



INFORMATION HANDBOOK ON DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

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PROTECTIVE ORDERS

What is a Protective Order?

It is a court order that protects you from someone who has been violent or threatened to be violent. Violence can include sexual assault.

How can a Protective Order help me?

It can order the other person to:

- Not hurt you or threaten to hurt you
- Not contact you or go near you, your children, other family relatives, your pets, your home, where you work, or your children's schools
- Not have a gun or a license to carry a gun

The police can arrest the other person for violating any of these orders.

Can I get a Protective Order?

You can get a Protective Order if:

- Someone has hurt you, or threatened to hurt you, **and**
- You are afraid that person may hurt you again, **and**
- Either you, or your spouse or dating partner has a close relationship with the person who hurt you (a close relationship includes: marriage, close relatives, dating or living together, or having a child together).

You can also get a Protective Order if you have had a Protective Order against the other person before and the other person violated the parts of the Protective Order designed to protect you.

You can also get a Protective Order if you have been sexually assaulted or stalked, even if you do not have a close relationship with the person who sexually assaulted or stalked you. To get more information about this kind of Protective Order, contact the Texas Advocacy Project, Inc. at 800/374-HOPE(4673) or the Texas Association Against Sexual Assault at 512-474-7190.

How much does it cost?

It is free for you.

How do I ask for a Protective Order?

Fill out the forms in this kit:

- Application for Protective Order
- Either an Affidavit *or* Declaration
- Temporary Ex Parte Protective Order
- Protective Order
- Respondent Information



Do I use the Affidavit or the Declaration form?

An Application for Protective Order needs to include either

a completed Affidavit or Declaration form. You only need to complete one of these forms. Do NOT complete both forms.

- Complete the Affidavit form if you want your Date of Birth and Address kept confidential. An Affidavit must be signed in front of a notary.
- Complete the Declaration form if you want your Date of Birth and Address to be public information (not confidential). A Declaration does NOT have to be signed in front of a notary.



Where do I file the forms?

After you fill out the forms, take the forms with 2 copies to the courthouse. File them in the county where you or the other person lives. But if you have a divorce or custody case pending against the other person, file the forms in that same county or the county where you live.

What if the other person and I live together or have children together?

The judge can make orders about who gets to use the house, apartment or car.

The judge can also make other orders, like child custody, child support, visitation, and spousal support. The judge can also make an order to protect pets.

Can I get protection right away?

The judge may give you a temporary order that protects you until your court hearing. This order is called a "Temporary

Ex Parte Protective Order". Please note: if you do not receive a court document entitled "Temporary Ex Parte Protective Order" that is signed by the judge after you apply, you do NOT have a protective order yet. You must go to a hearing and ask the judge for a Protective Order.

In some cases, the judge orders the other person to leave the home right away. If you want this, you should ask the judge. Be ready to testify at a hearing when you file your Application.

Do I have to go to court?

Yes. Even if you get a Temporary Ex Parte Protective

Although you may file these forms without having a lawyer, you are encouraged to get a lawyer to help you in this process. Your county or district attorney or legal aid office may be able to help for free. The State Bar of Texas may also be able to refer you to a lawyer if you call 800-252-9690.

Order, you must go to the next hearing. It should be in about 2 weeks. The judge will decide if you should have protection and for how long. If you do not go, the Temporary Ex Parte Protective Order may end.

Read *Get Ready for Court* in this kit. Or get it from the court clerk or from: www.texaslawhelp.org/protectiveorderkit

How will the other person know about the Protective Order?

You must have the other person "served" **before** the court hearing. This means someone—not you—will serve (*give*) the other person a copy of your application for a protective order. Please note: when the other person receives your application for a Protective Order, they will also receive a copy of your signed Affidavit or Declaration. Also, if the other person is in the military, a copy of the application for protective order and Affidavit or Declaration will be sent to the officials on base.

The clerk can arrange for law enforcement to serve the other person the court papers for FREE (for you).

How long will the Protective Order be in place?

In most cases, a Protective Order will last up to two years. There are some situations where a court can issue a Protective Order that lasts longer than two years.

Need help?

There is an instruction sheet for each form. But, if you need more help, contact: Family Violence Legal Line:

800-374-HOPE (4673) Or, go to:

www.texaslawhelp.org/protectiveorderkit



Get Ready for Court



Don't miss your hearing!

If you miss it, your Temporary Ex Parte Protective Order may end and you will have to start from the beginning.

800-374-HOPE (4673)

Get ready.

- Fill out a Protective Order before you go to court and bring it with you.
- Bring any evidence you have, like photographs, medical records, torn clothing. Also bring witnesses who know about the violence, like a neighbor, relative or police. The judge may ask them to testify.
- If you had a Protective Order in the past, bring a copy of it.
- Bring proof of your and the other person's income and expenses, like bills, paycheck stubs, bank accounts, tax returns.
- If the Proof of Service was returned to you, file it with the clerk and bring a copy to court. Proof of Service is a document that shows when and where the other person was given a copy of the Application for Protective Order.

Get there 30 minutes early.

- Find the courtroom.
- When the courtroom opens, go in and tell the clerk or officer that you are present.
- Watch the other cases so you will know what to do.
- When your name is called, go to the front of the courtroom.

What if I don't speak English?

When you file your papers, tell the clerk you will need an interpreter. Ask the court clerk if you qualify for any free interpretation services.

If a court interpreter is not available, bring someone to interpret for you. Do not ask a child, a protected person, or a witness to interpret for you.

What if I am deaf?

When you file your papers, ask for an interpreter or other accommodation.

What if I need child support or visitation orders?

Call the Family Violence Legal Line before you go to court:



What if I am afraid?

If you don't feel safe, call your local family crisis center or the National Domestic Violence Hotline: **800-799-SAFE (7233)**

Practice what you want to say.

Make a list of the orders you want and practice saying them. Do not take more than 3 minutes to say what you want.

If you get nervous at the hearing, just read from your list. Use that list to see if the judge has made every order you asked for.

The judge may ask questions.

The other person or his or her lawyer may also ask you questions. Tell the truth. Speak slowly. Give complete answers. If you don't understand, say, "I don't understand the question."

Speak only to the judge unless it is your turn to ask questions. When people are talking to the judge, wait for them

to finish. Then you can ask questions about what they said.

What happens after the hearing?

If the judge agrees you need protection, the judge will sign your Protective Order.

Take your signed order to the court clerk. Ask for copies of your order (or make extra copies) and keep one with you at all times.

Make sure copies of your order are sent to your children's daycare, babysitter, school, and to the other person's military superior, if they have one. If the other person violates the order, call the police and show them your order.

Need help?

If you are in danger, call the police: **911**

Or call Family Violence Legal Line: **800-374-HOPE (4673)**

Or go to:

www.texaslawhelp.org/protectiveorderkit

Although you may file these forms without having a lawyer, you are encouraged to get a lawyer to help you in this process. Your county or district attorney or legal aid office may be able to help for free. The State Bar of Texas may also be able to refer you to a lawyer if you call 800-252-9690.



IF YOU'RE STALKED

You might:

Feel **fear** of what the stalker will do.

Feel **vulnerable**, unsafe, and not know who to trust.

Feel **anxious**, irritable, impatient, or on edge.

Feel **depressed**, hopeless, overwhelmed, tearful, or angry.

Feel **stressed**, including having trouble concentrating, sleeping, or remembering things.

Have **eating problems**, such as appetite loss, forgetting to eat, or overeating.

Have **flashbacks**, disturbing thoughts, feelings, or memories.

Feel **confused, frustrated, or isolated** because other people don't understand why you are afraid.

These are common reactions to being stalked.

We can help.



Stalking
resource center

To learn more about stalking, visit the
Stalking Resource Center Web site

www.victimsofcrime.org/src

**If you are in immediate
danger, call 911.**



IF SOMEONE YOU KNOW IS BEING STALKED, YOU CAN HELP.

Listen. Show support. Don't blame the victim for the crime. Remember that every situation is different, and allow the person being stalked to make choices about how to handle it. Find someone you can talk to about the situation. Take steps to ensure your own safety.

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are you
being
STALKED?



ARE YOU BEING STALKED?

Stalking is a series of actions that make you feel afraid or in danger. Stalking is serious, often violent, and can escalate over time.

Stalking is a crime.

A stalker can be someone you know well or not at all. Most have dated or been involved with the people they stalk. Most stalking cases involve men stalking women, but men do stalk men, women do stalk women, and women do stalk men.

Some things stalkers do:

- > Repeatedly call you, including hang-ups.
- > Follow you and show up wherever you are.
- > Send unwanted gifts, letters, texts, or e-mails.
- > Damage your home, car, or other property.
- > Monitor your phone calls or computer use.
- > Use technology, like hidden cameras or global positioning systems (GPS), to track where you go.
- > Drive by or hang out at your home, school, or work.
- > Threaten to hurt you, your family, friends, or pets.
- > Find out about you by using public records or on-line search services, hiring investigators, going through your garbage, or contacting friends, family,

THINGS YOU CAN DO

Stalking is unpredictable and dangerous. No two stalking situations are alike. There are no guarantees that what works for one person will work for another, yet you can take steps to increase your safety.

If you are in **immediate danger**, call 911.

Trust your **instincts**. Don't downplay the danger. If you feel you are unsafe, you probably are.

Take **threats** seriously. Danger generally is higher when the stalker talks about suicide or murder, or when a victim tries to leave or end the relationship.

Contact a crisis hotline, **victim services agency**, or a domestic violence or rape crisis program. They can help you devise a safety plan, give you information about local laws, refer you to other services, and weigh options such as seeking a protection order.

Develop a **safety plan**, including things like changing your routine, arranging a place to stay, and having a friend or relative go places with you. Also, decide in advance what to do if the stalker shows up at your home, work, school, or somewhere else. Tell

people how they can help you.

6.6 million people are stalked each year in the United States.



Don't communicate with the stalker or respond to attempts to contact you.

Keep **evidence** of the stalking. When the stalker follows you or contacts you, write down the time, date, and place. Keep e-mails, phone messages, letters, or notes. Photograph anything of yours the stalker damages and any injuries the stalker causes. Ask witnesses to write down what they saw.

Contact the **police**. Every state has stalking laws. The stalker may also have broken other laws by doing things like

assaulting you or stealing or destroying your property.

Consider getting a **court order** that tells the stalker to stay away from you.

Tell **family, friends, roommates, and co-workers** about the stalking and seek their support. Tell security staff at your job or school. Ask them to help watch out for your safety.

You are not to blame for a stalker's behavior.

Women are stalked at a rate three times higher than men.



Domestic Violence and Abuse

Signs of Abuse and Abusive Relationships



Domestic violence and abuse can happen to anyone, yet the problem is often overlooked, excused, or denied. This is especially true when the abuse is psychological, rather than physical. Noticing and acknowledging the signs of an abusive relationship is the first step to ending it. No one should live in fear of the person they love. If you recognize yourself or someone you know in the following warning signs and descriptions of abuse, reach out. There is help available.

Understanding domestic violence and abuse

Women don't have to live in fear:

- **In the US:** call the [National Domestic Violence Hotline](https://www.nvhw.org/) at 1-800-799-7233 (SAFE).

Male victims of abuse can call:

- **U.S. and Canada:** [The Domestic Abuse Helpline for Men & Women](https://www.thehotline.org/) at 1888-743-5754

Domestic abuse, also known as *spousal abuse*, occurs when one person in an intimate relationship or marriage tries to dominate and control the other person. Domestic abuse that includes physical violence is called *domestic violence*.

Domestic violence and abuse are used for one purpose and one purpose only: to gain and maintain total control over you. An abuser doesn't "play fair." Abusers use fear, guilt, shame, and intimidation to wear you down and keep you under his or her thumb. Your abuser may also threaten you, hurt you,



or hurt those around you.



Domestic violence and abuse does not discriminate. It happens among heterosexual couples and in same-sex partnerships. It occurs within all age ranges, ethnic backgrounds, and economic levels. And while women are more commonly victimized, men are also abused—especially verbally and emotionally, although sometimes even physically as well. The bottom line is that abusive behavior is never acceptable, whether it's coming from a man, a woman, a teenager, or an older adult. You deserve to feel valued, respected, and safe.

Recognizing abuse is the first step to getting help

Domestic abuse often escalates from threats and verbal abuse to violence. And while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic abuse are also severe. Emotionally abusive relationships can destroy your self-worth, lead to anxiety and depression, and make you feel helpless and alone. No one should have to endure this kind of pain—and your first step to breaking free is recognizing that your situation is abusive. Once you acknowledge the reality of the abusive situation, then you can get the help you need.

Signs of an abusive relationship

There are many signs of an abusive relationship. The most telling sign is fear of your partner. If you feel like you have to walk on eggshells around your partner—constantly watching what you say and do in order to avoid a blow-up—chances are your relationship is unhealthy and abusive. Other signs that you may be in an abusive relationship include a partner who belittles you or tries to control you, and feelings of self-loathing, helplessness, and desperation.

To determine whether your relationship is abusive, answer the questions below. The more “yes” answers, the more likely it is that you’re in an abusive relationship.

SIGNS THAT YOU’RE IN AN ABUSIVE RELATIONSHIP

Your Inner Thoughts and Feelings

Do you:

feel afraid of your partner much of the time?
avoid certain topics out of fear of angering your partner?
feel that you can’t do anything right for your partner?
believe that you deserve to be hurt or mistreated?

wonder if you’re the one who is crazy?
feel emotionally numb or helpless?

Your Partner’s Belittling Behavior

Does your partner:

humiliate or yell at you?
criticize you and put you down?
treat you so badly that you’re embarrassed for your friends or family to see?
ignore or put down your opinions or accomplishments?

blame you for their own abusive behavior?
see you as property or a sex object, rather than as a person?



Your Partner's Violent Behavior or Threats Your Partner's Controlling Behavior



SIGNS THAT YOU'RE IN AN ABUSIVE RELATIONSHIP

Does your partner:

have a bad and unpredictable temper?

hurt you, or threaten to hurt or kill you?
threaten to take your children away or
harm them?

threaten to commit suicide if you leave?
force you to have sex?
destroy your belongings?

Does your partner:

act excessively jealous and possessive?

control where you go or what you do?
keep you from seeing your friends or family?

limit your access to money, the phone, or the car?
limit your access to money, the phone, or the car?
constantly check up on you?

Physical abuse and domestic violence

When people talk about domestic violence, they are often referring to the physical abuse of a spouse or intimate partner. Physical abuse is the use of physical force against someone in a way that injures or endangers that person. Physical assault or battering is a crime, whether it occurs inside or outside of the family. The police have the power and authority to protect you from physical attack.

Sexual abuse is a form of physical abuse

Any situation in which you are forced to participate in unwanted, unsafe, or degrading sexual activity is sexual abuse. Forced sex, even by a spouse or intimate partner with whom you also have consensual sex, is an act of aggression and violence. Furthermore, people whose partners abuse them physically *and* sexually are at a higher risk of being seriously injured or killed.

It Is Still Abuse If...

- **The incidents of physical abuse seem minor** when compared to those you have read about, seen on television or heard other women talk about. There isn't a "better" or "worse" form of physical abuse; you can be severely injured as a result of being pushed, for example.
- **The incidents of physical abuse have only occurred one or two times in the relationship.** Studies indicate that if your spouse/partner has injured you once, it is likely he will continue to physically assault you.
- **The physical assaults stopped when you became passive** and gave up your right to express yourself as you desire, to move about freely and see others, and to make decisions. It is not a victory if you have to give up your rights as a person and a partner in exchange for not being assaulted!
- **There has not been any physical violence.** Many women are emotionally and verbally assaulted. This can be as equally frightening and is often more confusing to try to understand.



Emotional abuse: It's a bigger problem than you think

When people think of domestic abuse, they often picture battered women who have been physically assaulted. But not all abusive relationships involve violence. Just because you're not battered and bruised doesn't mean you're not being abused. Many men and women suffer from emotional abuse, which is no less destructive. Unfortunately, emotional abuse is often minimized or overlooked—even by the person being abused.

Understanding emotional abuse

The aim of emotional abuse is to chip away at your feelings of self-worth and independence. If you're the victim of emotional abuse, you may feel that there is no way out of the relationship or that without your abusive partner you have nothing.

Emotional abuse includes *verbal abuse* such as yelling, name-calling, blaming, and shaming. Isolation, intimidation, and controlling behavior also fall under emotional abuse. Additionally, abusers who use emotional or psychological abuse often throw in threats of physical violence or other repercussions if you don't do what they want.

You may think that physical abuse is far worse than emotional abuse, since physical violence can send you to the hospital and leave you with scars. But, the scars of emotional abuse are very real, and they run deep. In fact, emotional abuse can be just as damaging as physical abuse—sometimes even more so.

Economic or financial abuse: A subtle form of emotional abuse

Remember, an abuser's goal is to control you, and he or she will frequently use money to do so. Economic or financial abuse includes:

- Rigidly controlling your finances
- Withholding money or credit cards
- Making you account for every penny you spend
- Withholding basic necessities (food, clothes, medications, shelter)
- Restricting you to an allowance
- Preventing you from working or choosing your own career
- Sabotaging your job (making you miss work, calling constantly)
- Stealing from you or taking your money



Violent and abusive behavior is the abuser's choice

Despite what many people believe, domestic violence and abuse is not due to the abuser's loss of control over his or her behavior. In fact, abusive behavior and violence is a deliberate choice made by the abuser in order to control you.

Abusers use a variety of tactics to manipulate you and exert their power:

- **Dominance** – Abusive individuals need to feel in charge of the relationship. They will make decisions for you and the family, tell you what to do, and expect you to obey without question. Your abuser may treat you like a servant, child, or even as his or her possession.
- **Humiliation** – An abuser will do everything he or she can to make you feel bad about yourself or defective in some way. After all, if you believe you're worthless and that no one else will want you, you're less likely to leave. Insults, name-calling, shaming, and public put-downs are all weapons of abuse designed to erode your self-esteem and make you feel powerless.
- **Isolation** – In order to increase your dependence on him or her, an abusive partner will cut you off from the outside world. He or she may keep you from seeing family or friends, or even prevent you from going to work or school. You may have to ask permission to do anything, go anywhere, or see anyone.
- **Threats** – Abusers commonly use threats to keep their partners from leaving or to scare them into dropping charges. Your abuser may threaten to hurt or kill you, your children, other family members, or even pets. He or she may also threaten to commit suicide, file false charges against you, or report you to child services.
- **Intimidation** – Your abuser may use a variety of intimidation tactics designed to scare you into submission. Such tactics include making threatening looks or gestures, smashing things in front of you, destroying property, hurting your pets, or putting weapons on display. The clear message is that if you don't obey, there will be violent consequences.
- **Denial and blame** – Abusers are very good at making excuses for the inexcusable. They will blame their abusive and violent behavior on a bad childhood, a bad day, and even on the victims of their abuse. Your abusive partner may minimize the abuse or deny that it occurred. He or she will commonly shift the responsibility on to you: Somehow, his or her violent and abusive behavior is your fault.

Abusers are able to control their behavior—they do it all the time

- **Abusers pick and choose whom to abuse.** They don't insult, threaten, or assault everyone in their life who gives them grief. Usually, they save their abuse for the people closest to them, the ones they claim to love.
- **Abusers carefully choose when and where to abuse.** They control themselves until no



one else is around to see their abusive behavior. They may act like everything is fine in public, but lash out instantly as soon as you're alone.



- **Abusers are able to stop their abusive behavior when it benefits them.** Most abusers are not out of control. In fact, they're able to immediately stop their abusive behavior when it's to their advantage to do so (for example, when the police show up or their boss calls).
- **Violent abusers usually direct their blows where they won't show.** Rather than acting out in a mindless rage, many physically violent abusers carefully aim their kicks and punches where the bruises and marks won't show.

The cycle of violence in domestic abuse

Domestic abuse falls into a common pattern, or cycle of violence:



- **Abuse** – Your abusive partner lashes out with aggressive, belittling, or violent behavior. The abuse is a power play designed to show you "who is boss."
- **Guilt** – After abusing you, your partner feels guilt, but not over what he's done. He's more worried about the possibility of being caught and facing consequences for his abusive behavior.
- **Excuses** – Your abuser rationalizes what he or she has done. The person may come up with a string of excuses or blame you for the abusive behavior—anything to avoid taking responsibility.
- **"Normal" behavior** – The abuser does everything he can to regain control and keep the victim in the relationship. He may act as if nothing has happened, or he may turn on the charm. This peaceful honeymoon phase may give the victim hope that the abuser has really changed this time.
- **Fantasy and planning** – Your abuser begins to fantasize about abusing you again. He spends a lot of time thinking about what you've done wrong and how he'll make you pay. Then he makes a plan for turning the fantasy of abuse into reality.



- **Set-up** – Your abuser sets you up and puts his plan in motion, creating a situation where he can justify abusing you.



Your abuser's apologies and loving gestures in between the episodes of abuse can make it difficult to leave. He may make you believe that you are the only person who can help him, that things will be different this time, and that he truly loves you. However, the dangers of staying are very real.

The Full Cycle of Domestic Violence: An Example

A man **abuses** his partner. After he hits her, he experiences self-directed **guilt**. He says, "I'm sorry for hurting you." What he does not say is, "Because I might get caught." He then **rationalizes** his behavior by saying that his partner is having an affair with someone. He tells her "If you weren't such a worthless whore I wouldn't have to hit you." He then **acts contrite**, reassuring her that he will not hurt her again. He then **fantasizes** and reflects on past abuse and how he will hurt her again. He **plans** on telling her to go to the store to get some groceries. What he withholds from her is that she has a certain amount of time to do the shopping. When she is held up in traffic and is a few minutes late, he feels completely justified in assaulting her because "you're having an affair with the store clerk." He has just **set her up**.

Source: *Mid-Valley Women's Crisis Service*

Recognizing the warning signs of domestic violence and abuse

It's impossible to know with certainty what goes on behind closed doors, but there are some telltale signs and symptoms of emotional abuse and domestic violence. If you witness any warning signs of abuse in a friend, family member, or co-worker, take them very seriously.

General warning signs of domestic abuse

People who are being abused may:

- Seem afraid or anxious to please their partner
- Go along with everything their partner says and does
- Check in often with their partner to report where they are and what they're doing
- Receive frequent, harassing phone calls from their partner
- Talk about their partner's temper, jealousy, or possessiveness

Warning signs of physical violence

People who are being physically abused may:

- Have frequent injuries, with the excuse of "accidents"
- Frequently miss work, school, or social occasions, without explanation
- Dress in clothing designed to hide bruises or scars (e.g. wearing long sleeves in the summer)



or sunglasses indoors)



Warning signs of isolation

People who are being isolated by their abuser may:

- Be restricted from seeing family and friends
- Rarely go out in public without their partner
- Have limited access to money, credit cards, or the car

The psychological warning signs of abuse

People who are being abused may:

- Have very low self-esteem, even if they used to be confident
- Show major personality changes (e.g. an outgoing person becomes withdrawn)
- Be depressed, anxious, or suicidal

Speak up if you suspect domestic violence or abuse

If you suspect that someone you know is being abused, speak up! If you're hesitating—telling yourself that it's none of your business, you might be wrong, or the person might not want to talk about it—keep in mind that expressing your concern will let the person know that you care and may even save his or her life.

Do's and Don'ts

Do:

- Ask if something is wrong
- Express concern
- Listen and validate
- Offer help
- Support his or her decisions

Don't:

- Wait for him or her to come to you
- Judge or blame
- Pressure him or her
- Give advice
- Place conditions on your support



Adapted from: *NYS Office for the Prevention of Domestic Violence*



Talk to the person in private and let him or her know that you're concerned. Point out the things you've noticed that make you worried. Tell the person that you're there, whenever he or she feels ready to talk. Reassure the person that you'll keep whatever is said between the two of you, and let him or her know that you'll help in any way you can.

Remember, abusers are very good at controlling and manipulating their victims. People who have been emotionally abused or battered are depressed, drained, scared, ashamed, and confused. They need help to get out, yet they've often been isolated from their family and friends. By picking up on the warning signs and offering support, you can help them escape an abusive situation and begin healing.



Help for Abused and Battered Women

Protecting Yourself and Escaping from Domestic Violence



Getting out of an abusive or violent relationship isn't easy. Maybe you're still hoping that things will change or you're afraid of what your partner will do if he discovers you're trying to leave. Whatever your reasons, you probably feel trapped and helpless. But help is available. There are many resources available for abused and battered women, including crisis hotlines, shelters—even job training, legal services, and childcare. You deserve to live free of fear. Start by reaching out.

Getting out of an abusive relationship

If you need immediate assistance, call 911 or your local emergency service.

For domestic violence helplines and shelters, click [here](#).

If you're a man in an abusive relationship, read [Help for Abused Men](#).

Why doesn't she just leave? It's the question many people ask when they learn that a woman is being battered and abused. But if you are in an abusive relationship, you know that it's not that simple. Ending an important relationship is never easy. It's even harder when you've been isolated from your



family and friends, psychologically beaten down, financially controlled, and physically threatened.



If you're trying to decide whether to stay or leave, you may be feeling confused, uncertain, frightened, and torn. One moment, you may desperately want to get away, and the next, you may want to hang on to the relationship. Maybe you even blame yourself for the abuse or feel weak and embarrassed because you've stuck around in spite of it. Don't be trapped by confusion, guilt, or self-blame. The only thing that matters is your safety.

If you are being abused, remember:

- You are not to blame for being battered or mistreated.
- You are not the cause of your partner's abusive behavior.
- You deserve to be treated with respect.

- You deserve a safe and happy life.
- Your children deserve a safe and happy life.
- You are not alone. There are people waiting to help.

Help for abused and battered women: Making the decision to leave

As you face the decision to either end the abusive relationship or try to save it, keep the following things in mind:

- **If you're hoping your abusive partner will change...** The abuse will probably happen again. Abusers have deep emotional and psychological problems. While change is not impossible, it isn't quick or easy. And change can only happen once your abuser takes full responsibility for his behavior, seeks professional treatment, and stops blaming you, his unhappy childhood, stress, work, his drinking, or his temper.
- **If you believe you can help your abuser...** It's only natural that you want to help your partner. You may think you're the only one who understands him or that it's your responsibility to fix his problems. But the truth is that by staying and accepting repeated abuse, you're reinforcing and enabling the abusive behavior. Instead of helping your abuser, you're perpetuating the problem.
- **If your partner has promised to stop the abuse...** When facing consequences, abusers often plead for another chance, beg for forgiveness, and promise to change. They may even mean what they say in the moment, but their true goal is to stay in control and keep you from leaving. But most of the time, they quickly return to their abusive behavior once they've been forgiven and they're no longer worried that you'll leave.
- **If your partner is in counseling or a program for batterers...** Even if your partner is in counseling, there is no guarantee that he'll change. Many abusers who go through counseling continue to be violent, abusive, and controlling. If your partner has stopped minimizing the problem or making excuses, that's a good sign. But you still need to make your decision based on who he is now, not the man you hope he will become.
- **If you're worried about what will happen if you leave...** You may be afraid of what your



abusive partner will do, where you'll go, or how you'll support yourself or your children. But don't let fear of the unknown keep you in a dangerous, unhealthy situation.



Signs that your abuser is NOT changing:

- He minimizes the abuse or denies how serious it really was.
 - He continues to blame others for his behavior.
 - He claims that you're the one who is abusive.
 - He pressures you to go to couple's counseling.
 - He tells you that you owe him another chance.
 - You have to push him to stay in treatment.
-
- He says that he can't change unless you stay with him and support him.
 - He tries to get sympathy from you, your children, or your family and friends.
 - He expects something from you in exchange for getting help.
 - He pressures you to make decisions about the relationship.

Help for abused and battered women: Safety planning

Whether or not you're ready to leave your abuser, there are things you can do to protect yourself. These safety tips can make the difference between being severely injured or killed and escaping with your life.

Prepare for emergencies

- **Know your abuser's red flags.** Be on alert for signs and clues that your abuser is getting upset and may explode in anger or violence. Come up with several believable reasons you can use to leave the house (both during the day and at night) if you sense trouble brewing.
- **Identify safe areas of the house.** Know where to go if your abuser attacks or an argument starts. Avoid small, enclosed spaces without exits (such as closets or bathrooms) or rooms with weapons (such as the kitchen). If possible, head for a room with a phone and an outside door or window.
- **Come up with a code word.** Establish a word, phrase, or signal you can use to let your children, friends, neighbors, or co-workers know that you're in danger and the police should be called.

Make an escape plan

- **Be ready to leave at a moment's notice.** Keep the car fueled up and facing the driveway exit, with the driver's door unlocked. Hide a spare car key where you can get it quickly. Have emergency cash, clothing, and important phone numbers and documents stashed in a safe place (at a friend's house, for example).
- **Practice escaping quickly and safely.** Rehearse your escape plan so you know exactly what to do if under attack from your abuser. If you have children, have them practice the escape



plan also.



- **Make and memorize a list of emergency contacts.** Ask several trusted individuals if you can contact them if you need a ride, a place to stay, or help contacting the police. Memorize the numbers of your emergency contacts, local shelter, and domestic violence hotline.

If You Stay

If you decide at this time to stay with your abusive partner, there are some things you can try to make your situation better and to protect yourself and your children.

- **Contact the domestic violence/sexual assault program in your area.** They can provide emotional support, peer counseling, safe emergency housing, information, and other services while you are in the relationship, as well as if you decide to leave.
- **Build as strong a support system as your partner will allow.** Whenever possible, get involved with people and activities outside your home and encourage your children to do so.
- **Be kind to yourself!** Develop a positive way of looking at yourself and talking to yourself. Use affirmations to counter the negative comments you get from the abuser. Allow yourself time for doing things you enjoy.

Source: *Breaking the Silence Handbook*

Help for abused and battered women: Protecting your privacy

You may be afraid to leave or ask for help out of fear that your partner will retaliate if he finds out. This is a legitimate concern. However, there are precautions you can take to stay safe and keep your abuser from finding out what you're doing. When seeking help for domestic violence and abuse, it's important to cover your tracks, especially when you're using the phone or the computer.

Phone safety for abused and battered women

When seeking help for domestic violence, call from a public pay phone or another phone outside the house if possible. In the U.S., you can call 911 for free on most public phones, so know where the closest one is in case of emergency.

- **Avoid cordless telephones.** If you're calling from your home, use a corded phone if you have one, rather than a cordless phone or cell phone. A corded phone is more private, and less easy to tap.
- **Call collect or use a prepaid phone card.** Remember that if you use your own home phone or telephone charge card, the phone numbers that you call will be listed on the monthly bill that is sent to your home. Even if you've already left by the time the bill arrives, your abuser may be able to track you down by the phone numbers you've called for help.
- **Check your cell phone settings.** There are cell phone technologies your abuser can use to



listen in on your calls or track your location. Your abuser can use your cell phone as a tracking device if it has GPS, is in "silent mode," or is set to "auto answer." So consider turning it off when not in use or leaving it behind when fleeing your abuser.



- **Get your own cell phone.** Consider purchasing a prepaid cell phone or another cell phone that your abuser doesn't know about. Some domestic violence shelters offer free cell phones to battered women. Call your local hotline to find out more.

Computer and Internet safety for abused and battered women

Abusers often monitor their partner's activities, including their computer use. While there are ways to delete your Internet history, this can be a red flag to your partner that you're trying to hide something, so be very careful. Furthermore, it is almost impossible to clear a computer of all evidence of the websites that you have visited, unless you know a lot about computers.

- **Use a safe computer.** If you seek help online, you are safest if you use a computer outside of your home. You can use a computer at work, a friend's house, the library, your local community center, or a domestic violence shelter or agency.
- **Be cautious with email and instant messaging.** Email and instant messaging are not the safest way to get help for domestic violence. Be especially careful when sending email, as your abuser may know how to access your account. You may want to consider creating a new email account that your abuser doesn't know about.
- **Change your user names and passwords.** Create new usernames and passwords for your email, online banking, and other sensitive accounts. Even if you don't think your abuser has your passwords, he may have guessed or used a spyware or keylogging program to get them. Choose passwords that your abuser can't guess (avoid birthdays, nicknames, and other personal information).

Protecting yourself from GPS surveillance and recording devices

Your abuser doesn't need to be tech savvy in order to use surveillance technology to monitor your movements and listen in on your conversations. Be aware that your abuser may be using hidden cameras, such as a "Nanny Cam," or even a baby monitor to check in on you. Global Positioning System (GPS) devices are also cheap and easy to use. GPS devices can be hidden in your car, your purse, or other objects you carry with you. Your abuser can also use your car's GPS system to see where you've been.

If you discover any tracking or recording devices, leave them be until you're ready to leave. While it may be tempting to remove them or shut them off, this will alert your abuser that you're on to him.

Help for abused and battered women: Domestic violence shelters



A domestic violence shelter or *women's shelter* is a building or set of apartments where abused and battered women can go to seek refuge from their abusers. The location of the shelter is kept confidential in order to keep your abuser from finding you.



Domestic violence shelters generally have room for both mothers and their children. The shelter will provide for all your basic living needs, including food and childcare. The length of time you can stay at the shelter is limited, but most shelters will also help you find a permanent home, job, and other things you need to start a new life. The shelter should also be able to refer you to other services for abused and battered women in your community, including:

- Legal help
- Counseling
- Support groups
- Services for your children
- Employment programs
- Health-related services
- Educational opportunities
- Financial assistance

Protecting your privacy at a domestic violence shelter

If you go to a domestic violence shelter or women's refuge, you do not have to give identifying information about yourself, even if asked. While shelters take many measures to protect the women they house, giving a false name may help keep your abuser from finding you, particularly if you live in a small town.

Help for abused and battered women: Protecting yourself after you've left

Keeping yourself safe from your abuser is just as important after you've left as before. To protect yourself, you may need to relocate so your former partner can't find you. If you have children, they may need to switch schools.

To keep your new location a secret:

- Get an unlisted phone number.
- Use a post office box rather than your home address.
- Apply to your state's address confidentiality program, a service that confidentially forwards your mail to your home.
- Cancel your old bank accounts and credit cards, especially if you shared them with your abuser. When you open new accounts, be sure to use a different bank.

If you're remaining in the same area, change up your routine. Take a new route to work, avoid places where your abuser might think to locate you, change any appointments he knows about, and find new places to shop and run errands. You should also keep a cell phone on you at all times and be ready to call 911 if you spot your former abuser.



Restraining orders

You may want to consider getting a restraining order or protective order against your abusive partner. However, remember that the police can enforce a restraining order only if someone violates it, and then only if someone reports the violation. This means that you must be endangered in some way for the police to step in.

If you are the victim of stalking or abuse, you need to carefully research how restraining orders are enforced in your neighborhood. Find out if the abuser will just be given a citation or if he will actually be taken to jail. If the police simply talk to the violator or give a citation, your abuser may reason that the police will do nothing and feel empowered to pursue you further. Or your abuser may become angry and retaliate.

Do not feel falsely secure with a restraining order!

You are not necessarily safe if you have a restraining order or protection order. The stalker or abuser may ignore it, and the police may do nothing to enforce it. To learn about restraining orders in your area of the U.S., call 1-800-799-7233 (SAFE) or contact your state's Domestic Violence Coalition.

Help for abused and battered women: Taking steps to heal and move on

The scars of domestic violence and abuse run deep. The trauma of what you've been through can stay with you long after you've escaped the abusive situation. Counseling, therapy, and support groups for domestic abuse survivors can help you process what you've been through and [learn how to build new and healthy relationships](#).

After the trauma you've been through, you may be struggling with upsetting emotions, frightening memories, or a sense of constant danger that you just can't kick. Or you may feel numb, disconnected, and unable to trust other people. When bad things happen, it can take a while to get over the pain and feel safe again. But treatment and support from family and friends can speed your recovery from [emotional and psychological trauma](#). Whether the traumatic event happened years ago or yesterday, you *can* heal and move on.

Building healthy new relationships

After getting out of an abusive situation, you may be eager to jump into a new relationship and finally get the intimacy and support you've been missing. But it's wise to go slow. Take the time to get to know yourself and to understand how you got into your previous abusive relationship. Without taking the time to heal and learn from the experience, you're at risk of falling back into abuse.



Where to turn for help for domestic violence or abuse

In an emergency:

Call 911 or your country's emergency service number if you need immediate assistance or have already been hurt.

Helplines for advice and support:

In the US: call the [National Domestic Violence Hotline](https://www.nationaldomesticviolencehelpline.org/) at 1-800-799-7233 (SAFE).

For a safe place to stay:

In the US: visit [Womenslaw.org](https://www.womenslaw.org/) for a state-by-state directory of domestic violence shelters in the U.S.

More help for abused & battered women

- [Domestic Violence and Abuse:](#) Signs of Abuse and Abusive Relationships
- [Finding a Therapist Who Can Help You Heal:](#) Getting the Most out of Therapy and Counseling
- [Help for Abused Men:](#) Escaping Domestic Violence by Women or Domestic Partners
- [Anger Management:](#) Tips and Techniques for Getting Anger Under Control
- [Healing Emotional and Psychological Trauma:](#) Symptoms, Treatment, and Recovery



Bulletin

Sexual violence is any type of unwanted sexual contact. Sexual violence affects men, women, and children, at any age in their lives regardless of their gender expression or sexuality. This can include words or actions of a sexual nature without a person's consent or against someone who is unable to give consent due to age, disability, illness, or the influence of drugs and alcohol. A person who perpetrates sexual violence might use force, threats, manipulation or coercion to commit sexual violence (National Sexual Violence Resource Center [NSVRC], 2010). Our cultural attitudes, beliefs, and social norms can influence or promote the decision to engage in these acts.

Sexual violence affects everyone: individuals, families, communities, and the larger society. While some forms of sexual violence — such as sexist and sexually violent jokes, comments about someone's appearance, sexual orientation or gender identity, catcalling, sexually explicit comments, and vulgar gestures — might not be illegal, this does not make them less threatening or harmful to the person victimized. All of these behaviors contribute to a culture that accepts sexual violence. Bystanders can speak up when they witness these actions in order to promote safety, respectful relationships, and safer communities. Sexual violence can be prevented.

Many opportunities exist in daily life where you can prevent behaviors that

ENGAGING BYSTANDERS TO PREVENT SEXUAL VIOLENCE



Social norms

Norms help shape behavior. They shape our attitudes, beliefs and standards of what behavior is considered OK and not OK (Davis, Parks, & Cohen, 2010).

promote sexual violence. Research has shown that, on

average, third parties (individuals who are neither the victims¹ nor the perpetrators of violence) prevented injuries in 1.2 million violent victimizations annually between 1993 and 1999 (Planty, 2002). We use the term “bystander” to describe these third parties.

You, as a community member, play a critical role in preventing sexual violence by establishing healthy

¹Throughout this document, the terms “victim” and “survivor” are used interchangeably to be inclusive of the various ways people who have experienced sexual violence might identify.

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and positive relationships that are based on respect, safety, and equality. Everyone can play an active role in stopping sexual violence before it occurs by becoming engaged bystanders. Many studies have shown that bystander intervention programs are effective in changing participant's attitudes and willingness to intervene (Banyard, Moynihan, & Plante, 2007; Cissner, 2009; Coker et al., 2011; Potter, 2012). This document provides practical tips for community members on how to be an engaged bystander in sexual violence prevention.

glorify power over others, objectify women, tolerate violence and aggression, promote male dominance, and foster notions of privacy to the point of secrecy about sexual violence (Davis et

What is an engaged bystander?

An engaged bystander is someone who intervenes before, during, or after a situation when they see or hear behaviors that promote sexual violence. It is common for people to witness situations where someone makes an inappropriate sexual comment or innuendo, tells a joke about rape, or touches someone in a sexual manner. Bystanders might also witness other forms of sexual violence. Bystanders who witness the behavior or hear the comment can intervene in a positive way that will help create a safer environment.

When and how to intervene

You can be an engaged bystander in many ways to help promote healthy, respectful relationships that are free of sexual violence. The social norms that contribute to accepting sexual violence in our society are norms that



Rape myths

Rape myths are stereotypes, attitudes, and beliefs about rape, survivors, and perpetrators that are false, but are held to be true. Research has shown that bystander prevention programs can produce positive results by increasing participants' knowledge of sexual violence, decreasing participant's acceptance of rape myths, and increasing the likelihood that they will intervene as an engaged bystander (Banyard et al., 2007). When you become an engaged bystander, you help create healthy communities and help others build safe and respectful environments by discouraging victim blaming, changing social norms that accept sexual violence, and shifting the responsibility to prevent sexual violence to all community members (Tabachnick, 2009).

al., 2010). Other negative social norms include children shown in a sexual way and adults' misuse and abuse of power over children. Changing social norms can decrease sexual violence in a community (Fabiano, Perkins, Berkowitz, Linkenbach, & Stark, 2003). When you decide to interrupt social norms that perpetuate sexual violence in our culture, you are acting as an engaged bystander.

Every situation is different and there is no universal response when intervening to prevent sexual violence. Safety is vital in deciding when and how to respond to sexual violence. Every person must decide for



themselves the safest and most effective way to become an engaged bystander. Here are ideas on how you can maintain safety while being an engaged bystander:

- When you witness sexual violence, get support from people around you; you do not have to act alone.
- Contact your local community-based

sexual assault center to see if they offer resources or training on bystander intervention. You can find your local program by contacting your state, territory,



or tribal sexual violence prevention coalition. Visit www.nsvrc.org/organizations/state-and-territory-coalitions for coalition contact information.

- Practice with friends and family about what you would say and how you would say it.

- When intervening, be respectful, direct, and honest.
- If you see or hear something and you do not feel safe, contact such authorities as the police, Child Protective Services, or Adult Protective Services.



Examples of bystander intervention

How would you intervene in the following scenarios?

IN YOUR COMMUNITY

Q: You are going home from work using public transportation. You see someone sitting on a bench reading a magazine being watched by someone nearby. You see that the stares are making the person feel uncomfortable. What can you do?

A: You can go sit next to the person or place yourself in between the two people to block the stares.

IN ONLINE SPACES

Q: After reading an online article about someone who was sexually assaulted, you notice a comment that someone posted implying that the person deserved to get raped because of how they were dressed and how much they had to drink. What do you do?

A: You can respond to the comment by expressing that sexual assault is never survivors' fault. It does not matter what clothes they were wearing or how much they had to drink. The responsibility lies with people who choose to commit sexual violence, not the actions of survivors.

WITH YOUR FRIENDS

Q: You're at a bar with your friends, and one of them starts flirting with someone. You can tell that the other person is not interested,





IN SCHOOL

Q: You are in the lunch room with your friends, and a group of students nearby start making sexual gestures and comments to one of your friends. Your friend tries to ignore the comments, but you see that he or she is upset. What do you do?

A: You can tell the group making the comments to stop sexually harassing your friend. You could ask your friend if he or she wants to leave and tell a teacher or principal about the harassment.



they listed. The resources below provide helpful language and information on healthy sexuality and healthy relationships:

- **Planned Parenthood Federation of America:**
www.plannedparenthood.org/parents/talking-kids-about-sex-sexuality-37962.htm
- **Sexuality Information and Education Council of the United States:**
www.siecus.org/index.cfm?fuseaction=page.viewPage&pageID=632&nodeID=1

relationship. What do you do?

A: Sit down with your teenager and talk about what a healthy relationship means to them. Ask if their partner exhibits the traits that

AT A SPORTING EVENT

Q: You are at your child's football game and you overhear one of the parents yelling at the team to stop playing like girls. What do you do?

A: Talk with the parent who is yelling at the children. Say that you don't think it is appropriate to make comments like that. You can inform them that your daughter just made the varsity team at her school.

WITH YOUR TEENAGE CHILD

Q: Your teenager has started his or her first romantic relationship. You would like to make sure that he or she is in a healthy



WITH CHILDREN

Q: You are a chaperone on a school field trip and you see one of the other chaperones hugging and touching a group of children.

You can see that this is making some of the children uncomfortable. What do you do?

A: You can ask the person directly to stop their behavior, or stay close to the children who are being targeted. Afterward, talk with a teacher or other school official and address what you saw. Bring up your concerns about appropriate boundaries and potential child sexual abuse.

WITH ADULTS IN LATER LIFE

Q: You care for your parent in your home. While you are at work, you have a nurse care for your parent. One day you arrive home early and you overhear the nurse making sexual jokes and innuendos to your parent. What do you do?

A: Approach the nurse and tell him or her not to talk to your parent like that. Call the nurse's employer to inform them that this behavior is sexual harassment, and you expect it to be dealt with accordingly. Other options include calling Adult Protective Services or a government official in your state.



WITH YOUR COWORKERS

Q: You overhear a female supervisor say that she wishes her boyfriend had a butt like that of a male employee she supervises. What do you do?

A: You can talk with your supervisor directly or follow the steps to report the incident based on your workplace's sexual harassment policy.

WITH YOUR FAMILY

Q: You are watching a crime show on television with your mother, and a story comes on about someone being raped by a friend. Your mother makes a comment that the victim is lying because the victim and the perpetrator were friends. What do you do?

A: Inform your mother that many victims are raped by friends, family, or someone the victim knows.

Checklist for being an engaged bystander

- ✓ Am I aware there is a problem or that someone needs help?
- ✓ What are my options?
- ✓ Can I keep myself safe?
- ✓ Can I call on others for help?
- ✓ What are the costs and benefits for me taking action?
- ✓ What action should I take?
- ✓ Do Something!

More scenarios are available on NSVRC's website at www.nsvrc.org/saam/bystander-resources. Submit your stories about how you are an engaged bystander to www.nsvrc.org/projects/bystander/share-your-stories.

Resources

For more information on this topic and tips on how to be an engaged bystander, check out the following resources:

www.unh.edu/preventioninnovations/index.cfm?ID=BCC7DE31-CE05-901F-0EC95D-F7AB5B31F1

WEBSITES

Bringing in the Bystander®



**Child Welfare Information Gateway State
Child Abuse Reporting Numbers**

[www.childwelfare.gov/pubs/reslist/rl_dsp.cfm?
rs_id=5&rate_chno=11-11172](http://www.childwelfare.gov/pubs/reslist/rl_dsp.cfm?rs_id=5&rate_chno=11-11172)

Green Dot

www.livethegreendot.com

Hollaback!

www.ihollaback.org

Know Your Power®

www.know-your-power.org



MyStrength Campaign

www.mystrength.org

National Adult Protective Services Association

www.napsa-now.org/get-help/help-in-your-area

National Sexual Violence Resource Center Bystander Intervention Resources

www.nsvrc.org/projects/bystander-intervention-resources

That's Not Cool

www.thatnotcool.com



The Red Flag Campaign

www.theredflagcampaign.org

MOBILE APPS

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www.circleof6app.com

For more information, contact the National Sexual Violence Resource Center at 877-739-3895 or visit <http://tinyurl.com/ofrw5v2>



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DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING POLICY

Introduction

It is the policy of TBC to maintain an environment that is free from intimidation and one in which students may be educated to their fullest potential. TBC prohibits and will not tolerate domestic violence, dating violence, sexual assault, or stalking. The section below entitled, "Internal TBC Procedures," provides a description of TBC policies and procedures specific to domestic violence, dating violence, sexual assault, and stalking. In addition, see the **TBC Sexual Misconduct policy** for details concerning internal procedures for reporting and investigating sexual misconduct complaints as well as a list of outside resources at http://texasbarbercolleges.com/docs/tbc_sexual_misc.pdf. A hard copy of the TBC Sexual Misconduct Policy can be obtained by requesting one from a lead instructor, Student Services Representative (informal complaint – see below), the Title IX Coordinator, or the Corporate Office at (713) 953-0262, ext. 1407.

Statement of Non-discrimination

TBC prohibits sexual harassment, which is a form of prohibited sex discrimination, and includes any acts of sexual violence. Title IX of the Education Amendments of 1972 ("Title IX") is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded education programs and activities. This protection against sex discrimination also applies to employment in and admission to TBC programs. The following person has been designated to handle inquiries and/or receive complaints regarding the discrimination and harassment policies at TBC:

Anthony Reed, 9275 Richmond Ave., Ste. 184, Houston, Texas 77063; (713) 953-0262, ext. 1403; email: titleixreports@txbarber.com

Questions regarding Title IX may also be referred to the Office for Civil Rights – U.S. Department of Education (OCR), Dallas office, at (214) 661-9600. The web address for OCR is <http://www2.ed.gov/about/offices/list/ocr/index.html>

For more detailed description of TBC policies and procedures concerning discrimination and other forms of harassment, see the TBC Discrimination and Harassment Policy. For a more detailed description of TBC policies and procedures concerning sexual harassment and sexual violence, see the TBC Sexual Misconduct Policy. Copies of these policies can be obtained by requesting them from a lead instructor, a Student Services Representative, the Title IX Coordinator, or contacting the Corporate Office at (713) 953-0262, ext. 1407.

Procedures to Follow

Victims of domestic violence, dating violence, sexual assault, or stalking may: (i) notify local



police or campus authorities; (ii) be assisted by campus authorities in notifying law enforcement



if the victim so chooses; or (iii) decline to notify local police and/or campus authorities. If the victim chooses to contact campus authorities, he or she should contact the Title IX Coordinator at 713-953-0262, ext. 1403, a lead instructor, a supervisor, a corporate officer, a Student Services Representative, or the Executive Administrative Assistant at the Corporate Office (713-953-0262, ext. 1407).

If you are a victim of domestic violence, dating violence, sexual assault, or stalking, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. TBC strongly advocates that a victim report the incident in a timely manner to the police department by calling 9-1-1 or the numbers for local police departments (there are sex crimes units for Houston and Dallas) listed below. It is critically important to preserve evidence as it may be necessary to prove a criminal sex offense, such as domestic violence, dating violence, or sexual assault, or in obtaining a protective order in court. Time is a critical factor for evidence collection and preservation.

Filing a police report will:

- (i) Ensure that a victim of sexual assault receives the necessary medical treatment and tests;
- (ii) Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, use the toilet or change clothing prior to a medical/legal exam); and
- (iii) Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

If a victim does not wish to file a police report, he or she should still try to preserve evidence of the crime by getting a forensic examination, which can be performed at the following hospitals:

Houston

Memorial Hermann Hospital
6411 Fannin Street
Houston, TX 77030
(713) 704-2800

Dallas

Texas Health Presbyterian Hospital
8200 Walnut Hill Lane
Dallas, TX 75231
(214) 345-6789

Sometimes victims and/or witnesses are hesitant to make an internal report to TBC because they fear that they themselves may be charged with policy violations. To encourage reporting, TBC follows a policy of offering victims and witnesses of domestic violence, dating violence, sexual assault, or stalking amnesty from being charged with alcohol or drug-related TBC policy violations if they had been using drugs or alcohol at or near the time of the incident.





TBC will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.

Regardless of whether or not a victim chooses to report the crime to local law enforcement or campus authorities, if a student who is a victim of a domestic violence, dating violence, sexual assault, or stalking requests it, TBC personnel will provide the student with information about the options for, and available assistance in, changing transportation or academic or working situations. Such options are subject to what is reasonably available at the time. A student seeking such assistance should contact a Student Services Representative at ext. 1436 [Houston] or ext. 1106 [Dallas] or the Title IX Coordinator at ext. 1403.

Outside Resources -Δ

TBC does not provide on-campus counseling, mental health, or other student services for victims of sex offenses. However, counseling and support services outside the TBC system can be obtained by calling the following 24-hour hotlines:

- Houston Area Women's Center.....713-528-7273
- Dallas Area Rape Crisis Center.....972-641-7273 or 214-590-0430

In addition, reports of sexual assault can be made to local police Departments for each campus, which can be contacted at the following phone numbers:

- Houston Police Department – Sex Crimes Unit.....713-308-1180
- Dallas Police Department – Sexual Assault Unit..... 214-671-3584

Δ – For a more extensive list of outside resources, please see page 37 of this Information Handbook, Section 14 of the TBC Sexual Misconduct Policy at http://texasbarbercolleges.com/docs/tbc_sexual_misc.pdf, or request a hard copy from a lead instructor, Student Services Representative, the Title IX Coordinator, or the Corporate Office at (713) 953-0262, ext. 1407.

Protective and Restraining Orders

In the event a TBC student or employee has an order of protection, no-contact order, restraining order, or similar lawful order issued by a criminal, civil, or tribal court against another individual, that student or employee should provide a copy of the order to the Corporate Office or Title IX Coordinator for TBC as soon as possible. In addition, the student or employee will be asked to provide a photograph of the person against whom the order has been issued for identification purposes. If the student or employee requests that TBC redact the student's or employee's personal information (e.g., name, address, etc.) prior to distributing the order to others, TBC will honor his or her request. Upon receipt of such an order, TBC management will promptly share the contents of the order and any and all identifying information about the person against whom the order has been issued with the TBC employees located at that student's campus or employee's worksite. Those TBC employees will be advised to immediately contact local police and their supervisor in the event the person against whom the order has been issued is seen in the vicinity of the student's



campus or employee's worksite.



Written Explanation of a Victim's Rights and Options

A student or employee who reports to TBC that he or she has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of his or her rights and options, including without limitation, possible sanctions or protective measures that TBC may impose and procedures for reporting and preserving evidence of the offense.

Internal TBC Procedures*

How to File a Complaint: A student or employee may choose to make a formal complaint for domestic violence, dating violence, sexual assault, or stalking to a lead instructor, a supervisor, the Title IX Coordinator (ext. 1403), the Director of Cosmetology (ext. 1601), a corporate officer or the Executive Administrative Assistant at the Corporate Office (ext. 1407) for investigation and disciplinary action regardless of whether or not the student has decided to press criminal charges. Such a complaint can also be made via email at titleixreports@txbarber.com. A formal written complaint form can be accessed at <http://texasbarbercolleges.com/docs/FormalComplaintQuestionnaire.pdf>. In the event of a formal complaint, an investigation will begin promptly. A student can also choose to make an informal complaint to a Student Services Representative.**

**For a more detailed explanation of policies and procedures relating to sexual misconduct, please see the TBC Sexual Misconduct Policy at http://texasbarbercolleges.com/docs/tbc_sexual_misc.pdf or request a hard copy from a lead instructor, Student Services Representative, the Title IX Coordinator, or the Corporate Office at (713) 953-0262, ext. 1407.*

***A complaint can be "informal" or "formal." For guidelines about what constitutes an informal versus formal complaint and whom to report to depending upon the type of the complaint, see section 8.2 of the TBC Sexual Misconduct Policy at http://texasbarbercolleges.com/docs/tbc_sexual_misc.pdf or request a hard copy from a lead instructor, Student Services Representative, the Title IX Coordinator, or the Corporate Office at (713) 953-0262, ext. 1407.*

A complaint is not limited to strangers, but can be filed against another student, a TBC employee, or an outside third party, such as a client receiving services or a vendor. Retaliation against any employee/student for filing a complaint or participating in an investigation is strictly prohibited. However, any student or employee who knowingly makes a false claim of domestic violence, dating violence, sexual assault, or stalking will be subject to corrective action, up to and including, termination of enrollment or employment.

Investigation

Proceedings will include a prompt, fair, and impartial process from the initial investigation to the final result. The Title IX Coordinator and any employees designated by him will investigate all formal complaints completely and thoroughly and will interview the person that filed the complaint, the accused harasser, and witnesses as well as obtaining witness statements.

TBC does not limit the timeframe for filing a complaint and will begin its investigation promptly upon receipt of the complaint. At this time, TBC will consider interim accommodations to protect



the complainant while the incident is investigated and adjudicated. The Title IX Coordinator shall establish a timetable for each case in order to assure a prompt resolution of the complaint. Within



five (5) business days after receiving the complaint, TBC will contact the respondent to obtain his/her response. The response will be due within ten (10) business days from the respondent being notified of the complaint. TBC will issue a written finding to the complainant and respondent of the outcome of the complaint as soon as practicable, making every effort to issue its finding within sixty (60) business days from its receipt of the complaint.¹ If resolution is expected to take longer, due to such good cause reasons as the complexity of the investigation and/or the severity and extent of the alleged conduct, the Title IX Coordinator shall notify the parties with written notice.

Investigations and their resolutions will be conducted by officials who receive annual training on the 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 standard of evidence used in these investigations shall be preponderance of the evidence (i.e., it is more likely than not that sexual harassment or violence occurred).

In the event of an internal disciplinary proceeding, the accuser and the accused are entitled to the same opportunities to have others present during such a proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. However, TBC may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as they apply equally to both parties. Both the accuser and the accused shall be simultaneously informed in writing of (i) the outcome of the institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking; (ii) TBC's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding; (iii) any change to the results that occurs prior to the time that such results become final; and (iv) when such results become final. For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused. However, TBC will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by TBC against the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, TBC will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Compliance with the Internal TBC Procedures stated herein (and further explained in the TBC Sexual Misconduct Policy) does not constitute a violation of the Family Educational Rights and Privacy Act (FERPA).

In no event will mediation be used to resolve complaints of domestic violence, dating violence, sexual assault, and stalking. Students or employees who report domestic violence, dating violence, sexual assault, and stalking will not be required to resolve the problem directly with the accused.

¹ This 60-day timeframe includes a determination of disciplinary sanctions after a finding of a violation against the



accused and providing any remedies for the complainant and school community.



The complainant may proceed with a criminal investigation and a Title IX complaint simultaneously. In such event, TBC may defer its investigation for a limited time for fact gathering and then will promptly resume its investigation.

Disciplinary Measures

The disciplinary sanctions assessed in a particular case will be dependent upon the nature of the conduct involved, the circumstances and conditions which existed at the time the student, employee, or third party engaged in the conduct and the results which followed as a natural consequence of the conduct.

Possible sanctions TBC may impose following a final determination of an institutional disciplinary proceeding regarding stalking, domestic violence, dating violence, or sexual assault are the following: (i) written disciplinary warning; (ii) disciplinary probation; (iii) suspension of rights and privileges; (iv) suspension from school if a student or unpaid suspension from work if a TBC employee; (v) termination of enrollment if a student, or termination of employment in the case of a TBC employee; (vi) termination of services with a third party vendor; or (vii) other penalty as deemed appropriate under the circumstances.

Protective Measures

Possible protective measures TBC may implement following an allegation of or final determination of stalking, domestic violence, dating violence, or sexual assault are the following: (i) transferring the accused to another campus; (ii) prohibition of any interaction between the victim and the accused and/or a requirement that they maintain a specified distance apart; or (iii) other protective measures as deemed appropriate under the circumstances.

Confidentiality

The privacy of the parties is a priority at TBC. Although requests for confidentiality will be maintained to the extent possible, sometimes, limited information must be disclosed in order to fully and fairly investigate a formal complaint. Certain TBC employees, such as the Title IX Coordinator, managers, supervisors, and other designated employees have an obligation to respond to reports of stalking, domestic violence, dating violence, or sexual assault, even if the individual making the report requests that no action be taken. (See section 8.2 of the TBC Sexual Misconduct policy for more details.)

To the extent possible, information in the complaint will be limited to those with a need to know; however, such wishes will be considered in the context of TBC's legal obligation to ensure a working and learning environment free from stalking, domestic violence, dating violence, or sexual assault. Serious threats of harm to the general TBC community may be reported to the local police after considering the appropriate factors. For more details concerning confidentiality, please see the TBC Sexual Misconduct Policy, section 8.3.





Texas State Law Definitions – Domestic Violence, Dating Violence, Sexual Assault, Stalking and Consent*

Sec. 22.011. SEXUAL ASSAULT. (a) A person commits an offense if the person:

(1) intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;

(B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or

(C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor.

Sec. 22.011. A sexual assault under Subsection (a) (1) is without the **CONSENT** of the other person if:

(1) the actor compels the other person to submit or participate by the use of physical force or violence;

(2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;

(3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;

(4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;

(5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;

(6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;

(7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;

(8) the actor is a public servant who coerces the other person to submit or participate;

(9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;

(10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or

(11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.



Sec. 71.004. FAMILY VIOLENCE. "Family violence" means:

- (1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;
- (2) abuse, as that term is defined by Sections [261.001\(1\)\(C\)](#), (E), and (G), by a member of a family or household toward a child of the family or household; or
- (3) dating violence, as that term is defined by Section [71.0021](#).



Sec. 42.072. STALKING. (a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:

- (A) bodily injury or death for the other person;
- (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
- (C) that an offense will be committed against the other person's property;

(2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and

- (3) would cause a reasonable person to:
- (A) fear bodily injury or death for himself or herself;
 - (B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
 - (C) fear that an offense will be committed against the person's property; or
 - (D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

Sec. 71.0021. DATING VIOLENCE. (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:

- (1) is committed against a victim:
- (A) with whom the actor has or has had a dating relationship; or
 - (B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

(2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:

- (1) the length of the relationship;
- (2) the nature of the relationship; and
- (3) the frequency and type of interaction between the persons involved in the relationship.

(c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).



*Texas Barber Colleges & Hairstyling Schools prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking. The above information defines these terms and is taken from chapters 22 and 42 of the Texas Penal Code and section 71 of the Texas Family Code.



CONTACT INFORMATION FOR OUTSIDE RESOURCES

TBC does not provide on-campus counseling, victim advocacy, mental health, legal assistance, or other student services for victims of sex offenses. However, counseling and support services outside the TBC system can be obtained by calling the following 24-hour hotlines:

- Houston Area Women's Center.....713-528-7273
- Houston Crisis Hotline.....713-468-5463
- Dallas Area Rape Crisis Center.....972-641-7273
- Dallas Crisis Hotline.....972-233-2233
- National Domestic Violence Hotline....800-799-SAFE (7233)

In addition, reports of sex offenses can be made to local police departments for each campus, which can be contacted at the following phone numbers:

- Houston Police Department – Sex Crimes Unit713-308-1180
- Dallas Police Department – Sexual Assault Unit..... 214-671-3584

ADDITIONAL OUTSIDE RESOURCES INCLUDE THE FOLLOWING:

LOCAL RESOURCES: HOUSTON AREA

Houston Domestic Violence Hotline

713.528.2121

TDD 713.528.3625

Toll Free 800.256.0551

Houston Sexual Assault Hotline

713.528.RAPE (7273)

TDD 713.528.3691

Toll Free 800.256.0661

The Bridge Over Troubled Waters



713.473.2801



The Bridge exists to assist women, children and men in crisis, particularly those who have been affected by domestic violence, sexual assault or homeless situations. Violence issues are rampant across the United States and throughout all ethnic, educational and socioeconomic lines.

Family Time Crisis and Counseling Center

281.446.2615

Located in Humble, Texas, Family Time provides: 1) Free counseling and support groups for Complainants of abuse.; 2) A 24-hour crisis helpline, 3) "The Door," an emergency shelter for domestic violence Complainants and their children; 4) Hospital accompaniment for sexual assault Complainants provided by trained advocates; 5) Trained staff to provide legal advocacy about issues stemming from abuse; 5) Professional counseling at affordable rates for non-Complainant issues; 6) Parenting education and anger management classes; and 7) Most services are also available in Spanish.

Houston Area Mental Health Information

provided by the University of Texas Harris County Psychiatric Center

713.741.5000

The University of Texas Harris County Psychiatric Center is dedicated to excellence and leadership in the provision of patient care and the growing need for treatment of persons with mental illness residing in Harris County.

Katy Christian Ministries

Domestic Abuse: 281.391.4504

Sexual Assault: 281.391.5262

Katy Christian Ministries is a social service non-profit serving the Katy/West Houston, Fulshear and Simonton Areas. KCM has social service departments that offer emergency financial assistance, food pantries, a crisis center that houses the domestic abuse center and the sexual assault center, 2 resale stores and 3 donation centers.



Women's Center of Brazoria County

979.849.9553



Women's Center of Brazoria County provides: 1) Shelters for abused women and children; 2) Non-residential services (domestic violence and sexual assault); 3) Rape Crisis Program/Sexual Assault Nurse Examiner/SART; 4) Education (Speakers' Bureau, professional trainings, primary prevention); 5) 24 Hour Toll-Free HOTLINES (includes Information & Referral); 6) Volunteer (includes training and assignments); 7) Resale Shop; 8) Supervised Visitation Program; 9) Crime Complainant Compensation (notification and assistance in filing); 10) Domestic Violence Awareness Classes; and 11). Parenting Classes and Workshops.

LOCAL RESOURCES: DALLAS AREA

Parkland Hospital Complainant Intervention Program/Rape Crisis

214.590.2926

The Victim Intervention Program (VIP)/Rape Crisis Center at Parkland helps those who have experienced violence. They provide crisis support, counseling and advocacy. The counselors and advocates will assist in strictest confidence to ensure privacy, safety and well-being.

Brighter Tomorrows

972.262.8383

Brighter Tomorrows is one of the largest domestic violence agencies in Dallas County and includes two emergency safe shelters, a counseling and resource center in Grand Prairie, two thrift stores, a transitional housing program with 68 beds, sexual assault services, and many more services.

The Family Place

214.941.1991

The Family Place is a nonprofit agency that helps families hurt by domestic violence. All services are provided free of charge, with exception of Supervised Child Visitation and the Battering Intervention and Prevention Program (BIPP). All services are also available in English and Spanish.

Genesis Women's Shelter



214.946.4357



Genesis provides shelter, safety, counseling, and expert services to battered women and their children.

Mosaic Family Services

214.823.4434

Mosaic Family Services is a non-profit community based organization that provides culturally and linguistically competent services to refugees and immigrants in crisis.

STATE RESOURCES

Texas Advocacy Project

www.texasadvocacyproject.org

Sexual Assault Legal Hotline

888.296.SAFE (7233)

Texas Council on Family Violence

512.794.1133

www.tcfv.org

Texas Association Against Sexual Assault

888.918.2272

www.taasa.org

Family Violence Legal Line

800.374.HOPE (4673)

Family Law Hotline

800.777.FAIR (3247)

NATIONAL RESOURCES

National Sexual Violence Resource Center (NSVRC)

877.739.3895

www.nsvrc.org



National Coalition Against Domestic Violence

303.839.1852

www.ncadv.org



National Center on Domestic and Sexual Violence

512.407.9020

www.ncdsv.org

U.S. Department of Justice – Office on Violence Against Women

202.307.6026

www.justice.gov/ovw

National Network to End Domestic Violence

www.nnedv.org

Legal resource website for survivors of domestic violence

www.womenslaw.org

Not Alone: Together Against Sexual Assault

www.notalone.gov

RESOURCES FOR MEN

White Ribbon

White Ribbon is the world's largest movement of men and boys working to end violence against women and girls, promote gender equity, healthy relationships and a new vision of masculinity.

www.whiteribbon.com

Men Can Stop Rape

Men Can Stop Rape seeks to mobilize men to use their strength for creating cultures free from violence, especially men's violence against women.

www.mencanstoprape.org

Male Survivor

Male Survivor is committed to preventing, healing, and eliminating all forms of sexual victimization of boys and men through support, treatment, research, education, advocacy, and activism. www.malesurvivor.org



1in6



The mission of 1in6 is to help men who have had unwanted or abusive sexual experiences in childhood live healthier, happier lives.

www.1in6.org

ADDITIONAL RESOURCES

Loveisrespect

Loveisrespect is a national resource specifically designed for teens and young adults that are involved in abusive relationships.

www.loveisrespect.org/

SAFER

Students Active for Ending Rape (SAFER) is the only organization that fights sexual violence and rape culture by empowering student-led campaigns to reform TBC sexual assault policies.

<http://safercampus.org/>

Step UP!

Step UP! is a prosocial behavior and bystander intervention program that educates students to be proactive in helping others.

<https://www.suwn.org/>

NOTE: These off-campus counselors and advocates may have reporting or other obligations under state law. Thus, all communications with them may not be confidential. Texas law requires anyone with knowledge of suspected child abuse or neglect to immediately report it to the proper authorities. Certain professionals are required to report someone who poses imminent harm to self or others. Persons can also be required to testify if subpoenaed in a criminal case.