

Sexual Assault, Dating Violence, Domestic Violence & Stalking on Campus

Prevention, Awareness & How the
Violence Against Women Act Protects You

EVMS
Eastern Virginia Medical School

The Violence Against Women Act protects people of *all* genders.

Protection and Prevention

Protecting you from sexual and relationship violence — and helping you better understand how to protect yourself and others — is a key campus concern. You should *never* have to contend with sexual assault, dating violence, domestic violence or stalking — and we strictly prohibit these offenses. They have no place within our community.

The reauthorization of the federal Violence Against Women Reauthorization Act (VAWA) put requirements in place for colleges and universities under its Campus Sexual Violence Elimination (SaVE) Act provision. These regulations are designed, in part, to help prevent sexual assault, dating violence, domestic violence and stalking, while also raising awareness and providing support at every turn. Our campus community is committed to creating a safe environment for *all* students and this brochure offers tools to help make it happen.

Definitions

The four main categories of gender-based violence addressed by VAWA are sexual assault, dating violence, domestic violence and stalking. To start, it's important to know what each one means...

Sexual Assault

Sexual assault is an offense that meets one of these FBI definitions below...

“Rape. The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling. The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest. Sexual intercourse between people who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape. Sexual intercourse with a person who is under the statutory age of consent.”

Note: Although the term “victim” is used within the FBI’s definitions above, using the terms “complainant” and “respondent” are typically best practice instead.

The majority of campus sexual assaults occur between people who know one another. Alcohol and other substances can be a factor too, impairing a person’s capacity to give or responsibility to receive effective consent.

Yes, it’s called the “Violence Against Women Act,” yet people of all genders are protected under this federal legislation!

Plus, these offenses can be committed by someone of any gender.

Sources: VAWA Final Regulations, *Federal Register*, 10/20/14; *The Handbook for Campus Safety and Security Reporting*, 2016

Dating & Domestic Violence

Dating Violence

If someone you are in a romantic/intimate relationship with pinches, kicks, slaps, hits or shoves you, those are **physical** instances of dating violence.

If that person keeps you away from friends and family, shames you, calls you names, bullies or publicly embarrasses you on purpose, those are **psychological and emotional** examples of abuse.

And if that person forces or coerces you to engage in sexual activity when you're unable to consent — or don't want to consent — that's **sexual** abuse.

All of these actions and more constitute dating violence. It's violence committed by a person who is or has been in a romantic/intimate relationship with you. It can include the types of abuse mentioned above or the threat of such abuse. You *never* deserve to be treated this way and it's an offense.

Dating violence can take place in person or via technology, such as repeated texting or posting sexual photos of a partner online without consent.

Domestic Violence

The crime of domestic violence can be committed by...

- A current or former spouse or intimate partner
- A person with whom you share a child
- A person against an adult or youth victim who is protected from that person's acts

In most abusive relationships, possessive and controlling behaviors are present. These may include controlling money, put-downs, keeping you away from friends or family, destroying your property, threatening to hurt/kill your pets, controlling who you see/where you go/what you do, preventing you from working or attending school, pressuring you sexually, intimidating you with weapons, threatening to harm your kids or take them away, scaring you with looks and actions, driving dangerously when you're in the car, preventing you from leaving, forcing drug or alcohol use, physically hurting you and/or your children, someone threatening to harm himself/herself if you leave and more.

These actions are all about having power and control over an intimate partner. Domestic violence can happen to people of all genders, races, abilities, ages, nationalities, sexual orientations, religions, socioeconomic and educational levels. It is always an offense.

The National Domestic Violence Hotline is 1-800-799-7233 or 1-800-787-3224 (TTY). Or text LOVEIS to 1-866-331-9474.

Sources: The National Domestic Violence Hotline; "Teen Dating Violence" from the CDC; The National Coalition Against Domestic Violence; VAWA Final Regulations; *Federal Register*, 10/20/14

Stalking

Stalking is when someone engages in a course of conduct directed at a specific person that causes that person to fear for his/her/their safety or the safety of others. It also causes the stalked person substantial emotional distress.

Over 85 percent of people who experience stalking are stalked by someone they know, according to the Stalking Resource Center, with behaviors that control, track or frighten them, including...

- Threatening to hurt you, family, friends or pets
- Showing up or driving by where you are
- Following you
- Monitoring your phone and computer use
- Using technology to track you
- Damaging your home, car or other property
- Spreading rumors about you online, in public or by word of mouth
- Digging for information about you
- Sending unwanted gifts, notes, texts or emails

Being stalked can lead to anxiety, stress, irritability, an inability to sleep or concentrate, and depression. You don't have to feel this overwhelmed, vulnerable and unsafe — let us help.

Sources: VAWA Final Regulations, *Federal Register*, 10/20/14; Stalking Resource Center; CDC's Veto Violence

Consent

Sexual and relationship violence takes place without someone's consent.

Consent is the affirmative, unambiguous and voluntary agreement to engage in a specific sexual activity.

So, if you're initiating sexual activity, ask for consent before taking ANY action. If someone fails to say "no," that doesn't mean he/she/they is saying "yes." You must obtain clear consent in that moment that is completely voluntary, without coercion, intimidation, force or threats. If you're unsure that consent has been given, take the time to talk with your partner to find out for sure. If consent has been withdrawn, then stop.

Consent given earlier for a certain act doesn't mean you can automatically proceed with other acts. And your partner certainly has the right to change his/her/their mind.

Consent also can't be given if someone is unconscious, asleep, incapacitated (due to alcohol/other drugs), a minor or physically/mentally impaired. Plus, if you have a current relationship with someone or did in the past, that doesn't mean you can just proceed with sexual activity. You *always* need to obtain consent.

Sources: Wellness Resource Center's "Consent" page, Temple U.; VAWA Brochure, U. of Miami; U. of California's VAWA Training; "Defining and Understanding Consent," Whitman College

What to Expect from Us

If you or someone you know experiences sexual assault, dating violence, domestic violence or stalking, we will take every reasonable measure to ensure that all involved are safe and supported while we resolve the matter.

Support

Our institution offers several measures for safety and support, depending on the circumstances. These include helping you receive counseling and medical assistance, while also offering protective measures to help you feel safer on campus.

These accommodations may be related to your academic, living, transportation and workplace situations, if you request them and they are reasonably available. At times, we may need to act quickly to protect your safety, so we may not be able to obtain your written consent ahead of time. Please know, though, that we will be in communication with you throughout the process, to keep you in control of the situation and feeling as safe as possible.

Support for Respondents

Those accused of sexual assault, dating violence, domestic violence and stalking can find support through counseling and other services. Please ask if you're unsure where to find the support you need.

Reporting

Numerous people here serve as Campus Security Authorities (CSAs) who are trained to listen, take your report and guide you to appropriate resources. You'll receive information about support options and the student disciplinary process, plus how to pursue a criminal complaint — if YOU choose to do so.

Under the federal Clery Act, CSAs must report where and when a crime occurred, but not necessarily who was involved. When it comes to confidentiality, our institution will balance the need to keep the campus community safe with protecting your request for confidentiality to the maximum extent possible.

Campus Disciplinary Proceedings

Resolving cases of sexual assault, dating violence, domestic violence and stalking involves a fair, impartial and equitable campus disciplinary process. These proceedings will be held within a reasonably prompt timeframe. As part of this process, both the complainant and the respondent will have equal opportunities to have an advisor of their choice present. Both parties will also be given timely notice of meetings, plus timely, equal access to information that will be used during meetings and hearings.

Once a disciplinary proceeding is over, the complainant and respondent will be alerted simultaneously regarding the outcome and any appeal options.

Risk Reduction

While gender-based violence is *never* the complainant's fault, there are preventive measures you and your friends can take to reduce the risk of sexual assault, dating violence, domestic violence and stalking...

- Trust your instincts
- Don't worry about offending someone — just remove yourself from a situation right away
- Make your limits known as early as possible
- Say “NO” clearly and firmly, if you are able
- Notice when your boundaries aren't being respected
- Assert your right to have those boundaries respected
- Be “situationally aware” by taking note of your surroundings and who is present
- Don't be afraid to ask for help in situations where you don't feel safe
- Be firm about controlling your own alcohol or drug use, rather than allowing others to dictate what you consume — when you use substances, try to be conscious of the possible impact on your inhibitions and situational awareness
- Walk with others
- Lock doors and windows in your car and living space
- Look out for your friends and ask that they look out for you, too
- Respect a friend who challenges you if you're about to make a poor decision

And NEVER blame yourself if an act of sexual or relationship violence occurs! The *only* person responsible in that situation is the person who failed to get your consent.

Sources: U. of California VAWA Training; Cal State, Long Beach, Office of Equity & Diversity

Reducing the Risk of Being an Aggressor

To make sure you don't engage in sexual or relationship violence...

- Listen to your partner — note verbal and non-verbal cues
- Clearly communicate your intentions
- Only proceed with sexual activity if there is *clear* consent
- Respect your partner and his/her/their personal boundaries
- Watch your alcohol/other drug intake so decision-making isn't compromised
- Don't make assumptions about consent, sexual availability, attraction or limits — communicate!
- Don't take advantage of someone who is drunk or drugged — they *can't* give consent
- Don't abuse any power advantage (gender, size, etc.) to intimidate or scare your partner

Sources: Cal Poly Pomona's “Myths and Facts about Sexual Violence”; Cal State, Long Beach, Office of Equity & Diversity

Bystander Intervention

When an incident of sexual or relationship violence is about to take place, bystanders can intervene simply and safely, often flipping the switch to change the outcome. Some positive ways to intervene include...

- Provide a distraction that interrupts an interaction
- Directly engage one or more of the involved parties
- Get police or other authorities involved
- Tell someone else and get help
- Ask people in potentially dangerous situations if they are okay and/or want to leave
- Make sure they get home safely
- Remind friends and acquaintances that incapacitated people can't give consent
- Help remove someone from the situation
- Provide options and a listening ear

Don't just hope that someone else will step in. You have the ability to stop a terrible, life-altering situation. Be part of the solution!

Being a Proactive Bystander

There are multiple actions you can take to help prevent sexual and relationship violence proactively too, such as...

- Believe that sexual and relationship violence is unacceptable and say it out loud
- Treat people with respect
- Speak up when you hear victim-blaming statements
- Talk with friends about confronting sexual and relationship violence
- Encourage friends to trust their instincts in order to stay safe
- Be a knowledgeable resource for survivors
- Don't laugh at sexist jokes or comments
- Look out for friends at parties, bars and other gatherings
- Educate yourself and your friends
- Use campus resources
- Attend awareness events
- Empower survivors to tell their stories

Providing a Distraction

Sometimes all it takes is a distraction to interrupt a potentially dangerous interaction.

- Call a friend's cell repeatedly
- Spill something on purpose
- Tug on your friend's arm insistently
- Ask where the bathroom is
- Interrupt the conversation
- Turn off the music
- Say, "I think that guy wants to talk to you" to separate those involved
- Tell someone, "Your car is being towed!"
- Matter-of-factly pull your friend away, saying, "We need to leave" — and then go

VAWA at Eastern Virginia Medical School

IF YOU HAVE EXPERIENCED SEXUAL ASSAULT, INTIMATE PARTNER VIOLENCE (DATING VIOLENCE OR DOMESTIC VIOLENCE), OR STALKING

1. Go to a safe location as soon as you are able and call the police and/or a trusted friend or family member.
2. Contact any of the following for immediate assistance:
 - a. South Hampton Roads YWCA, 5215 Colley Ave, Norfolk, VA 23510-1220, **24-Hour Crisis Helpline: 757- 251-0144.** EVMS has an MOU with the South Hampton Roads YWCA to provide crisis services for EVMS students and employees. The YWCA provides comprehensive confidential support services (advocacy, coordination, counseling, shelter placement, etc.) for victims of domestic violence, sexual assault, stalking, and human trafficking for men, women, and LGBTQ individuals of all ages, races, cultures, and economic backgrounds. They can also help coordinate the preservation of evidence and help you get in touch with the police.
 - b. EVMS Police and Public Safety at 757.446.5911. 24 hours/7 days a week.
3. **Seek Medical Attention:** Go to your nearest hospital emergency room and be examined and, in the case of a rape, have a forensic exam conducted. While at the hospital, you can contact the police if you have not done so already. It is also important to seek medical attention to preserve evidence. Evidence collection should be completed within approximately 120 hours of an assault, but fluids, hair samples and DNA can be collected for a long time thereafter. Even if you have washed or bathed, evidence can often still be obtained.
4. **Choose how to proceed.** EVMS prohibits the crimes of sexual assault, dating violence, domestic violence and stalking and you have options. You can: (1) do nothing until you are ready, (2) pursue resolution by EVMS, (3) initiate criminal proceedings, and/or (4) initiate a civil process against the perpetrator. You may pursue whichever combination of options is best for you. If you pursue resolution by EVMS, your options can include a formal response, informal resolution, and/or supportive measures. EVMS can also assist you with contacting local law enforcement.

If you are off campus and experiencing an emergency, you can call local police by dialing 911.

If you are in Norfolk and have a response that requires police, but is not an emergency, call the Norfolk Police non-emergency line at 757.441.5610.

If you wish to have an incident investigated and resolved by EVMS contact a Title IX Coordinator:

- Melissa Scott, Senior Deputy Title IX Coordinator for Students at 757.446.8927. Regular business hours, M-F
- Matthew Schenk, Senior Deputy Title IX Coordinator for Employees at 757.446.6043. Regular business hours, M-F
- Josephine Wiley, Institutional Title IX Coordinator at 757.446.6008. Regular business hours, M-F
- You may also contact a Title IX Coordinator by emailing TIX@evms.edu at any time (responses will be made during regular business hours M-F)