

# Moving from Bystander to Advocate



## Introduction

On average there are over 293,000 survivors (age 12 or older) of rape and sexual assault each year in the U.S. A staggering 8 out of 10 rapes are committed by an acquaintance and 1 in 8 girls have been sexually assaulted by someone they know. Because of cultural beliefs and social norms, sometimes people don't even know that they have been the victim of sexual assault or feel they have a right to speak out against or confront the person that assaulted them. Because of this, those who witness sexual assault should be equipt with the education and tools to identify sexual assault and confront it as a bystander.

This toolkit is a guide on how to interrupt sexual assault as a bystander and is designed for anyone who has directly or indirectly witnessed sexual assault and is supporting someone who confided in them about their sexual assault. The following information is a collection of best practices used to confront sexual assault as a bystander, how to support a victim of sexual assault who confides in you, how to support a victim when it is a child and ways you can advocate to end sexual violence in your city and/or state.

## What is a Bystander?

A bystander is a person who is present when an event takes place but isn't directly involved. Bystander intervention became popular on college campuses due to its potential to reduce gender violence. The concept of bystander intervention comes from the idea that there may be moments in our lives where we find ourselves being witness to a situation between two individuals that is troubling. We want to intervene. We have to choose to do so or ignore it and the situation escalates. Making this decision can be difficult as it requires us to take into consideration both the reaction of the survivor and the one committing the assault. Being a bystander can bring up personal feelings, experiences, and concerns, making the decision to intervene a brave one. The more you learn about bystander interventions, the more you will be prepared to react should you witness a troubling situation.

## "Leave Them Alone:" Confronting Sexual Violence

The Five D's was developed by Hollaback! a global, people-powered movement to end harassment. The five D's are five practices and tools you can use to confront sexual harassment as it happens. We can apply these same principles to confronting sexual violence. We recommend reading Hollaback!'s comprehensive and useful Bystander Intervention Training on their website.

All too often survivors are being violated in public spaces or the violence enacted on them is being witnessed by someone who says nothing. Many times, people choose to not intervene out of fear of not knowing how to intervene.

The Five D's can support people who are witnessing a sexual assault, sexual abuse or sexual violence.

### **DIRECT.**

You may want to confront the person who did harm and name what is happening. Before choosing to do this make sure you are safe to do this. Are you in public? Are there other people who can support you should this person who did harm get upset? Are you physically safe? Do you believe the survivor will be safe? Do you know the perpetrator? Do you know how this person reacts to others in altercations? **IF FOR ANY REASON YOU DO NOT FEEL SAFE DOING THIS, DON'T.**

If being direct still feels like a safe option, take a deep breath, get centered/grounded, and then approach the situation. Check in with the survivor afterward to ensure they are ok before moving on.

Some phrases you may want to use when confronting the person who did harm: "That is inappropriate" or "Leave them alone" or "You are hurting them."

### **DISTRACT.**

Distraction can be an effective way to intervene in an act of sexual violence. You are distracting the person who did

harm and interrupting the act. It is important to ignore the victim and speak directly to the perpetrator. Don't mention that you witnessed anything. Divert their energy to something completely different. Some ideas to distract a perpetrator:

**Looking for something you lost.** Try to avoid staring at anyone, look around and move things in the room. Do your best to stay in the room/space until the person who did harm moves. Make sure you are safe.

**Pretending to be lost.** Ask how to get somewhere and make small talk until the victim is able to get up and away.

**Pretending to know the perpetrator.** If they look around your age, ask them what high school they went to. Ask them if they lived on a particular street. It doesn't have to be long, just enough time to divert their attention away from the victim.

### DELEGATE.

If you do not feel comfortable confronting someone on your own or want support in any stage of intervening, get assistance from others. If you are with friends, have them distract the person who did harm while you find support.

Are there others around? Are there people who are witnessing this too? Consult with others and determine the best way to intervene and support the victim. If this is in an establishment, find out who is in charge. Contact the manager or security immediately. If this happened at your place of employment, tell a supervisor or manager.

If you are at school, contact a teacher or the school nurse.

**BEFORE YOU CALL 911. A history of abuse and mistreatment has led to communities of color, undocumented people, and individuals with previous involvement in the carceral system not feeling safe and they may not want any contact with first responders, especially police. Your first impulse may be to call the police, but it is important to check in with the victim to ensure they feel safe doing this.**

### DELAY.

You may not be able to act in the moment, you can still support the survivor by checking in with them after the incident. Let the person know that you wanted to intervene but you were concerned with theirs and your safety.

- Begin by asking if they are okay and telling them you are sorry this happened to them.

- Ask them what you can do to support them right now. Ask if there is a safe space they can go to. If you can, take them there. When you get there, ask if they want you to stay with them or if you can call someone for them. If they want to be alone, give them your contact information. It is their choice to follow up with you.
- Share resources with them. They may be in shock and need time to process what happened but are willing to take information they can reference later. To find local or national resources that support victims of sexual violence reference meettoomvmt.org's Advocacy Resource Library. You should always carry the number of the National Sexual Assault Hotline 1-800-656-HOPE (4673). Make sure to give them this number if you are not able to give them any other information.
- Offer to support them with making a report if they choose to do so. If you documented any part of the incident, ask them if they want you to send it to them.

### DOCUMENT.

If you feel like you don't have the opportunity to use one or all of the other four D's, documenting is something you can always do to the best of your ability. If someone is already supporting the survivor, assess your safety. If you are safe, start recording.

- Make sure you notify the victim you are recording or taking pictures of the scene.
- Keep a safe distance.
- Take pictures or record specific landmarks (street signs, area where the assault happened in multiple angles, bus or station information). Make sure to hold shots for 10 seconds. This will help authorities freeze frame and examine specific scenes or views.
- Make sure to state the date and time you recorded or took pictures.
- Ask the victim what they want to do with the recording. NEVER post online without their permission.

## "I Was Assaulted:" When Someone Confides in You They Are a Victim of Sexual Assault

While there are no definitive statistics on survivors sharing that they have been a victim of sexual violence, we do know that most survivors do disclose the abuse to at least one other person. It is important to remember that you can not change the circumstances of the situation, but supporting them by listening, believing them and helping them determine their next few steps is important.

### *Listen.*

There will never be a way to prepare yourself to hear someone you know and/or loved has been a survivor of sexual assault. The conversation may not always be consensual; you may not want to hear their story. You are not listening for yourself, you are providing a space for someone else to tell their truth. This type of release is extremely important to their healing.

- If they begin talking about the incident, make sure the area is safe for them to have this conversation. Are you in a place where the conversation can stay confidential? Sometimes spaces and places may trigger a victim. If this is the case, find a safe space near you, a place where they can talk to you in confidence.
- Don't rush them to share details or ask specific details. They are working hard to share what they feel is appropriate and what is necessary.
- Let them know if you can not listen. Don't overstate what you are capable of holding.

### *Stay non-judgemental.*

- It is important that while a survivor is sharing to stay non-judgemental about the incident. As the person they confide in, your role is to JUST listen and not provide any feedback or interject your own opinion.
- Sharing religious or gender-based biases does not create an emotionally safe space to share.
- Stay calm. You may be angry or shocked by what you are hearing. Do your best to not show these emotions. They may confuse the victim and may make the victim feel like they have to comfort you.
- Be available for the victim to express a range of feelings: crying, screaming, being silent, etc. Remember, the victim is angry with the person who assaulted her or him and the situation, not with you. Just be there to listen.

### *Reassure them this is NOT THEIR FAULT.*

- The only person to blame for sexual assault is the perpetrator. What someone wears, says or does is not consent to be sexually assaulted.
- Letting them know that the guilt, fear, anxiety, and anger they have is normal.
- Replaying the situation in their head to figure out how they could have avoided being assaulted is common. Remind them that nothing is wrong and that no one deserves to be sexually harassed, assaulted or abused.

### *Believe Survivors.*

The number one reason why people do not confide in others about sexual violence is for fear the listener will not believe them. A report by the National Sexual Violence Resource Center on False Reporting shares that the prevalence of false reporting is between 2% and 10%. The chances the person confiding in you about their sexual assault is lying is highly unlikely. To gauge how bad the situation is or try and guess how hurt they are is not relevant. The fact that they have let you know they were harmed is enough.

### *Encourage them to seek medical attention.*

According to the Bureau of Justice Statistics, most injured survivors of rape, attempted rape, and sexual assault did not receive treatment for their injuries. Ultimately, the decision to see medical assistance is one that the victim must consent to. Don't push them to do this if they are not ready. Determine if they want to go in to seek medical attention without reporting the rape. This is an option.

### *Seeking medical attention without reporting.*

If this is the case, they should seek medical attention at their doctor or an emergency room. Let them know that they would like to be tested for STD/Is and HIV. They can ask for samples of any fluids to be taken as well.

During the visit, if at any time, they can change their mind and ask to report a sexual assault. The hospital staff will contact law enforcement to come speak with the victim. Ask the victim if they would like to be with someone during the interviewing process. If so, stay with them and introduce yourself to the relevant parties.

### *Seeking medical attention and reporting sexual assault.*

Call the National Sexual Assault Hotline at 800-656-HOPE (4673). They will direct you and the victim to a rape treatment center near you. Often times, these will be hospitals.

- Make sure to have a pen and paper handy when you call.
- Always ask the victim if they would like to speak for themselves to the person on the phone to support them with the most up to date resources and information. However, if they do not feel ready to share information again, do your best to support them by being an advocate.
- Ask questions and write down imperative details. Depending on when the incident happened, you may want to encourage them to not take a shower before they head to the rape treatment center; evidence that

is on their body could help law enforcement find the perpetrator.

- Help them to find and establish safety After a sexual assault, it is important that the survivor feel a sense of physical and emotional safety. Ask them what would help them feel safe and how you can support them with this. If they are being harassed or being stalked, help them come up with a safety plan that includes:
- Gauge their safety- does the person who did harm have keys to their house? Do they know where they work, live or frequent?
- Help them identify places they can go and how to address this: do locks need to be changed? Should their boss need to be contacted? If so, make sure to have a picture of the person who did harm ready to hand over to anyone that needs it.
- Help them create a list of loved ones they can call for support. Are there friends they can call? A family member? Help them gauge WHAT they can call the people on their list for. Is someone better at listening than another? Is there someone they can call to sleep over or who they can stay with if they feel they can't stay at their home? Is there someone who can help with specifics like food or for childcare or any other needs that may fall off in their time of need?

### Resources

The Colorado University, Women and Gender Advocacy Center at the Colorado University has a great article on bystander intervention and the role men can play in stopping rape culture. The University of New Hampshire's Sexual Harassment & Rape Prevention Program (SHARPP) has a page dedicated to safety planning for victims of sexual assault and rape. Definitely check them out if you need help figuring out what else to consider in a safety plan.

### WHEN YOU DON'T KNOW WHAT TO SAY

- "I believe you" - Validate their experience and affirm that it was the correct choice to tell someone.
- "I'm so sorry this happened." - They will more than likely never get an apology from the person who did harm but hearing you say sorry supports their understanding that they did not deserve to be assaulted.
- "It's not your fault." - Because most of us have irresponsibly been taught that what you wear, who you are and where you go determines if you are or are not a victim of sexual violence, letting someone know that what they

experienced was not of their doing helps them feel safe with telling you and avoids blaming the victim.

- "You are not alone."- victims can feel very isolated by traumatic experiences such as sexual assault. It is important for them to know that someone is there to support them during the aftermath. This signifies that they do not have to carry the burden of being assaulted by themselves, but have people to lean on and seek support from.
- "How can I support you?" -Experiencing sexual violence takes away one's ability to feel in control of their bodies and their actions. Asking them to think about what they need and have the ability to ask for it, gives them back some of the agency necessary to heal from the ordeal. They may not know at that very moment what type of support they need. Let them know they can tell you when they are ready. As the source of support, continue to provide a listening ear and/or providing assistance that is helpful to them.
- "Thank you for sharing with me." - We need victims to know that we are not going to participate in the culture of secrecy that is associated with sexual assault and that sexual violence relies on. Letting them know that you appreciate them sharing with you lets them know that it was the right thing to do and that you believe that they should not be holding this experience on their own.

### WHEN THE SURVIVOR IS A CHILD/YOUTH

Sexual abuse of children has many forms. The person who did harm can be a close family friend, a stranger or a family member, even a parent. A child does not need to be touched to be sexually abused. Child sexual abuse can include filming a child/youth, watching a child undress, shower or perform acts that insinuate sexual ideas. It can also include adults exposing themselves to a child/youth.

When a child/youth confides in you about their sexual abuse, it will impact many people, including the parents, and family of the child/youth. If the person who did harm is a family member, things become even more complicated. Always remember the feelings, emotions and physical safety of the victim are the priority before anyone else's feelings, emotions, and physical safety.

The following are tips for supporting a child or youth:

#### Believe Them.

- **Thank them for telling you.** Because they opened up to you, they trust you. Let them know that you love them and do your best to stay calm. The next thing you should do is seek help (see below).

- **Do not question whether they are telling the truth.**  
The likelihood of a child lying about sexual abuse is extremely small.
- **You don't need any other details other than the child/youth was sexually assaulted to file a report.** But if you must get more information, do so in a "matter of fact" way and keep calm while doing so. Children are great perceivers of emotions and know when you are mad or angry or sad, but their interpretation of why you are mad or sad or angry is not as informed and if you react in anger, they may interpret that as you feeling they may have had a role in their abuse.
- **Do your best to not show emotion when they share information with you.** If they feel that they have made you sad or angry with their answers, they may begin retracting the story to not hurt you.
- **Help Restore Safety.** As with adults, sexual violence/assault can make a child feel out of control of her surroundings and can make them question whether the adults in their life can protect them.
- **Come up with a plan, co-created with the child/youth (if applicable) or consented to by the child/youth before moving forward.** This plan should include eliminating contact with the person who abused them (if applicable), a plan for every place the child/youth frequents, and who can support the child with their various needs.
- **Pay attention to the child/youth's cues about what they may need to feel safe.**
- **Protect their privacy by not sharing information over the phone or in-person, not even with adults you know have their best interest.**
- **Reassure the child/youth that they are not to blame** for the sexual abuse they endured. There is NO WAY they could have caused this. They are not to be blamed for stopping it or even for not telling about it until they were ready. Shame and self-blame are common responses for people of all ages who have been sexually assaulted.
- **It is important as an adult to remember that children do not have the power or understanding to consent** to any act of sexual abuse. A child's curiosity about sex, sexuality, or their anatomy is never an excuse for an adult to take advantage of them. It is ALWAYS an adult's responsibility to set the limit and say "no".
- **To support a child who may be feeling blame, you can share that the person that abused them was wrong** for touching them and that the person who did harm needs help from other adults to get better and not hurt another child.

### REMAIN VIGILANT

Keep your eye out for changes in behavior that may require specific form of support. Children are resilient but healing takes time, patience, and constant support. We hope that you will help your child seek therapy or culturally appropriate and affirming healing methods as soon as possible. Remember that it is impossible for anyone to "go back to the way things were" after they have been the victim of sexual abuse. Acting out is common. Other things you want to look for are:

- Difficulty sleeping and nightmares
- Trouble concentrating
- Regressive behavior such as bedwetting, throwing tantrums or thumb sucking
- Trouble in school
- Withdrawal or disinterest in activities they once enjoyed

### "I'M TRIGGERED:" When Supporting Someone Else Is Unexpectedly Difficult

Having someone confide in you about their sexual violence can be shocking, anxiety-provoking, and triggering. This next section has tips on support you may seek for yourself and activities/processes you can engage in to support a victim of sexual assault or yourself as the source of support.

**Get support for yourself.** See a therapist, practice self-care and check in with your body. Talk with loved ones, sleep and make sure you are eating a healthy meal.

**Keep your own boundaries.** There are trained professionals who can support victims of sexual violence. If you feel emotionally inept to support someone through their sexual assault, helping to interrupt or being an active listener is enough. Do your best to provide them with resources to follow up with.

### BECOMING AN ADVOCATE

The 'me too.' movement has shown us that sexual violence is more pervasive than we realize and that anyone can be a survivor of sexual assault. One of the ways we encourage those who have been victims of sexual violence to take back their power is to become an advocate to end sexual violence. Supporting survivors is powerful. There are also ways for one to advocate—which goes beyond support—to transform the institutional, political and social conditions of sexual violence survivors now and in the future.

There are a few ways to advocate to end sexual violence on:

### **On School Campuses**

- Find out what your school campus policies are on sexual assault (junior high through college have policies on sexual assault). Ensure others know the policy as well. Are these policies are plain sight or easily accessible? If not, contact student services and demand that they are.
- Ensure that the campus provides healthy relationship and sexual assault training on campus, whether or not your school has a designated group that provides sexual assault training. If your school does not, your school can consult with a local program if available to bring in experts.
- Join a group that works to prevent sexual assault on campus. If there isn't a group already, create one. The Center for Changing Our Campus Culture can help you get started and can even fund your program.

### **In the Workplace**

The same laws that prohibit gender discrimination prohibit sexual assault and harassment. Title VII of the Civil Rights Act is the main federal law that prohibits sexual assault and harassment.

- Find out what your company or organization's policy on sexual harassment and violence. Make sure they have a clear policy. A good anti-sexual harassment or violence policy should:
- Have a clear definition of sexual harassment
- Clearly states their intolerance for sexual harassment
- Clearly states how one will be disciplined or fired should they violate the policy.
- Outlines step by step, how to file a complaint.
- Declares that they will fully investigate any complaint they receive.
- States that they have zero tolerance for retaliation against anyone who calls out sexual harassment.

An employer should also provide annual training to all employees on sexual harassment and violence in the workplace.

### **BECOME AN ADVOCATE IN COURT**

Just because a victim chose to come forward and make a report does not ensure that they will see justice in a court of law. The vast majority of perpetrators will not go

to prison. Statistics show that out of 230 sexual assault incidents reported to law enforcement only 46 reports lead to an arrest. You don't have to know the legal system well, you just need to know where to find the answers to support the legal process and learn the important steps advocates must take to support a victim through the court process.

- Help the victim to fill out any necessary paperwork. Support them by reading the documents thoroughly alongside the victim (you can always ask to borrow a copy of the paperwork the victim is being asked to read through). Make sure they know when they are being asked to sign something or consent to a process.
- Offer to be present during questioning. Your role is to listen attentively and to take meticulous notes. Remember that you can not record questioning in an investigation, although you can tape other interactions. If you are unsure, ask.
- Accompany the victim to court. Remember to follow the courtroom rules and to notify the attorney for the victim that you are there to support them. Make sure the victim understands their rights- help them make a list of questions that may have and encourage them to ask their attorney or a court advocate.
- Make sure the victim understands what is being said in court- after court, ask them if they understood what was said in court, what their attorney advocated for, what the perpetrator's attorney advocated for and if they know what the next steps were. If they do not, make sure they let their attorney know immediately.

### **Becoming an Advocate for Transformative Justice in Your Community**

According to the Bay Area Transformative Justice Collective, transformative justice (TJ) is "a political framework and approach for responding to violence, harm and abuse. TJ is a process that seeks to respond to violence by not creating more harm and/or engaging in harm reduction to minimize violence."

Transformative justice responses and interventions:

- Do not rely on the state (e.g. see the police, prisons, the criminal legal system, I.C.E., child welfare or foster care system as authorities, however, some TJ processes may utilize these entities as services)
- Do not reinforce or perpetuate violence
- Relies on those involved to engage with things we know prevent violence such as healing, accountability, resilience, and safety for all involved.

Transformative Justice relies on a system of support for the victim and for community participation from members of the community. This process includes support for the person who harmed as well. TJ relies on both victim and the person who did harm to believe that sexual violence is rooted in oppression and patriarchy and that if we can collectively process the harm, hold the person who did harm accountable and address the root of the harm, that we can create a transformative experience that restores wholeness to the victim, the person who harmed and their community.

For more information on transformative justice check out the Bay Area Transformative Justice Collective for case studies and information on how to create a TJ process for victims of sexual violence.

### **Become an Advocate to Change Legislation That Will Impact Sexual Assault Victims and Survivors**

Legislation is just good ideas created by concerned citizens that were crafted into bills by government representatives who have the power to create policies and laws. This is the most effective way to strengthen legislation that will prevent sexual violence or lead to better support and protection for sexual violence victims.

- Find out what laws already exist in your state or city. This includes finding out what legislation is currently being passed in your city or state.
- Check in with your local representative. If you call your city council member or your state assemblymember or senator, you can set up a meeting with a staff member to find out more about how your representative is trying to prevent sexual violence and what legislation is currently on the table.
- Ask them how you can help. This may be by calling or meeting with other representatives to tell them why specific legislation is important to you and explain to them how it will prevent sexual violence. Feel free to write a letter of support and submit it to the representative who is "authoring" the legislation.
- Suggest ideas for new legislation. You don't need to reinvent the wheel, find out what other states are doing to curb sexual violence at their state capitols and present the idea to them. For ideas, RAINN, the Rape, Abuse & Incest National Network, a national anti-sexual violence organization, has a guide to laws in your state. Underneath the box to type in your state or zip code is a little button that says "compare states." Click on the button and click a state and/or a category of law. It will

generate a list of laws and states that have been implemented to address specific areas of sexual violence.

- Shift the narrative by sharing your story or speaking out about sexual violence. Attend senate and local legislative hearings. Offer to share stories about the impact of sexual violence. Sometimes this is what makes the difference in a representative voting in favor or in opposition of legislation. By sharing stories, politicians get a real perspective on the lives of those who have been victims. This informs them of how important legislation is. Make sure to always get consent to share a story.

### **Rape Culture, Patriarchy and Sexism**

Power and hierarchical structures created by patriarchy are what have led to individuals and men, in particular, to believe that they have a form of dominion over women. These structures have been in place for centuries and are a reflection of our history as people. Sexual violence is not the result of a few creepy people or unfortunate circumstances. Sexual violence is the result of toxic masculinity and respectability politics associated with specific populations of people that are taught and socialized. This is why we must educate ourselves and others to challenge ideas that perpetuate sexual violence. Here are some things you can do:

- As a parent encourage your child(ren) to know what positive physical touch looks like so that they can identify and speak out against touch they don't like.
- Teach children about consent and practice it. This means allowing children to exercise agency over their bodies.
- Don't force a child to kiss you or another person if they do not want to.
- If your child does not want you to touch them, allow for them to have that consent over their body.
- Make sure to use the word consent. Teach all children equally that they have consent over their bodies.
- Challenge sentiments of sexualizing the body (derogatory talk about the body, vulgar comments about someone's anatomy or comments about what they would like to do to a person).
- Remember that boys are also victims of sexual assault.