

Sexual Offense Conflict Resolution Procedure

(As a staff member it is your responsibility to understand this procedure and be able to communicate to or assist any volunteer at Common Ground. This means that if you are approached you are obligated to convey and facilitate this procedure.)

NOTE: Any step in this process only goes forward with the consent of the survivor, maintaining the highest standards in confidentiality and protection. **THE SURVIVOR CALLS THE SHOTS.**

1. A sexual offense is alleged and **the survivor tells:**

- A site or project coordinator
- Security
- Staff members at various sites who identify themselves as contact people on sexual offense boards, at meetings etc.
- Staff members who identify themselves at women or mens' caucuses respectively
- Victim Advocates Orissa Arend, or Sullivan (onsite victim advocate). The victim advocates are trained individuals on call specifically to support victims of sexual assault and guide them through the conflict resolution process.

Orissa: (601) 807-7297 or (504) 865-1619 Sullivan: 937-215-9421

*If anyone other than the victim advocates are the first connection they should immediately contact the victim advocates.

** It is not appropriate for a member of the conflict resolution team to be the first contact.

2. **Security is contacted**, who (if the individual is accused of assault or other threatening behaviors) removes the person from all Common Ground facilities pending investigation. The person who files the incident report form must then call all site coordinators and send an e-mail to the all staff list communicating that the individual has been temporarily removed.

3. Survivor gives victim advocate permission to organize **Conflict Resolution Unit**.

4. The Conflict Resolution Unit convenes in a timely manner. After deliberating with all parties, determines resolution. For example, a resolution may be to permanently remove accused perpetrator. This is a binding resolution to be implemented immediately. It cannot be overturned. **All site coordinators and project coordinators are notified** to prevent return of accused to any Common Ground facility. A picture of accused will be posted on sexual offense boards at each site.

5. Security notifies accused s/he may not return to Common Ground facilities and updates site incidence log.

6. If at the end of the resolution process, the accused feels unjustly treated, s/he may present an application for appeal to the Conflict Resolution Unit.

*If volunteer encounters a situation involving drug, alcohol, sexual assault, violence, threats of violence, or situations that make people feel endangered, they should notify **site security** or a **site coordinator** immediately.*

If someone reports a sexual assault to you: (this is in Jackie's Packet)

(based on recommendations from Sonoma State University:

<http://www.sonoma.edu/campuslife/sv/friend.htm>)

You may be the first person someone tells about an incident of a forced or unwanted sexual experience. It's important that you are supportive and non-blaming so that they will seek services they need. The most important thing you can say to a survivor of sexual assault is *"I am so sorry and it's not your fault."* Here are ways you can help:

Believe them.

The greatest fear of survivors is that they won't be believed or that their experience will be minimized as "not important." Accept what you hear—even if the assailant is someone you know and like. Victims may appear confused and unable to put thoughts together. They may seem calm and collected, which may seem inappropriate in someone who has been attacked. Both extremes are normal reactions. Attempted rape is often as traumatic as completed rape, so treat the victim with just as much care.

Listen.

Find somewhere to be alone and just let them talk.

Reinforce that it was NOT their fault.

No matter what they wore or what they had to drink, assault is never the victim's fault. Allow them to talk out their feelings of self-blame if they want to, but help them see that it was the attacker who caused the attack. Avoid questions that seem to blame the victim, such as, "Why didn't you scream?" or "Why did you go to his room?"

Comfort them.

Tell your friend that you're sorry it happened, that no one had the right to do that, no matter what. Try to calm her/him down if agitated, but do so in a soothing—not disapproving—way. Ask if it's okay before touching or hugging them. Offer tea, cocoa, soup, a blanket. Offer a safe place to sleep or companionship if they want to return to their own room. Strongly recommend that someone stay with them for at least one night.

Help them organize their thoughts, but let them make decisions about what to do next.

Survivors need to regain control of their lives. Allow them to do that. Let them make the decisions. Parents or outraged friends might want to press charges or go through mediation, but that might not be the best choice for the victim. Don't let how you feel about the incident keep you from supporting your friend. If s/he decides not to report, even if you disagree, let them know that you support that decision.

Keep them safe.

Make sure your friend is safe from further harm. Talk with Security and make sure the accused is removed from the Common Ground facility. If your friend is still not comfortable, you may need to take that person to a safe location elsewhere. The Women's Center is often an option or may know of alternatives.

Important: Involving the police at any time does not mean the victim has to legally prosecute. Sometimes, working with the police is the best and quickest way to get medical attention and/or keep someone safe.

Suggest calling the Victim Advocate

[better description of her role – does she have specific training on counseling assault victims?] The Victim Advocate can give information about options available, such as starting a Conflict Resolution procedure. If you are overwhelmed by the information being confided in you, the Victim Advocate can be a good person to listen and give advice who may have more training in these situations. [is that true?]

Treat medical needs.

Your friend may need to go to the medics or the hospital. If she has pain, ask her if she needs to see a medic immediately. She may have injuries she is not aware of, so encourage her to talk with a medic. Ask if there is one medic she is more comfortable with or if she would prefer one of the same gender, rather than just calling the on-call medic. You or the medics can take her to the hospital if necessary or call 911 to transport her immediately.

Preserve evidence

If there's a chance your friend wants to involve the police, she should preserve evidence. See the page on Preserving Evidence. Even if s/he doesn't want to report to police immediately, this is a good idea in case she decides to later. When a report is made weeks, months or even years later, vital evidence is lost when it isn't collected quickly.

Be available.

In the days and weeks following the incident, reassure the victim that she/he can turn to you whenever they need to. Then, when they do, give them your time and attention.

SOME THINGS TO ASK YOURSELF ABOUT CONSENT

(from "Support" by Cindy Crabb, Microcosm Publishing, author and friend's list)

"One really important way to be supportive is to make sure that you, yourself, aren't doing things that may be abusive. We put (this) together with the hopes that it would help people think deeply, and to help open up conversations about consent"

1. How do you define consent?
2. Have you even talked about consent with your partner(s) or friends?
3. Do you know people, or have you been with people who define consent differently than you do?
4. Have you ever been unsure about whether or not the person you were being sexual with wanted to be doing what you were doing? Did you talk about it? Did you ignore it in hopes that it would change? Did you continue what you were doing because it was pleasurable to you and you didn't want to deal with what the other person was experiencing? Did you continue because you didn't want to second-guess the other person? Did you continue because you felt it was your duty? How do you feel about the choices you made?
5. Do you think it is the other person's responsibility to say something if they aren't into what you might be doing?
6. How might someone express that what happened is not OK?
7. Do you look only for verbal signs or are there other signs?
8. Do you think it is possible to misinterpret silence for consent?
9. Have you ever asked someone what kinds of signs you should look for if they have a hard time verbalizing when something feels wrong?
10. Do you only ask these kinds of things if you are in a serious relationship or do you feel comfortable talking in casual situations too?
11. Do you think talking ruins the mood?
12. Do you think consent can be erotic?
13. Do you think about people's abuse histories?
14. Do you check in as things progress or do you assume the original consent means everything is OK?
15. If you achieve consent once, do you assume it's always OK after that?

16. If someone consents to one thing, do you assume everything else is ok or do you ask before touching in different ways or taking things to more intense levels?
17. Are you resentful of people who want or need to talk about being abused? Why?
18. Are you usually attracted to people who fit the traditional standard of beauty as seen in the US?
19. Do you pursue friendships with people because you want to be with them, and then give up on the friendship if that person isn't interested in you sexually?
20. Do you pursue someone sexually even after they have said that they want to be just friends?
21. Do you assume that if someone is affectionate they are probably sexually interested in you?
22. Do you think about affection, sexual boundaries? Do you talk about these issues with people? If so, do you talk about these issues with people? If so, do you talk about them only when you want to be sexual with someone, or do you talk about them because you think it's important and you genuinely want to know?
23. Are you clear about your own intentions?
24. Have you ever tried to talk someone into doing something they showed hesitancy about?
25. Do you think hesitancy is a form of flirting?
26. Are you aware that in some instances it is not?
27. Have you ever thought someone's actions were flirtatious when that actually wasn't the message they wanted to get across?
28. Do you think that if someone is promiscuous that makes it ok to objectify them, or talk about them in some way you normally wouldn't?
29. If someone dresses a certain way do you think it means that they want your sexual attention or approval?
30. Do you understand that there are many other reasons, that have nothing to do with you, that a person might want to dress or act in a way that you might find sexy?
31. If someone dresses a certain way do you think it means that they want your sexual attention or approval?
32. Do you think it's your responsibility or role to overcome another person's hesitancy by pressuring them or making light of it?
33. Have you ever tried asking someone what they're feeling? If so did you listen to and respect them?
34. Do you think it's your responsibility or role to overcome another person's hesitancy by pressuring them or making light of it?
35. Do you think sex is a game?
36. Do you ever try to get yourself into situations that give you an excuse to touch someone you think would say no if you asked? I.e. dancing, getting really drunk around them, falling asleep next to.
37. Do you make people feel "unfun" or "unliberated" if they don't want to try certain sexual things?
38. Do you think there are ways you act that might make someone feel that way even if it's not what you're trying to do?
39. Do you ever try to make bargains? I.e. "if you let me _____ I'll do _____ for you"?
40. Have you used jealousy as a means of control?
41. Have you made your partners stop hanging out with certain friends, or limit their social interactions in general because of jealousy or uncertainty?
42. Do you feel like being in a relationship with someone means that they have an obligation to have sex with you?
43. What if they want to abstain from sex for a week? A month? A year?

44. Do you whine or threaten if you're not having the amount of sex or the kind of sex that you want?
45. Do you think its ok to instigate something with someone whos sleeping?
46. what if its your partner?
47. Do you think its important to talk about it while they're awake first?
48. Do you ever look at how you interact with people, or how you treat people, positive or negative, and where that comes from/where you learned it?
49. Do you behave differently when you're drinking?
50. What are the positive aspects of drinking for you? What are the negative?
51. Have you been sexual with people when you were drunk or when they were drunk? Have you ever felt uncomfortable or embarrassed the next day? Has the person you were with ever acted weird with you afterward?
Do you seek consent the same way when you are drunkas when you are sober?
52. Do you think it is important to talk the next day with the person you were sexual with if there was drinking involved? If not, is it because it is uncomfortable or because you think something might have happened that shouldn't have? Or is it because you think that's just the way things go?
53. Do you think people need to take things more lightly?
54. Do you think these questions are repressive and people who look critically at their sexual histories and their current behavior are uptight and should be more 'liberated'?
55. Do you think liberation might be different for different people?
56. How do you react if someone becomes uncomfortable with what you're doing, or if they don't want to do something? Do you get defensive? Do you feel guilty? Does the other person end up having to take care of you and reassure you or are you able to step back and listen and hear them and take responsibility for your actions?
57. Do you tell your side of the story and try and change the way they experienced the situation?
58. Do you do things to show your partner that you're listening and that you're interested in their ideas about consent or their ideas about what you did?
59. Have you ever talked about sex and consent when youre not in bed?
60. Have you ever raped or sexually abused or sexually manipulated someone? Are you able to think about your behavior? Have you made changes? What kind of changes?
61. Are you uncomfortable with your body or your sexuality?
62. Have you ever been abused?
63. Has your own uncomftortableness or your own abuse history caused you to act in abusive ways? If so, have you ever been able to talk to anyone about it? Do you think talking about it is or could be helpful?
64. Do you avoided talking about consent or abuse because you aren't ready to or don't want to talk about your own sexual abuse?
65. Do you ever feel obligated to have sex?
66. Do you ever feel obligated to initiate sex?
67. What if days, months or years later, someone tells you they were uncomfortable with what you did? Do you grill them?
68. What id days, months or years later, someone tells you they were uncomfortable with what you did? Do you grill them?
69. Do you initiate conversations about safe sex and birth control (if applicable)?
70. Do you think something as vauge as "I've been tested recently" is enough?
71. Do you take your partners concerns have safe sex/birth control seriously?
72. Do you think that if one person wants to have sex and the other person doesn't really care, it is the responsibility of the person who has concerns to provide safe sex supplies?

73. Do you think if a person has a body that can get pregnant, and they don't want to, it is up to them to provide birth control? Do you complain or refuse safe sex of the type of birth control your partner wants to use because it reduces your pleasure? Do you try to manipulate your partner about these issues?
74. Are you attracted to people with a certain type of gender presentation?
75. Have you ever objectified someone's gender presentation?
76. Do you assume that each person who fits a certain perceived gender presentation with you will act the same way?
77. Do you find yourself repeating binary gender behaviors, even within queer relationships and friendships? How might you doing this make others feel?
78. Do you view sexuality and gender presentation as part of a whole person, or do you consider those to be exclusively sexual aspects of people?
79. If someone is dressed in drag, do you take it as an invitation to make sexual comments?
80. Do you fetishize people because of their gender presentation?
81. Do you think only men abuse?
82. Do you think that in a relationship between people of the same gender, only the one who is more 'manly' abuses?
83. Do you think there is ongoing work that we can do to end sexual violence in our communities?

ACTIVE LISTENING

(Also from "Support")

Listening. Its supposed to be this universal things we all know how to do, but in reality, there are a million different ways to listen. There is listening that is silent, like confession, and listening where you quickly come up with your own opinions, or your own experiences, and like a discussion, you add them in as soon as you get an opening.

Think about listening.

Think about listening. Pay attention to the different ways people you know listen. Figure out what it is that makes you open to a certain people and not to others- what qualities of listening do they have? What responses do you need to feel heard?

Of course, everyone is different, and what you need in a listener, most likely won't be the exact same thing that the person you're trying to support will need. But thinking about listening instead of just feeling like its something we should inherently know what to do, is a first step.

A lot of the times, talking about sexual abuse may need a particular kind of listening. Below are some words about Active Listening, taken from a training manual for rape crisis councilors. (active listening is also used in consensus decision making. It might seem strange and formulaic at first but its really a great skill and once you learn to think is this way, it'll stop sounding forced, and will just become part of how you hear and process and listen.

The purpose of active listening is to help you understand what is going on inside the other person. What her feelings are, what she is experiencing, etc. Because that person is not able to always share what's going on inside, the statements she makes are sometimes coded or clouded. This means you have to decode or clear the message, and hear what she is really saying. The only way to know weather you are hearing correctly is to reflect back to the person what you are hearing from her. She will in turn let you know whether you are correct or not.

The purpose is to show that you're interested, that you've not only heard her, but that you understood (or are trying to undertand) what she said. It helps check your accuracy of decoding what she's saying. It lets her know you're actually there. It communicates acceptance. It fosters

the person doing their own problem-definition and problem-solving and keeps the responsibility on her, not you.

When an abuse survivor says “I just can’t tell anyone what happened”, she may be saying a number of things

- I want to forget it ever happened
- I am no afraid of what people will think of me
- No one believed me before, why would it be different now
- I am afraid of my feelings about it
- I am afraid I will fall apart if I talk about it
- I am afraid my abuser will come back and hurt me more
- I am afraid you’ll think I could have prevented it
- I promised I would never tell
- I don’t know if I can really trust you

Or a million other things.

You need to find out the hidden feelings, otherwise you might assume the wrong ones. You can ask “Do you mean....” “are you saying...” “What does it feel like?”

There are common errors to avoid while active listening, these will bog it down:

Exaggerating the feeling, making it more intense than it is. Minimizing the feeling, not acknowledging it enough. Adding insight into the situation that is not there. Omitting or ignoring things she said to you. Rushing to an insight that the person may not be coming to, let her come to it herself. Parroting what she said rather than decoding it. Analyzing what she says, why she feels that way she does.

Characteristics you should have or try to have:

- feeling accepting
- wanting to help
- having and wanting to take enough time
- trusting that she can solve her own problems better than you can
- feeling reasonably separate (you can empathize with her pain, but don’t become disabled yourself.)
- avoid evaluating the person or judging or telling her what to do.
- be aware of your own feelings.