

Sexual Misconduct Resource Guide

At Sigma Delta Tau we empower women in college and beyond. Consistent with our mission and values, we aim to provide our members the environment, resources, and opportunities to learn, develop, and succeed. Because sexual misconduct is an ever-growing, continuous threat to women's safety and ability to thrive, Sigma Delta Tau is committed to educating our members on this dire topic, working towards preventing sexual misconduct, and empowering our members to know how to handle it when it occurs.

This document aims to comprehensively educate our members on these 7 elements:

- **Section 1** defines sexual misconduct and explains the various types of offenses that comprise sexual misconduct. This information will help our members spot the warning signs and identify when something unlawful has occurred.
- **Section 2** explores common reactions to sexual misconduct, and explains what factors go into the decision of whether to report sexual misconduct. It also offers guidance on how to decide whether to file such reports.
- **Section 3** provides guidance on the ins and outs of reporting sexual misconduct to various entities – the hospital, the police, your college campus. It goes on to explain some of what you can expect with each of these processes that are designed to help and protect you.
- **Section 4** highlights the importance of bystander intervention in this space. It teaches how to be a good bystander and lays out guidance on how to respond if a friend reports sexual misconduct.
- **Section 5** highlights intimate partner abuse, which often includes several different forms of sexual misconduct as well as other emotional, physical, and psychological abuses. It provides tips on how to manage such a situation and help support friends who may become victims of such relationships.
- **Section 6** provides general safety tools and tips to foster an environment of prevention and safety at college.
- **Section 7** lists coping mechanisms and further resources. With this resource we aim to educate and empower our members to gain control over their bodies and their lives, so they can truly thrive in college and beyond.¹

The unfortunate reality is that college campuses are extremely high-risk environments for sexual misconduct against women. Female college students become victims² of sexual misconduct at an alarming rate: over 1 in 4 will experience rape or sexual assault while at college.³ Being a member of a sorority presents an even higher risk factor for sexual assault.⁴ The beginning of the school year is a particularly vulnerable time for women on college campuses: over 50% of sexual assaults at college occur in the first few months of the first semester.⁵

This resource should be reviewed at the start of each semester and then can be consulted when something happens to you or your friends. It should help you to understand the nature of what happened, what options you have, and how to get help.

1. Disclaimer: This resource is meant to provide general information about sexual misconduct at college campuses. It does not contain legal advice and should only be referenced as a guide. Consult your local and state laws and campus rules and regulations.

2. Throughout this resource "victim" and "survivor" will be used interchangeably. "They" will refer to both a victim/survivor and perpetrator. All genders and sexes can be victims/survivors and/or perpetrators.

3. David Cantor, Bonnie Fisher, Susan Chibnall, Reanna Townsend, et. al. Association of American Universities (AAU), Report on the AAU Campus Climate Survey on Sexual Assault and Sexual Misconduct (January 17, 2020).

4. Tyler, Hoyt, & Whitbeck, 1998; Mohler-Kuo et al., 2004; Copenhaver & Grauerholz, 1991; Kalof, 1993.

5. Campus Sexual Assault Study, 2007; Matthew Kimble, Andrada Neacsiu, et. Al, Risk of Unwanted Sex for College Women: Evidence for a Red Zone, Journal of American College Health (2008).

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I. What Is Sexual Misconduct?

Sexual misconduct is a broad term that refers to an act or acts of an intimate nature that cause(s) harm to another person. The harm can be physical, emotional, or psychological. The act(s) can be physical, verbal, and/or cyber. The misconduct may be repeated and ongoing or an isolated event. Sexual misconduct can be perpetrated against someone of the same or different sex or gender, and can be perpetrated by a stranger, friend, teacher, or an intimate partner (basically, anyone).

The definitions listed below provide general descriptions of the various offenses that qualify as sexual misconduct, as well as other relevant terms. They are intended to explain what sexual misconduct looks like so you are familiar with the range of offenses.⁶ This knowledge will help you to avoid becoming a victim by understanding the mechanics of these offenses and allow you to help others cope and manage the situation when things happen.

Sexual misconduct includes broad range of sexual offenses. The nature of the following offenses is such that they often overlap and can happen at the same time. Depending on the circumstances of the case, the same act may fit within several of the offenses listed alphabetically below.

A. Forms of Sexual Misconduct

Attempted Sexual Assault - an attempted but incomplete sexual assault or rape is still an offense in most jurisdictions.

Cyber Sexual Harassment - sexual communications and acts committed using cyber platforms. Some examples include incessant messaging, commenting on someone's looks or sexuality, repeated unwanted requests for dates or sexual activity, sending unwanted sexual content or pornography.

Cyberstalking - the repeated, unwelcome use of electronic communications to bother, intimidate

and frighten someone. Cyberstalking may include threats, repeated insults, false accusations, identity theft and impersonation, the distribution of photos and videos, following and monitoring online, and encouraging others to harm and harass you. It arises from online contact with a known or unknown individual. When there is a sexual component, this can also be classified as cyber sexual harassment (above).

Digital Image Abuse - using photographs or videos of an intimate nature in a manner that violates the privacy and rights of the person depicted in the content. One example of digital image abuse is the sharing or publishing of a naked photo or video of another person without that person's consent.

Intimate Partner Violence (also known as Domestic Violence) - a broad range of behaviors perpetrated by a person in an intimate relationship against their partner that causes harm to the victim. These behaviors include: control, manipulation, coercive sexual acts, gaslighting, following the victim's whereabouts in person and/or online, violating the victim's privacy, isolating the victim from their friends and family, preventing the victim from studying or going to class, stalking. Intimate partner violence can include physical violence, sexual violence, and emotional abuse.

Rape - a severe form of sexual assault that is typically defined to include penetration. The Federal Bureau of Investigation defines rape as "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."⁷

Sexual Abuse - ongoing patterns of unwanted physical sexual behavior that causes harm to another person. It can include repeated sexual assaults. It usually requires physical contact.

Sexual Assault - unwanted physical touching and/or forced physical sexual acts or sexual contact. Within this definition, sexual acts can include any intimate parts of the body and can be an act that is received or given. (See below for definition of force).

Sexual Harassment - unwanted non-contact ad-

6. These definitions are not controlling on your college campuses or in your local jurisdictions. Please consult with your own campus and local jurisdiction for applicable rules, laws, definitions, and policies.

7. <https://www.justice.gov/archives/opa/blog/updated-definition-rape>

vances, touching, and/or communications which are intimate or sexual in nature. It can be one isolated incident depending on the context and jurisdiction, and/or repeated, continuous conduct. Unwanted touching can be classified as sexual harassment, but physical contact is not required for sexual harassment to occur.

Sextortion - the practice of forcing (or coercing) someone to pay money or perform sexual acts by threatening to reveal private information or publish naked or intimate photos or videos of them.

Stalking - ongoing repeated contact, watching, following, or bothering another person that causes harm to the person. It can include Cyberstalking (above).

Unlawful Surveillance - capturing, recording, or watching a person in a state of undress or in an intimate act without that person's consent. This can be done with the use of a spycam or other deceptive recording device either while in the room with the person and engaged in the sexual activity or by planting a recording device ahead of time.

B. Definitions of Sexual Offenses

Force - includes using physical strength, intimidation, or violence to perpetrate an offense. In addition to physical force, force can be applied through psychological acts such as coercion, threats, and manipulation.

Coercion - using threats or force to persuade or convince someone to do something the person would otherwise not want to do and/or prevent someone from doing something they otherwise have a right to do.

Consent - affirmative, mutual agreement to engage in intimate activity. It must be clearly and voluntarily communicated. Consent can be withdrawn at any moment. Each new level of activity requires a new round of consent. You can consent to one type of intimacy and not consent to another. Consenting on one occasion does not mean you consent to the same activity on another occasion.

Incapacitation - a person is incapacitated and therefore unable to consent if they are unable to understand the nature and effects of the sexual interaction.

Relevant questions to assess incapacitation include: Is this person vomiting? Is this person falling? Does this person need to be carried? Is this person in and out of consciousness? **Note: a person who is incapacitated, intoxicated by drugs/alcohol, asleep, unconscious, and/or underage cannot consent.**

II. How to Manage Sexual Misconduct If You (Or a Friend) Become A Victim

Now that you understand what sexual misconduct looks like, you are better equipped to notice the warning signs. But even the best preparation cannot eliminate all risk, so it is essential to understand your options if something happens so you can better manage and minimize the harm, and you can understand what your friends and sisters are going through if they have become victims of this sort of misconduct. This next section will discuss the common reactions to sexual misconduct, the effects of sexual misconduct on a survivor, and the considerations that go into whether someone decides to report. It goes on to explain the ins and outs of reporting sexual misconduct to different entities that can help you (or a friend) get help.

A. Common Reactions to Sexual Misconduct

It is all too common for a survivor of sexual misconduct to blame themselves for acting in a way that they believe contributed to the offenses perpetrated against them. **Victims/survivors are never to blame for the perpetrator's actions. It is NEVER the victim's fault when another person takes advantage of them or commits a crime.**

Even if you may have violated a college policy or broken a rule in connection with sexual misconduct against you, you have options. No one deserves to be assaulted or abused under any circumstance, regardless of what rules or policies the victim has violated. Many schools have amnesty for violations of such rules and policies. You still have rights and options, and you can explore them with an attorney or a confidential advocate at your school. Check your school's policies to review with whom you can speak with confidentially.

B. The Effects of Sexual Misconduct

Sexual misconduct impacts survivors in various ways and to varying degrees. Some effects of sexual misconduct show up immediately and others do not show up for some time. Some effects are short-lived and others last a life time. It is helpful to be aware of many of the normal and common effects of sexual misconduct that are listed here:

1. Emotional Effects

- Depression, anxiety, post-traumatic stress disorder, self-blame, panic attacks; suicidal thoughts
- Relationships can suffer (isolation, conflicts within family)
- Harm to one's reputation and career
- Difficulty entering and maintaining intimate relationships

2. Physical Effects

- Physical injuries
- Lack of sleep
- Poor nutrition or disordered eating

3. Economic Effects

- Grades suffer
- A person may transfer schools or drop out of school entirely to get away from the perpetrator
- Mental health treatment costs including medications, therapy
- Tutoring, accrued interest on student loans, counseling, delay in entering workforce, tuition payments for retaking classes

C. What Do You Do After Sexual Misconduct?

1. Know Your Rights!

No matter what the circumstances were, you have the right to report sexual misconduct to various agencies and offices to get help, find protection, and seek justice. If the incident just occurred, call 911.

2. Collect and Preserve Your Evidence

Evidence on your person after a physical/sexual assault:

- **Do not take a shower or wash your clothes.** There can be evidence on your person and on your clothes. **Keep everything**, including dirty underwear, for possible evidence collection and examination. If you can avoid using the bathroom, try to hold off until after you are examined. Even if you need time to decide whether to go to the hospital, keep the items you have saved somewhere safe and keep your body unwashed. If you have showered, know that you can still go to the hospital. There are ways that medical staff can collect evidence even if you have washed. If there were any other signs of a struggle (ripped clothes or jewelry, lost items) keep and **document everything**. Take pictures and jot down notes while your recollection is fresh.

- Evidence on your devices:

Save everything—delete nothing! Even if you think you do not want to file a report, leave open the option to do so at a later time. Do not erase any evidence on your computer/ phone/tablet. Keep all conversations and photographs even if they are embarrassing, including intimate content.

- Evidence from outside sources:

Tell someone else what happened to you as quickly and in as much detail as possible. Ask your friends and other witnesses if they saw/heard/observed what happened before, during, and after the incident. Keep track of their responses. Their observations and recollections may be relevant and helpful to your case.

3. Consider Whether You Want To File A Report

Reasons why people choose to report sexual misconduct:

- They are concerned for their well-being, safety, and health and/or that of others.
- They want help and protection for themselves and others.
- They are seeking justice.
- They are seeking damages for injuries caused.

Reasons why people choose not to report sexual misconduct:

1. Fear:

- Fear of not being believed, being shamed/ ostracized/blamed
- Fear of the consequences of having broken policies (e.g., drinking/drugs/males upstairs in a sorority house)
- Fear of being treated poorly by the police

2. Unknown Consequences:

- Will the offender go to jail or face harsh punishment?
- Will it be worse for them to report than to keep it private?

3. Lack of Knowledge/Information about Sexual Misconduct and the Legal System:

- Uncertainty over whether or not what they experienced was really sexual misconduct
- Recent press cases that cause survivors to doubt the ability of the justice system to right wrongs
- Worry they don't have proof and it will be a "he-said, she-said"

Considerations surrounding reporting vs. not reporting:

- **You can get help without filing an official report.**

Even if you choose not to file charges or a formal report, you are still entitled to support, care, and resources. At some schools you can get a **"No-Contact Order"** that will keep the perpetrator away from you while you decide how you want to proceed. Filing a report starts the process and gets you temporary protection and accommodations. You can file a report (criminal and/or Title IX) and decide later you want to withdraw it. If you file one report it does not preclude you from filing another report in a different system.

- **You have many options.** You can file both with the police and your Title IX Office. You can file with one and not the other. If you report, it does not necessarily mean the perpetrator is getting suspended, arrested, or expelled. There are often alternative processes in addition to formal charges and disciplinary proceedings that can include mediations, no contact orders, and negotiated settlement agreements.

Need to talk the decision through?

- If you are unsure about whether you want to file a report and want to weigh your options, consider speaking with someone for guidance and support. Before you speak with any of these people, **ask them if they are considered mandatory reporters** at your school. You should check your school's policies for information about mandatory and nonmandatory reporters. All colleges should have staff that can discuss the issue with you without any cost or consequences for you or the perpetrator. The individuals with whom you can consider speaking include the following:
- Therapist or other mental health professional (if employed by school, check about mandatory reporting first)
- Private attorney or survivors' rights advocate
- Rape crisis center on or off campus (check about mandatory reporting first)
- Your college campus Title IX office (check about mandatory reporting first).
- A spiritual leader (if employed by school, check about mandatory reporting first).
- Your RA (check about mandatory reporting first).
- Parent/Friend/Sibling

Not ready to decide?

- Even if you decide not to report immediately, you can still report later. Keep in mind it is never too late to report. Some survivors wait years before they disclose what has happened to them. Laws are slowly changing to allow survivors to come forward after long periods of time because there is a recognition that there are a lot of reasonable, typical reactions to assault. However, many jurisdictions still have short statutes of limitations (the time period in which a crime can be prosecuted) on the books for sexual assault crimes. If you want to keep your options open, consult with an attorney to find out what your timeframe for reporting is. Keep in mind that the longer you wait, the less likely it is to have as much available evidence to prove the case. **Even if you have not yet decided what to do, it is in your interest to speak with an attorney or campus advocate as soon as you are able.**
- If you decide not to report, you are still entitled to accommodations and supportive measures at school (e.g., to switch classes or schedule to avoid seeing/interacting with the perpetrator, change dorms or dorm rooms, get extension on assignments); receive mental health treatment and care; and benefit from the support of your sisters and other caring members in the community.

If you have decided to report, where do you go to do so? You can report sexual misconduct to a number of different offices and people who can help you:

- The police (call 911 if it's an emergency)
- The local hospital after a physical or sexual assault
- Your college campus's Title IX Office
- A private attorney or advocate from a nonprofit organization
- The local rape crisis center

III. How To Report Sexual Misconduct

A. Go to the Hospital

If you have been the victim of a physical sexual assault, go to the hospital. If possible, bring a friend or other supportive person. Go to the hospital as quickly as you can to preserve your options. If you suspect that drugs were used to involuntarily incapacitate you, you should get to the hospital immediately and indicate that suspicion to a doctor or nurse. "Daterape" types of drugs will quickly leave the blood system, so time is of the essence.

You have no obligation to file a police report or name the perpetrator just because you go to the hospital.

Your health is the first priority. If you want to file an official report, you will be able to do so there. You might want to receive medications for sexual transmitted diseases and treatments to stop a potential pregnancy. You may also want to have the medical staff document any injuries on your body (both outside and inside) which can serve as important evidence later on if you decide to pursue a case.

You will likely be interviewed by a nurse and given a sexual assault forensic exam. Sometimes this is referred to as a "rape kit exam." It will include a full body examination from head to toe. The nurse will look for hairs, bruises, scratches, injuries, and other physical signs of your assault. Photographs may be taken. This may feel invasive and difficult, which is why it can be helpful to have a friend or support person with you. Remember you can ask for breaks and ask questions to be informed about the process. Hospitals and health care providers are not the police—they are there to help you and should be the first recourse in all cases of physical sexual misconduct.

B. Report to the Police

If you decide to report to the police, the case becomes a criminal matter. The police will investigate the case to see if a crime has been committed. They will consider whether they have enough evidence to arrest the perpetrator. Sometimes the police choose not to pursue charges because they do not feel there is enough evidence to convict the perpetrator later at trial. They may have the prosecutor weigh in on this decision. They may make this decision even if they believe that you were assaulted. This process can be frustrating and difficult. You have a right to an advocate and/or an attorney to represent you during the criminal investigation process.

1. Information About the Police Interview

If you are at the hospital and decide to report the incident to the police, they will likely meet you there to do the interview. Ask the police if they have a victims' advocate who can be present to support you during the interview. Sometimes the police questions are hard or confusing. If you can, bring a friend or a support person. You may hear the same questions over and over again. **You may not feel supported or believed**—but try not to be deterred. The interview could take a long time. Remember you are entitled to breaks, water, food, and basic respect. Sometimes it feels like the questions are directed at someone who has done something wrong. The police may be trying to anticipate possible defenses in order to determine the strength of the case. It can be very intimidating to be interviewed by the police, but remember that you are the victim and the police can be a powerful asset for you.

2. Information about a Criminal Case

When a criminal report is filed with the police, the police investigate the case and the police and prosecutor bring the charges. The case is not you vs. the perpetrator (i.e., Jane Doe v. John Doe), but rather, The State of XYZ v. John Doe. As the survivor, you would be the witness in the prosecutor's case.

If the police and prosecutor decide there is sufficient evidence to pursue criminal charges they will notify you and arrest the perpetrator for their crimes. Once a criminal arrest is made, you will receive an order of protection (or restraining order) pursuant to the criminal case. This will prevent the perpetrator from being near you, talking to you, following you, or contacting you in any way. If the perpetrator does any of those prohibited acts, he can be arrested for violating the order of protection and face additional charges and worse consequences.

Once the state has an open criminal case, the prosecutor should stay in touch with you about the process. You have a right to know what's going on in the case. Most criminal cases end with a negotiated settlement agreement or a trial.

A criminal case is public, but your identity does not have to be. The perpetrator will be entitled to know your name but the court records can identify you as a "Jane Doe" to protect your privacy. Speak with the prosecutor assigned to your case about this.

C. Obtain an Order of Protection (or Restraining Order) through Family Court or Civil Court

If you are the victim of intimate partner abuse and/ or sexual misconduct, you should be able to obtain an order of protection in civil court or family court, a non-criminal (civil) process. This option depends on the local rules of your jurisdiction and the relationship you had with the offender. An order of protection would prohibit your perpetrator from being near you, talking to you, or committing any additional offenses against you. It is a set of restrictions on your perpetrator's behavior intended to keep you safe from them.

An order of protection (without a criminal report or criminal charges) is a civil matter, not a criminal matter that involves potential jail or other criminal penalties. The case would be you, Jane Doe, vs. the perpetrator, John Doe, and you may petition the court for the relief on your own, or with an advocate or an attorney. If the perpetrator violates the order of protection, then the matter would become criminal and he would face charges for the violation. Oftentimes, in order to get an order of protection you have to show the court that you were in an intimate relationship with the perpetrator (even if it was just for one night).

For situations in which someone is stalking and harassing you but with whom you were never intimate, some jurisdictions have "Stalking No Contact" orders that are available to obtain on your own in civil court. These orders are permitted in cases of stalking regardless of the nature of the relationship between the parties.

An order of protection is often obtained the day of the request, if the judge finds that your petition meets the necessary standard of proof. The original order will be temporary and will allow the perpetrator time to show up to court to face the charges. The perpetrator may hire an attorney to defend against the order of protection. You can also have an attorney on your behalf and depending on your financial situation, you may qualify for free representation. In order to get the final order of protection, there may be a hearing or a negotiated settlement.

D. Report to Your College Campus's Title IX Office

1. What Is Title IX?

Title IX is a federal law that protects you from discrimination based on sex at your school.⁸ This means that your school is required to protect you from sexual misconduct, which is discrimination based on sex.⁹ If you become a victim of sexual misconduct while at school, the school has an obligation to respond promptly and effectively to eliminate the sexual misconduct, prevent its recurrence, and address its effects. **A Title IX investigation is not a criminal case; it is a disciplinary matter.** The consequences of a finding of responsibility of sexual misconduct are usually probation, suspension or expulsion from school, not a criminal arrest or criminal consequences.

Under Title IX, your college is required to distribute a notice of nondiscrimination, which is likely in your school's handbook or code of conduct. The school must have a Title IX coordinator who is in charge of overseeing the Title IX policies and procedures at your school and ensuring that the school is in compliance with the law. Your school is required to have clear grievance procedures that explain the processes involved in filing a report, the investigation, hearings, resolutions, and appeals. Your school is obligated to respond promptly and equitably to reports of sexual misconduct.

If you are deciding whether to file a report with the Title IX office, you should review your school's Title IX policies and procedures to familiarize yourself

with the process. You likely have the right to hire/obtain outside counsel or an advocate to represent you and discuss your options with you. If you file a report with your Title IX office you likely have the right to some degree of confidentiality so that your identity is protected. Discuss what this means with your Title IX officer.

2. What Happens If You Pursue a Title IX Investigation?

During the Title IX process, someone will interview you, collect evidence, and interview your friends and other witnesses. The perpetrator will also be interviewed. A lot of the questions may seem hard and uncomfortable. Just like with a police interview, however, you have a right to food, water, breaks, a support person, and respect.

Sometimes mediation is available through Title IX. Mediation is an informal resolution process which involves finding a solution to conflicts without discipline or punishment for either party. Mediations can involve acknowledging responsibility for pain caused, agreements to attend sexual misconduct prevention classes and other non-disciplinary arrangements. This might be attractive to a survivor who wants a resolution but does not want to have to testify at a formal hearing or risk that the case may be decided against them.

Or, there may be a more formal hearing for a neutral fact finder to make a decision as to whether sexual misconduct has occurred. A more formal disciplinary hearing may require the survivor to testify and be questioned. If the hearing goes in the survivor's favor the consequences for the perpetrator can include probation, suspension, or expulsion.

If you report to Title IX, it does not mean you are required to undergo a full investigation and a disciplinary proceeding. You may only want safety accommodations, dorm room changes, or class schedule changes so that you do not see the perpetrator. You may want to receive extra time to finish an assignment or to drop a class for your mental health.

8. Title IX only applies to schools which receive federal funding, which includes the vast majority of higher education.

9. Title IX Policies Covers Sexual Assault, Sexual Harassment, Gender-based Harassment, Sexual Exploitation, Domestic Violence, Intimate Partner Violence / Dating Violence, Stalking, and Retaliation.

These accommodations should all be possible without a formal investigation and hearing.

Title IX prohibits retaliation. This means that if you file a report with your school, they are prohibited from penalizing you in any way (e.g., issuing failing grades, preventing you from participating in school activities, or threatening or pressuring you to drop your case).

These are all considered discriminatory acts under Title IX and are prohibited by law.

In addition to filing a Title IX report at school, you also have the right to file a report with the United States Department of Education Office of Civil Rights ("OCR"), which is the Federal office that enforces your school's Title IX compliance. If your school is failing to meet their obligations under Title IX, you may want to consider an OCR complaint.

E. Consult a Private Attorney

A civil lawsuit, a settlement or a mediation can be pursued with the help of a private attorney working on your behalf. You may also want to retain an attorney to help advocate for you in a criminal proceeding or throughout a disciplinary hearing. Many victims' rights law firms will offer free consultations to talk through your options and rights under the law.

IV. The Importance of Bystander Intervention

Anyone who witnesses an incident of actual or attempted sexual misconduct, or has been told about such an incident, can be extremely important in helping a victim get help and bringing a perpetrator to justice. It is a vital role and can be complicated. The following information will explore the challenges of being a witness and help guide you in how best to stand up and speak out. It will also explain how to be a good listener and support person when someone reports sexual misconduct to you.

A. What Is a "Bystander"?

A bystander is a person who is nearby an event and

witnesses what is happening. As a bystander, you have a vital role to play in protecting your sisters, preventing harm, mitigating further harm, helping deliver justice, and more broadly, changing the culture in your community.

Bystanders sometimes fail to step in because it feels uncomfortable. Know that you can step in in a way that fits your comfort level. Also recognize that you have a unique opportunity to prevent sexual misconduct, stop it from proceeding further, and/or ensure that a perpetrator faces consequences. Sorority sisters should recognize a special obligation to play this vital role for their sisters and their broader college communities.

B. How To Be a Responsible Bystander

If you are witnessing an intoxicated person in a precarious situation with someone who may hurt or harm them, there are several ways you can prevent a sexual misconduct from taking place:

Ask the person who appears to be at risk how they are doing, and use their response to make an assessment of intoxication and capacity to take care of themselves.

You can encourage this person to leave with you without directly addressing the potential threat or creating a confrontation. Entice this person with the idea of getting pizza or going to another party. At least try to get this person to the bathroom with you so you can check in privately and assess what they need.

You can contact a security guard, RA, bouncer, or call 911 if the situation is clearly getting serious.

If you feel comfortable you could approach the potential perpetrator and point out that your friend is intoxicated and unable to consent. Recruit friends of the potential perpetrator to do this task if it feels safer. Always maintain your safety.

You can always ask others to help you. Seek strength in numbers. A sorority sisterhood is a powerful force for prevention.

Bystander intervention can prevent a sexual assault from happening. It can also help change the

culture and dynamics on your campus. Every time you hear a sexist joke or a comment that denigrates women, you have an opportunity to step in and speak up. This does not necessarily require physical acts to intervene. In fact, language and other clear communication can be just as powerful and can contribute to better treatment of women at your college. Speak out against social norms that support and encourage sexual violence (e.g., think about party themes, costumes, jokes, and other seemingly innocuous choices that people make that perpetuate harmful attitudes and behaviors). All of these small details add up. They create the culture of your organization, the Greek system, and your campus community. You have the power to help change the culture at your school so that everyone knows sexual misconduct will not be tolerated.

C. What Do You Do If Someone Reports Sexual Misconduct to You?

The first and most fundamental thing you can do is listen! If somebody has been a victim of sexual misconduct, they need someone who will give them the space and attention necessary to process that experience and take appropriate steps to care for themselves and get help.

The situation may or may not be acute and urgent. Assess the status of the current situation to the best of your ability. Is your friend in danger? Do they need medical assistance? If so, help them call 911. If it is not an imminent threat, or if the episode has passed and they are uncertain of what to do, use the information in this document to help them understand their options and opportunities for finding help.

If somebody tries, directly or indirectly, to speak with you about an incident or pattern of behavior, you should recognize your responsibility and position of power: this person is taking a leap of faith and showing trust in you. Show respect and compassion during this difficult time. Keep an open mind, don't judge. Don't ask "why" questions – ask factual questions only, such as "what happened next?" "How did that make you feel?"

Recognize that this person has undergone a traumatic experience. Trauma is an emotional response to rape or sexual misconduct that can cause shock, denial, unpredictable emotions, strained relationships, and physical symptoms such as headaches.¹⁰ In addition, trauma can have unanticipated secondary effects. For example, someone who reports having been sexually assaulted may act differently than you would expect them to. They may not consistently recall or recount the episode, a common reaction to traumatic experiences. This does mean the assault did not happen. It means that trauma is affecting their cognitive and decision-making processes. Trauma can play a big part in a survivor's behavior, choices, and actions. Consider this as you support your friend, and always reflect on how you would want to be treated if you were in their shoes.

Respect this person's desire for confidentiality. You can help guide them in the decision to come forward or tell other parties. Remind them that whatever happened is not their fault. Start from a place of believing that what happened is true. Believe your sisters and friends. Explore the pros and cons of different reporting options. Help them make a plan for next steps and help her develop a safety plan, if appropriate.

V. Spotlight on Intimate Partner Abuse

There are alarmingly high rates of intimate partner abuse in college settings. 43% of dating college women report experiencing violent or abusive behaviors from their partners.¹¹ Therefore, it is crucial to be aware of the warning signs both for yourself and for your friends and sisters. These may occur in person and online, and usually both – so you may observe it in social media feeds or in your social life.

The key themes in intimate partner abuse are power, control, and manipulation. Emotional and physical domination are the desired result, achieved through put-downs, insults, and isolation. The purpose of these behaviors is to crush the self-esteem of the victim-partner so that they are too afraid to escape

10. American Psychological Association. <https://www.apa.org/topics/trauma>

11. NCADV <https://ncadv.org/blog/posts/quick-guide-t>

TIPS FOR CHECKING INTIMATE PARTNER ABUSE

If you are in a situation in which your partner is either verbally, physically, or sexually abusive, try to document as much as you can safely. Take photographs of your injuries and write in a journal what is said and done and how it makes you feel. What you document can serve as important evidence of the abuser's crimes if you need it later on. Try to see a doctor, and seek help from friends, family, teachers, or the police. You can also obtain an order of protection outside of the criminal justice system by going to family court or civil court depending on your jurisdiction. Bystander intervention is particularly important in these circumstances. A friend may feel trapped inside a relationship. Reach out to your friends and check in with them. Do not only use digital means to do so because their partner may be reviewing and tracking their conversations. Meet them in person to check in. Remind them that you support them and there is help out there. Help your friend create a safety plan.

the relationship with the abuser. If the survivor is convinced they are worthless and nobody else will love them, they will likely stay. An abuser will work to isolate their partner from their friends and family so that they feel alone and only has the abuser to rely upon.

Oftentimes abusers will try to excuse their behavior after lashing out with violence or verbal abuse. They generally blame the victim for their outbursts or apologize profusely afterwards in order to garner sympathy. Alcohol and drugs may play a part in intimate partner abuse. The abuser will blame their behavior on the substances or claim addiction as an excuse or a plea for sympathy from the victim.

In addition to physical and verbal abuse, a big part of intimate partner abuse can be stalking and persistent following and monitoring of the victim's behavior. An abuser may track their partner's GPS so they know where their partner goes during the day. The abuser may install keylogging software onto their partner's computer so they know with whom the victim-partner speaks, what websites they visit, and what they write in messages and emails. This makes it particularly difficult for victims in abusive relationships to seek help from friends and family. The fear of what the abuser will do if they find out can deter a victim from doing so. If the abuser does catch the victim-partner seeking help or speaking about the abuser, the abuser may lash out and exercise even tighter control over their partner's freedom.

VI. Prevention and Safety

Let's create a culture of safety and respect. Let's mobilize each other to take action, and mobilize our friends and fraternities to be our allies. Discuss consent, cyber safety, and sexual misconduct often with your sisters and classmates. Educate them and ask them to work with you on educating the broader community.

Familiarize yourself with your school's Title IX policies and student code of conduct so you know more about the specific rules on your campus. Consider hosting a sexual violence prevention workshop or seminar at your campus or in your Greek community.

A. Safe Measures to Protect Against Physical Sexual Misconduct

1. Party Safety

- Never go out alone – always go out in groups.
- Consider having sister-buddies for each night. Rely on each other and commit to returning home safely together.
- Avoid drinking juice and other drinks from open containers such as bathtubs and buckets because you cannot know what's inside of them.
- Make sure there is a sober friend or sister designated each night who is responsible for helping everyone comply with the expectations and rules set out by your chapter.
- Coordinate with your fraternity friends to assign sober brothers at parties who comply with the same expectations and rules.
- Never stay at a party after your friends leave. There is always another night.

2. Navigating Your Campus

While walking alone throughout campus, do not bury your head in your phone or otherwise ignore your surroundings. If you need to look at your phone for more than a glance, do so in well-lit and safe locations so you're not distracted and unaware of potential risks. Even headphones can keep you unaware of who is behind you. Stay alert, especially at night.

Lock your doors and devices at all times, no matter how briefly you step away.

Know your campus. Make sure you are familiar with all the streets, routes to classes, and any potentially quiet unsafe areas. Avoid quiet, less traveled streets if you can.

Alcohol and other intoxicants are major risk factors, so this advice is especially important in such circumstances in which they are involved.

3. While on Dates

- **Always tell a friend where you are going and with whom beforehand.**
- Share the dating app information about the person with whom you are meeting with a friend beforehand.
- Keep your phone near you and accessible at all times.
- Keep an eye on your drink the entire time.
- If you get a pitcher to share, do not allow your date to continue to fill up your glass so that you lose track of how many drinks you have had.

B. Measures to Help Protect against Cyber Sexual Misconduct

The internet is a powerful tool for perpetrating sexual misconduct. For all of its convenience and entertainment value, the internet makes possible a new class of harmful actions. Such cyber abuses often accompany or intensify traditional forms of sexual misconduct, and are less well-understood and consequently less well-protected by law and campus regulations. This document highlights cyber abuse because of its high prevalence and the relative scarcity of knowledge about how to deal with it. Consider these facts about cyber sexual offenses and follow the tips included within.

1. Intimate Photos/Videos

- It is wise to be mindful about how and with whom you share your intimate photographs and videos. Even if you trust the recipient unconditionally, their devices can be targeted by third parties in hacks. Content intended for one person can sometimes wind up distributed to others deliberately, mistakenly, or at the fault of a third person. Intimate content shared without consent via text or email from person to person can be embarrassing and harmful. But when intimate photographs and videos wind up online, the consequences are dire.¹²
- That content can follow a person for their entire life, and impact their mental health, reputation, and ability to get a job. Employers routinely search the internet for information about job applicants, so anything harmful can affect the employer's hiring decision. The internet lengthens the life of the harm as search engines index content on the web and can produce it immediately upon request with the right search terms. It is extremely difficult to get things removed from the internet, though not impossible.

12. A person with bad intentions who has your intimate content may create imposter social media accounts to impersonate you, follow your friends and get them to follow back so that they see your intimate content. They could upload your photographs on the dark web on dedicated "revenge porn" websites. They could upload the content to mainstream porn sites, social media platforms, or share the content directly through text message or email. Sometimes the harm is made worse when the wrongdoer attaches identifying information next to the content. "Doxxing" can lead to the person depicted becoming a target of unwanted communication and stalking by anyone on the internet. This person may have to change their address, contact information, and avoid having a social media presence in order to stay safe from unwanted attention and communications from strangers.

TIP TO REDUCE HARM FROM DIGITAL IMAGE ABUSE

Many websites (including social media platforms and pornography websites like Pornhub.com) will remove intimate content that was posted without consent from their platforms upon request because it is illegal in most jurisdictions. If you are seeking to get content removed, take screenshots that capture as much as possible of the posting online, so that you have the evidence if you should need it for a legal or disciplinary proceeding.

TIP TO PROTECT SENSITIVE IMAGES

You should be aware of certain facts about photographs and videos: the person who captures the content (a photo or video) owns the copyright of it. This is true even with photographs and videos taken on your phone. When you allow people to photograph you, you are accepting some risk under copyright law. Regardless of what the content depicts, the person who captures the image or video will own the rights to it. You will be limited in what kind of control you have over it. (Although digital image abuse or “revenge porn” laws still apply! Even if a person owns the copyright of your naked photo, they may not distribute or publish it).

On the flip side, if you have created the content, taken the photo or video (i.e., selfie), you have exclusive control over it. If it winds up posted or published without your consent on the internet, you can use the Digital Millennium Copyright Law to have it removed. You can hire an attorney to help you, but you do not necessarily need one in order to send a “DMCA takedown notice.” Look for the “DMCA” button on the website or google “DMCA Notice requirements” and send the necessary information through the contact page on the website.

2. Dating Apps

Some dating apps like Skout have geolocating abilities which allow potential partners to have access to information about where you are and how far away you are from them at any given moment. Keep this in mind as a possible safety concern when you make decisions about online dating. If you do use such apps, make sure you’re not alone while your location is being tracked and available to others. This will decrease the chances of someone following you once they locate you with the app. Check the privacy settings on these apps and see if you can turn off the geo-location settings.

Sometimes people feel a false sense of security when communicating online because the interactions are not in person. People tend to let their guard down more quickly when the conversation is taking place with a screen rather than face-to-face. In online dating situations, communication can escalate to become sexual in nature prior to meeting for the first time. This can cause mismatched expectations upon meeting for a first date. Be clear and explicit about your intentions and expectations beforehand.

3. Talking to Strangers Online

It is extremely easy to pretend to be someone else online. When communicating with strangers through apps, message boards, chat rooms, and video games, we cannot know with certainty who is on the other end of the digital connection. Be mindful about what personal information to you provide and what information is publicly available about you. A person with bad intentions can use publicly available information coupled with personal information you provide to stalk or harass you online, track you down in person, and/or commit harm against you.

Sensitive content should not be shared with strangers under almost all circumstances. Any content, communications, photos or videos you send can be used in a way you didn’t intend. Be mindful of what you send and what you say. Even if you think you trust the person, you can never know where the content might wind up, whether through that person’s deliberate actions or simply their carelessness or inattention.

Be savvy about sextortion. Cyber abusers often groom their victims, pursuing multiple long-term relationships online and seeking to collect and exploit sensitive content and information you may be tricked into providing because you feel confident and safe. Recognize that online communications make it easy for someone to disguise their identity and intentions.

4. What You Post Online

Always be conscious of what information you put on apps and websites. Try to take a breath and consider whether what you are sharing is worth the risk. Not only is there an acute risk of abuse or manipulation by a malign actor, there is a more generalized risk. Always edit carefully and try to check impulsive posts or messages.

It is important to balance the positive reputational information you publish about yourself (e.g., about your skills, activities, general location, friends, and family) against the negative consequences that may follow from unnecessary information you provide. If you post photographs of yourself with your friends, avoid allowing other personally identifying information such as your address, dorm name, phone number, and class schedule to be included as well. Google yourself often and remove any personal information that comes up that would allow someone to easily locate you.

Even the service or app on which you are sharing your personal information is free, there is always a cost: you and your content are the products, and they are typically for sale to the highest bidder.

5. The Myth of “Disappearing” Content

There are many apps and services that market disappearing content that tends to give young people a false sense of reassurance that they can send nude or sexual, embarrassing content, and it will be impossible for the recipient or others to save it. This is just not true. Nothing that is captured or sent on any smart device is absolutely safe, and it never truly disappears. A person can have a third device recording what shows up on his screen before they open it. The app itself can save content without your permission or knowledge. And the content stored in your phone can be accessed by a wrongdoer through various cyber tools that are readily available.

6. Cyber Privacy and Security Tips

Password Security

- Remember to choose strict security options on all of your devices. All phones, tablets, and computers provide security settings that allow you to choose more restrictive access to your content, but these are almost never the default options. Before you start posting content to a new app or service, carefully select the privacy options that are most comfortable for you. Then review them again and consider whether they are sufficiently strict to prevent some of the abuses discussed in this document.
- Always password-protect your devices – ideally with different passwords for different devices. Try not to use easily guessed options like your birthdate or birth year for PIN access. All of your passwords should be strong and random, rather than common words or phrases. They should include numbers, symbols, and letters.
- Answer security questions in a way that prevents people from guessing them. For example, if the security question is “What’s your mother’s maiden name?” (to which a wrongdoer could easily look up the answer on public platforms) answer instead with your favorite book. This is relatively easy to remember and provides an additional layer of security. Only you will know how you answer your security questions so they cannot be guessed. Use two-factor authentication for all accounts. This requires anyone who wants to gain access to your account to have access to your device as well as your password.

Device Security

- Never leave your laptop unattended in public or even in a dorm room. It is extremely easy to install software to track you and follow you online, which can be done in seconds. A person who has access to your devices – even briefly – can install keylogging software and other spyware into your phone or computer. This type of software can allow the wrongdoer to access all the keys you type on your computer, see the websites you visit, read the messages and emails you send, and learn the passwords to your accounts.

- Use a campatch or sticker to cover the camera on your devices to avoid anyone from watching you without your knowledge. Malware and viruses can be easily installed on your devices through an errant click, allowing intensive surveillance without your knowledge that violates your privacy, or worse, provides a wrongdoer with compromising audio, video, or images that can be used to extort or otherwise manipulate you.

Malware Security

- Use up-to-date virus scanners and detectors on your devices. Read emails carefully and do not click links or download attachments until you are certain of the sender. Viruses such as keylogging software can be sent via email. Pay close attention to email addresses. A savvy wrongdoer could email you from a fake email address that looks like one of your close friends or family members in order to trick you to click.

Recording Devices

- It is extremely easy to purchase a tiny spycam and set it up in a bedroom in order to record whatever happens within that room. Know this before you make decisions on where to be intimate with another person. These digital video cameras can be hidden easily so you will not see them. In most jurisdictions it is illegal to watch or record a person in a state of undress or in a sexual act without their consent.
- In addition to hidden cameras inside bedrooms and living rooms, you can also be recorded while on a Facetime or other video call. Be mindful of what you do on video because you never know who is on the other side of the call and if/how the call might be recorded.

VII. Some Resources for Coping with Sexual Misconduct

A. Coping After Trauma

- Find emotional support from people you know. Spend time with sisters, friends, family, and trusted teachers.
- Consider legal support. Police, lawyers, nonprofit organizations can help.
- Avail yourself of therapy and mental health treatment. There is no shame in self-care. Be kind to yourself!
- Exercise your body and exercise your mind through meditation.
- Seek spiritual support through religion, yoga, or higher-being exploration.

Keep in mind that trauma can affect friends, families, and support systems as well. If you are a friend, bystander, or support person, seek mental health support and explore positive coping skills to implement in your life.

B. Additional Resources

- RAINN: <https://www.rainn.org/>
- Your College's Title IX Office. Information can be found on your school's website.
- Know Your IX: <https://www.knowyourix.org/>
- National Coalition to End Domestic Violence: <https://www.thehotline.org/> <https://ncadv.org/about-us>
- <https://suicidepreventionlifeline.org>
- Local Domestic Violence nonprofits

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Nothing provided in this document is legal advice nor is it binding or controlling on your college campus or in your jurisdiction. If you need legal advice, contact the nonprofit organizations listed above or consult with an attorney.