2011, as cited by Prevent Connect) builds upon the nine characteristics of effective prevention programs (Nation et al., 2003):

- ✓ Bystander strategies will be most effective when they exist as **one component of a broader approach or of a multi-level program in one setting.**
- ✓ There is growing evidence to show the importance of **grounding prevention programs in sound and testable theory** that make clear the link between program activities and intended outcomes.
- ✓ **Involving community members** (college students, faculty and staff in this case) **and organizations** (the college itself and community agencies) as **partners** in identifying targets for change and designing strategies is critical to creating sustainable programs.
- ✓ The **application of gendered analysis** to program design and development will ensure the program strategies and outcomes are appropriate for all genders.
- ✓ There is concern within the broader literature regarding the importance of **tailoring programs to specific contexts and communities**, rather than simply replicating programs in new settings. Prevention strategies must **take into account the localized norms and structures that may be relevant to violence prevention.**

- ✓ **Longer interventions (across multiple sessions)** are more effective than short (one-time) interventions, and **in-depth coverage of a smaller range of topics** is found to be more effective than shallow coverage of a large range of topics.
- ✓ **Professional educators and/or program facilitators are found to be most effective.** Where peer educators are used, it is essential to train and support them in their roles.
- ✓ There is evidence to support **a mixture of single-sex sessions and mixed-sex sessions across education-based programming.** While mixed groups appear to result in greater attitudinal change for women than single-sex groups, single-sex groups appear more effective for changing behavioral intentions. For males, mixed-sex groups appear more effective for changes to their behavior intentions.
- ✓ The literature indicates a concern that the effects of violence prevention programs may fade over time, highlighting the **importance of evaluation at various intervals** before and after participation in prevention programs.

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E. Evaluation

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INTRODUCTION

As discussed in *D. Getting Started Promoting Prevention*, **one of the characteristics of effective prevention programs (Nation et al., 2003) is incorporating outcome/impact evaluation.** Measuring outcomes/impact allows you to determine if a program is changing attitudes and behaviors in a way that is preventing interpersonal violence. Both positive feedback and constructive criticism about the program obtained through evaluation can boost your efforts, indicating ways to change the program to make it more effective.

In addition to looking at outcomes, other types of evaluation might also be helpful to answer questions related to a prevention program—for example, to assess needs while developing the program, clarify the underlying principles behind why and how the program works, describe how the program is operating and analyze its efficiency (Townsend, 2009).

This section provides basic information to help facilitate evaluation planning and implementation for your prevention program.

This chapter was built upon a WV FRIS training module on this topic. Primary sources used for that module included *Sexual and Intimate Partner Violence Prevention Programs Evaluation Guidebook* (Valle et al., 2007), *Understanding Evaluation: The Way to Better Prevention Programs* (Meraskin, 1993) and *Evaluation 101* (Shanholtzer, 2010). Key resources tapped into for this revision included: *Technical Assistance Guide and Resource Kit for Primary Prevention and Evaluation* (Townsend, 2009) and *Preventing Violence and Promoting Safety in Higher Education Settings: Overview of a Comprehensive Approach* (Langford, 2004). A related resource is *Evaluating Sexual Violence Prevention Programs: Steps and Strategies for Preventionists* (National Sexual Violence Resource Center, 2012 online course).

E1. WHAT IS EVALUATION?

Evaluation is a systematic process of obtaining information to be used to assess and improve a program. In general, organizations use program evaluations to distinguish successful program efforts from ineffective ones and revise existing programs to achieve successful results. (Paragraph from Office for Victim of Crime, 2010.)

Reasons to Engage in Evaluation

You may feel you are busy enough just developing and implementing violence prevention programs and don't feel you have the time to devote to evaluation. However, there are very practice reasons for you to engage in evaluation. Evaluation can be used to (McKenzie, Neiger & Smeltzer, 2005; Townsend, 2009):

- ✓ Prove that your program has delivered the intended services and achieved its objectives;
- ✓ Show that your program has made an impact on a certain population;
- ✓ Help you make informed decisions about continuing or modifying a program, as well as reveal whether the program is inadvertently having effects that are not desirable and changes that can be made to correct those effects;
- ✓ Provide insight into how or why a program is working or not (e.g., so you can take elements that are most successful and use them in other strategies and not waste time and resources will not be wasted on elements that have minimal impact);
- ✓ Help in defending a program against outside criticism;
- ✓ Provide accountability to funding agencies and campus and community stakeholders;
- ✓ Increase campus and community support for the initiative;
- ✓ Contribute to the scientific base for violence prevention interventions; and
- ✓ Inform policy decisions.

E2. TYPES OF EVALUATION YOU MAY USE

Various types of program evaluations exist; **the type of evaluation you conduct depends on the questions you want to answer**. The following types of evaluation are ones that

interpersonal violence prevention programmers are most likely to employ. (Note that authors cited categorize evaluation types slightly differently.)

Process and Performance Evaluation

(Adapted in part from Valle et al., 2007.)

Process and performance evaluation monitors the process of your program's implementation to find out if the program is being delivered as intended. Monitoring program process and performance describes how a program is operating (Townsend, 2009). This type of evaluation examines the quality of program delivery and identifies gaps between what was intended and what happened. If a program does not produce the intended results, it may be due to flaws in implementation or audience selection rather than because the program itself is ineffective. Results of a process and performance evaluation can help you fix these issues before the program is delivered again. Conversely, if desired outcomes are being achieved, this type of evaluation can identify what was done well so successes are repeated.

For each of your programs, **be prepared to collect process and performance evaluation data by asking questions** such as (Fisher et al., 2006):

- ✓ What specific topics were addressed in the program? What amount of content (e.g., dosage) did the participants receive over what amount of time? What activities were utilized to deliver this material? What were the characteristics of participants in this program (e.g., number of students participating, grade level, socio-economic status, racial/ethnic composition, language preference, etc.)? Did you reach your target audience?
- ✓ Did the program follow the basic plan for delivery?
- ✓ What was the participants' satisfaction level with the program (e.g., what did they like/dislike about the presentation, were the facilities and tools such as handouts or presentation materials conducive to learning, and did the presenter do an adequate job)?
- ✓ What was the staff's perception of the program?

Outcome/Impact Evaluation

Outcome evaluation studies if your program is meeting or progressing towards your program goals and objectives. Is it having the intended effect? Outcome evaluation can look at immediate or direct effects of the program on participants (e.g., their knowledge, skills, attitudes, behaviors and behavioral intentions), as well as longer-term and unintended program effects. This type of evaluation may also be called **impact evaluation**. Impact is sometimes distinguished as long-term program results and issues of causality, versus overall or more immediate results (OVC, 2010).

Outcome/impact evaluation will be the primary focus of the remaining sections of this chapter.

Needs Assessment

(Townsend, 2009)

You can use this type of evaluation to help in making decisions about how to allocate resources and whether, where and when to start a new program. Data for needs assessments is often collected through interviews (with the target audiences, college administrators, faculty and staff, rape crisis centers and domestic violence programs, etc.), focus groups and surveys, from existing sources that validate the need for the program, and observations of physical environment, social behaviors and social messages.

While needs assessment will not be further explored in this chapter, a related resource is OVC's [*Guide to Conducting a Needs Assessment*](#).

Assessment of Program Theory

(Townsend, 2009)

This type of evaluation is used to articulate and clarify the underlying logic about why and how a program should work. It can improve how the program is conceptualized and identify the effects that you might expect from participating in the program.

Assessing program theory usually involves describing program goals and objectives and the chain reaction that leads from the activities of the program to the intended outcomes. It can be done through interviews with prevention program staff and potential program participants as well as review of program documents. Then, this data is used to create a **logic model** (a picture that illustrates the chain reaction between activities and outcomes). It is important to refine the model as underlying, unspoken assumptions become evident.

Logic models will be discussed later in this chapter.

E3. EVALUATION DESIGN

(From Fisher, Lang, & Wheaton, 2010)

An evaluation design describes the specific type of tools you are going to use to conduct evaluation. Examples of **evaluation designs** (a few have already been discussed):

- ✓ Logs and checklists—to collect process data (the who, what, when, where, why, how);
- ✓ Knowledge tests—to collect outcome data;
- ✓ Surveys/questionnaires—to collect process and outcome data;
- ✓ Interviews—to collect outcome data; and
- ✓ Focus groups—to collect outcome data.

The data collected may be quantitative (e.g., counts of participants) or qualitative (participant feedback on how a program changed their behaviors) or a blend of both.

Tools for Process and Performance Evaluation

Information for process and performance evaluation is usually collection through
(Townsend, 2009):

- ✓ **Routine data collection** (e.g., number of programs completed, frequency of programs, number of participants and components of the program);
- ✓ **Program satisfaction surveys** given to program participants; and
- ✓ **Fidelity checks** to assess whether the program is being implemented as intended (for educational programs, this may involve program staff observing whether presenters are covering the topics in the curriculum and the amount of time spent on each topic).

Townsend (2009) noted that satisfaction surveys are NOT a method to assess program outcomes. The goal is to change behaviors in ways that prevent interpersonal violence—participant satisfaction does not measure this goal.

Tools for Outcome/Impact Evaluation

Townsend (2009) offered the below chart describing **four tools to measure outcome/impact**:

	Assesses	Advantages	Disadvantages
Surveys	<ul style="list-style-type: none"> ✓ Knowledge ✓ Attitudes ✓ Intentions ✓ Behaviors 	<ul style="list-style-type: none"> ✓ A quick and inexpensive way to get information from a large number of people ✓ It's easy to be consistent in with survey administration ✓ Survey analysis is relatively straight forward 	<ul style="list-style-type: none"> ✓ Writing a good survey is harder than it looks ✓ Inputting data to take longer than expected ✓ Behaviors are self-reported
Focus Groups	<ul style="list-style-type: none"> ✓ Attitudes ✓ Opinions ✓ Interpretations 	<ul style="list-style-type: none"> ✓ Provides in-depth Information ✓ Discussion among a diverse group of people can lead to insights that you would not get from individuals ✓ Relatively low-cost/time investment 	<ul style="list-style-type: none"> ✓ Results influenced by group dynamics; requires skill in group facilitation ✓ How to interpret group discussions is not always self-evident
Interviews	<ul style="list-style-type: none"> ✓ Attitudes ✓ Opinions ✓ Interpretations ✓ Motives ✓ Experiences 	<ul style="list-style-type: none"> ✓ Provides in-depth information ✓ Participants may disclose information and details that they would not with a survey or a focus group 	<ul style="list-style-type: none"> ✓ Time intensive ✓ Being consistent across interviews is challenging ✓ Requires interviewing skills ✓ How to interpret interviews is not always self-evident
Observations	<ul style="list-style-type: none"> ✓ Behaviors ✓ Environments 	<ul style="list-style-type: none"> ✓ Record actual behaviors versus self-reports ✓ Offers insight into interactions between individuals and physical and social settings 	<ul style="list-style-type: none"> ✓ Need clear definitions of what you are looking for ✓ Requires observation skills ✓ Difficult to be consistent across observations

When selecting the type of evaluation tools you will use, keep in mind (Townsend, 2009):

- ✓ The **type of tools you use should match the goals and objectives of the program.**
- ✓ **When you have more than one option,** the type of tools you use will depend on weighing the advantages and disadvantages of each for obtaining the information you want and determining the skills, time and resources available for the involved activities.
- ✓ You may want to use **different types of tools to answer different evaluation questions.** For example, you may want to use surveys to answer questions about changes in participants' knowledge, attitudes and behaviors, augmented with focus groups to explore how different parts of the program impacted people in different ways. (One tool could also be used to answer different kinds of evaluation questions).

Whether you are creating your own evaluation tools or using an existing measures (see below), **make sure that the tool is appropriate for your audience's developmental and literacy levels, language capacity, etc.** For example, an evaluation for a middle school audience will likely be different from a college student audience or a college faculty/staff audience. Note that participants with disabilities that impact communications may require accommodations to complete an evaluation (e.g., in alternative formats).

PRE-POST TEST EVALUATION WITH FOLLOW-UP

(Townsend, 2009)

The **pre-post test evaluation with follow-up design is a popular choice for measuring outcomes/impact.**

- ✓ The **pre-test** is a way of measuring people's knowledge, attitudes, intents and behaviors before doing the program. It can be done in many ways, including surveys, interviews, focus groups or observations.
- ✓ The **prevention program** is your intervention.
- ✓ The **post-test** is the same measure used at the pre-test. You give it a second time shortly after the program is completed. By comparing the results of the pre-test and post-test, you can see whether there have been changes.
- ✓ The **follow-up** is a third time of assessing those you wanted to affect with your program. Most often it uses the same measure as the pre-test and post-test. It is usually done four weeks to a year after the program. The follow-up assessment lets you see whether the changes you saw at the post-test were sustained over time.

This design lets you see how program participants change over time. If you see substantial changes from the pre-test to post-test and those changes are in the direction you intended, then you can conclude that your program was effective. If you see no drop from post-test to follow-up then you can conclude that the changes were sustained over time.

Note that the assumption underlying this evaluation design is that nothing else caused the changes. To this end, researchers often have a control group that does not get the program but is given the same tests. If the group that goes through the program shows substantial changes but the control group does not, then that supports the idea that it was the program and not something else that caused the change. If a control group is not used, you need a way to ascertain that the changes you see are in fact due to your program and not something else. At a

minimum, **take note of other events that might be influencing the outcomes**, such as current events, class curricula, exposure to interpersonal violence issues through news and entertainment media, etc.

OUTCOME EVALUATION QUESTIONS

Some **tips for outcome evaluation questions** include:

- ✓ **Questions** on a pre-test/post-test questionnaire **should pertain directly to material presented**. For example, do not ask questions about sexual assault statistics if such data is not presented.
- ✓ **Questions to assess knowledge change can be true/false or multiple-choice questions**. A sample question might read, “Is the following statement true or false? Low academic achievement is a risk factor for sexual violence perpetration.”
- ✓ **Questions to assess attitude change can also be true/false or multiple-choice questions**. They can also be done with a Likert scale (a 5-, 7- or 10-level scale that participants use to rate their level of agreement with a statement). Scales typically range from strongly disagree to strongly agree or from not at all to very much. A sample question might read, “Using a scale of 1 to 5, with 1 being strongly disagree and 5 being strongly agree, respond to the following statement: I believe sexual violence can be prevented.”

Questions to assess knowledge/skills change can ask about:

- ✓ **Willingness or intent to use the knowledge/skills gained**. A sample question for an audience of sociology faculty who received training might read, “Using a scale of 1 to 7, with 1 being strongly disagree and 7 being strongly agree, respond to this statement: “I will discuss with the students in classes societal norms that support interpersonal violence and ways they individually can promote change that rejects such norms.” Or you can ask participants to list three things they will take action on when they get back to their work site. To increase the chances of success, include a suggested number of weeks or months within which these actions will take place.
- ✓ **Level of confidence in using the knowledge/skills**. A sample question for resident assistants and residence life staff might read, “Using a scale of 1 to 5, with one being strongly disagree and 5 being strong agree, respond to this statement: I feel comfortable talking with the students about healthy dating behaviors.”
- ✓ **Improved ability to do the skill**. This type of question is aimed at determining the extent to which the training boosted ability or practice. A sample question might read, “Using a scale of 1 to 10, with 1 being not at all and 10 being very much, respond to the following statement: This training has improved my ability to address sexually harmful behavior I see happening around the college campus.”
- ✓ **Utilization**. For staff, faculty and student leaders who are already engaged in interpersonal violence prevention, you might ask about the extent to which the presentation contributed to the use of the particular knowledge/skills on which you provided training.



See Townsend's [*Technical Assistance Guide and Resource Kit for Primary Prevention and Evaluation*](#) (pages 45-96) for **information about the evidence base for particular prevention strategies** (multi-session/multi-component programs, bystander intervention programs, socio-drama, social marketing campaigns, initiatives to mobilize men and professional trainings) **and suggestions for evaluating outcomes of each strategy.**

Also see Townsend for **samples of a number of outcome measurement tools for sexual violence prevention programs** (starting at page 157):

Measuring Changes in Individuals' Knowledge and Attitudes

- ✓ Behavioral Vignettes
- ✓ Beliefs About Reporting Rape Scale
- ✓ Causes of Rape Scale
- ✓ Illinois Rape Myth Acceptance Scale (Short Version)
- ✓ Knowledge of Sexual Assault
- ✓ Understanding Consent Scale
- ✓ Attitudes Toward Women Scale for Adolescents
- ✓ Sex Role Attitudes
- ✓ Pacific Attitudes Toward Gender

Measuring Prevalence of Perpetration and Victimization

- ✓ Pennsylvania Survey of Sexual Experiences
- ✓ Conflict Tactics Scale

Measuring Bystander Attitudes and Behaviors

- ✓ Bystander Efficacy Scale (Short Version)
- ✓ Bystander Attitudes (Short Version)
- ✓ Decisional Balance (Short Version)
- ✓ Readiness to Change Scale (Short Version)
- ✓ Bystander Behavior Scale (Short Version)

Measuring Changes in Community Norms

- ✓ Male Peer Support Scale
- ✓ Community Readiness for Rape Prevention
- ✓ Community Risk Map
- ✓ Focus Group Guide
- ✓ Individual Interview Guide



See the *Sample Participant Evaluation Questionnaire* (drawn in part from OVC) at the end of this chapter, which can be customized for your use.

E4. PLANNING FOR EVALUATION

Some program planners delay thinking about evaluation until after a program is up and running. To be most useful, however, evaluation should be planned as the program is being developed. Building evaluation planning into program development will sharpen your thinking about the program—its mission, goals, objectives and tactics. (Paragraph from Langford, 2004)

Such an approach can start with a needs assessment to help you decide whether, where and when to start a new program. It can include an assessment of program theory to articulate and clarify the underlying logic about why and how the program should work. It can help you explore what will be evaluated (e.g., your overall program or an aspect of your program), what you want to know (e.g., how effective the program is in achieving the intended goals), how you will know the answer to your question when you see it (e.g., evidence), and when to collect the data. The plan also can help you identify the best methods for collecting, analyzing and interpreting the data collected, as well as reporting the results of your evaluation.

Taylor-Powell, Steele and Doughlah (1996) suggested **exploring the following questions to help facilitate your evaluation planning** (Valle et al., 2007 offers a related worksheet):

- ✓ What is the purpose of the evaluation for this program?
- ✓ Who are the key stakeholders in the evaluation (e.g., college administrators, students, partner organizations and funders)? What are their roles in the evaluation? How will they use evaluation results?
- ✓ What are the specific evaluation questions to be answered?
- ✓ What information is needed to answer the questions? Where will you get this information? What specific methods will be used?
- ✓ When will the data be collected (before, during or after the program)?
- ✓ Who will collect the information? How will the data be analyzed? Who will do the analysis?
- ✓ How will the information be interpreted? Who will do the interpretation?
- ✓ Who will summarize the evaluation results?
- ✓ How will evaluation results be shared (with whom when, where and how)?

Employing a Logic Model in your Evaluation Planning

To answer some of above questions, consider the links among your program's overall goals, objectives and activities. As mentioned early, creating a logic model of your program can assist you in demonstrating these links and guide your activity planning and evaluation questions.

For example of a logic model, see the simple sample logic model at the end of this chapter (drawn in part from Valle et al., 2007; Shanholtzer, 2010). Also go to the end of the [Technical Assistance Guide and Resource Kit for Primary Prevention and Evaluation](#) for a more detailed *Activities Model for Primary Prevention of Sexual Violence*. The below template includes the components of a logic model—you can use it to describe each activity of your prevention program.

Example of a Logic Model Template for a Program/Activity

(Adapted from Fisher, Lang & Wheaton, 2010; based on the U.S. Environmental Protection Agency, 2007)

Program/Activity:	Program/Activity Goals:				
Participants	Activities		Outcomes & Impact		
Identify audience	Inputs: <i>What resources are needed to do program/activity?</i>	Outputs: <i>What will occur during program/activity?</i>	Short-term	Intermediate	Long-term
Identify presenter or facilitator (if applicable)			Evaluation Measures and Tools <i>How will the outcomes/impact be measured? Tools to measure the outcomes/impact? Short-term, intermediate and long-term?</i>		
Identify teaching methods					

DEFINING YOUR PROGRAM'S GOALS AND OBJECTIVES

To create a logic model, you will need to define your program's goals and objectives.

- ✓ A goal is a measurable statement of the desired long-term, global impact of the program. Goals generally address change. For example, a goal may be prevention of sexual violence among college students.
- ✓ An objective is a specific, measurable statement of the desired immediate or direct outcomes of the program that support the accomplishment of a goal. For example, "Our program will provide prevention education on interpersonal violence during orientation for new students and new employees during the 20__ school year."

The **ABCDEs of writing measurable goals and objectives** are offered to guide the development of goals and objectives (see OVC, 2010):

- ✓ **Audience**—Who is the population for whom the desired outcome is intended?
- ✓ **Behavior**—What is to happen? What change/results are expected (e.g., increase in students' knowledge of societal norms related to interpersonal violence, how to intervene to prevent violence, campus policies related to prevention, and what to do if violence occurs)?
- ✓ **Condition**—By when? What are the conditions under which measurements will be made? This may refer to the timeframe and/or implementation of a specific intervention (e.g., the overall timeframe for program implementation is the 20__ school year, but change might be measured immediately after a program and again three months later).

- ✓ **Degree**—By how much? What quantification or level of results are expected (e.g., for a student program on dating violence, knowledge of 10 characteristics of healthy sexuality and intention to increase healthy sexuality in 3 of 14 areas as identified by McLaughlin, Topper & Lindett, 2009).
- ✓ **Evidence**—As measured by what specific instrument or criterion? (E.g., a pre-test/post-test, follow-up surveys or individual interviews; could also use an established instrument such as the *Attitudes about Aggression in Dating Situations Scale*, developed by Slep et. al., 2001).

You can use the ABCDE method to identify the elements of each outcome you want to achieve and then formulate goal/objective statements using each of the applicable elements.

Steps in Outcome/Impact Evaluation

Townsend (2009) offered the below **steps for program outcome/impact evaluation**. See the [Technical Assistance Guide and Resource Kit for Primary Prevention and Evaluation](#), pages 115-151, for more specifics on these steps.

<p>1: Clarify Program Goals and Objectives</p> <ul style="list-style-type: none"> ✓ Articulate the changes that should occur as a result of your program. ✓ Based on a program theory logic model (that explains how what you will do in the program will lead to the desired changes and how these changes occur), define the program’s goals and objectives. ✓ Confirm that the goals and objectives capture the expected change process. Revise if necessary.
<p>2: Plan Your Evaluation Design</p> <p>The design you choose should be based on:</p> <ul style="list-style-type: none"> ✓ The type of evaluation you want to do; ✓ The resources you have available; and ✓ How you weigh the advantages and limitations of the different designs.
<p>3: Choose Your Measurement Tools</p> <ul style="list-style-type: none"> ✓ Select the type of measures you want to use to measure effectiveness. ✓ Select the specific measures and modify it as needed OR create your own measures. ✓ Decide if answers will be anonymous or confidential.
<p>4: Collect Your Data</p> <p>Before you collect your data, think about specifically what you are going to do. The goal is to ensure that all information is collected in a similar manner. This is true whether you are using surveys, focus groups, interviews or observations. You want to eliminate any variations that could influence your findings.</p>
<p>5: Analyze and Interpret Your Data</p> <p>The type of analysis you use will depend on a number of factors, including:</p> <ul style="list-style-type: none"> ✓ What evaluation questions you want to answer; ✓ Whether your data are quantitative or qualitative; ✓ The skills your staff have in data analysis; ✓ Outside help you can get from volunteers, interns or consultants; and

- ✓ How quickly you need results.

You may want to consider contracting with an outside consultant for this step. However, there are also simple analyses that you can do yourself using widely available software.

Note that this chapter briefly touched upon steps 1 through 3 (intended to get you started thinking about evaluation planning) but did not discuss steps 4 and 5 (actually collecting data and then analyzing and interpreting it).



Listen to a Prevent Connect podcast of [Activity-Based Evaluation: Building Evaluation into Prevention Curricula](#). This conversation is based on a workshop presented by M. Curtis at the 2013 National Sexual Assault Conference.



Additional related Internet resources (Shanholtzer, 2010): Community Tool Box: <http://ctb.ku.edu/en/>, American Evaluation Association: <http://www.eval.org/>, CDC's Evaluation Framework: <http://www.cdc.gov/eval/framework.htm>, Coalitions Work: <http://coalitionswork.com/>, University of Wisconsin Extension—Program Development and Evaluation: <http://www.uwex.edu/ces/pdande/index.html>, Kellogg Foundation: <http://www.wkkf.org/default.aspx?tabid=75&CID=281&NID=61&LanguageID=0>, and Basic Guide to Program Evaluation: http://www.managementhelp.org/evaluatn/fnl_eval.htm.

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Sample Participant Questionnaire

[This sample questionnaire, which includes both process and outcome evaluation components, can be customized for your audience and then administered at the close of a program/presentation. It can be one of several evaluation tools you use.]

Name of Program: _____ Date _____

Part 1: Participant Information

Check one: Male Female

[Insert additional questions for participant characteristics you want data on here]

Part II: Please indicate the extent to which you agree or disagree with the following statements about the presentation.

1 – I strongly disagree with this statement.

2 – I disagree with this statement.

3 – I neither agree nor disagree with this statement.

4 – I agree with this statement.

5 – I strongly agree with this statement.

NA – Not applicable

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Not Applicable
1. As a result of this presentation, I can [insert lesson objective 1 e.g., describe characteristics of healthy sexuality/healthy relationships].	1	2	3	4	5	NA
2. As a result of this presentation, I can [insert lesson objective 2].	1	2	3	4	5	NA
3. As a result of this presentation, I can [insert lesson objective 3].	1	2	3	4	5	NA

[Edit, delete and/or add questions in the above chart to fit the evaluative needs of your program. This section measures participant confidence in knowledge/skills gained; a pre-test/post-test could help verify knowledge/skills acquisition.]

Part III: Please indicate your level of satisfaction or dissatisfaction with each statement.

1 – Very dissatisfied

2 – Dissatisfied

3 – Neither satisfied nor dissatisfied

4 – Satisfied

5 – Very satisfied

Presenter 1: _____	Very Dissatisfied	Dissatisfied	Neither Satisfied nor Dissatisfied	Satisfied	Very Satisfied
1. Presenter's level of preparation	1	2	3	4	5
2. Presenter's knowledge of the subject	1	2	3	4	5
3. How the presenter encouraged discussion	1	2	3	4	5
4. How the presenter responded to questions and comments	1	2	3	4	5
5. Presenter's level of respect towards	1	2	3	4	5

Presenter 1: _____	Very Dissatisfied	Dissatisfied	Neither Satisfied nor Dissatisfied	Satisfied	Very Satisfied
participants					
Presenter 2: _____	Very Dissatisfied	Dissatisfied	Neither Satisfied nor Dissatisfied	Satisfied	Very Satisfied
1. Presenter's level of preparation	1	2	3	4	5
2. Presenter's knowledge of the subject	1	2	3	4	5
3. How the presenter encouraged discussion	1	2	3	4	5
4. How the presenter responded to questions and comments	1	2	3	4	5
5. Presenter's level of respect towards participants	1	2	3	4	5

Overall	Very Dissatisfied	Dissatisfied	Neither Satisfied nor Dissatisfied	Satisfied	Very Satisfied
6. Overall quality of presentation materials (handouts, audiovisuals)	1	2	3	4	5
7. Comfort of the meeting space	1	2	3	4	5
8. Time allotted for the material presented	1	2	3	4	5

[Edit, delete and/or add statements in the above chart to fit the evaluative needs of your program.]

9. What aspects of this presentation were most helpful and why?

10. Identify **three** things you plan to do or change as a result of the education you received through this presentation.

A. _____

B. _____

C. _____

11. Do you have any specific suggestions for changing the presentation to make it better for future participants?

[Edit, delete and/or add questions to fit the evaluative needs of your program.]

Thank you for completing the Participant Questionnaire.

Sample Logic Model: Sexual/Domestic Violence Prevention Program

(Adapted in part from Valle et al., 2007; Shanholtzer, 2010; Townsend, 2009)

Note that this sample is very simple; each component would need to be expanded with greater detail as program planning got underway. Desired short, intermediate and long-term outcomes would need to be added.

Program’s theory base: Societal norms condone sexual and domestic violence, particularly against women. In such an environment, individuals learn violent behavior, acceptance of violence and victim blaming, from sources such as family, peers and the media. This program seeks to positively change these social norms and influence individual attitudes and behaviors.

Outcomes: The ultimate goal of the program is to prevent sexual and domestic violence among students who attend the college. To that end, the program’s immediate/intermediate goals over the current academic year are to promote zero tolerance for this violence and develop students’ knowledge, skills, behavioral intentions and behaviors that support nonviolent behaviors.

Resources available to operate the program: E.g., staff, volunteers, time, materials, equipment, technology, finances and partnerships.

Program Activities	Objectives	Process/Performance Questions & Evaluation Methods	Outcome Questions & Evaluation Methods
Educational program for new students	Increase new students’ knowledge, skills, attitudes, behavioral intentions and behavior that promote zero tolerance for sexual and domestic violence.	Are educational programming and awareness activities being implemented as planned? What is the demographic breakdown of students? <i>Observe program using checklists and rating scales.</i>	Are the activities positively influencing students’ attitudes, knowledge, behavioral intentions and behaviors? <i>Pre/post test surveys with follow-up and post-program focus groups.</i> Are the activities making a positive difference? <i>Observation during student role plays and follow-up surveys, interviews and focus groups.</i>
Bystander intervention program and media campaign	Build student and faculty/staff skills to interrupt situations that could lead to sexual or domestic violence, speak out against social norms that support this violence, and be ally to survivors.	Is the program being implemented as planned? What is the demographic breakdown of attending students and faculty/staff? <i>Observe program using checklists and rating scales.</i> Are students/personnel satisfied with the program? <i>Survey participants</i> Has the media campaign been implemented as planned? <i>Observation with checklists.</i>	Are the activities positively influencing students and college personnel: Decreased acceptance of myths that support sexual and domestic violence, increased knowledge of sexual and domestic violence, increased pro-social bystander attitudes, increased bystander efficacy, and increased self-reports of actual bystander behaviors? <i>Pre/post test comparisons with follow-up.</i> Is the media campaign reinforcing concepts learned in the bystander intervention program? <i>Interviews,</i>

			<i>focus groups and observation.</i>
<p>College policy and practice review and development</p> <p>Training for college personnel on policies</p>	<p>Develop and promote policies and practices that support a strong comprehensive campus response to sexual and domestic violence—both prevention and intervention. Build faculty/staff knowledge of these policies and practices.</p>	<p>Are college administrators reviewing policies and practices and adjusting or developing as needed? <i>Review meeting minutes.</i></p> <p>What are personnel issues and concerns as training is implemented? <i>Interview staff.</i></p> <p>Are personnel satisfied with trainings? <i>Survey staff.</i></p>	<p>Are there college policies and practices in place supporting zero tolerance for sexual and domestic violence? <i>Records review.</i></p> <p>Are administrators/faculty/staff complying with campus policies related to sexual and domestic violence? Are they supporting creating an environment that promotes prevention of sexual and domestic violence <i>Post-training observation of events.</i></p>
<p>Community networking</p>	<p>Activities promote partnerships that support zero tolerance for sexual and domestic violence on the college campus.</p>	<p>Which agencies are being collaborated with? Are collaborators satisfied with the level of partnerships? <i>Survey and/or interview staff and community agencies.</i></p>	<p>Do community agencies support the college's efforts in promoting zero-tolerance for sexual and domestic violence? <i>Follow-up surveys, interviews and focus groups.</i></p>



F. Resources

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INTRODUCTION

Sections A-C of this toolkit were created to assist you in preparing to present trainings, as well as to assist you in presenting prevention programs on campus regarding interpersonal violence. Section A is designed to help you assess any additional information you may need. Section B provides supplemental information regarding interpersonal violence and related laws, while Section C prepares educators and first responders for disclosures on college campuses. Sections D and E are intended to prepare campuses for developing a comprehensive prevention program in coordination with the local rape crisis centers.

This section (F) of the toolkit is designed to help you identify the training content you want to include and plan a training agenda. Several resources have been created specifically for those purposes and are included in separate electronic files in the toolkit folder. These resources are:

- Bystander intervention training presentation with detailed notes pages
- Dating Violence ppt. training presentation with detailed notes pages
- Domestic Violence ppt. training presentation with detailed notes pages
- Sexual Violence ppt. training presentation with detailed notes pages
- Stalking ppt. training presentation with detailed notes pages

*The Facilitator's Guides for each of the presentations listed above are in this section, below.

Each powerpoint presentation provides an overview of the issue, details the related laws, incorporates training activities and identifies additional resources that can be incorporated into the training. The corresponding Facilitator's Guide for each powerpoint presentation (which can also be found below in this section) includes a suggested training outline with topics/estimated time needed; training objectives; a list of audio visuals included in the suggested training presentation and the length of each video/clip; a list of handouts/resources included in the suggested training outline and where those items can be accessed; and identifies additional resources that could supplement a training on that topic.

In addition to those resources cited above that can be found in the accompanying electronic files, this section (F) includes Resource Charts. These charts are a compilation of materials reviewed by a toolkit workgroup committee and selected as promising practices for prevention and training programs (or as supplemental materials to such programs) for college campuses. The resources, their costs and acquisition information are listed as of their availability in June 2014. This is not an exhaustive listing of resources. Not all resources reviewed were selected for inclusion. Resources were selected based on the following criteria:

- ✓ Meets components of the nine core principles of effective prevention programming (as identified in effective interpersonal violence prevention programming research by Nation et al. 2003);
- ✓ Adaptability;
- ✓ Interactive, if possible; and
- ✓ Mostly low/no cost.

Following the Facilitator's Guides, a sample participant evaluation form is included to assist you in collecting feedback on your training/presentation.

Users of this toolkit are encouraged to review other toolkit sections. The most updated version of this toolkit can be accessed at www.fris.org.

Anyone considering conducting interpersonal violence trainings or prevention programs on college campuses is encouraged to contact the rape crisis/domestic violence program in their community. West Virginia's rape crisis centers have most of the resources listed in this toolkit and have trained staff and prevention education specialists available to assist in presenting programs on campuses. Contact information for West Virginia's rape crisis centers can be found at www.fris.org.



Acquiring new knowledge and putting it into practice is a process. You are not expected to “know” the information in the toolkit all at once. Instead, you can work through toolkit sections at your own pace, building your knowledge base as you go.

Websites are often updated or changed, which may result in change in a web address for a referenced resource or in its online availability. If you experience difficulty accessing a resource via the link provided in the following charts, another option for locating it is doing a web search using titles or contacting the publishing organization directly to see how to access the material.

F1. BYSTANDER INTERVENTION PRESENTATION

FACILITATOR'S GUIDE

The following information is provided to assist individuals training on campuses using the Bystander Training Presentation powerpoint, part of the West Virginia Prevention and Interpersonal Violence Intervention Training (PIVIT) Toolkit: Prevention Edition. In working to keep the audience engaged, consider supplementing the powerpoint with additional materials, listed in this Facilitator's Guide and the Resource Chart (also part of this section F). Each of the handouts, activities and videos suggested in this training powerpoint can be found electronically at www.fris.org as part of the PIVIT Toolkit.

Local rape crisis and domestic violence programs have additional resource materials, including DVDs listed below and can co-present on this topic (visit www.fris.org to find the nearest center). Please review videos, suggested handouts and supplemental materials thoroughly prior to including them in a training presentation. Remember to cite sources, even if the only available information is a web address. For additional information or technical assistance, contact the WV Foundation for Rape Information and Services.

Suggested Presentation Outline

A. Introduction and Welcome	20 min.
B. Defining Types of Interpersonal Violence	15 min.
C. Primary Prevention & Introducing the Bystander	50 min.
D. Identifying High Risk Behaviors	35 min.
E. Obstacles to Acting	25 min.
F. Identifying Solutions	35 min.
G. Next Steps	20 min.

Total Estimated Time (with breaks): 4 hours

Objectives:

1. Recognize reasons why people may not intervene in high risk situations.
2. Increase confidence and develop skills to be an active bystander.
3. Empower other students to act and create a safer environment on campus.

Audio/Visual Aids:

- Chart paper for discussion
- Choices video clip

Supplies Needed:

- Speakers/Audio
- Laptop/Projector

Handouts:

- BINGO
- Harvey Story
- OAESV Fact Sheet Bystander Intervention (optional)

Training Information Adapted From:

- Prevention and Interpersonal Violence Intervention Toolkit: Prevention Edition, Section *D. Getting Started Promoting Prevention* (WV FRIS, 2014)
- Green Dot, etc., Inc. Training

*For additional information or assistance training campus RAs, contact WV FRIS at www.fris.org.

F2. DATING VIOLENCE TRAINING PRESENTATION

FACILITATOR'S GUIDE

The following information is provided to assist individuals training on campuses using the Dating Violence Training Presentation powerpoint, part of the West Virginia Prevention and Interpersonal Violence Intervention Training (PIVIT) Toolkits. In working to keep the audience engaged, consider supplementing the powerpoint with additional materials, listed in this Facilitator's Guide and the Resource Chart (also part of this section F). Each of the handouts, activities and videos suggested in this training powerpoint can be found electronically at www.fris.org as part of the PIVIT Toolkit.

Local rape crisis and domestic violence programs have additional resource materials, including DVDs listed below and can co-present on this topic (visit www.fris.org to find the nearest center). Please review videos, suggested handouts and supplemental materials thoroughly prior to including them in a training presentation. Remember to cite sources, even if the only available information is a web address. For additional information or technical assistance, contact the WV Foundation for Rape Information and Services.

Suggested Presentation Outline

A. Introduction and Welcome	10 min.
B. Dynamics of Dating Relationships	20 min.
C. Defining Dating Violence and Prevalence	40 min.
D. Impact, Risk Factors & Safety Planning	50 min.
E. Impact on Victims	15 min.
F. Safety Planning	15 min.

Total Estimated Time (with breaks): 3 hours

Objectives:

1. Recognize the prevalence of dating violence and understand the dynamics of relationships among youth
2. Understand the impact dating violence has on victims
3. Identify risk factors and warning signs of dating violence
4. Gain knowledge of protective capacities available to victims

Audio/Visual Aids:

- Chart Paper (optional for discussions)

Supplies Needed:

- Dating Violence Continuum Activity (See the Sexual Violence Continuum Activity Instructions to adapt this activity, which can be found in the detailed notes within the powerpoint presentation.)
- Speakers/Audio
- Laptop/Projector

Handouts:

- A College Student's Guide to Safety Planning by Break the Cycle
- Brochures (services on and off-campus)
- Campus Dating Violence – Fact Sheet by Office on Victims of Crime and Dating Violence Resource Center

Supplemental Resources:

- Campus and Dating Violence Information Packet by CALCASA
- Dating and Domestic Abuse on Campus by Break the Cycle
- Teen Dating Abuse and Harassment in the Digital World: Implications for Prevention and Intervention
- The Right to Safe Housing on College Campuses by ACLU and SAFER

Training Information Adapted From:

- Liz Claiborne, Inc./Teen Research Unlimited, 2007 Tween and Teen Dating Violence and Abuse Study, www.loveisrespect.org

*Note: The supplemental resources for dating violence and domestic violence overlap. You may choose to combine these two topics into one training.

F3. DOMESTIC VIOLENCE TRAINING PRESENTATION

FACILITATOR'S GUIDE

The following information is provided to assist individuals training on campuses using the Domestic Violence Training Presentation powerpoint, part of the West Virginia Prevention and Interpersonal Violence Intervention Training (PIVIT) Toolkits. In working to keep the audience engaged, consider supplementing the powerpoint with additional materials, listed in this Facilitator's Guide and the Resource Chart (also part of this section F). Each of the handouts, activities and videos suggested in this training powerpoint can be found electronically at www.fris.org as part of the PIVIT Toolkit.

Local rape crisis and domestic violence programs have additional resource materials, including DVDs listed below and can co-present on this topic (visit www.fris.org to find the nearest center). Please review videos, suggested handouts and supplemental materials thoroughly prior to including them in a training presentation. Remember to cite sources, even if the only available information is a web address. For additional information or technical assistance, contact the WV Foundation for Rape Information and Services.

Suggested Presentation Outline

A. Introduction and Welcome	10 min.
B. WV Laws	15 min.
C. Prevalence of Domestic Violence	10 min.
D. Impact on Victims	20 min.
E. Safety Planning	10 min.
F. Law Enforcement Response	40 min.
G. Resources	5 min.

Total Estimated Time (with breaks): 2 hours

Objectives:

1. Define terms and understand WV laws
2. Recognize the prevalence of domestic violence in the U.S. and WV
3. Understand abusive behavior dynamics and the impact these relationships have on victims
4. Gain knowledge to explore options available to victims, including protective factors
5. Identify investigative techniques for responding to incidents of domestic violence

Audio/Visual Aids:

- Chart Paper (optional for discussions)

Supplies Needed:

- Speakers/Audio
- Laptop/Projector

Handouts:

- A College Student's Guide to Safety Planning by Break the Cycle
- Brochures (services on and off-campus)
- Campus Dating Violence – Fact Sheet by Office on Victims of Crime and Dating Violence Resource Center

Supplemental Resources:

- Campus and Dating Violence Information Packet by CALCASA
- Dating and Domestic Abuse on Campus by Break the Cycle
- Teen Dating Abuse and Harassment in the Digital World: Implications for Prevention and Intervention
- The Right to Safe Housing on College Campuses by ACLU and SAFER

Training Information Adapted From:

- WV Domestic Violence Response Guide for Law Enforcement Officers, 2011

*Note: The supplemental resources for dating violence and domestic violence overlap. You may choose to combine these two topics into one training.

F4. SEXUAL VIOLENCE TRAINING PRESENTATION

FACILITATOR'S GUIDE

The following information is provided to assist individuals training on campuses using the Sexual Violence Training Presentation powerpoint, part of the West Virginia Prevention and Interpersonal Violence Intervention Training (PIVIT) Toolkits. In working to keep the audience engaged, consider supplementing the powerpoint with additional materials, listed in this Facilitator's Guide and the Resource Chart (also part of this section F). Each of the handouts, activities and videos suggested in this training powerpoint can be found electronically at www.fris.org as part of the PIVIT Toolkit, with the exception of DVDs.

Local rape crisis and domestic violence programs have additional resource materials, including DVDs listed below and can co-present on this topic (visit www.fris.org to find the nearest center). Please review videos, suggested handouts and supplemental materials thoroughly prior to including them in a training presentation. Remember to cite sources, even if the only available information is a web address. For additional information or technical assistance, contact the WV Foundation for Rape Information and Services.

Suggested Presentation Outline

A. Introduction and Welcome	10 min.
B. WV Laws	30 min.
C. Prevalence	20 min.
D. Gendered Violence	20 min.
E. Risk Factors	10 min.
F. Sex Offenders	35 min.
G. Impact on Victims	30 min.
H. Welcome to the Party (DVD)	34 min.
I. Conclusion/Wrap-Up	20 min.

Total Estimated Time (with breaks): 4 hours

Objectives:

1. Understand WV law related to sexual abuse and sexual assault
2. Recognize the prevalence of sexual violence in the U.S., WV and on college campuses
3. Understand the impact society has on perpetuating gender violence
4. Identify risk factors associated with sexual victimization
5. Understand the predatory nature of sex offenders
6. Identify concerns of victims and the impact sexual assault has on their lives

Audio/Visual Aids:

- Gendered Violence Art Ad with Music Lyrics 2:00 min. (can vary)
- 911 Call (“It’s my fault.”) 5:19 min.
- Gender Violence Ad Art 0:31 min.
- The Undetected Rapist (DVD) 23:00 min.
- Karen Clip 5:52 min.
- Welcome to the Party (DVD) 30:00 min.

Supplies Needed:

- Myth, Fact, Not Sure Cards (optional 3x5 cards you can pass out to participants and use to do the myth/fact section)
- Sexual Violence Continuum Activity (11x17 cards; see the Sexual Violence Continuum Activity Instructions below)
- Speakers/Audio
- Laptop/Projector

Handouts:

- Brochures (services on and off-campus)
- Sexual Violence on College Campuses brochure (www.fris.org or local rape crisis center)
- WV Protocol for Responding to Victims of Sexual Assault (WV FRIS @ www.fris.org)

Supplemental Resources:

- Drug-facilitated sexual assault PowerPoint presentation (WV FRIS), available at www.fris.org.
- Reconstructing Norms: A Curriculum to Educate College Campuses about Sexual Assault Prevention (WV FRIS, 2012 available at www.fris.org)
- Lisak, David and Miller, Paul (2002) Repeat Rape and Multiple Offending Among Undetected Rapist, *Violence and Victims* 17(1), 73-84.
- Undetected Rapist DVD Discussion Guide (PDF)

Training Information Adapted From:

- Oregon Sexual Assault Task Force, LETCBP (Law Enforcement Training Capacity Building Project) Curriculum, 2012
- Reconstructing Norms: A Curriculum to Educate College Campuses about Sexual Assault Prevention (WV FRIS, 2012)
- WV Sexual Violence Training and Prevention Resource Toolkit for College Campuses (WV FRIS, 2012)

F5. SEXUAL VIOLENCE CONTINUUM ACTIVITY INSTRUCTIONS

Supplies: Sexual Violence Continuum Activity

- Ten 11x17 numbered cards with types of sexual violence
 1. Anal Sodomy
 2. Molestation
 3. Genital touching of unconscious person
 4. Voyeurism
 5. Incest
 6. Posting nude pictures of minors
 7. Oral Sodomy
 8. Sexual Harassment
 9. Vaginal Rape
 10. Fondling
- Three 11x17 card with categories
 1. Sexual assault
 2. Sexual abuse
 3. Other crimes

Directions:

- 1) Post the three categories in different areas of the room (i.e., sexual assault, sexual abuse and other crimes).
- 2) Ask for ten volunteers. Give one 11x17 card to each volunteer and ask them to stand in a row in the front of the room.
- 3) Then ask participants to rank the forms of sexual violence in order from most offensive to least offensive. One being “most offensive” and ten being “least offensive.” (They can do this on a sheet of paper (see below), or you can have them ‘shout-out’ their order as a group.)
 - a. Ask for a volunteer to share their ranking. Once the volunteers holding the cards have been placed in order, ask if anyone disagrees with the current order. What would they change? Does someone else have a different ranking they would like to share?
- 4) Generate conversation by using the discussion questions and talking points below.
- 5) Next, ask participants to decide which types of sexual violence fit under the three categories. Trainers may place the category cards on the wall in different areas of the room and ask volunteers holding the numbered cards to go stand under the category card with which the participants have chosen. (See below for answers.)
- 6) Generate additional discussion by using the talking points below.

**You may choose to do the activity without the three category cards if you are not training on WV laws.*

Discussion Questions and Talking Points:

- 1) How easy or difficult was it to put the different types of sexual violence “in order?”
 - It is difficult, if not impossible, to “rank” forms of sexual violence. No type of sexual violence is “worse” or “better” than another.

- Ultimately, only victims can decide for themselves the degree of offense and severity they have experienced.
 - No victim should ever be made to feel “less” or “more” of a victim than another.
- 2) Were you surprised by any of the “situations”? Did some types of sexual violence seem out of place?
- Often, when people think of “sexual violence,” they think of rape – a physically violent assault by a stranger. Nine out of 10 times, the victim knows her perpetrator (Fisher, Cullen & Turner, 2000).

Talking Points (See *WV Sex Offenses and Related Laws* at www.fris.org):

- 1) Sexual assault may include: anal sodomy, oral sodomy, incest, molestation, vaginal rape and genital touching of an unconscious person, if there is penetration.
 - Sexual assault in West Virginia requires sexual intercourse or sexual intrusion, involving penetration, however slight. (Depending on the nature and particular circumstances of an act, additional and/or sexual abuse charges may apply. See *WV Sex Offenses*, as indicated above for further clarification.)
- 2) Sexual abuse may include: fondling.
 - Sexual abuse in West Virginia occurs when a person subjects another person to sexual contact without their consent, and that lack of consent is due to physical force, threat or intimidation.
- 3) Other crimes can include: voyeurism, posting nude pictures of minors and sexual harassment.

Note: If you have a small group, another way to do this activity would be to provide the participants with a copy of the list (1-10) and have them rank order from “least offensive” to “most offensive” on a sheet of paper. Have a volunteer read theirs out loud and ask if anyone else has the same order.

F6. STALKING TRAINING PRESENTATION

FACILITATOR'S GUIDE

The following information is provided to assist individuals training on campuses using the Stalking Training Presentation powerpoint, part of the West Virginia Prevention and Interpersonal Violence Intervention Training (PIVIT) Toolkits. In working to keep the audience engaged, consider supplementing the powerpoint with additional materials, listed in this Facilitator's Guide and the Resource Chart (also part of this section F). Each of the handouts, activities and videos suggested in this training powerpoint can be found electronically at www.fris.org as part of the PIVIT Toolkit, with the exception of DVDs.

Local rape crisis and domestic violence programs have additional resource materials, including DVDs listed below and can co-present on this topic (visit www.fris.org to find the nearest center). Please review videos, suggested handouts and supplemental materials thoroughly prior to including them in a training presentation. Remember to cite sources, even if the only available information is a web address. For additional information or technical assistance, contact the WV Foundation for Rape Information and Services.

Suggested Presentation Outline

A.	Introduction and Welcome	10 min.
B.	Overview/Impact on Victims	30 min
C.	WV and Federal Laws	35 min.
D.	Stalking Behaviors/Offender Typologies	40 min.
E.	Overlap with other Crimes	50 min.
F.	Investigation and Safety Planning	60 min.

Total Estimated Time (with breaks): 4 hours

Objectives:

1. Understand WV and Federal laws related to stalking to increase the likelihood of an arrest
2. Recognize the prevalence of stalking in the U.S. and WV
3. Identify stalking behaviors and offender typologies to better understand the dynamics of stalking and the impact on victims
4. Explain the overlap of stalking and sexual and domestic violence
5. Gain knowledge and skills to conduct effective interviews and collect potential evidence

Audio/Visual Aids:

- Peggy Klinke/Stalking: Real Fear, Real Crime (video clip/DVD) 17:21 min.

- The Use of Technology to Stalk (DVD) 15:00 min.
- The Undetected Rapist (DVD) 23:00 min.
- WV Stalking Kit

Supplies Needed:

- Chart Paper/Markers
- Speakers/Audio
- Laptop/Projector

Handouts/Supplemental Resources:

- Stalking Fact Sheet (Stalking Resource Center)
- Stalking Module Post-test (WV FRIS)
- Stalking Response Tips for Law Enforcement (Stalking Resource Center)
- Stalking Scenarios – “Is it Stalking?” (WV FRIS)
- Stalking Scenarios – “Working with Victims” (WV FRIS)

Information Adapted From:

- WV Foundation for Rape Information and Services, Stalking Training-of-Trainers Module (WVFRIS, 2009)
- WV Sexual Violence Training and Prevention Resource Toolkit for College Campuses (WV FRIS, 2012)

F7. SAMPLE PARTICIPANT TRAINING EVALUATION FORM

Insert Title of Training

Your feedback is important and necessary to improve future presentations.

1. What department/discipline best represents you?

- | | | |
|---|--|---|
| <input type="checkbox"/> Law Enforcement/Security | <input type="checkbox"/> RA | <input type="checkbox"/> Mental Health/Counseling |
| <input type="checkbox"/> Title IX Coordinator | <input type="checkbox"/> Advocate | <input type="checkbox"/> Faculty/Staff |
| <input type="checkbox"/> Student Health | <input type="checkbox"/> Student Affairs | <input type="checkbox"/> Student/Peer Educator |
| <input type="checkbox"/> Other _____ | | |

2. Please answer the following:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The session and content increased my knowledge.					
The facilitators were well prepared.					
I will be able to apply what I learned in my work/prevention efforts.					
I liked the format and style of the training (e.g., length, discussions, activities).					
I would recommend this training to others on campus.					
I was provided with helpful resources.					
Overall, I enjoyed this workshop.					

3. What did you gain today that will impact your future work, and how so?

4. Comments/Recommendations (If you marked “disagree” to any of the above, please explain below.):

F8. RESOURCE CHARTS

Booklets

Resource	Author(s)/ Pub., Date	Audience	Description	Cost/How to Purchase or Access
<i>Bystander Intervention Playbook</i>	Virginia Polytechnic Institute and State University (Virginia Tech), adapted with permission from the College of William and Mary, updated 2009, not copyrighted	College students	Provides an easy-to-follow resource for understanding and educating about bystander intervention. Can serve as a primary prevention tool for a variety of campus populations.	No cost through http://www.stopabuse.vt.edu/pdf/playbook.pdf/
<i>Stalking: A Handbook for Victims</i>	Emily Spence-Diehl, University of Virginia, updated 1999, copyrighted	Stalking victims	Provides 80 pages of information about the elements of stalking, taking legal and protective action against stalking, as well as safety and planning procedures. Gives an overview of stalking on college campuses and offers safety precautions for the student population.	No cost through http://www.ncvc.org/src/AGP.Net/Components/DocumentViewer/Download.aspxnz?DocumentID=45093
<i>Stalking Brochure</i> English, Spanish	Idaho Coalition Against Sexual and Domestic Violence, 2008, copyrighted	Variety	Provides information about several aspects of stalking including: what stalking is, statistics, myths and facts, profile of stalkers, what to do if you are a victim, cyberstalking, what to do if you are a friend of a victim, and resources. Gives a simplified overview of stalking; comes in booklet form that could be used as an example for campuses creating their own stalking resource handbook. Available in English and Spanish.	No cost through idvsa.org/ , go to resource/publication link Fees may apply if shipping is over \$50.

Books

Resource	Author(s)/ Pub., Date	Audience	Description	Cost/How to Purchase or Access
<i>May I Kiss You?</i>	Mike Domitrz, Awareness Publications, 2003, copyrighted	Teens, college students, parents, educators	Heightens sexual assault awareness while providing exercises for building healthy relationships in today's culture. Can be used as a primary prevention tool for male and female college students.	\$19.97 Softcover and \$9.97 PDF through http://www.datesafeproject.org/educational-tools-resources
<i>Reaching Men: Strategies for Preventing Sexist Attitudes, Behaviors, and Violence</i>	Russ Funk, JIST Life, 2003, copyrighted	Men	Reference book that educates men about sexual violence and sexism and how they can prevent the problem. Focuses on changing social attitudes of men that promote violence against women.	Cost varies. Limited copies may be available on Amazon or similar websites.

Brochures/Fact Sheets

Resource	Author(s)/ Pub., Date	Audience	Description	Cost/How to Purchase or Access
<i>When Drugs Are Used for Rape</i>	West Virginia Foundation for Rape Information and Services (FRIS)	Variety	This brochure summarizes the different drugs that are used in drug facilitated assault, the laws pertaining to drugs and sexual violence, how a drug facilitated assault occurs, and what to do if you are a victim. Can be used as a general information resource for college campuses.	No cost through www.fris.org , resources link

Curricula/Manuals/Toolkits

Resource	Audience	Time/ Sessions	Description	Cost/How to Purchase or Access
<i>A Call to Men: Toolkit</i> By A Call To Men: Committing to Ending Violence Against Women	College men	35-minute DVD and curriculum manual with discussions Can be adapted for different time allotments	Through seminars, workshops and other educational vehicles, A Call To Men: Committing to Ending Violence Against Women challenges men to reconsider their long held beliefs about women in an effort to create a more just society. The program achieves this goal by encouraging change in the behaviors of men through a re-education and training process that challenges sexism. "Breaking Out of the Man Box" DVD is one resource offered by the group and is the basis for the group's resource toolkit. <i>(Note from the toolkit work group: We suggest using this resource in conjunction with other resources for a more comprehensive discussion on the causes of sexual violence. This resource focuses on sexism as a root cause of sexual violence. However, we believe there are many complex factors that contribute to sexual violence.</i>	DVD is available for \$29.99, a workbook for \$12, and complete toolkit available for \$45 through http://www.acalltomen.com/page.php?id=48
<i>Consensual Sex or Rape? Mock Rape Trial Guide and Video*</i> By Pennsylvania Coalition Against Rape (PCAR), copyrighted	College students	10-minute DVD and curriculum manual with discussions	Offers a tool for presenting drug facilitated sexual assault information to college students. Includes a mock trial video along with a guide for discussion after the viewing.	\$35 through www.pcar.org/catalog
<i>Engaging Bystanders in Sexual Violence Prevention</i> By National Sexual Violence Resource Center, copyrighted (2008)	Variety of audiences Can be adapted to diverse audiences and persons with disabilities	Three, 20 minute small group activities and four role playing scenarios lasting 45 minutes Can be adapted for different time allotments	Can be used for educating audiences about bystander prevention. Should be used as a primary prevention resource that can target a variety of populations. Contains role playing scenarios and small group activities along with reading materials.	No cost through http://www.nsvrc.org/sites/default/files/Publications_NS_VRC_Booklets_Engaging-Bystanders-in-Sexual-Violence-Prevention.pdf

Curricula/Manuals/Toolkits *Continued*

Resource	Audience	Time/ Sessions	Description	Cost/How to Purchase or Access
<i>Love is Not Abuse</i> By Liz Claiborne, Inc., 2011	College students	72-page curriculum	Aims to increase college students' understanding of dating violence (which includes sexual violence) and challenges their misconceptions and beliefs that 'support' dating violence.	Request a free electronic copy through http://loveisnotabuse.com/web/quest/home
<i>Stop Sexual Violence: A Sexual Violence Bystander Intervention Toolkit</i>	College students	36 page toolkit	Stop Sexual Violence is a toolkit intended for use by middle and high school teachers, college professors, faculty members, administrators, youth group leaders, faith leaders and other youth program coordinators.	http://www.health.ny.gov/publications/2040.pdf
<i>The Men's and Women's Programs: Ending Rape Through Peer Education*</i> By John Foubert, updated 2010, copyrighted	College staff setting up sexual assault prevention programs using peer educators Peer educators	1-hour workshops for both male and female peer educators Over 20 hours of basic and advanced training exercises Can be adapted to diverse target student populations	Easy-to-use manual for people who work with college students and seek a step-by-step guide for building a sexual assault peer education program from start to finish. Stand-alone topics can include alcohol and sexual assault, bystander intervention, and consent. The included exercises can also double as adapted stand-alone programs for peer educators to use when presenting to students. Peer education can be used as a primary prevention tool for campuses.	\$39.95 Paperback, access through www.taylorandfrancis.com/books/
<i>The Men's Program: Peer Educator's Manual*</i> By John Foubert, updated 2010, copyrighted	College staff setting up sexual assault prevention program targeted at men using peer educators	102-page paperback guide	Geared to facilitate a men's program through the use of peer educators. The guide is a self-contained manual that includes program scripts and handouts, along with advice for running the program. After watching video clips about rape, participants are asked to participate in a discussion that puts them in the shoes of the victim and perpetrator. Prevention techniques are covered including bystander intervention.	Can be purchased in quantities of 10 for \$100 through www.taylorandfrancis.com/books/
<i>Reconstructing Norms: Preventing Alcohol Related Sexual Assault on College Campuses</i> By Pennsylvania Coalition Against Rape (PCAR), adapted by West Virginia Foundation for Rape Information and Services (FRIS) in 2012, not copyrighted	West Virginia college students and staff Materials can be used with diverse audiences and contains suggestions for adapting to the Greek population and athletes	334-page curriculum/manual 2-hour session for males, 2-hour session for female students, 1-hour sessions for select campus staff	Gives facilitators a tool for educating the campus community about sexual assault. Includes general education about the connection between alcohol and sexual assault along with lesson plans for several campus groups, including male and female students, campus police, administrators and judicial officers, and healthcare staff. The male program focuses on primary prevention and includes several role-playing scenarios and seven activities for the male group to work through together. The women's program is more focused on secondary and tertiary prevention, since the activities include information about risk reduction and what to do after a sexual assault has occurred. There are also sessions and for campus police, judicial officers and healthcare staff.	FRIS' West Virginia specific version can be accessed at no cost through www.fris.org/resources/campus sexual violence prevention link PCAR's version can be accessed at no cost through www.pcar.org/sites/default/files/file/TA/Reconstructing_Norms.pdf
<i>PACT Program: Promoting Awareness of the College Transition</i> By Pennsylvania Coalition Against Rape (PCAR), adapted by West Virginia Foundation for Rape Information and Services (FRIS) in 2011	High school seniors in West Virginia Freshman college students in West Virginia	20-page curriculum	Provides an introduction to sexual violence. Covers topics such as consent, drugs and alcohol, risk reduction, healthy relationships, and stalking.	FRIS' WV specific version can be accessed at no cost through www.fris.org PCAR's version can be accessed through http://www.pcar.org/sites/default/files/file/TA/PACT_Booklet.pdf

Curricula/Manuals/Toolkits *Continued*

Resource	Audience	Time/Sessions	Description	Cost/How to Purchase or Access
<p><i>Sexversations*</i></p> <p>By Kelly Addington and Becca Tieder, 2009</p>	Sexversations® can be used with, student organizations, classes, peer educator groups, etc.	A deck of cards and Facilitator's Manual are broken into various categories for group conversations.	Sexversations® is a powerful educational tool that's all about inspiring straight talk and clever discussions. The manual is designed to help facilitators lead effective group discussions. Notes, suggestions, leading questions and sample discussion points are provided for each Sexversation card. The facilitator can use the cards separately, by topic, category or as a complete deck.	The card game is \$15 and the Facilitator's Manual is \$99 available through http://kellyandbecca.com/
<p><i>Shifting the Paradigm: Primary Prevention of Sexual Violence Toolkit</i></p> <p>By American College Health Association, updated 2008</p>	Anyone on campus who cares about sexual violence prevention	24-page document	Provides facts, ideas, strategies, conversation starters and resources on the prevention of sexual violence on college campuses.	No cost through www.acha.org/sexualviolence/
<p><i>Technical Assistance Guide and Resource Kit for Primary Prevention and Evaluation</i></p> <p>By Pennsylvania Coalition Against Rape (PCAR), 2009</p>	Prevention educators	253-page resource toolkit	This manual is intended to support prevention educators in building upon what they are already doing to evaluate their programs. It is divided into five sections: Introduction to Primary Prevention; Primary Prevention Strategies; Introduction to Program Evaluation; Basic Steps for Evaluating Your Programs; and Evaluation Resources.	No cost through http://www.pcar.org/pdf/TA_Guide_and_Resource_Kit_for_Primary_Prevention_and_Evaluation.pdf
<p><i>Toolkit Training Curriculum: A Toolkit Curriculum to Promote Male Involvement in Ending Sexual Violence</i></p> <p>By Men Against Sexual Violence (MASV), a program of the Pennsylvania Coalition Against Rape (PCAR), 2001, not copyrighted</p>	Male college students	123-page curriculum	Designed to provide a starting point for agencies who wish to reach out to men in the community and get them involved in preventing sexual violence. Includes a basic framework for education and involvement, as well as a few of the strategies that have proven successful for MASV participants in Pennsylvania.	No cost through www.menagainstsexualviolence.org/toolkit/toolkit.pdf
<p><i>Take Action Against Sexual Assault: A Toolkit for Preventing and Fighting Sexual Assault in Your Community and on Your Campus</i></p> <p>By National Organization for Women, 2008</p>	Anyone interested in designing a campaign for awareness and prevention of violence against women on their college campus	28-page document	Offers guidance on identifying resources and programs essential for a prevention program, how to evaluate a campus program to determine its effectiveness, and how to raise awareness. Includes an awareness and campus resource quiz.	No cost through www.now.org/issues/violence/NOW_Sexual_Assault_Toolkit.pdf
<p><i>Programming Module—Men and Boys</i></p> <p>By Virtual Knowledge Centre to End Violence Against Women and Girls, updated 2011</p>	Anyone wishing to engage men and boys in efforts to end violence against women and girls	170-page online module	Working with boys and men is essential for ending violence against women and girls, so this module provides guidance on how to engage this target audience. The module draws on knowledge from experts and existing programs that have been proven effective. By completing the entire module, you will learn about the entire process of creating a program for this population.	No cost through www.endvawnow.org/?men-boys
<p><i>Resident Assistant/Adviser Training Module</i></p> <p>By WV Foundation for Rape Information and Services (FRIS)</p>	Resident assistants/advisers on college campuses	Approximately one hour to complete	This online module is designed to provide information and resources on the issues of stalking and sexual misconduct for resident assistants/resident advisers on college campuses.	No cost through www.fris.org , resources/RA training module link

Other Resources

Resource	Author(s)/ Pub., Date	Audience/Time/ Sessions	Description	Cost/How to Purchase or Access
<i>Alcohol and Sexual Violence Perpetration</i>	Antonia Abbey, VAWnet, National Online Resource Center on Violence Against Women, 2008	16-page applied research paper for a variety of audiences	Summarizes the research literature that examines alcohol's role in sexual violence perpetration. Rich in statistics about alcohol use prior to sexual violence and statistics about perpetrators and their alcohol use.	No cost through www.vawnet.org , search VAWnet This Applied Research Paper and In Brief may be reprinted in its entirety or excerpted with proper acknowledgement to the author and VAWnet, but may not be altered or sold for profit.
<i>Culturally Competent Service Provision to Lesbian, Gay, Bisexual, and Transgender Survivors of Sexual Violence</i>	Sabrina Gentle-warrior with Kim Fountain, VAWnet, National Online Resource Center on Violence Against Women, 2009, not copyrighted	19-page applied research paper for individuals who work with LBGTQ communities	Provides a review of the research focusing on LGBTQ survivors of sexual trauma and offers recommendations on how to be culturally sensitive when addressing sexual violence issues with LBGTQ communities. There are several good studies included in the survey that examine the effects of victimization of the LBGTQ community on college campuses.	No cost through www.vawnet.org , search VAWnet This Applied Research paper and In Brief may be reprinted in its entirety or excerpted with proper acknowledgement to the author and VAWnet, but may not be altered or sold for profit.
<i>Drug-facilitated Sexual Assault Powerpoint Presentation</i>	West Virginia Foundation for Rape Information and Services (FRIS), 2012	Varies depending on audience and amount of material and supplemental resources/videos used	This powerpoint is intended to assist in providing training and/or awareness programs on the issue of drug-facilitated sexual assault. Initially developed to train first responders, particularly law enforcement on college campuses, it can be adapted for other audiences.	No cost through www.fris.org
<i>Green Dot, et cetera, Inc.</i>	Dorothy Edwards, Ph.D.	4 day in-class training for campus prevention educators	Participants strengthen competence through experiential components including giving and receiving feedback, and small group process, practice and discussion. The Green Dot etc. training will focus on building capacity as an instructor within each of the 4 components of Green Dot etc..	Contact trainers at https://www.livethegreendot.com
<i>Preventing Sexual Violence on College Campuses: Lessons from Research and Practice</i>	Prepared for the White House Task Force, April 2014	36-page document for campuses to provide effective prevention programming	Describes the best practices in developing, selecting, and implementing prevention strategies with the highest chance of successfully changing sexual violence in communities. A description of programs that work, programs that may work, and programs that don't work are included.	At no cost through www.notalone.gov under prevention resources
<i>The Relationship Between Alcohol Consumption and Sexual Victimization</i>	Jeanette Norris, VAWnet, National Online Resource Center on Violence Against Women, 2008	14-page educational article targeting anyone interested in learning about alcohol and its influence on sexual victimization	Reviews and critiques research examining the relationship between alcohol consumption and sexual victimization. This resource can serve as a good tool for campus prevention and intervention staff.	No cost through www.vawnet.org This Applied Research paper and In Brief may be reprinted in its entirety or excerpted with proper acknowledgement to the author and VAWnet, but may not be altered or sold for profit.

Other Resources *Continued*

Resource	Author(s)/ Pub., Date	Audience/Time/ Sessions	Description	Cost/How to Purchase or Access
<i>The Relationship Between Alcohol Consumption and Sexual Victimization</i>	Jeanette Norris, VAWnet, National Online Resource Center on Violence Against Women, 2008	14-page educational article targeting anyone interested in learning about alcohol and its influence on sexual victimization	Reviews and critiques research examining the relationship between alcohol consumption and sexual victimization. This resource can serve as a good tool for campus prevention and intervention staff.	No cost through www.vawnet.org This Applied Research paper and In Brief may be reprinted in its entirety or excerpted with proper acknowledgment to the author and VAWnet, but may not be altered or sold for profit.
<i>Substance Use and Sexual Violence: Building Prevention and Intervention Responses</i>	Sarah Dawgert, Pennsylvania Coalition Against Rape, 2009, copyrighted	110-page guide for counselors and advocates	Source for information on drug and alcohol related sexual assault. Discusses addiction and how it relates to sexual violence, particularly with young women. Resource can be used as secondary prevention to reduce the risk of sexual assault among populations that are at higher risk due to alcohol or drug use/abuse.	No cost through www.pcar.org/sites/default/files/file/TA/SubstanceUseandSexualViolenceBuildingPreventionandInterventionResponses.pdf
<i>Understanding the Transgendered Community: A Technical Assistance Bulletin for Sexual Assault Counselors and Advocates</i>	Pennsylvania Coalition Against Rape, 2007	3-page document	Provides information on violence in the lives of the transgender community and guidelines for outreach.	No cost through www.nsvrc.org/publications/understanding-transgendered-community-technical-assistance-bulletin-sexual-assault-coun
<i>Making a Difference: Your Role in Preventing Sexual Violence on Campus</i>	National Sexual Violence Resource Center, 2010, not copyrighted	1-hour slide presentation for college students and a guide for facilitators with talking points for the presentation	Introduces the bystander intervention theory to college students. Can also be easily adapted to various college populations. Aimed at taking audiences through definitions of sexual violence, how bystanders can be engaged in sexual violence prevention, and one sexual assault scenario for discussion and response practice.	No cost through www.nsvrc.org/saam/campus-workshop
<i>The Red Flag Campaign</i>	Virginia Sexual and Domestic Violence Action Alliance	Planning guide, red flags and posters targeting college students	A public awareness campaign that addresses dating violence on college campuses. The campaign is based on the bystander intervention strategy, which encourages the action of friends and campus employees after seeing warning signs of an unhealthy relationship. The red flag is a bold symbol used to draw students' attention and entice them to learn more. Diverse population including ethnic minorities and same-sex partners is depicted on the campaign's posters.	\$850 through www.theredflagcampaign.org/index.php/ The purchase comes with 160 posters, The Red Flag Campaign Campus Planning Guide (CD), and 200 red flags with the campaign's website.
<i>Take Back the Night Campaign</i>	Take Back the Night Foundation	60-page guidebook, updated 2009, copyrighted	Sexual violence is sometimes referred to as the silent crime because it often goes unmentioned. This campaign promotes awareness through events in the community which will let survivors know that they are not alone and draw attention to the issue for others. The title of the campaign was chosen because women are often afraid to walk alone at night and the campaign is aimed at empowering survivors and women in general. The campaign offers a free online guidebook for campuses to use when planning an awareness event on campus.	Guidebook at no cost through www.takebackthenight.org/

Posters

Note: Consider using focus groups of students to determine which posters would best suit your campus.

Resource	Author(s)	Audience	Description	Cost/How to Purchase or Access
Date Safe Project Posters	Date Safe Project	Young adults	Offers 17 posters that address dating violence, healthy relationships, consent, respecting boundaries, and safer dating for young adults.	\$7.50 each (1-19 posters), \$5.25 (20-49 posters) and \$4.12 (50 or more posters) through www.datesafeproject.org/ , educational resources and products link
<i>Love is Poster</i>	West Virginia Foundation for Rape Information and Services (FRIS)	Variety	Shows a compelling image of a heart that is split in half, with one side describing signs of a healthy relationship and the other half describing an unhealthy relationship. Can be used as a media source of primary prevention on a campus.	PDF can be accessed at no cost through www.fris.org , resources link
Idaho Coalition Against Sexual and Domestic Violence Posters English, Spanish	Idaho Coalition Against Sexual and Domestic Violence	Variety	Can be used as primary prevention materials on a campus to highlight the importance of consent. There are several posters that emphasize the point that consent must be shown in forms other than by silence or intoxication, a poster that addresses the myth that most rapes are committed by strangers, and a poster on intimate partner violence using rainbow colors for the LGBTQ community.	No cost through idvsa.org/ , go to resource/publication link. Fees may apply if shipping is over \$50.
<i>This is Not an Invitation to Rape Me Poster Series</i>	Guerrilla Girls	Variety	Six posters depicting varying circumstances that sexual assault might occur with text across each saying "This is not an invitation to rape me." Some of these posters may be more relevant to a campus population than others.	Access poster PDFs at no cost through www.guerrillagirlsontour.com/sexualassaultposters.htm

Videos

Resource	Audience	Time/Sessions	Description	Cost/How to Purchase or Access
<i>Asking for It*</i> By Harry Brod, Professor of Philosophy and Humanities at the University of Northern Iowa	Prevention Educators College Students	38 minutes	Brod challenges young people to envision a model of sexual interaction that is most erotic precisely when it is most thoughtful and empathetic. Ideal for classes in gender studies, communication, and sociology, and especially useful for extracurricular programs and workshops.	\$125 through www.mediated.org
<i>Campus Confidential*</i>	College students	30 minutes	"Campus Confidential: An Inside Look at College Culture" is an updated version of "Spitting Game: The College Hook-Up Culture". This new and important program provides students and educators with up-to-date information on the critical issues of sexual assault, legal consent, and bystander intervention, and date rape drugs.	\$189.95 through www.intermedia-inc.com
<i>Culture of Silence: Stalking Education and Awareness</i> By Security on Campus and Rowan University film students, 2009	College students	20 minutes	Can be used as a primary prevention resource on college campuses. Explores stalking on campuses, uncovering common misconceptions and ways to respond to the crime. Centered on a student who discovers that his girlfriend was a victim of stalking and seeks more information about stalking through interviewing campus staff who work with victims, survivors and classmates.	\$55 DVD through www.securityoncampus.org/ , get informed link
<i>No Zebras: No Excuses New Student</i>	New college students	7 sections, vary from 3 to 10 minutes each	First program to focus on bystander mentality, addressing the impact of intervention on situations of sexual	\$199.99 Program materials and DVD through www.cmich.edu/SAPA.htm

<p><i>Orientation Program</i></p> <p>By Sexual Aggression Peer Advocates, Central Michigan University</p>			<p>aggression. Stresses that sexual aggression can no longer be ignored and empowers students to speak up, take a stand and help keep others safe. The seven sections are titled: Jeopardy, Harassment, Rape Drugs and Bystander Mentality, Stalking, Intimate Partner Violence, Sexual Assault, and Funeral and Respect.</p>	<p>programs link.</p>
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Videos Continued

Resource	Audience	Time/ Sessions	Description	Cost/How to Purchase or Access
<p><i>Playing the Game 2*</i></p>	College students	12 minutes	A remake of the early 1990's sexual assault prevention classic, explores the issue of sexual assault and date rape. It highlights the cost of the crime to the perpetrator, and explores the dynamics of sexuality, communication and alcohol use in a manner intended to provoke meaningful discussion by viewers.	\$195 through www.intermedia-inc.com
<p><i>Speak Out and Stand Up: Raising Awareness About Sexual Assault</i></p> <p>By Security on Campus, 2009</p>	College students	25 minutes	Actress Kristen Stewart narrates this docudrama, which can be used as a primary prevention tool to raise awareness about sexual assault. Included is a scene involving sexual assault on a college campus and testimonies from survivors and experts in the field.	\$65 DVD through www.securityoncampus.org/ , get informed link
<p><i>Spin the Bottle: Sex, Lies, and Alcohol</i></p> <p>By Ronit Ridberg, 2004</p> <p>Subtitles in English, Spanish</p>	College students High school seniors	45 minutes	Featuring Jackson Katz and Jean Kilbourne to address issues of sexual violence and alcohol use. Emphasizes the power that the media has to distort the popular culture to glamorize heavy drinking and high-risk behaviors. College personnel could use the tool as a primary prevention technique to challenge students to make conscious and informed decisions about the college party scene.	\$275 DVD through www.mediaed.org/
<p><i>The Undetected Rapist</i></p> <p>By David Lisak, National Judicial Education Program, 2000</p>	Variety	6 minutes	Reenacts part of an interview conducted by Dr. David Lisak, Director of Men's Sexual Trauma Research Center, University of Massachusetts at Boston, with fraternity members during one of his studies of sexually predatory male behavior. Features a college male explaining how unsuspecting women are targeted for rape, using terms such as "target" and "prey" to refer to the women. Closes with an analysis of the interview. Includes classroom discussion.	\$15 DVD/VHS through www.legalmomentum.org/our-work/vaw/niep-resources-sexual-assault-the-undetected-rapist.html
<p><i>Welcome to the Party</i></p> <p>By Tom Nicholson, Deb Beazley and Jerry McGonigle, Reel Insight LLC, 2008</p> <p>Film made at West Virginia University</p>	College Students High school seniors	30-minute film, with an accompanying 30-page teaching curriculum built around the film. Includes 8 classroom activities, lecture materials, supplemental student handouts, background information, and resources and reference guides	A powerful tool for rape and sexual assault prevention education for college students and high-school seniors. It was created by college students and realistically depicts a connection between alcohol and sexual assault. This resource was developed with input from West Virginia's sexual assault coalition, rape crisis centers, and other state campuses.	\$200 for curriculum and film www.reelinsight.org
<p>Public Service Announcements (PSAs)</p> <p>By Idaho Department of Health and Welfare</p>	College students. One targets the African American community.	Public service announcements approximately 1-minute each	Five PSAs on rape prevention can serve as excellent primary prevention tools on campuses. Introduce bystander intervention and show how men can be involved in prevention efforts. The five PSAs are entitled <i>Last Night</i> , <i>Game Show</i> , <i>King of Idiots</i> , <i>The Bystander</i> , and <i>Somebody's Sister</i> .	View at no cost through www.healthandwelfare.idaho.gov/Health/SexualViolencePrevention/tabid/200/Default.aspx

Public Service Announcements (PSAs)	College students High school students	Public service announcements all under 1-minute	Features seven PSAs for educators involved with college and high school students. All were created and performed by students. They can be used to teach students about consent and the warning signs of an unhealthy relationship. They are entitled <i>That Girl</i> , <i>Just Spray It</i> , <i>See No Evil</i> , <i>Space Robots</i> , <i>Text Messaging</i> , <i>Courageous Bystander</i> and <i>Pictures</i> .	View at cost through www.safeandrespectful.org/media/psa.html
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Websites/Online Programs

Resource	Audience	Description	Cost/How to Purchase or Access
Sexual Assault Resources; College of William and Mary	College students	The College of William and Mary has several copyrighted primary prevention tools available at no charge on the school's website. There are 5 PSAs which use student actors to model strategies that can help students understand how to have healthy relationships with others. These videos use humor to keep students involved in the learning process. To accompany the PSAs, there are quizzes that reinforce what was learned during the PSA. Topics addressed include alcohol and drug facilitated assault, campus assault myths, and warning signs of unhealthy relationships.	No cost through web.wm.edu/sexualassault/
Consent Campaign: Columbia University	College students	Columbia University has a consent campaign coordinated by students that reaches their student population through the use of brochures and posters (available in English and Spanish). The primary prevention campaign focuses on changing the way students think and communicate about intimacy. Provocative posters and creative promotional materials enforce what students learn about communication through various workshops on campus. The campaign strives to make consent a healthier and safer way to communicate about intimacy. More information about using the campaign is available by joining the campaign's mailing list.	Campaign poster and brochures are available free of charge through http://health.columbia.edu/services/svprp/advocacy-outreach#Consent_Campaign
Outside the Classroom	Variety	Outside the Classroom's online sexual assault training modules can be purchased through this website. Modules can be customized by adding campus specific sexual assault information and services.	Price and the length of the modules can be obtained through http://www.outsidetheclassroom.com/solutions/higher-education.aspx
STEP UP! Be a Leader, Make a Difference; University of Arizona	Students athletes College students	The University of Arizona C.A.T.S. Life Skills Program, along with the National Collegiate Athletic Association (NCAA) and national leading experts, developed this online program. STEP UP! is a pro-social behavior and bystander intervention program that encourages students, especially college athletes, to be proactive in helping others. Teaching people about the determinants of pro-social behavior makes them more aware of why they sometimes don't help and increases the likelihood they will help in the future. Facilitator and student guides are available at no cost along with an hour-long Power Point presentation. These materials were published in 2008.	All materials can be accessed free of charge through www.stepupprogram.org
Student Success-Sexual Assault Online Program	Variety	This online program is designed to help reduce sexual assault on college campuses by raising student awareness of the issue and by verifying student learning and participation. The company can be contacted for program pricing.	Cost is based on the number of students utilizing the service and can be obtained through www.studentsuccess.org/web/programs
Bringing in the Bystander/ Know Your Power Campaign; University of New Hampshire	College students	This prevention program emphasizes a bystander intervention approach and assumes that everyone has a role to play in ending violence against women. In addition to the prevention goal, the program has a research component which seeks to measure the effectiveness of the prevention program with different constituencies. Curriculum and other campaign items are available for a fee	Information about purchasing the curriculum or materials (including campaign posters) can be purchased through www.unh.edu/preventioninnovations/index.cfm?ID=BCCEA40C-A3AC-0FFD-47D118DA9EFDF176

		upon contacting the campaign. For more information about purchasing the curriculum or materials, see the UNH website. There is also a series of posters that can be purchased about bystander intervention entitled <i>Know Your Power</i> .	
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**Indicates resources were purchased for OVW Campus Grant partners of the WV Intercollegiate Council Against Sexual Violence in 2014.*



G. Sample Policies and Procedures

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INTRODUCTION

In order for your college campus to have a comprehensive interpersonal violence intervention and prevention program, it is critical to have policies and procedures in place that support both the intended training and conduct outcomes and prevention goals and activities. For example, if a college says it has zero tolerance for sexual violence, it must back up such a claim with policies and procedures that makes zero tolerance a standard (screening questions for potential employees, new staff orientation information on what is expected, information for students explaining what they can expect and what is expected of them, etc.) and consistent and fair response to noncompliance to the policies and procedures. This section offers sample policies and procedures related to issues that can impact interpersonal violence prevention:

- ✓ Alcohol and drugs;
- ✓ Hazing;
- ✓ Judicial affairs;
- ✓ Sexual misconduct policy introduction for college campuses;
- ✓ Reporting;
- ✓ Rights of victims and offenders;
- ✓ Safety;
- ✓ Sexual harassment, sexual exploitation, nonconsensual intercourse/contact, and consensual relationships;
- ✓ Sex offender registration;
- ✓ Stalking and harassment; and
- ✓ Student education/prevention.

Schools vary on how they title their campus documents that pertain to student behavior (e.g., policies, protocols, codes of conduct). Regardless of the title, schools will need to integrate these codes into existing frameworks and policies as they adopt and adapt the suggestions from this toolkit to fit their specific needs. The main purpose of the “Sample Policies and Procedures” section is to provide policy templates that outline the seriousness of sexual violence and an appropriate campus response to it.

Review these sample policies and procedures carefully and make adaptations as appropriate to your program’s mission or services and your target audience. Check with

the entity from which a sample policy or procedure originated regarding their permission to use its material. Explore if the material is copyrighted, if permission is needed to use and/or adapt, and if so, what is entailed in this process. Some entities are more than happy to share their materials, with certain restrictions, while others may have concerns about liability or adaptability and may decline to share or require you to sign a waiver of release before you can use the policy or procedure. In many cases, you will only need to check an entity's website to see what its policy is on the use of its material. If that information is not on its website or does not answer your questions, or there is no agency website, you may need to follow up with a call to the agency. Permission was received to include the policies in this toolkit. All adaptations made to the sample policies and procedures were primarily for the purposes of adhering to West Virginia's laws and maintaining consistency in format and language with the rest of this toolkit.



As a component of each policy, the issue of jurisdiction should be addressed as appropriate so that the users know who is covered under that policy. One method would be to include the following: This protocol applies equally to all [select all that apply: students, faculty, and/or staff] at [insert name of your institution].

G1. ALCOHOL/DRUGS

The following samples are included in this section:

- ✓ Sample Policy on Alcoholic Beverages; and
- ✓ Sample Policy on Illegal Drugs.

Alcohol and drug use are major problems on most college campuses and are known cofactors in sexual violence on campus. Campuses must address these issues in a complex and multifaceted way. This not only includes the adoption of policies to specify acceptable and unacceptable behavior but should also include prevention education, adequate enforcement of laws and policies, and ensuring access to counseling and mental health services.

Sample Policy on Alcoholic Beverages

(Adapted from the U.S. Department of Education, *The Handbook for Campus Crime Reporting*)

The possession, sale or the furnishing of alcohol on the [insert name of college] campus is governed by [insert name of college] Alcohol Policy and West Virginia state law. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the West Virginia Department of Alcohol and Beverage Control (ABC). However, the enforcement of alcohol laws on campus is the primary responsibility of the [insert name of campus security/police department]. The [insert name of college] campus has been designated “drug free” and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the [insert name of campus security/police department]. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the [insert name of college] Alcohol Policy for anyone to consume

or possess alcohol in any unauthorized public or private area on campus without prior *[insert name of college]* approval. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by *[insert name of college]*. Violators are subject to campus disciplinary action, criminal prosecution, fine and/or imprisonment.

Sample Policy on Illegal Drugs

(U.S. Department of Education, *The Handbook for Campus Crime Reporting*)

The *[insert name of college]* campus has been designated “drug free” and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the *[insert name of campus security/police department]*. Violators are subject to campus disciplinary action, criminal prosecution, fine and imprisonment.

G2. HAZING

The following sample is included in this section:

✓ Sample Policy Regarding Hazing.

Hazing is a dangerous practice on college campuses. The adoption of policies that outline what is considered hazing and what will be done when unacceptable behavior occurs is one component of a comprehensive effort to end hazing. In addition to adopting effective policies, schools should make a multiple efforts to educate students about acceptable behavior and ensure that there are designated members of the campus faculty/staff trained to field complaints about hazing. Students should know who to contact to report hazing and that the confidentiality of these complaints will be maintained in accordance with standard reporting procedures. As with all campus policies, the scope and jurisdiction of anti-hazing policies is not determined by the location of the crime (e.g. on campus vs. an off-campus function of a college recognized student organization or program) but rather by the relationship of those committing the offense to the college. In other words, a campus policy, such as an anti-hazing policy, would apply to all members of a college recognized student organization, regardless of where the hazing takes place. Finally, these policies apply to any campus-affiliated individual or group, no matter how informal the recognition of that group is. This would include, but is not limited to, athletic programs, bands, Greek organizations, clubs, or informal student groups. It is important to communicate this to all members of the student body in order to provide clear standards of acceptable behavior.

Sample Policy Regarding Hazing

(Adapted from Trinity University, www.nchem.org)

[Insert name of college] is concerned about the emotional, psychological and physical health and well-being of its students. Any form of hazing is unacceptable and is in direct conflict with institutional values related to the rights and dignity of students, all of whom have the right to belong to groups without risk of danger or humiliation. Consent to hazing is never a defense to a

violation of this policy.

[Insert name of college] prohibits hazing by individuals or groups and defines it as

follows: Hazing is any reckless or intentional act, occurring on or off campus, that produces physical, mental or emotional pain, discomfort, humiliation, embarrassment or ridicule directed toward other students or groups (regardless of their willingness to participate), that is required or expected of new members and which is not related to the mission of the team, group or organization. Hazing includes any activity, whether it is presented as optional or required, that places a new member in a position of servitude as a condition of membership. Prohibited acts of hazing include those covered under West Virginia State law.

Though it would be impossible to list all behaviors that could be deemed to be hazing, the following are some typical examples of hazing and are prohibited:

- ✓ Any physical act of violence expected of, or inflicted upon another;
- ✓ Any physical activity expected of, or inflicted upon another, including calisthenics;
- ✓ Pressure or coercion of another to consume any legal or illegal substance;
- ✓ Making available unlawful substances;
- ✓ Excessive fatigue or sleep deprivation as a result of any activities;
- ✓ Forced exposure to the weather;
- ✓ Kidnapping, forced road trips and abandonment;
- ✓ Required carrying of or possessing of a specific item or items;
- ✓ Servitude (expecting a new member to do the tasks of an experienced member);
- ✓ Costuming and alteration of appearance;
- ✓ Line-ups and berating;
- ✓ Coerced lewd conduct;
- ✓ Degrading games, activities or public stunts;
- ✓ Interference with academic pursuits;
- ✓ Violation of [insert name of college] policies; and
- ✓ Assignment of illegal and unlawful activities.

Reported violations of this policy will result in campus judicial action and may be subject to criminal prosecution. Any retaliation against any person who reports, is a witness to, or is involved with or cooperates with the adjudication of hazing is strictly prohibited.

There are two primary conditions that create a hazing dynamic.

1. New members often wish to be accepted, either formally or informally, into any group, and will submit to hazing in order to be included. Because of this, consent to be hazed does not excuse hazing. Students have died or been seriously injured as a result of participating in activities to which they have “consented.” The psychological pull to be accepted is so strong that hazing victims cannot be expected to resist hazing, even if the hazing is presented as optional. That this pull can be so coercive should make the need to prohibit hazing conduct, to any degree, undeniably clear.
2. Any activity that places new members in a subservient position to experienced members creates an unhealthy and unsafe power dynamic in which control has been yielded to the

experienced member. New members in any organization may expect to be trained, oriented or indoctrinated, but membership in any group that puts a new member in a lesser role, unrelated to the original conditions for membership or mission of the group, is inappropriate and unfair to the new members. Any activities of membership should be equally shared among experienced and new members.

New members of groups and teams can expect to participate in educational and fun activities that build teamwork and camaraderie among all members of the group. Such activities are intended to create a sense of identity and commitment within a group and are generally acceptable and encouraged. Students should check with appropriate staff, advisors, sponsors and coaches if there is any question about whether an activity constitutes hazing.

G3. JUDICIAL AFFAIRS

The following sample is included in this section:

✓ Sample Disciplinary Process.

Each campus should have a clear and well publicized procedure for addressing complaints of sexual misconduct. The Clery Act and Title IX dictate specific requirements for campuses to investigate and respond to allegations of sexual misconduct. **The sample procedures that follow are not meant to replace those procedures.** Rather, these sample policies address student misconduct through campus judicial boards which enforce campus codes of conduct and are an additional route of remediation for such allegations. Given the differences in resources from campus to campus, the composition and procedures of campus judicial boards will vary. However, there are several topics that are necessary to address in order to ensure that campus judicial boards function effectively.

- ✓ A school should have a clear policy establishing the composition of the campus judicial board (e.g., How many faculty/staff/students? How will these board positions be filled? Will the filling of these positions have representation of the faculty or student communities?).
- ✓ These procedures should be well publicized and easily accessible to those on campus.
- ✓ Schools should also establish a consistent system for convening a campus judicial board. Will these boards meet monthly to hear all pending cases or review them as they arise? Will all members of the board hear every case or will a few members be appointed from the larger pool? How will this be done? Again, these procedures should be widely available to all on campus.
- ✓ Finally, those who serve on campus judicial boards should be specifically trained on issues pertaining to sexual misconduct on campus and should not be allowed to hear such cases without completing training. **These trainings must be conducted regularly and attendance should be mandated.** This is essential as the dynamics of sexual violence are often unique and misunderstood. Those serving more than one school year should be retrained annually to maintain awareness.

The U.S. Department of Justice, Office on Violence Against Women, recommends that when designing and implementing training programs, campuses should consider (but not be limited to addressing) the following issues:

- ✓ The differences between the processes of the criminal justice system and the academic judicial/disciplinary system;
- ✓ Ensuring that the training is ongoing so that all new members of the judicial/disciplinary board receive information, especially if the board is appointed on a rotating basis;
- ✓ Maintaining retention of “trained” board members given the complexities and difficulties of such cases;
- ✓ Creating training that is effective and does not “promote bias” for either victims or offenders;
- ✓ Ensuring that all judicial/disciplinary cases are pursued in the same manner, regardless of “who” the victim and/or offender may be;
- ✓ Confidentiality issues: open or closed hearings;
- ✓ Relevant state and federal laws;
- ✓ Working with law enforcement officials from the local jurisdiction; and
- ✓ The “preponderance of evidence standard” as the appropriate judicial standard for deciding cases of sexual assault.

Specific Considerations

When developing trainings for disciplinary or judicial boards, campuses should also address the following specific topics:

- ✓ Reasons why victims may or may not choose (and/or wait) to report;
- ✓ Ways that the disciplinary system can “re-traumatize” victims;
- ✓ The importance of avoiding victim blaming;
- ✓ Viewing all information without bias;
- ✓ Review of general sexual violence information, including issues of power and control;
- ✓ Dating violence as a form of sexual violence, including relevant laws;
- ✓ Stalking in a “closed” campus environment;
- ✓ Dynamics of both victimization and perpetration;
- ✓ What constitutes consent; and
- ✓ Socio-cultural issues (e.g. race/ethnicity, sexual orientation and gender dynamics).

Effective training on sexual violence requires a presenter with extensive knowledge and experience. We suggest that colleges partner with the local rape crisis center to train campus judicial board members or to develop training materials and protocols.

Sample Disciplinary Process

(Adapted from Lewis and Clark College, Campus Outreach Services, *Sample Sexual Misconduct Policy Manual 7.9*)

[*Insert name of college*]'s disciplinary procedures should be viewed as a resource to the victim of sexual assault, rape and sexual harassment. Sexual assault and rape are criminal violations and violations of [*insert name of college*] policy. A student charged with sexual misconduct can be prosecuted under West Virginia law if the victim chooses, and separately disciplined by

[insert name of college]. Even if the criminal justice authorities choose not to prosecute, a student charged with any type of sexual misconduct will be subject to [insert name of college]'s disciplinary process. If the Sexual Misconduct Review Board finds that the reported misconduct occurred, disciplinary action includes the strong possibility of suspension or dismissal from [insert name of college]. Hearing procedures and disciplinary sanctions are outlined below.

Initial Steps

1. It is possible for a victim to make a first report to a number of different contact points throughout the [insert name of college] community [insert contacts such as sexual assault response advocate, health center, counseling center, Dean of Students, or campus security officer]. If, after meeting with any of these contact points, the victim determines that he or she would like to pursue a college disciplinary hearing, the contact point will direct the student to meet with the Dean of Students.
2. Once a meeting is arranged, the Dean will outline the options available, including how a conduct hearing will work, along with its possible outcomes. If the victim decides to make a charge, the Dean will take a written (or tape-recorded) statement of the victim's account of the incident. The accused student will also be given the opportunity to provide the Dean with a written statement after the charge has been made by the victim. It should be noted that if [insert name of campus security office] has already taken a written statement from the victim and/or the accused, the Dean may use these statements in lieu of the statements mentioned above.
3. The Dean will then present the accused student with a written statement of the victim's charges against him or her. The Dean will also provide the victim with copies of any written response to the charge that the accused provides. The Dean will notify the accused student that the hearing board members are being chosen and provide him or her with the date of the hearing. The hearing will be held within five working days of the victim's initiation of charges. If this condition cannot be met, both the victim and the accused will be notified regarding the status of the case. Both the victim and the accused will be informed in writing of the hearing format and specific charges.
4. If the Dean determines that it is in the best interest of either student for safety or other reasons, the accused and/or the victim will be provided different accommodations (e.g., housing, class schedule, cafeteria schedule). The Dean will also make decisions regarding no-contact orders and may implement a skewed no contact orders if it is deemed appropriate. (i.e., Sanctions against the offender if the no contact order is violated but no sanctions automatically imposed against the victim if, for example, the victim chose to attend a campus activity that the offender attends – such as an athletic event at which the offender is a member of the team).
5. If these instructions are not heeded, disciplinary action will be taken, including the possibility of immediate suspension from [insert name of college] and removal from campus. Additionally, assistance is available for changing academic and living situations after a report of sexual misconduct is filed, if so requested by the victim and if such changes are reasonably available.

Note: In the context of [insert name of college] conduct process, the victim is initiating formal allegations of misconduct. The charges of misconduct remain allegations until a decision is reached by the Sexual Misconduct Review Board.

Sexual Misconduct Review Board Composition and Training

The Sexual Misconduct Review Board is composed of administrators, staff, and students as members. Board members are appointed by the Dean of Students.

When selected, all members of the board receive comprehensive training. It is essential that these trainings occur regularly and are mandated for all board members since the characteristics of sexual assault are unique and often misunderstood.

The U.S. Department of Justice, Office on Violence Against Women, recommends that when designing and implementing training programs, campuses should consider (but not be limited to) the following issues:

- ✓ The differences between the processes of the criminal justice system and the academic judicial/disciplinary system;
- ✓ Ensuring that the training is ongoing so that all new members of the judicial/disciplinary board receive information, especially if the board is appointed on a rotating basis;
- ✓ Maintaining retention of “trained” board members given the complexities and difficulties of such cases;
- ✓ Creating training that is effective and does not “promote bias” for either victims or offenders;
- ✓ Ensuring that all judicial/disciplinary cases are pursued in the same manner, regardless of “who” the victim and/or offender may be;
- ✓ Confidentiality issues: open or closed hearings;
- ✓ Relevant state and federal laws;
- ✓ Working with law enforcement officials from the local jurisdiction; and
- ✓ The “preponderance of evidence standard” as the appropriate judicial standard for deciding cases of sexual assault.

Specific Considerations

When developing trainings for disciplinary or judicial boards, campuses should also address the following specific topics:

- ✓ Reasons why victims may or may not choose (and/or wait) to report;
- ✓ Ways that the disciplinary system can “re-traumatize” victims;
- ✓ The importance of avoiding victim blaming;
- ✓ Viewing all information without bias;
- ✓ Review of general sexual violence information, including issues of power and control;
- ✓ Dating violence as a form of sexual violence, including relevant laws;
- ✓ Stalking in a “closed” campus environment;
- ✓ Dynamics of both victimization and perpetration;
- ✓ What constitutes consent; and
- ✓ Sociocultural issues (e.g. race/ethnicity, sexual orientation, gender dynamics).

The board will be composed of a pool of administrators, staff, and students, three of whom will be selected to hear any given case. Both men and women will comprise the pool and each convened board. The Dean will chair the board during the hearing and provide administrative support and clarifications as needed.

The students involved may challenge the composition of the board. The accused and victim will be notified of the names of those who will serve on the board at the time the hearing is scheduled. If either objects to any member/members of the board, he or she must commit the reasons for the objection to writing. The Dean will review the objection and decide whether the hearing board member(s) should or should not be replaced. Removal from the hearing board will occur only if the Dean is convinced that absence of impartiality or other extenuating circumstances would result from allowing the hearing board member to adjudicate the incident. Any member who personally knows the accused or the victim will be excused from the case.

Elements of the Hearing

The hearing will be convened in a private room where there will be no disturbances from other members of the campus community. The hearing will not be open to the public. A record of the hearing (audio tape recording and/or written) will be maintained and made available to the accused and victim if requested. There will be separate waiting rooms for the witnesses of the accused and for the victim's witnesses. A list of witnesses for each side must be submitted to the Dean of Students at least 48 hours prior to the hearing.

The victim and the accused do not need to be present in the hearing room at the same time. Both the victim and the accused may be present throughout the hearing. Both may present evidence on their own behalf through the presentation of witnesses.

Both may choose a person to accompany them during judicial proceedings. Both may have advisory participation from counsel (counsel may not serve in an advocacy role in the hearing). The victim will present his or her case first, and be able to call witnesses. There are some situations in which the victim cannot or will not present his or her own case. In these situations, the Dean may appoint an administrator to present the case for *[insert name of college]* in the victim's stead. If the victim elects to let *[insert name of college]* present the case, the victim still may be present throughout the entire proceeding.

Next, the accused student may present his or her case, at which point the accused can call witnesses. The hearing board may recall any witnesses at any point to clarify or challenge statements made during the hearing. The hearing board members are allowed to ask questions at any point throughout the hearing. Neither the accused nor the victim may directly question each other during the hearing. Questions and clarifications must be directed to the board.

Prior sexual behavior/sexual history of the victim is not relevant and will not be allowed to be presented during the hearing. Hearing board members are obligated to prevent such information from being admitted.

The Decision Making Process

Once the hearing is concluded, the board members will, after meeting in closed session, render a decision within 48 hours. However, if they cannot reach a decision in that time, witnesses may be recalled for further questioning. The members of the hearing board have to decide if the accused student's actions meet *[insert name of college]*'s definition of sexual misconduct.

To establish responsibility, the hearing board must decide that the accused's behavior satisfies the definition of the misconduct to the extent required by the standard of proof in sexual misconduct cases— “more likely than not.” Once a decision is made, the Dean of Students will inform the accused student first, then the victim, in the form of a letter which will include an explanation of the Board’s deliberations. They will be informed separately and at different times so that they do not encounter each other.

Appeal Process

The decision of the hearing board may be appealed by both the victim and the accused. The Provost or designate is the appellate for decisions reached by the Sexual Misconduct Review Board. Either party is entitled to an appeal if he or she can show that the adjudication was in any way biased or unfair, or that the process and/or sanctions violated college policy. Appeals must be submitted in writing to the provost or designate within five days of the decision of the board.

G4. SEXUAL MISCONDUCT POLICY INTRODUCTION FOR COLLEGE CAMPUSES

The following samples are included in this section:

- ✓ Sample Introduction to Sexual Misconduct Policy;
 - ✓ Sample Policy Introduction;
 - ✓ Sample Statement of Institutional Philosophy; and
 - ✓ Sample Statement of Intent.
-

Sample Introduction to Sexual Misconduct Policy

(National Education for Higher Education Risk Management (NCHERM), *NCHERM Model Sexual Misconduct Policy*)

[Insert name of college] believes in a zero tolerance policy for sexual misconduct. Members of the *[insert name of college]* community, guests and *visitors have the right to be free from sexual violence. When an allegation of sexual* misconduct is brought to the administration, and a respondent is found to have violated this policy, serious sanctions will be used to ensure that such actions are never repeated. All members of the community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The *[insert name of college]* Sexual Misconduct Policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy has dual purposes. It serves as a measure for us to determine, after the fact, if behaviors trespass on community values. It also should serve as a guide for you on the expectations we have, preventatively, for sexual communication, sexual responsibility and sexual respect.

Sample Policy Introduction

(Adapted from SUNY Albany, Antioch College, and Norwich University, Inter-Campus Sexual Assault Task Force of Campus Action)

[*Insert name of college*] is committed to creating and maintaining a community in which all persons who participate in [*insert name of college*]’s programs and activities can work together in an atmosphere free of all forms of sexual assault, sexual harassment, exploitation, intimidation and violence.

Every member of the [*insert name of college*] community should be aware that all sexual contact and conduct on the campus and/or occurring with a member of the [*insert name of college*] community must be consensual. [*Insert name of college*] will not tolerate sexual assault, sexual harassment and any other form of nonconsensual behavior. Such behavior is prohibited both by State and Federal law and by [*insert name of college*] policy.

It is the intention of [*insert name of college*] to take whatever action may be needed to prevent, correct and, if necessary, sanction individuals who act in violation of this policy.

It is essential that students who are sexually assaulted receive proper medical treatment, legal advocacy and counseling support as soon as possible – if they so desire.

[*Insert name of college*] will also provide and maintain educational programs for all members of its community, some aspects of which are required. The educational aspects of this policy are intended to heighten community awareness and ultimately to prevent sexual offenses.

The implementation of this policy utilizes established [*insert name of college*] governance structures and adheres to contractual obligations. This document will outline the procedures that will allow all members of the [*insert name of college*] community to be effective in providing victims of assault medical, psychological, educational and legal resources.

Sample Statement of Institutional Philosophy

(Adapted from Pennsylvania Coalition Against Rape, *Reconstructing Norms: Preventing Alcohol Related Sexual Assault on College Campuses*)

[*Insert name of college*] is committed to creating and maintaining a community in which all persons who participate in [*insert name of college*] programs and activities can work together in an atmosphere free of all forms of harassment, assault, exploitation, or intimidation, including that which is sexual in nature. Every member of the campus community should be aware that [*insert name of college*] does not tolerate sexual assault or sexual misconduct. Sexual assault is also prohibited both by state and federal law. It is the intention of [*insert name of college*] to take prompt and equitable action to prevent the reoccurrence of behaviors that violate this policy.

Sample Statement of Intent

(National Education for Higher Education Risk Management, *Creating a Proactive Campus Sexual Misconduct Policy*)

[*Insert name of college*] is a community of trust whose very existence depends on strict adherence to standards of conduct set by its members. Sexual misconduct is a crime punishable by both civil and criminal legal action and a serious violation of the [*insert name of college*] Standards Of Conduct. It will not be tolerated within our community. Students at [*insert name of college*] are charged with the responsibility of being familiar with and abiding by the standards of conduct set forth herein.

G5. REPORTING

The following samples are included in this section:

- ✓ Sample Policy Addressing Voluntary Confidential Reporting;
- ✓ Sample Policy on Confidentiality and Reporting;
- ✓ Sample Policy on Immediate Response to Sexual Misconduct;
- ✓ Sample Reporting Policy Including Confidential Reporting; and
- ✓ Sample Policy for Reporting Abuse of Minors.

If a campus has a policy on confidentiality and reporting, it is imperative that the definition of 'confidentiality' and any limitations be disclosed in that policy. For example, having a policy that states that strict confidentiality will be maintained when a sexual assault is reported while having a protocol that requires that staff report the victim's name and the incident to campus security may appear to be disparate practices. Clear definitions enable victims to make informed choices regarding reporting.

Sample Policy Addressing Voluntary Confidential Reporting

(Adapted from U.S. Department of Education, *The Handbook for Campus Crime Reporting*)

If you are the victim of a crime and do not want to pursue action within the [*insert name of college*] system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Chief or a designee of [*insert name of campus security/police department*] can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, [*insert name of college*] can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution. Your identifying information will not be disclosed and you will not be asked, expected, or pressured to continue reporting to any other agencies.

Sample Policy on Confidentiality and Reporting

(Adapted from National Education for Higher Education Risk Management (NCHERM), *NCHERM Model Sexual Misconduct Policy*)

Different people on campus have different reporting responsibilities, and different abilities to maintain your confidentiality, depending on their roles at the college.

When consulting campus resources, victims should be aware of confidentiality and mandatory reporting, in order to make informed choices. On campus, some resources may maintain your complete confidentiality, offering you options and advice without any obligation to tell anyone, unless you want them to. Other resources are expressly there for you to report crimes and policy violations, and they will take action when you report your victimization to them. Most resources on campus fall in the middle of these two extremes. Neither the college nor the law requires them to divulge private information that you share with them, except in extremely rare circumstances, described below. You may seek assistance from them without starting a chain of events that takes things out of your control, or violates your privacy.

To Report Confidentially

If you desire that details of the incident be kept confidential, you may speak with on-campus counselors, campus health service providers or off-campus rape crisis resources, who will maintain confidentiality. Campus counselors are available to help you free of charge, and can be seen on an emergency basis. In addition, you may speak on and off-campus with members of the clergy and chaplains, who will also keep reports made to them confidential.

Quasi-Confidential Reporting

You can seek advice from certain resources that are not required to tell anyone else your private, personally identifiable information unless there is cause for fear for your safety, or the safety of others. These resources include those without supervisory responsibility or remedial authority to address sexual misconduct, such as RAs, faculty members, advisors to student organizations, career services staff, admissions officers, student activities personnel, local rape crisis centers, and many others. If you are unsure of someone's duties and ability to maintain your privacy, ask them before you talk to them. They will be able to tell you, and help you make decisions about who can help you best. Some of these resources, such as RAs, are instructed to share incident reports with their supervisors, but they do not share any personally identifiable information about your report unless you give permission, except in the rare event that the incident reveals a need to protect you or other members of the community such as cases where possibilities of homicide or suicide exist. If your personally identifiable information is shared, it will be shared with as few people as possible, and all efforts will be made to protect your confidentiality to the greatest extent. For more clarification on reporting options and confidentiality, you should contact your local rape crisis center at *[insert contact for local rape crisis center]* or the National Sexual Assault Hotline at 1-800-656-HOPE.

Non-Confidential Reporting Options

You are encouraged to speak to officials of the institution to make formal reports of incidents (deans, vice presidents, or other administrators with supervisory responsibilities, campus security and human resources). You have the right and can expect to have incidents of sexual

misconduct to be taken seriously by *[insert name of college]* when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. Formal reporting does not mean that your report won't be confidential, but it does mean that people who need to know will be told, and information will be shared as necessary with investigators, witnesses, and the accused. The circle of people will be kept as tight as possible, to preserve your rights and privacy.

Sample Policy on Immediate Responses to Sexual Misconduct

(Adapted from Pennsylvania Coalition Against Rape, *Reconstructing Norms: Preventing Alcohol Related Sexual Assault on College Campuses*)

The *[insert name of college]* recognizes that any decision to report a sexual assault and/or sexual misconduct to the police is the right of the victim/complainant. However, once an incident or complaint of sexual assault and/or sexual misconduct is reported to the *[insert title of appropriate person]*, he or she will inform the victim/complainant of the options of criminal prosecution, medical assistance, and use of this policy to file a complaint or report a sexual assault and/or sexual misconduct. The *[position responsible for handling sexual assault/misconduct reports]* will assist the victim/complainant with these contacts if requested. In addition, confidential counseling, support services, academic assistance, future security and alternative housing (for students) can be coordinated as appropriate.

Whether or not a victim chooses to initiate criminal charges, he/she retains the right to file a complaint through the student judicial system or employee grievance process. Once a report is made, the victim may not have the ability to withdraw the report or petition to stop the investigation. More information on reporting options and confidentiality can be obtained by contacting the local rape crisis center at *[insert contact information for the local rape crisis center]* or by calling the National Sexual Assault Hotline at 1-800-656-HOPE.

Sample Reporting Policy Including Confidential Reporting

(Adapted from College of Saint Rose, SUNY Albany, and Lawrence University)

All reports of sexual assault to *[insert name of college]* faculty, staff, advocates, support services, as well as to the local rape crisis center will be kept strictly confidential. At no point will the name of the victim be made public without the victim's consent. No details about the sexual assault, attempted sexual assault, or sexual harassment will be reported without the victim's consent.

If the crime is reported to the police, the name of the perpetrator and details of the crime may become public. However, the victim has a right not to make a report. The decision must be made by the victim.

1. The victim is may obtain immediate assistance from a local rape crisis center. Rape crisis center staff and volunteers are trained to help a victim review all of her/his options.
2. Sexual assault is a crime and the victim may report the incident to the community police.

3. The victim may also report all incidents of sexual assault to the *[insert name of appropriate college office]*, in order to receive help in accessing support services and in prosecuting the sex offender. However, there are many reasons that a person may choose not to report. The victim has a right not to make a report. The decision whether or not to report must be made by the victim. The victim's, decision will be respected by all members of *[insert name of college]*.

On campus, the victim can initiate *[insert name of college]*'s reporting process by contacting: *[insert name of appropriate offices, staff and organizations]*.

[Insert name of college] personnel, informed of a sexual assault, will seek the victim's consent to notify *[insert name of appropriate location]*.

The victim will be asked to fill out only one *[insert name of college]* intake form, detailing the incident. This is to relieve the burden of having to constantly repeat the incident to each new *[insert name of college]* office or service. Should the victim remember information related to the assault, this may be added to the original intake form at a later time. This form also will be kept confidential. Information could be used from the form in the process of reporting to the police, or at a judicial hearing; but will not be so used without the victim's consent.

[Insert title of appropriate person] will collect information from Campus Security, the Health Services, and the Counseling Services to compile the annual report to the campus showing how many students sought campus sexual assault related services.

Sample Policy for Reporting the Abuse of a Minor

(Adapted from NCHERM Model Policy on Reporting the Abuse of Minors on Campus)

In addition to state reporting mandates, all employees who become aware of or suspect child abuse, sexual abuse of minors, and/or criminal acts against minors will report that information to Campus Security and *[insert name/position on campus designated to report suspected cases of child abuse to Child Protective Services]* immediately, and within not more than 48 hours. Clery Act reporting of offenses for statistical purposes occurs whether victims are minors or adults.

Alternate language for campuses without sworn law enforcement:

In compliance to state reporting mandates, all employees who become aware of or suspect child abuse, sexual abuse of minors, and/or criminal acts against minors will report that information to *[insert name/position on campus designated to report suspected cases of child abuse to Child Protective Services]* and a law enforcement agency immediately, and within not more than 48 hours. Clery Act reporting of offenses for statistical purposes occurs whether victims are minors or adults.

G6. RIGHTS OF VICTIMS AND OFFENDERS

The following sample policies and procedures are included in this section:

- ✓ Sample Rights of the Complainant;
 - ✓ Sample Rights of the Respondent;
 - ✓ Sample Statement of the Rights of the Accused; and
 - ✓ Sample Statement of the Rights of the Victim of the Reported Sexual Assault.
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Sample Rights of the Complainant

(Adapted from Pennsylvania Coalition Against Rape, *Reconstructing Norms: Preventing Alcohol Related Sexual Assault on College Campuses*)

Individuals pursuing a complaint of sexual assault and/or sexual misconduct who report their experience to *[insert name of college]* officials can anticipate that:

- ✓ All reports of sexual assault and/or sexual misconduct will be treated seriously. Complainants will be treated with confidentiality, sensitivity, dignity and respect and in a non-judgmental manner.
- ✓ Complainants may invite a support person to accompany them through all parts of *[insert name of college]* complaint resolution procedures.
- ✓ Complainants will be afforded the opportunity to request immediate on-campus housing relocation (for students), transfer of classes, or other steps to prevent unnecessary or unwanted contact or proximity to a respondent when possible.

The unrelated sexual history of the complainant is not considered relevant to the truth of the allegation; therefore, information regarding sexual history external to the relationship between the complainant and the respondent will not be considered in complaint resolution procedures.

Complainants may make a “victim impact statement” and suggest appropriate sanctions if the respondent is found in violation of the policy.

Sample Rights of Respondent

(Adapted from Pennsylvania Coalition Against Rape, *Reconstructing Norms: Preventing Alcohol Related Sexual Assault on College Campuses*)

An individual accused of sexual assault and/or sexual misconduct that is reported to *[insert name of college]* officials can anticipate that:

- ✓ All reports of sexual assault and/or sexual misconduct will be treated seriously.
- ✓ The respondent will be treated with confidentiality, sensitivity, dignity, respect, and in a nonjudgmental manner.
- ✓ The respondent may invite a support person to accompany him or her through all parts of *[insert name of college]* complaint resolution procedures.
- ✓ The unrelated sexual history of the respondent is not considered relevant to the truth of the allegation; therefore, information regarding sexual history external to the relationship

between the complainant and the respondent will not be considered in complaint resolution procedures.

Statement of the Rights of the Accused

(Adapted from National Education for Higher Education Risk Management (NCHERM), *NCHERM Model Sexual Misconduct Policy*)

An individual accused of sexual assault and/or sexual misconduct that is reported to *[insert name of college]* officials will have:

- ✓ The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to *[insert name of college]* administrators against the accused student;
- ✓ The right to be treated with respect by *[insert name of college]* officials;
- ✓ The right to be informed of and have access to campus resources for medical, counseling and advisory services;
- ✓ The right to be fully informed of the nature, rules and procedures of the campus conduct process and to timely written notice of all reported violations within the complaint, including the nature of the violation and possible sanctions;
- ✓ The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;
- ✓ The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;
- ✓ The right to appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the institution;
- ✓ The right to review all documentary evidence available regarding the complaint, subject to the confidentiality limitations imposed by state and federal law, at least 48 hours prior to the hearing;
- ✓ The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness' identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);
- ✓ The right to a hearing closed to the public;
- ✓ The right to petition that any member of the conduct body be removed on the basis of bias;
- ✓ The right to have *[insert name of college]* compel the presence of student, faculty and staff witnesses, and the right to ask questions, directly or indirectly, of witnesses, and the right to challenge documentary evidence;
- ✓ The right to have complaints heard by conduct officers who have received annual sexual misconduct adjudication training;
- ✓ The right to have *[insert name of college]* policies and procedures followed without material deviation;
- ✓ The right to have an advisor or advocate to accompany and assist in the campus hearing process—this advisor can be anyone, *[optional: including an attorney, provided at the accused student's own cost]*, but the advisor may not take part directly in the hearing itself, though they may communicate with the accused student as necessary;
- ✓ The right to a fundamentally fair hearing;

- ✓ The right to a campus conduct outcome based solely on evidence presented during the conduct process. Such evidence shall be credible, relevant, based in fact, and without prejudice;
- ✓ The right to written notice of the outcome and sanction of the hearing;
- ✓ The right to a conduct panel comprised of representatives of both genders; and
- ✓ The right to be informed in advance, when possible, of any public release of information regarding the complaint.

Sample Statement of the Rights of the Victim of the Reported Sexual Assault

(Adapted from National Education for Higher Education Risk Management (NCHERM), *NCHERM Model Sexual Misconduct Policy*)

A victim of sexual assault and/or sexual misconduct that is reported to *[insert name of college]* officials will have:

- ✓ The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to *[insert name of college]* administrators;
- ✓ The right to be treated with respect by *[insert name of college]* officials;
- ✓ The right of both accuser and accused to have the same opportunity to have others present (in support or advisory roles) during a campus disciplinary hearing;
- ✓ The right not to be discouraged by *[insert name of college]* officials from reporting an assault to both on-campus and off-campus authorities;
- ✓ The right to be informed of the outcome and sanction of any disciplinary hearing involving sexual assault, usually within 24 hours of the end of the conduct hearing;
- ✓ The right to be informed by *[insert name of college]* officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the student so chooses. This also includes the right not to report, if this is the victim's desire;
- ✓ The right to be notified of available counseling, mental health or student services for victims of sexual assault, both on-campus and in the community;
- ✓ The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;
- ✓ The right not to have any complaint of sexual assault mediated (as opposed to adjudicated);
- ✓ The right to make a victim-impact statement at the campus conduct proceeding and to have that statement considered by the board in determining its sanction;
- ✓ The right to a campus restraining order against another student who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student or others;
- ✓ The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus law enforcement.
- ✓ The right to appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the institution;
- ✓ The right to review all documentary evidence available regarding the complaint, subject to the confidentiality limitations imposed by state and federal law, at least 48 hours prior to the hearing;

- ✓ The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness' identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);
- ✓ The right to preservation of confidentiality, to the extent possible and allowed by law;
- ✓ The right to a hearing closed to the public;
- ✓ The right to petition that any member of the conduct body be removed on the basis of demonstrated bias;
- ✓ The right to bring a victim advocate or advisor to all phases of the investigation and campus conduct proceeding;
- ✓ The right to give testimony in a campus hearing by means other than being in the same room with the accused student (closed circuit live audio/video is the recommended method);
- ✓ The right to present relevant witnesses to the campus conduct body, including expert witnesses;
- ✓ The right to be fully informed of campus conduct rules and procedures as well as the nature and extent of all alleged violations contained within the complaint;
- ✓ The right to have *[insert name of college]* compel the presence of student, faculty and staff witnesses, and the right to ask questions, directly or indirectly, of witnesses (including the accused), and the right to challenge documentary evidence;
- ✓ The right to be present for all testimony given and evidence presented before the conduct body;
- ✓ The right to have complaints heard by conduct officers who have received annual sexual misconduct adjudication training;
- ✓ The right to a conduct panel comprised of representatives of both genders;
- ✓ the right to have *[insert name of college]* policies and procedures followed without material deviation;
- ✓ The right to be informed in advance of any public release of information regarding the complaint;
- ✓ The right not to have released to the public any personal information about the complainant, without his or her consent; and
- ✓ The right to notification of and options for, and available assistance in, changing academic and living situations after an alleged sexual assault incident, if so requested by the victim and if such changes are reasonably available (no formal campus or criminal complaint or investigation need occur before this option is available). Accommodations may include:
 - Change of an on-campus student's housing to a different on-campus location;
 - Assistance from *[insert name of college]* support staff in completing the relocation;
 - Arranging to dissolve a housing contract and pro-rating a refund;
 - Exam (paper, assignment) rescheduling;
 - Taking an incomplete in a class;
 - Transferring class sections;
 - Temporary withdrawal; and
 - Alternative course completion options such as free tutoring, exam flexibility and other assistance to make it as easy as possible for the complainant to keep attending classes.

G7. SAFETY

The following sample is included in this section:

- ✓ Sample Policy on Safety Measures.

Every campus should have a clearly defined process for training campus security personnel on issues related to sexual assault, stalking and harassment. Training content should be clearly defined with a training schedule to ensure that each campus security worker receives initial training and ongoing continuing education. Given the differences in capacity and structure of security on each campus, the U.S. Department of Justice, Office on Violence Against Women (OVW) (http://www.ovw.usdoj.gov/campus_desc.htm) recommends that campus training incorporate as many of the following general topics as possible:

- ✓ Relevant federal and state laws;
 - ✓ Jurisdictional issues;
 - ✓ Confidentiality issues;
 - ✓ Risk assessment for victims;
 - ✓ Understanding threat assessment;
 - ✓ Crime scene preservation and evidence collection;
 - ✓ Interviewing techniques for working with victims and avoiding “victim blaming;”
 - ✓ Probable cause as it relates to violence against women cases;
 - ✓ Review of the student code of conduct and judicial/disciplinary process on campus;
 - ✓ Enforcing protection orders;
 - ✓ Arrest protocols;
 - ✓ Availability of local rape crisis center; including clarification of roles and responsibilities;
 - ✓ Departmental decisions on how appropriately to handle victims who are facing issues of other violations in connection with their assault – such as underage consumption or marijuana and other illegal substance possession;
 - ✓ Coordination between campus security personnel and campus health units or local hospitals working with Sexual Assault Forensic Examiner or Sexual Assault Nurse Examiner protocols;
 - ✓ Issues surrounding cyberstalking as the misuse of campus computers/property – officers should be encouraged to be familiar with campus policies on computer use and what constitutes violations of the student conduct code;
 - ✓ How to document stalking violations by keeping notes, tracking phone calls, and collecting evidence to support the victim’s account of the incidences; and
 - ✓ Title IX compliance requirements.
-

Sample Policy on Safety Measures

(Adapted from the Campus Action Inter-Campus Sexual Assault Taskforce Conference)

1. All students, faculty and staff will be given a listing of on- and off-campus support services with names and numbers to contact. Such numbers will include the area rape crisis center, campus support groups, faculty members trained to assist in this situation and [insert name of counseling center].

2. *[Insert name of college]* will maintain a blue light system on the campus. At each light, a phone will be directly connected to the campus security. Anytime the phone is picked up, a security guard will immediately respond. These phones will be accessible to those with disabilities, including a system for those with vision disabilities to be able to locate them. Phones will be widely placed throughout the entire campus, especially in areas that are not well lit. A map of the blue light phones will be distributed to all members of the college community. The phones and lights will have regular weekly checks to make sure they are in full working order.
3. There will be a campus police escort group available every night for any person requesting their services. The group members must be trained in self-defense and travel in pairs when escorting someone.
4. Escort services need to be provided for off-campus students as well. It will be the responsibility of two members of the group to ride the school buses to provide students an escort to their home for those who request such a service.
5. The campus will be lit at night, including paths in wooded and secluded areas. Lights will receive regular maintenance.
6. The campus security will provide regular patrolling, by foot and car to provide security for the campus community.
7. For the victim of a sexual assault, or a reported sexual assault, the following measures will be taken:
 - ✓ Moving the accused perpetrator to another dorm if the two reside in the same hall.
 - ✓ Providing protection, such as a bodyguard, or watch person, if the victim feels she/he is being stalked or harassed.

G8. SEXUAL HARASSMENT, SEXUAL EXPLOITATION, AND NONCONSENSUAL INTERCOURSE/CONTACT AND CONSENSUAL RELATIONSHIPS

The following samples are included in this section:

- ✓ Sample Policy Expectations with Respect to Consensual Relationships;
 - ✓ Sample Policy on Nonconsensual Sexual Intercourse and Contact;
 - ✓ Policy on Effective Consent; and
 - ✓ Sample Policy on Sexual Harassment and Sexual Exploitation.
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Sample Policy Expectations with Respect to Consensual Relationships

(Adapted from National Education for Higher Education Risk Management (NCHERM), *NCHERM Model Sexual Misconduct Policy*)

[*Insert name of college*] does not interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of [*insert name of college*]. For the personal protection of members of this community, faculty-student relationships are discouraged, generally. However, consensual romantic or sexual relationships in which one party retains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the attention of their supervisor, and will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities. This includes resident assistants (RAs) and students over whom they have direct responsibility.

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student or supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent does not remove grounds for a charge of a violation of applicable parts of the faculty/staff handbooks.

Sample Policy on Nonconsensual Sexual Intercourse and Contact

(Adapted from National Education for Higher Education Risk Management (NCHERM), *NCHERM Model Sexual Misconduct Policy*)

- ✓ Nonconsensual sexual intercourse means any act between persons involving penetration, however slight, of the female sex organ by the male sex organ or involving contact between the sex organs of one person and the mouth or anus of another person.
- ✓ Nonconsensual sexual contact means any intentional touching, either directly or through clothing, of the breasts, buttocks, anus or any part of the sex organs of another person, or intentional touching of any part of another person's body by the actor's sex organs, and the touching is done for the purpose of gratifying the sexual desire of either party.
- ✓ Nonconsensual sexual intrusion means any act between persons involving penetration, however slight, of the female sex organ or of the anus of any person by an object for the purpose of degrading or humiliating the person so penetrated or for gratifying the sexual desire of either party.

*Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.

Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.

Previous relationships or consent cannot imply consent to future sexual acts.

Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or other forms of coercion. Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

In order to give effective consent, one must be of legal age.

If you have sexual activity with someone you know to be (or should know to be) mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), you are in violation of this policy. Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why or how of their sexual interaction.

- ✓ This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint or from the taking of a drug. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc., is prohibited and administering one of these drugs to another student for the purpose of inducing incapacity is a violation of this policy. More information on these drugs can be found at <http://www.fris.org>.
- ✓ Use of alcohol or other drugs will never excuse behavior that violates this policy.

Sexual activity includes:

- ✓ Intentional contact with the breasts, buttock, groin or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.
- ✓ Intercourse, however slight, meaning vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue or finger, and oral copulation.

Sanction Statement

Any student found responsible for violating the policy on Nonconsensual Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations. Any student found responsible for violating the policy on Nonconsensual Sexual Intercourse will likely face a recommended sanction of suspension or expulsion*.

*The conduct body reserves the right to broaden or lessen any range of recommended sanctions in the complaint of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor any appeals body or officer will deviate from the

range of recommended sanctions unless compelling justification exists to do so.

Policy on Effective Consent

(Adapted from Wake Forest University Sexual Misconduct Policy)

The college's definition of sexual misconduct mandates that each participant obtains and gives effective consent in each instance of sexual activity (including but not limited to oral, anal, or vaginal sexual contact). Effective consent is informed, freely and actively given, mutually understandable words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. In the absence of mutually understandable words or actions it is the responsibility of the initiator, that is, the person who wants to engage in the specific sexual activity, to make sure that they have consent from their sexual partner(s). Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a mutually understandable agreement between them to do the same act, in the same way, at the same time, with each other. **Relying solely upon non-verbal communication can lead to miscommunication. It is important not to make assumptions. If confusion or ambiguity on the issue of consent arises anytime during the sexual interaction, the initiator should stop and verbally clarify the other individual's willingness to continue.**

- ✓ Consent may not be inferred from silence, passivity or lack of active resistance alone.
- ✓ A current or previous dating or sexual relationship (or the existence of such a relationship with anyone else) may not, in itself, be taken to imply consent.
- ✓ Consent cannot be implied by attire, or inferred from the buying of dinner or the spending of money on a date.
- ✓ Consent to one type of sexual act may not, in itself, be taken to imply consent to another type of sexual act.
- ✓ Consent expires. Consent lasts for a reasonable time, depending on the circumstances.
- ✓ Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly; upon clear communication, all sexual activity must cease.
- ✓ Consent which is obtained through the use of fraud or force, whether that force is physical force, threats, intimidation, or coercion, is ineffective consent. Intimidation or coercion is determined by reference to the reasonable perception of a person found in the same or similar circumstances.
- ✓ Consent may never be given by:
 - Minors (under the age of 16 in West Virginia)
 - Persons with certain intellectual disabilities
 - Persons who are incapacitated as a result of alcohol or other drugs or who are unconscious or otherwise physically helpless. Incapacitation means that a person is rendered temporarily incapable of appraising or controlling his or her conduct as a result of the influence of a controlled or intoxicating substance.
- ✓ One may not engage in sexual activity with another who one knows, or should reasonably have known, is incapacitated as a result of alcohol or other drugs.
- ✓ The use of alcohol or other drugs can have unintended consequences. Alcohol or other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and effectively given. The perspective of a reasonable person will be the basis for

determining whether one should have known about the impact of the use of alcohol or drugs on another's ability to give consent. Being intoxicated or high does not diminish one's responsibility to obtain consent and is never an excuse for sexual misconduct.

Sample Policy on Sexual Harassment and Sexual Exploitation

(Adapted from National Education for Higher Education Risk Management (NCHERM), *NCHERM Model Sexual Misconduct Policy*)

Sexual Harassment

Gender-based verbal or physical conduct that unreasonably interferes with or deprives someone of educational access, benefits or opportunities.

Three Types of Sexual Harassment

1. Hostile environment sexual harassment includes any situation in which there is harassing conduct that is sufficiently severe, pervasive/persistent and patently/objectively offensive that alters the conditions of education or employment, from both a subjective (the alleged victim's) and an objective (reasonable person's) viewpoint.

The determination of whether an environment is hostile must be based on all of the circumstances. These circumstances could include:

- ✓ The frequency of the conduct;
- ✓ The nature and severity of the conduct;
- ✓ Whether the conduct was physically threatening;
- ✓ Whether the conduct was humiliating;
- ✓ The effect of the conduct on the alleged victim's mental or emotional state;
- ✓ Whether the conduct was directed at more than one person;
- ✓ Whether the conduct arose in the context of other discriminatory conduct;
- ✓ Whether the conduct unreasonably interfered with the alleged victim's educational or work performance; or
- ✓ Whether the statement is a mere utterance of an epithet which engenders offense in an employee or student, or offends by mere discourtesy or rudeness; and
- ✓ Whether the speech or conduct deserves the protections of academic freedom.

2. Quid pro quo sexual harassment exists when there are:

- ✓ Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and
- ✓ Submission to or rejection of such conduct results in adverse educational or employment action.

3. Retaliatory harassment is any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct.

Sexual Exploitation

Sexual exploitation occurs when a student takes nonconsensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- ✓ Prostituting another student;
- ✓ Nonconsensual video- or audio-taping of sexual activity;
- ✓ Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- ✓ Engaging in peeping or voyeuristic behaviors;
- ✓ Knowingly transmitting a sexually transmitted disease (STD) or HIV to another student.

The requirements of this policy are blind to the sexual orientation or preference of individuals engaging in sexual activity.

Sanction Statement

Any student found responsible for violating the policy on sexual exploitation or sexual harassment will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations*.

*The conduct body reserves the right to broaden or lessen any range of recommended sanctions in the complaint of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor any appeals body or officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

G9. SEX OFFENDER REGISTRATION

The following sample is included in this section:

- ✓ Sample Sexual Offender Registration.
-

Sample Sexual Offender Registration Policy

(U.S. Department of Education, *The Handbook for Campus Crime Reporting*)

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, *[insert name of college]* is providing a link to the West Virginia State Police Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In West Virginia, convicted sex offenders must register with the Sex Offender Registry maintained by the West Virginia State Police

The West Virginia Sex Offender Registry is available via Internet pursuant to Section 15-12-2, (h), of the West Virginia Code. Registry information provided under this section shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers or otherwise for the protection of the public in general and children in particular. **Unlawful use of the information for purposes of intimidating or harassing another is prohibited and willful violation shall be punishable as a Class 1 misdemeanor.**

The West Virginia State Police is responsible for maintaining this registry. Follow the link below to access the West Virginia State Police website.

<https://apps.wv.gov/StatePolice/SexOffender/Forms/>

G10. STALKING AND HARASSMENT

The following samples are included in this section:

- ✓ Sample Statement of Purpose;
- ✓ Sample Policy on Reporting Stalking;
- ✓ Sample Statement on Safety for Victims of Stalking; and
- ✓ Sample Statement on Cyberstalking and Cyberbullying.

In addition to strong policies against stalking and harassment, campuses should consider multiple options for remediation and employ a multifaceted approach. In addition to penalties like suspension or probation, campuses should also consider subsequently requiring violators of campus stalking policy to undergo counseling and behavior change intervention as these approaches have been shown effective in changing stalking behavior. More detailed information on stalking, harassment, cybercrimes, and West Virginia state law can be found in Section B. What You Need to Know. If you would like more detailed information on these issues, please refer to www.fris.org.

Sample Statement of Purpose

(Adapted from CALCASA/The National Center for Victims of Crime/Stalking Resource Center, *Model Campus Stalking Policy*)

[*Insert name of college*] is determined to provide a campus environment free of violence for all members of the campus community. For this reason, [*insert name of college*] does not tolerate stalking or harassment, and will sanction those found guilty to the fullest extent possible.

[*Insert name of college*] is also committed to supporting victims of stalking or harassment through the appropriate provision of safety and support services. This policy applies to all students, employees, faculty and staff of [*insert name of college*].

Incidents of stalking and harassment are occurring at an alarming rate on the nation's college campuses. They are crimes that happens to men and women of all races/ethnicities, religions, ages, abilities, sexual orientations, and sexual identities. These crimes can affect every aspect of a victim's life. Harassment often begins with phone calls, emails, social networking posts and/or letters, and can escalate to stalking and even violence.

National and local data include the following statistics:

- ✓ Fill in national data; and
- ✓ Fill in any local data on stalking and harassment (if college data is not available, consider using any local or state data).

Stalking and harassment are crimes in West Virginia and are subject to criminal prosecution. Students perpetrating such acts of violence will be subject to disciplinary action through the *[insert name of college]* Office of Judicial Affairs (or appropriate division office). This can include expulsion from *[insert name of college]* and/or criminal prosecution simultaneously.

Sample Policy on Reporting Stalking or Harassment

(Adapted from CALCASA/The National Center for Victims of Crime/Stalking Resource Center, *Model Campus Stalking Policy*)

[Insert your campus procedure for reporting stalking and harassment here]

[Insert name of college] encourages reporting of all incidents of stalking or harassment to law enforcement authorities, and respects that whether or not to report to the police is a decision that the victim needs to make. Advocates at your local rape crisis center are available at *[insert name/contact information for local center]*. Additionally *[insert campus services]* can provide assistance if you are being stalked or harassed. These resources can also inform you of your legal options.

In certain instances, *[insert name of college]* may need to report an incident to *[insert appropriate person/agency here]*. Such circumstances may include any incidents that warrant the undertaking of additional safety and security measures for the protection of the victim and the campus community or other situations in which there is clear and imminent danger, and when a weapon may be involved. However, it is crucial in these circumstances to consult with supervisory staff and/or *[insert appropriate person/agency here]*, to ensure the safety of the victim. *[Insert name of campus counseling/mental health center]* is the only fully confidential reporting site on campus.

Safety for Victims of Stalking or Harassment

[Insert name of college] is committed to supporting victims of stalking and harassment by providing the necessary safety and support services. Student victims of stalking or harassment may be entitled to reasonable accommodations. Due to the complex nature of this problem, the student victim may need additional assistance in obtaining one or more of the following:

- ✓ No-contact order;
- ✓ Services of a victim advocate;
- ✓ Witness impact statement;
- ✓ Change in an academic schedule;
- ✓ Provision of alternative housing opportunities;
- ✓ The imposition of an interim suspension on the accused; and

- ✓ The provision of resources for medical and/or psychological support.

For assistance obtaining these safety accommodations, please contact *[insert appropriate office/ person here]*.

If safety is an immediate concern, victims are encouraged to call 911 or campus law enforcement at *[contact information]* for assistance.

Sample Statement on Cyberstalking and Cyberharassment

(Adapted from Clarion University Statement on Social Media)

[Insert name of college] addresses cyberstalking and cyberbullying as forms of harassment and/or discrimination. It is important that students report being harassed so investigations can occur, talk about options and students' rights, as well as be provided with on or off campus resources as needed.

Reducing Your Risk

Although no prevention strategy is 100% effective, following basic safety measures can help reduce your risk of being a victim of cyberstalking or cyberharassment. For example:

- ✓ Never post or share your personal information online (this includes your full name, address, telephone number, school name, credit card number, or Social Security number) or your friends' personal information.
- ✓ Never share your Internet passwords.
- ✓ Never meet alone with anyone face-to-face whom you only know online or provide your home address for that initial meeting. Practice caution when meeting for the first time someone whom you only know online. Meet in a public place, rely on your own transportation, and meet in a group. Recognize that trust needs to be established over time.

G11. STUDENT EDUCATION/PREVENTION

The following samples are included in this section:

- Sample Policy Addressing Security Awareness Programs
- Sample Policy on Sexual Misconduct Education

In addition to ensuring full compliance with Title IX, schools should take proactive measures to prevent sexual harassment and violence. OCR recommends that all schools implement preventive education programs and make victim resources, including comprehensive victim services, available. Schools may want to include these education programs in their (1) orientation programs for new students, faculty, staff, and employees; (2) training for students who serve as advisors in residence halls; (3) training for student athletes and coaches; and (4) school assemblies and "back to school nights." These programs should include a discussion of what constitutes sexual harassment and sexual violence, the school's policies and disciplinary procedures, and the consequences of violating these policies.

The education programs also should include information aimed at encouraging students to report incidents of sexual violence to the appropriate school and law enforcement authorities. Schools should be aware that victims or third parties may be deterred from reporting incidents in alcohol, drugs, or other violations of school or campus rules were involved. As a result, schools should consider whether their disciplinary policies have a chilling effect on victims' or other students' of sexual violence offenses. For example, OCR recommends that schools inform students that the schools' primary concern is student safety, that any other rules violations will be addressed separately from the sexual violence allegation, and that use of alcohol or drugs never makes the victim at fault for sexual violence.

OCR also recommends that schools develop sexual violence materials that include the schools' policies, rules, and resources for students, faculty, coaches, and administrators. Schools also should include such information in their employee handbook and any handbooks that student athletes and members of student activity groups receive. These materials should include where and to whom students should go if they are victims of sexual violence. These materials also should tell students and school employees what to do if they learn of an incident of sexual violence. Schools also should assess student activities regularly to ensure that the practices and behavior of students do not violate the schools' policies against sexual harassment and sexual violence.

Note: *Reconstructing Norms* is a resource that provides specific training curricula for male students, female students, faculty, staff, campus security and healthcare staff with up to date information specific to West Virginia. *Reconstructing Norms* may be accessed at www.fris.org.

Promoting Awareness of the College Transition (PACT) is a resource that is designed to address the dangers of sexual and relationship violence, particularly for students transitioning from high school to college. *PACT* may be accessed at www.fris.org.

Sample Policy Addressing Security Awareness Programs

(Adapted from U.S. Department of Education, *The Handbook for Campus Crime Reporting*)

All new incoming students, regardless of their time of enrollment, will receive an orientation during which they will be informed of services offered by the *[insert name of police/security department]*. Orientation staff will utilize a variety of presentation materials that outline ways to maintain personal safety and residence hall security. Students will be informed about crime on campus and in surrounding areas. Similar information is presented to all new faculty and staff as well as for any groups (such as youth camps) that are residential. Crime prevention programs and sexual assault prevention programs are offered on a continual basis.

Periodically during the academic year the *[insert name of police/security department]*, in cooperation with other campus-wide organizations and departments, present crime prevention awareness sessions on sexual assault (rape and acquaintance rape) drug-facilitated sexual assault, theft and vandalism, as well as educational sessions on personal safety and residence hall security.

A common theme of all awareness and crime prevention programs is to encourage students

and employees to be aware of their own safety and the safety of others.

In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, videos and articles and advertisements in college and student newspapers.

When time is of the essence, information is released to the campus community through security alerts posted prominently throughout campus, through computer memos sent over the campus electronic mail system and a voice mail broadcasting system.

Sample Policy on Sexual Misconduct Education

(Adapted from The College of St. Rose, Oberlin College and Antioch College, Campus Action Inter-Campus Sexual Assault Taskforce)

1. *[Insert title of position]* will be responsible for campus-wide education programs regarding sexual offenses, including orientation for incoming students, mandatory workshops for all students, faculty and staff training, the training of the Peer Advocacy Group, and training of Sexual Offense Hearing panels. Potential topics could include:

- ✓ Sexual assault and sexual abuse;
- ✓ Relationship/dating violence;
- ✓ Sexual harassment;
- ✓ Stalking;
- ✓ Alcohol, drugs and sexual assault; including information on drugs used to facilitate rape; and
- ✓ Bystander intervention.

2. All faculty, staff, campus security personnel, health services personnel, and campus residence staff will receive training on sexual assault and relationship violence prevention including, but not limited to *[insert name of college]* policies, responding to and reporting sexual assault and sexual harassment, victim resources, responding to victim's emotional needs and appropriate responses to disclosures of victimization. Training will be conducted, when possible, in conjunction with representatives from the local rape crisis center. Faculty will also be provided with up to date print resources on these topics annually.

3. An information packet will be distributed to each student at the beginning of each year. It will include:

- ✓ An overview of sexual assault, sexual violence, and sexual harassment;
- ✓ A copy of the campus policy on sexual misconduct;
- ✓ A description of campus and off-campus sexual assault support services; a description of campus safety measures;
- ✓ Risk reduction tips;
- ✓ Information on how to report sexual harassment and assault; and
- ✓ Campus Title IX responsibilities and Title IX coordinator information

4. Sexual assault prevention education will be provided at orientation for all incoming students.

5. Also, supplemental risk reduction workshops will be held in each dorm, each semester. Workshops for students on sexual offenses will be offered by the *[insert name of office]*. Participation in these workshops will be required for graduation. These workshops will be offered each semester, and attendance will be taken during each session to ensure proper credit. Students will need to take at least one workshop each year at *[insert name of college]*, in order to graduate.

Topics for these workshops will include, but not be limited to:

- ✓ Role plays addressing consent;
- ✓ Dispelling the myths of sexual assault;
- ✓ Risk reduction; and
- ✓ Bystander intervention.