

**ENGAGE.**

**EDUCATE.**

**EMPOWER.**

## WHAT YOU NEED TO KNOW



This guide provides an overview of resources and options available to help prevent and respond to sexual harassment and other sexual misconduct at Harvard.

Harvard encourages those who have been impacted by or know someone who has been impacted by sexual harassment and/or other sexual misconduct to speak to the Title IX Resource Coordinator for their School or unit. Resource Coordinators are available to speak in depth about the resources and options set forth within this guide.

# CONTENTS

**Introduction.....1**

**I. Confidentiality in a Nutshell.....4**

**II. Harvard Resources.....5**

- Employee Assistance Program (EAP)
- Harvard Chaplains
- Harvard College Office of BGLTQ Student Life
- Harvard International Office (HIO)
- Harvard University Campus Escort Program (HUCEP)
- Harvard University Counseling and Mental Health Services (CAMHS)
- Harvard University Health Services (HUHS)
- Harvard University Health Services Behavioral Health
- Harvard University Police Department (HUPD)
- International SOS
- Office for Dispute Resolution (ODR)
- Office of Sexual Assault Prevention & Response (OSAPR)
- Ombuds Office – Longwood
- Title IX Office
- Title IX Resource Coordinators
- University Disability Resources (UDR)
- University Ombudsman Office

**III. Community Resources.....19**

**IV. Assistance Following an Incident.....25**

- Access Medical and Safety Options
- Seek Medical Treatment
- Obtain Supportive Measures
- Request Informal Resolution
- File a Formal Complaint
- Report to HUPD

**V. Prevention.....32**

- Risk Reduction
- Bystander Intervention

**VI. Appendix.....37**

- Massachusetts State Laws



# CONFIDENTIALITY IN A NUTSHELL

You may find it useful to ask about confidentiality and privilege at the start of your conversation with any of Harvard's resources.

## Confidential - Privileged

Information disclosed to these resources is privileged and, absent special circumstances, generally may not be disclosed without your consent even in a criminal or other external proceeding:

- OSAPR staff when providing services as a sexual assault counselor, a domestic violence counselor, or under a clinical license
- Licensed mental health clinicians providing diagnosis or treatment
- Lawyers providing legal advice to clients
- Clergy members providing religious or spiritual advice or comfort

## Confidential

Harvard has designated these resources as confidential. This means that they do not need to notify a Title IX Resource Coordinator when someone discloses concerns of sexual harassment and/or other sexual misconduct; however, these resources may be required to reveal the information that was disclosed to them in a criminal or other external proceeding:

- OSAPR staff when providing services beyond those in their capacity as a sexual assault or domestic violence counselor or under a clinical license
- University Ombuds
- Longwood Ombuds
- Office of BGLTQ Student Life

## Private\*

Information disclosed to these resources is shared only on a need-to-know basis:

- School or unit Title IX Resource Coordinators
- Associate University Title IX Coordinator
- University Title IX Coordinator

## Responsible Employees\*\*

Information disclosed to these resources is treated with the utmost discretion and sensitivity and is shared with a Title IX Resource Coordinator and otherwise only on a need-to-know basis:

- Faculty Deans
- Instructors
- Coaches
- Resident Deans
- Teaching Fellows
- Paid Student Employees (only when acting as employees of the University)
- Tutors/Proctors
- Deans
- Administrative and Professional Staff
- Faculty

\* Staff with specialized training and expertise in addressing issues of sexual harassment and other sexual misconduct, who are positioned to help students, faculty, staff and third parties and who protect privacy and share information only on a need-to-know basis.

\*\* This is not an exhaustive list of Responsible Employees. If you have questions, reach out to your local Title IX Resource Coordinator.

# I. HARVARD RESOURCES

If you, or a friend, or a colleague, have experienced sexual harassment (which includes sexual assault) or other sexual misconduct, or are a party in a formal complaint involving sexual harassment or other sexual misconduct, Harvard's many resources are available to provide both immediate and long-term support and guidance. You may find it useful to ask about confidentiality and privilege at the start of your conversation with a Harvard resource.



Confidential - Privileged



Confidential



Private



Responsible Employee

## Employee Assistance Program (EAP)

Harvard's Employee Assistance Program (EAP) offers confidential consultation, assessment and referral, and short-term counseling to help staff, faculty, and their household members with personal or work-related concerns including sexual harassment. EAP also provides unlimited consultation to managers and HR practitioners. Trained domestic violence counselors are available 24 hours a day, seven days a week by telephone.

**Contact: 877-EAP-HARV (877-327-4278) 24 hours a day**

**Are my conversations confidential?** EAP staff hold a legal privilege of confidentiality when providing services as a sexual assault counselor, a domestic violence counselor, or a licensed mental health provider. EAP will not share information unless its staff has permission from the person seeking services. Absent special circumstances, when providing services as a sexual assault counselor, a domestic violence counselor, or a licensed mental health provider, EAP is prohibited from sharing information in legal proceedings.



## Harvard Chaplains

The Harvard Chaplains are a professional community of more than 30 chaplains, representing many of the world's religious, spiritual, and ethical traditions, who share a collective commitment to serving the spiritual needs of Harvard students, faculty, and staff.

**Contact:** [chaplains@harvard.edu](mailto:chaplains@harvard.edu), 617-495-5529

**Are my conversations confidential?** *Under Massachusetts state law, if you seek religious or spiritual advice or comfort from a “priest, rabbi or ordained or licensed minister of any church, or an accredited Christian Science practitioner,” then those conversations are privileged, meaning that they may not be disclosed, even in a legal proceeding, without your consent.*

## Harvard College Office of BGLTQ Student Life

The Harvard College Office of BGLTQ Student Life provides support, resources, and leadership development for bisexual, gay, lesbian, transgender, queer, and questioning students. Through collaboration with students and student organizations, the Office creates opportunities for fellowship, thoughtful dialogue, and the pursuit of knowledge.

The Office seeks to foster a safer, more diverse, and inclusive campus by educating and engaging the Harvard community about the multiplicity of sexual and gender identities.

**Contact:** [bgl tq@fas.harvard.edu](mailto:bgl tq@fas.harvard.edu), 617-496-5716

**Are my conversations confidential?** *Harvard has designated the Office of BGLTQ Student Life as a “confidential” resource, which means that the Office does not need to notify a Title IX Resource Coordinator when they learn about potential incidents of sexual harassment and other sexual misconduct. However, if there is a criminal investigation or another type of external investigation or proceeding, the Office of BGLTQ Student Life may be required to reveal information that was shared with them.*

## Harvard International Office (HIO)

---

The Harvard International Office (HIO) provides services to international students and scholars at Harvard College, the graduate and professional Schools, and to Harvard's numerous research centers and affiliated teaching hospitals to minimize the difficulties they may experience both upon arrival and during their stay at Harvard.

**Contact: 617-495-2789**

## Harvard University Campus Escort Program (HUCEP)

---

The Harvard University Campus Escort Program (HUCEP) is a campus safety program developed by Harvard College in partnership with the Harvard University Police Department. HUCEP teams, who are trained and supervised by the Harvard University Police Department, provide walking escorts to students, faculty and staff three nights a week during the academic year and cover the Yard, River, Quad, and North Yard areas. Teams are made up of two undergraduate students and identified by their brightly colored vests, labeled HUCEP. Escorts respond to both calls for service through the HUCEP hotline (617-384-8237 or 617-38-HUCEP), and by being flagged down by students, faculty and staff in need of an escort.

All calls for walking escorts are received at the Harvard University Police Department's Communications Center who maintains direct communication via radio with the student escort teams. The Communications Center is also able to communicate with the Shuttle Van Service if necessary when the walking escort service will be delayed.

**Hotline: 617-384-8237**



## Harvard University Counseling and Mental Health Services (CAMHS)

---

CAMHS is part of HUHS. At CAMHS, students may receive comprehensive outpatient care for a variety of concerns, including anxiety, depression, stress, crisis management, transitional issues, grief, and eating, sexual, or relationship concerns. Based on a student's needs, clinicians offer the following:

- Individual counseling
- Group counseling
- Cognitive-behavioral therapy
- Medication evaluation and management
- Evaluation for full or partial hospitalizations

CAMHS has four locations:

- Smith Campus Center, 4th Floor, 617-495-2042
- Harvard Law School, Pound Hall, 617-495-4414
- Longwood Clinic, Vanderbilt Hall, 617-432-1370

***Are my conversations confidential?*** HUHS assures each patient that all health information is treated confidentially and protected to the fullest extent permissible by law. Conversations with mental health clinicians, acting in their professional capacity, are privileged under the law, meaning that mental health clinicians are prohibited from disclosing what you have shared with them, even in a legal proceeding, unless you give them permission.

## Harvard University Health Services (HUHS)

---

Harvard University Health Services is a multi-specialty medical practice dedicated to caring for members of the Harvard community — students, faculty, staff<sup>1</sup>, retirees, and their dependents. Services include primary care, internal medicine, counseling and mental health, behavioral health, urgent care, and pediatrics.

---

<sup>1</sup> While all staff may access Urgent Care, to access the full array of services offered by HUHS, staff members must have HUGHP insurance.

HUHS has three locations:

- Smith Campus Center, 617-495-5711
- Harvard Law School, Pound Hall, 617-495-4414
- Longwood Clinic, Vanderbilt Hall, 617-432-1370

**Are my conversations confidential?** HUHS assures each patient that all health information is treated confidentially and protected to the fullest extent permissible by law. Please see the HUHS Notice of Privacy Practices for specific information concerning the privacy of your medical information.

## Harvard University Health Service Behavioral Health

Harvard employees who have an HUHS primary care physician can receive comprehensive evaluation, consultation, referral, treatment, and follow-up services with Behavioral Health clinicians, who offer:

- Individual counseling
- Cognitive-behavioral therapy
- Medication evaluation and management
- Evaluation for full or partial hospitalizations

Behavioral Health is located on the 6th Floor of the Smith Campus Center.

**Contact: 617-495-2323**

**Are my conversations confidential?** HUHS assures each patient that all health information is treated confidentially and protected to the fullest extent permissible by law. Conversations with mental health clinicians, acting in their professional capacity, are privileged under the law, meaning that mental health clinicians are prohibited from disclosing what you have shared with them, even in a legal proceeding, unless you give them permission.

## Harvard University Police Department (HUPD)

The Harvard University Police Department (HUPD) is committed to maintaining a safe and secure campus by providing quality policing in partnership with the community. If you are in immediate danger and need help or want to speak to a specially trained police officer about your situation, call HUPD. HUPD can provide immediate physical protection and transportation to a medical facility, if necessary. Contacting HUPD does not obligate you to file charges or to testify in court. You may also consult with HUPD to help determine whether an incident may constitute a criminal offense.

**Contact: URGENT: 617-495-1212, Business: 617-495-1215**

**Are my conversations confidential?** *As a general matter, HUPD does not publish the names of crime victims or include identifiable information about victims in the HUPD crime log, in campus timely warnings (also known as community advisories), or online. HUPD will not disclose the name of any alleged victim of rape or assault with intent to rape, and will maintain all reports of rape and sexual assault (or attempts to commit those offenses) or abuse by family or household members in a manner that will ensure their confidentiality. When applicable, reported incidents will be included in the Clery Act annual crime statistics without any identifying information.*

HUPD provides timely warnings (also known as community advisories) to the University community when a significant criminal incident occurs within Harvard's geography (as defined pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the "Clery Act") and represents a serious or continuing threat. However, there may be situations in which an alleged assault occurs between two students, but there is no ongoing threat to other Harvard community members; in these instances, a timely warning notice would not be distributed. Similarly, sometimes sexual assaults are reported long after the incident occurred, so it is not possible to distribute a "timely" warning notice to the community.

### Clery Act Crime Statistics

The Clery Act is a federal law that requires colleges and universities to disclose information about campus crime. Each year, Harvard files a report of campus crime statistics with the United States Department of Education. Crime statistics for the past three calendar years are also available on the HUPD website. These statistics do not include any identifiable information (e.g., names, addresses, telephone numbers, etc.). For more information on Clery Act reporting, visit HUPD's website at [hupd.harvard.edu](http://hupd.harvard.edu).

## International SOS

Register your international trip — even if you consider your destination safe — for peace of mind and expedited access to critical resources.

Accidents, natural disasters, and security incidents can happen anywhere. When incidents occur, we proactively contact registered Harvard affiliates in the area to confirm your wellbeing and offer medical or security assistance through International SOS. You'll receive an email, SMS, and/or text-to-voice call depending on your contact preferences in your International SOS MyTrips profile.

Registration is required for students traveling with Harvard sponsorship and strongly recommended for faculty and staff.

**Contact: +1-617-998-0000**

## Office for Dispute Resolution (ODR)

The Office for Dispute Resolution (ODR) impartially investigates formal complaints of sexual harassment and other sexual misconduct against students, staff, and, with most Schools, faculty.<sup>2</sup> ODR investigations are handled by professional investigators working with the involved Schools and units. Any member of the Harvard community may visit ODR to request information or advice, including how to file a formal complaint with the University Title IX Coordinator and assistance in seeking informal resolution once a formal complaint has been filed.

ODR operates under the Office of the Provost, working in partnership with the University Title IX Coordinator, Harvard's network of Title IX Resource Coordinators, and other School or unit leadership. All ODR staff members receive ongoing training on issues related to sexual harassment and other sexual misconduct, including domestic violence, dating violence, sexual assault, and stalking, and on investigation techniques that protect the safety of the parties and promote equity and accountability.

**Contact: [odr@harvard.edu](mailto:odr@harvard.edu), 617-495-3786**

***Are my conversations confidential?*** While conversations with ODR staff members are not confidential, they will handle any information that you provide with the utmost discretion and sensitivity and will share it with others only on a need-to-know basis.

<sup>2</sup> Harvard Law School (HLS) has its own procedures and handles its own investigations for cases in which all parties are HLS students. See HLS Sexual Harassment Resources and Procedures for Students. HLS and Harvard Business School (HBS) also conduct their own investigations for cases involving allegations against members of their faculty.

## Office of Sexual Assault Prevention & Response (OSAPR)

---

OSAPR is a confidential space for the entire Harvard community. OSAPR is here to support individuals in processing experiences of interpersonal harm, including sexual assault, harassment, interpersonal partner violence, and stalking. Our staff also provides community engagement, educational initiatives, and preventative programming that strengthens individuals and our community in service of decreasing harm.

For people who are seeking urgent support, regardless of when, the OSAPR hotline is available at +1 (617) 495-9100. It is staffed 24 hours a day, 7 days a week.

In addition, OSAPR provides a space for people to process and understand their experiences. This is accomplished by:

- offering short-term counseling that strives to nurture well-being, agency, and safety for people who have experienced harm
- sharing information when people choose to engage in adjudication and/or with other systems like legal, medical, and housing systems
- facilitating preventative and educational programs, campaigns, and curricula to the community exploring how individual social-ecologies impact understanding, agency, and actions

**Contact: Smith Campus Center, Suite 624; [osapr@harvard.edu](mailto:osapr@harvard.edu), 617-496-5636**

**Hotline: 617-495-9100**

***Are my conversations confidential?*** OSAPR staff hold a legal privilege of confidentiality when providing services as a sexual assault counselor, a domestic violence counselor, or a licensed mental health provider. OSAPR staff are confidential in other spaces, including workshops or trainings. OSAPR will not share information unless its staff has permission from the person seeking services. Absent special circumstances, when providing services as a sexual assault counselor, a domestic violence counselor, or a licensed mental health provider, OSAPR is prohibited from sharing information in legal proceedings.

## Ombuds Office – Longwood

---

The Longwood Ombuds Office serves students, faculty, staff and trainees of Harvard Medical School, Harvard School of Dental Medicine, and Harvard T.H. Chan School of Public Health in an informal manner and is independent in structure, function, and appearance. The Office helps visitors clarify their concerns, identify their goals, and consider their options. Sexual harassment is one of a variety of concerns that visitors bring to the Office. The Ombudsperson does not serve as an advocate for any party to a dispute, but instead advocates for fair treatment and processes.

**Contact: [melissa\\_brodrick@hms.harvard.edu](mailto:melissa_brodrick@hms.harvard.edu), 617-432-4040**

***Are my conversations with the University Ombudsman Office or the Longwood Ombuds confidential?*** Harvard has designated the Longwood Ombuds as a “confidential” resource, which means that the Longwood Ombuds does not need to notify a Title IX Resource Coordinator when they learn about potential incidents of sexual harassment and other sexual misconduct. However, if there is a criminal investigation or another type of external investigation or proceeding, the Longwood Ombuds may be required to reveal information that was shared with them.

## Title IX Office

The University's Title IX Office is charged with addressing, in a neutral manner, disclosed incidents of sexual harassment and other sexual misconduct in Harvard University's programs and activities. The Office supports the University's network of more than 50 Title IX Resource Coordinators in their outreach to members of our community. The Office also develops and implements University-wide prevention programming, resource documents, and proactive educational initiatives.

In addition to speaking with your local Title IX Resource Coordinator, both Nicole Merhill, Harvard's University Title IX Coordinator, and Caysie Carter, Harvard's Associate University Title IX Coordinator, are available to meet with members of the community who want to speak about incidents that either involve them directly or may have impacted a friend or colleague. Discussions may include information about supportive measures, the University's policies addressing sexual harassment and other sexual misconduct, and available resources and options. Community members are also welcome to meet with the University Title IX Coordinator or Associate University Title IX Coordinator to share thoughts, suggestions, and/or ideas about the policies, community outreach efforts, or other programmatic topics.

**Nicole Merhill**  
**University Title IX Coordinator**  
**[nicole\\_merhill@harvard.edu](mailto:nicole_merhill@harvard.edu)**  
**617-496-2470**

**Caysie Carter Harvey**  
**Associate University Title IX Coordinator**  
**[caysie\\_carter@harvard.edu](mailto:caysie_carter@harvard.edu)**  
**617-496-5490**

***Are my conversations confidential?*** While conversations with the University Title IX Coordinator and Associate University Title IX Coordinator are not confidential, they will handle any information that you provide with the utmost discretion and sensitivity and will share it with others only on a need-to-know basis.





## Title IX Resource Coordinators

---

Harvard encourages those who have been impacted by or know someone who has been impacted by sexual harassment and/or other sexual misconduct to speak to the Title IX Resource Coordinator for their School or unit. Resource Coordinators, who serve in a neutral role, are available to speak in depth about the resources and options available.

Title IX Resource Coordinators are specially trained to handle sensitive information relating to incidents of possible sexual harassment, including sexual assault, and other sexual misconduct with appropriate discretion and to help arrange supportive measures which allow an individual to continue with studies or work and take advantage of all that Harvard has to offer. Resource Coordinators also facilitate access to confidential resources.

Sharing information with the Title IX Resource Coordinator is not the same as filing a formal complaint. As described in the Policies, it is ordinarily up to you to decide whether you wish to file a formal complaint, although in very rare circumstances, where a community safety concern has arisen, the Title IX Resource Coordinator may need to take steps to initiate a formal complaint with the University Title IX Coordinator.

Title IX Resource Coordinators can facilitate support from your School or unit. They also consider whether there are issues related to the disclosed incident that may need to be addressed for the safety of the community.

Title IX Resource Coordinators can:

- Provide information about available resources
- Help arrange supportive measures — individualized supports that help members of the Harvard community continue with their studies and work and to participate in campus life
- Facilitate informal resolution, as appropriate, between the involved parties, with a goal of reaching a mutually agreeable resolution
- Provide information on the University's policies pertaining to sexual harassment and other sexual misconduct and the applicable procedures, as well as any additional School or unit policies
- Provide information about the formal complaint process

**Find your Title IX Resource Coordinator at [titleix.harvard.edu/coordinators](https://titleix.harvard.edu/coordinators).**

***Are my conversations confidential?*** While conversations with Title IX Resource Coordinators are not confidential, they will handle any information that you provide with the utmost discretion and sensitivity and will share it with others only on a need-to-know basis. For example, Title IX Resource Coordinators may share limited information in order to facilitate the implementation of supportive measures.

## University Disability Resources (UDR)

---

Harvard University Disability Resources (UDR) welcomes students, faculty, staff, and visitors with disabilities. UDR provides leadership to University efforts to ensure an accessible, welcoming working and learning environment for individuals with disabilities while ensuring compliance with federal and state regulations.

UDR serves as a central resource on disability-related information, procedures and services for the University community and provides expertise in the development, implementation, and acquisition of standard disability-related University practices, procedures and resources.

**Contact:** [disabilityservices@harvard.edu](mailto:disabilityservices@harvard.edu), 617-667-8141

## University Ombudsman Office

---

Students, faculty, staff, and retirees may contact the University Ombudsman Office for help in managing and resolving workplace and/or academic issues. The Office is independent from University administration and works in an informal manner on a variety of issues including sexual harassment. The Ombudsman can provide information about policies and resources and help you in identifying and assessing options for next steps.

**Contact:** [university\\_ombudsman@harvard.edu](mailto:university_ombudsman@harvard.edu), 617-495-7748

**Are my conversations confidential?** *Harvard has designated the University Ombudsman Office as a “confidential” resource, which means that the University Ombudsman does not need to notify a Title IX Resource Coordinator when they learn about potential incidents of sexual harassment or other sexual misconduct. However, if there is a criminal investigation or another type of external investigation or proceeding, the University Ombudsman may be required to reveal information that was shared with them.*



## II. COMMUNITY RESOURCES

### Anti-Violence Project (AVP) Hotline

---

**Hotline (English/Spanish): 212-714-1141**

AVP operates a free bilingual (English/Spanish), 24-hour, 365-day-a-year crisis intervention hotline that is staffed by trained volunteers and our professional counselor/advocates to offer support to LGBTQ & HIV-affected victims and survivors of any type of violence.

### Asian Task Force Against Domestic Violence (ATASK)

---

**Hotline: 617-338-2355**

ATASK's 24-hour, multilingual helpline is staffed by trained advocates who together speak a total of 12 Asian languages and dialects including Chinese (Cantonese, Mandarin, and Toisanese), Hindi, Japanese, Khmer, Korean, Nepali, Punjabi, Tagalog, Urdu, and Vietnamese. Callers to ATASK receive crisis intervention, safety planning, emotional support, and information about domestic violence and restraining orders.

### Beth Israel Deaconess Medical Center (BIDMC): Center for Violence Prevention and Recovery

---

**Phone: 617-667-8141**

The Rape Crisis Intervention Program provides the following services:

- Emergency room services, open 24/7, offering medical care, forensic evidence collection, and crisis counseling
- Crisis counseling and trauma-focused therapy for survivors, their families and friends
- Support groups
- Follow-up medical care
- Medical accompaniment for HIV-post exposure prophylaxis (PEP)
- Assistance navigating medical, criminal justice, and other institutions and systems

Assistance accessing community resources and services

## Boston Area Rape Crisis Center (BARCC)

---

**Hotline: 800-841-8371; TTY: 800-439-2370**

The Boston Area Rape Crisis Center operates a free, confidential, 24-hour hotline for anyone who has experienced sexual assault, their families and friends. BARCC also provides medical advocacy, legal services, counseling services, counseling and education groups, and case management.

## Cambridge Health Alliance Victims of Violence Program

---

**Phone: 617-591-6360**

The Victims of Violence program is an adult outpatient trauma clinic. It provides:

- Clinical care (psychological assessment, treatment planning and psychotherapy) for adult survivors of physical and sexual violence
- Group programs for adult survivors of childhood abuse and domestic violence
- Crisis intervention and response (initial crisis assessment, treatment planning and episodic or time-limited crisis-focused psychotherapy) for acutely traumatized crime victims and their families
- Victim Resource Center works with victims at no cost to make sure that they have access to community resources, medical services, and the courts

## DOVE (Domestic Violence Ended)

---

**Hotline: 888-314-3683 or 617-471-1234**

DOVE offers a crisis hotline that operates 24/7 all year. The hotline offers a confidential, nonjudgmental, and supportive ear, and provides information on available options and resources.

## Fenway Health

---

**LGBT Helpline (ages 25+): 617-267-9001; Toll-Free: 888-340-4528**

**Violence Recovery Program: 617-927-6250**

**Monday – Saturday, 6:00 p.m. – 11:00 p.m.**

**Peer Listening Line (ages 25 & Under): 617-267-2535; Toll-Free: 800-399-PEER**

**Monday – Saturday, 5:00 p.m. – 10:00 p.m.**

**Información en Español: 617-927-6460**

Through Fenway's Helplines, you can receive help, information, referrals, and support for a range of issues including anti-gay/lesbian harassment and violence.



## GLBTQ Legal Advocates and Defenders (GLAD)

---

**Phone: 800-455-GLAD (800-455-4523), Monday-Friday, 1:30 p.m.-4:30 p.m.; [gladlaw@glad.org](mailto:gladlaw@glad.org)**

## Hispanic Black Gay Coalition

---

**617-487-4242; [info@HBGC-Boston.org](mailto:info@HBGC-Boston.org)**

Hispanic Black Gay Coalition (HBGC) is dedicated to the needs of the Black, Hispanic and Latin@ LGBTQ community.

## Immigration Equality

---

**Legal Emergency National Hotline: 212-714-2904 (open weekdays)**

Immigration Equality provides legal services to lesbian, gay, bisexual, transgender, and HIV-positive individuals concerning immigrant rights issues.

## Massachusetts Alliance of Portuguese Speakers (MAPS)

---

**Helpline: 617-864-7600**

MAPS provides confidential Portuguese-language sexual assault and domestic violence services, Monday-Friday, 9:00 a.m.- 5:00 p.m.

## National Domestic Violence Hotline

---

**Hotline: 1-800-799-SAFE (7233); TTY: 1-800-787-3224; live chat: [thehotline.org](http://thehotline.org)**

The National Domestic Violence Hotline is a 24/7 toll-free hotline for anyone affected by domestic violence. It also offers live chat services via its website every day from 7:00 am to 2:00 am Central Time. Assistance is available in English and Spanish with access to more than 170 additional languages.

## National Sexual Assault Online Hotline ( operated by the Rape, Abuse & Incest National Network — RAINN)

---

**Hotline:** [online.rainn.org](https://online.rainn.org)

The National Sexual Assault Online Hotline is a free, live, online alternative to phone hotlines for victims of sexual violence and their friends and families. The online hotline uses a secure and anonymous instant messaging format that allows users to type messages back and forth with trained counselors. RAINN does not capture the IP address or any personal information about the user, and does not store transcripts of conversations. All messages are encrypted so the text cannot be intercepted and read by someone else.

## National Sexual Assault Phone Hotline (operated by the Rape, Abuse & Incest National Network — RAINN)

---

**Hotline:** 1-800-656-HOPE (1-800-656-4673)

The National Sexual Assault Hotline is a free 24/7 telephone hotline operated by the Rape, Abuse & Incest National Network (RAINN). The hotline automatically redirects callers to local rape crisis centers based on the area code and first three digits of the caller's phone number. RAINN does not keep a record of the caller's phone number.

## The Network/La Red (TNLR)

---

**Hotline:** 617-742-4911; **TTY:** 617-227-4911

TNLR's English/Spanish hotline provides confidential support, information, safety planning, and referrals to anyone who has experienced LGBTQ/T partner abuse as well as folks in the SM/kink and polyamorous communities who are being abused or have been abused by a partner. TNLR also offers information and support to friends, family, or co-workers concerning domestic violence in LGBTQ/T communities.



## REACH Beyond Domestic Violence

---

**Hotline: 800-899-4000**

The hotline staff are trained to provide supportive and confidential services in English and Spanish 24/7 all year, to those concerned about their relationships or concerned about a friend or family member. Hotline advocates listen, provide general information about dating and domestic violence, help create personal safety plans, and connect callers with local resources.

## Refugee and Immigration Assistance Center (RIAC), Boston

---

**Phone: 617-238-2430; [riac@riacboston.org](mailto:riac@riacboston.org)**

RIAC is authorized by the Board of Immigration Appeals to provide immigration legal services. RIAC offers comprehensive, professional, and confidential immigration services for low- and moderate-income immigrants.

## RESPOND Inc.

---

**Hotline: 617-623-5900**

The RESPOND crisis hotline is available 24/7 all year. It provides emotional support, resource referrals, and information on legal options, statewide shelter availability, and community resources to anyone who has experienced domestic violence.

## SafeLink Domestic Violence

---

**Hotline: 1-877-785-2020; TTY: 1-877-521-2601 (both operated by Casa Myrna)**

SafeLink is a statewide, 24/7 toll-free hotline for anyone in Massachusetts who is affected by domestic violence. Calls are free, confidential, and anonymous. SafeLink advocates are multilingual and have access to translation services for more than 130 languages.



## Saheli Boston

---

**Helpline: 1-866-4SAHELI (1-866-472-4354); [info@saheliboston.org](mailto:info@saheliboston.org)**

Saheli provides language-specific information and support services for South Asian women who have experienced domestic violence. Callers to Saheli's helpline will receive a response within 24 hours.

## Transition House

---

**Hotline: 617-661-7203; [info@transitionhouse.org](mailto:info@transitionhouse.org)**

Transition House provides emergency shelter, transitional, and supported housing and youth prevention education to the Cambridge community. Transition House operates a confidential, 24-hour crisis line.

## Victim Rights Law Center (VRLC)

---

**Address: 115 Broad Street, 3rd Floor, Boston; Phone: 617-399-6720, ext. 19**

VRLC represents sexual assault victims within the civil context. Through a model of community collaboration, VRLC has created a network of allies—medical providers, counselors, lawyers, and others—dedicated to improving legal services for rape victims.

## State and Federal Resources

---

- U.S. Department of Education, Office for Civil Rights (OCR)
- U.S. Equal Employment Opportunity Commission (EEOC)
- U.S. Department of Justice, Civil Rights Division
- U.S. Department of State, LGBTI Travel Information
- Massachusetts Commission Against Discrimination (MCAD)
- Attorney General of Massachusetts, Civil Rights Division
- Massachusetts Trial Court, Office of Court Interpreter Services (OCIS)

# III. ASSISTANCE FOLLOWING AN INCIDENT

If you have experienced sexual harassment and/or other sexual misconduct, you have options. You may choose any combination of the options listed in this section that you feel is right for you.

## ACCESS MEDICAL & SAFETY OPTIONS

If you have experienced sexual harassment, sexual assault, dating violence, domestic violence and other forms of interpersonal violence that can result in medical and safety issues, you may consider getting medical care. Although you might not identify urgent medical concerns following an incident, it can be helpful to speak with a provider about reducing the risk of sexually transmitted infections, HIV-transmission, and pregnancy. Members of the Harvard community have several on- and off-campus options:



- **Accessing local hospital Emergency Department (ED):** Hospitals in the local area provide a range of care pertaining to: treating violence-related injuries, forensic evidence collection (Sexual Assault Nurse Examination- SANE), screening for, preventing and treating infection and HIV, and pregnancy prevention services.\*\* If you would like to access a local ED, you may:
  - Choose to present at an ED on your own or with someone you trust.\*\*\*
  - Contact OSAPR, which may be able to assist you with transportation and/or medical accompaniment. You may reach OSAPR's 24-hour hotline at 617-495-9100.
- **Going to Harvard University Health Services:** If you have an **urgent health problem** (physical or emotional) that requires prompt attention but is not a life-threatening emergency, you may seek care and discuss further options with Harvard University Health Services:
  - Visit HUHS Urgent Care, Smith Campus Center, 3rd Floor, 8:00 a.m. -10:00 p.m., 7 days a week (in-person care)
  - Call HUHS Urgent Care Nurse Advice Line at 617-495-5711, 10:00 p.m. – 8:00 a.m., 7 days a week
  - Note that HUPD will transport you to HUHS; you do not need to share with HUPD the reason you need to seek medical attention. You can call HUPD at 617-495-1212.
- **Talking with Harvard University Police Department:** If you are not currently in a safe place or if you have an emergency, you can call HUPD at **617-495-1212**. Community members are encouraged to store HUPD's phone number in their cell phone contacts.

**\*Note:** If you call 911 from an on-campus phone, the call will go to either the Cambridge Police or the Boston Police depending on their location. As the HUPD maintains a good working relationship with both departments, they will typically inform the HUPD of the 911 call. Calling 911 from a cell phone will connect you with the Massachusetts State Police, which then will transfer the call to the appropriate jurisdiction, unless the incident occurred on state-owned property (e.g. the area around the Charles River and Fenway).

**\*\* Note:** Many services related to sexual assault and other crimes may be accessed free of charge or may be eligible for reimbursement. If you have concerns about using insurance, or need assistance in accessing resources, please contact OSAPR or one of the SANE site hospitals below.

**\*\*\* Note:** Designated Sexual Assault Nurse Examiner (SANE) site hospitals in the greater Boston area include: Beth Israel Deaconess Center, Boston Medical Center, Brigham and Women's, Cambridge Hospital, Children's Hospital – Boston, Massachusetts General Hospital, Newton Wellesley Hospital.

## Medical Options and Timelines

If you have **questions about your medical options**, you may discuss them with the following resources (additional community resources are listed in Appendix C):

- OSAPR's 24-hour hotline, 617-495-9100
- Boston Area Rape Crisis Center (BARCC), 800-841-8371

**Timelines to keep in mind** if you are thinking about seeking medical care:

- If you suspect that you were given any type of drug, testing should be administered as soon as possible as different drugs will be detected for different periods of time after they have been ingested. Similarly, clinicians can best retrieve medical evidence within only a few days after an assault
- If you think you would like to have forensic and/or DNA evidence from a trained Sexual Assault Nurse Examiner (SANE), it's important that you seek services at a qualifying hospital emergency department as soon as possible within 120 hours, or 5 days
  - SANEs are skilled in performing exams and collecting evidence from patients who may have experienced a sexual assault. They also can help you address pregnancy, HIV, and related concerns.
- To prevent pregnancy, start emergency contraception within 72 hours of the assault
- HIV emergency post-exposure prophylaxis (PEP) should be started as soon as possible for maximum effectiveness, and must be started within 72 hours of the potential exposure. You can access this at no charge through SANE services.
  - For a full list of hospitals with SANE nurses, visit the Boston Region Designated Hospitals on the Commonwealth of Massachusetts Department of Health and Human Services website at: [mass.gov/service-details/adultadolescent-sane-services](https://mass.gov/service-details/adultadolescent-sane-services)

### Guidelines for evidence preservation:

- Though it is understandable that you may wish to, try not bathe, douche, smoke, change your clothes or clean the area where you were assaulted before evidence is collected
- Save copies of email messages, text messages, instant messages, social networking pages, pictures, logs, or any other documents that could be helpful in an investigation of the incident
- Write down everything you can remember about the other person, including the location and time of the incident, a description of the alleged perpetrator, and a description of any injuries
- Both HUPD and HUHS can advise and assist you in the preservation of evidence. Even if you do not believe you want to pursue criminal action, it can be helpful to retain evidence in case you want it available later

**Keep your options open. Medical professionals can collect and preserve physical evidence. It is up to you whether, when, and with whom you share that evidence.**



## ACCESS ONGOING SUPPORT

### On Campus:

Find more options and information in Section II of this Guide

- Harvard University Health Services (HUHS) includes Harvard University Counseling and Mental Health Service (CAMHS) and HUHS Behavioral Service
- Office of Sexual Assault Prevention & Response (OSAPR)
- School or unit Title IX Resource Coordinators

### Off Campus:

Find more options and information in Section III in this Guide

- Boston Area Rape Crisis Center (BARCC) offers individual counseling, support groups, and other supportive resources to survivors of violence and their loved ones at 800-841-8371
- The Victims of Violence (VOV) program at Cambridge Health Alliance (CHA) provides ongoing individual and group therapy, groups, resources and advocacy for survivors of sexual and physical and trauma and can be reached at 617-591-6360
- Fenway Community Health Center's Violence Recovery Program provides counseling, advocacy, and supportive group spaces for LGBTQIA+ individuals at 617-927-6250



## OBTAIN SUPPORTIVE MEASURES

---

Supportive measures are individualized supports that help those who may have experienced incidents of sexual harassment, including sexual assault, or other sexual misconduct, to participate in campus life at Harvard and to continue with their studies or work.

Supportive measures may be implemented at any time and may include:

- Course-related extensions and adjustments
- University-issued and enforced no contact orders
- Work and/or course schedule adjustments
- Changes in housing or seating
- Leaves of absence
- Increased monitoring of specific areas on campus

These are just a few examples of supportive measures. Title IX Resource Coordinators work with students, faculty and staff to ensure that supportive measures are individually tailored to meet each individual's unique needs.

If you have questions about supportive measures, do not hesitate to reach out to your local Title IX Resource Coordinator.

**Important Note: You do not have to file a formal complaint with the University Title IX Coordinator or a report to HUPD in order to receive supportive measures.**

## REQUEST INFORMAL RESOLUTION

---

Some incidents of sexual harassment and/or other sexual misconduct may be resolved through an informal resolution process without a full investigation. If informal resolution is appropriate, an ODR investigator, your local Title IX Resource Coordinator, or the University Title IX Coordinator will work with parties to reach a mutually acceptable resolution. Informal resolution is a voluntary process.

## FILE A FORMAL COMPLAINT WITH THE UNIVERSITY TITLE IX COORDINATOR

---

Harvard students, faculty, staff, other Harvard appointees, or third parties may file written formal complaints of sexual harassment and/or other sexual misconduct against Harvard students, staff, and most faculty members with the University Title IX Coordinator at any time.<sup>3</sup>

## REPORTING TO HUPD

---

Members of the Harvard community are strongly encouraged to report instances of sexual assault, domestic violence, dating violence, or stalking to HUPD. On your request, University officials will assist you in notifying HUPD and/or local police.

If you report an incident to HUPD, you will be provided with immediate physical protection and transportation to a medical facility, if necessary. By reporting to HUPD, you are not committing to file charges or to testify in court. Individuals who report that they have experienced dating violence, domestic violence, sexual assault, or stalking, whether on or off campus, will be provided with a written explanation of their rights and options as well as resources and services available both at Harvard and in the community.

---

<sup>3</sup> Harvard Law School (HLS) has its own procedures and handles its own investigations for cases in which all parties are HLS students. See HLS Sexual Harassment Resources and Procedures for Students. HLS and Harvard Business School (HBS) also conduct their own investigations for cases involving allegations against members of their faculty.



### If you report an incident to HUPD:

- HUPD's Sensitive Crime Unit will be assigned to the case. All members of the Unit have been trained in the investigation of sexual offenses and other sensitive crimes and the impact of the crime on the victim.
- A uniformed or non-uniformed officer, by request, will respond to you in person to help you obtain medical treatment, assure your safety, and obtain a description of the alleged perpetrator.
- You will be interviewed. You may specifically request a female officer. A friend or counselor may be with you during the interview. All statements you make may be used during any subsequent legal proceedings. The officer will ask you for the location and time of the incident, a description of the alleged perpetrator, and a description of any injuries.
- The police may request a medical examination to ensure that you have not suffered physical injury and to complete a medical report that can be used in a court proceeding if you decide to press charges.
- HUPD will maintain your identity in confidence. Although HUPD may circulate a "community advisory" about the incident in cases that present a serious or continuing threat to the Harvard community, HUPD withholds victims' names as confidential. Every effort will be made to maintain confidentiality and to respect the legitimate privacy concerns of all involved individuals.



**Criminal prosecution:**

If you have experienced sexual assault, domestic violence, dating violence, or stalking and you want your assailant to be criminally prosecuted, you should notify HUPD immediately for assistance and guidance. Under Massachusetts law (M.G.L. chapter 258B), crime victims are entitled to the protections of the Massachusetts Victim Bill of Rights. The Massachusetts Office for Victim Assistance has created a guide for crime victims.

**Do you want to report the incident to the police? While the University encourages reporting incidents of sexual violence to HUPD, the choice belongs to you.**

**PROTECTIVE ORDERS****What is a no contact order?**

A no contact order is issued by your School or Unit and is designed to limit or prohibit contact or communications between or among individuals. No contact orders generally are mutual, meaning that they restrict each party from contacting, or communicating with, the other. The Title IX Resource Coordinator for your School or unit can provide you more information about no contact orders.

**What is an abuse prevention order?**

An abuse prevention order, often called a “209A order,” or a “protective order,” is a civil order issued by a court intended to provide protection from abuse by a family or household member or those in certain dating relationships. For this purpose, “abuse” is defined as attempting to cause or causing physical harm, placing another in fear of imminent serious physical harm, or causing another to engage involuntarily in sexual relations by force, threat or duress.

**If I hold an abuse prevention order, how can Harvard help me?**

Harvard complies with Massachusetts law in recognizing abuse prevention orders and other valid protection orders from Massachusetts or other states.

If you obtain a protective order from domestic or dating abuse, harassment, stalking, or sexual assault from any state in the United States, you should provide a copy to HUPD and to your Title IX Resource Coordinator. HUPD will attempt to serve the protective orders on defendants and will arrest people who violate protective orders on campus. You can provide HUPD with a copy of an active protective order that already was served so that information about the victim and the defendant are made part of HUPD's record management system and can be shared with all HUPD officers.

If you have a protective order, you may meet with an HUPD officer to develop a safety action plan. Coordinating with your School or unit Title IX Resource Coordinator and other University resources, HUPD will help to put in place safety measures that may include, but are not limited to:

- the use of a temporary escort
- special parking arrangements
- changing classroom location
- changing supervisor
- changing work location
- allowing a student to complete assignments from home, depending on the course

The University cannot apply for an abuse prevention order, no contact order, or restraining order, but can assist a person in obtaining such an order.

**If you have a protective order, you may meet with an HUPD officer to develop a safety action plan for your time at Harvard.**



# IV. PREVENTION

## PREVENTING & ENDING SEXUAL HARASSMENT & OTHER SEXUAL MISCONDUCT

---

With the many conversations about sexual harassment and other sexual misconduct that have emerged around the globe in the past few years, it is understandable to look to a single answer to achieve a world free of harassment, violence, and harm.

However, history, evidence-based research, and experience tells us that a multidimensional approach to response can serve as an effective method of prevention. This approach includes stakeholders ranging from individuals to institutions and regards every one of us as having the power to influence peers and societal norms that contribute to harassment and harm.

This guide offers several pathways for individuals to prevent harassment, including getting involved in community organizations, taking steps to promote individual safety, and taking a prosocial stance as an active bystander in community spaces and structures. While these options for disrupting harmful behaviors and norms are intended to empower individuals, it is important to note that the responsibility for harassment lies with the individual(s) who enact the harm, as well as the systems, values, and models that have historically supported such harm.

Thus, Harvard encourages community members to exercise practical steps that can promote personal and peer safety. Reducing one's personal risk of harm is not a solution to ending all harassment; however, your wellbeing is a significant piece to the prevention puzzle, along with adjudicating incidents of harm, raising awareness, and cultivating equity and inclusion across the community.

## INTRODUCING BYSTANDER INTERVENTION STRATEGIES

---

The Bystander Intervention prevention model supports individuals in group settings to recognize unwelcome conduct, identify points of escalation, and safely support peers with strategies that prevent further harm. This evidence-based approach can have a life-changing impact for individuals and whole communities. Opportunities to learn more about Bystander Intervention prevention models are available through the Title IX Office ([titleix.harvard.edu](https://titleix.harvard.edu)).

## HELPING HARVARD BECOME A COMMUNITY OF ACTIVE BYSTANDERS

---

The information included here is not a call to action, but an invitation. Every member of the Harvard community has unique identities, backgrounds, and experiences that inform how safe and appropriate it may feel to take these steps. We encourage you to reflect on what feels accessible to you, and what strategies you can employ with confidence and care.

### What is Bystander Intervention?

Bystander Intervention refers to a type of response to situations we may interpret as potentially harmful to another person or people. It requires that we recognize the potential for harm, contemplate our role in responding, and take some form of action.

### Why are people hesitant to be active bystanders?

There are several reasons why bystanders may not choose to actively respond. Research has found:

- Individuals struggle with recognizing that something is wrong in the first place, especially when certain problematic situations or behaviors are treated as normal.
- Individuals question whether helping out is their responsibility. This concept, called diffusion of responsibility, means that if several people are present, an individual is much less likely to help, believing someone else will.
- Individuals may fail to intervene if the situation feels ambiguous and the bystander is worried about misjudging the situation. Fearing consequences, social stigma, embarrassment, it can be difficult for an individual to determine how and when to intervene.
- Bystanders may also have to make quick judgments about whether it is safe to intervene. Bystanders often cite that they are less likely to intervene if there is a threat to their physical safety.

### What can I do?

Have you ever stopped a friend from going home with someone when they were very drunk? Have you reached out to resources for support on behalf of a peer or colleague? Have you been willing to call out racism, homophobia, sexism, and/or transphobia in someone's jokes? Have you intervened when you notice someone is being bullied? These are all examples of being an active bystander. Active bystander intervention encourages people to watch for behaviors and situations that are harmful to others, and to step in when they can.

## STRATEGIES FOR INTERVENTION

---

### RECOGNIZE

If you observe or hear of incidents that might constitute or contribute to sexual harassment or other sexual misconduct, you have options. If a situation appears to involve unwanted sexual attention or advances, or gender discrimination, ask yourself if anyone involved may need help.

### RECRUIT

Seeking the perspective of a friend or colleague may help you to avoid acting on unconscious biases. If you notice a situation and are unsure whether to take action, you can ask for another bystander's viewpoint to better understand context. Together, you can navigate available options.

### RESPOND

If it is safe to do so, you may try to:

- Directly respond to the potentially harmful behavior
- Delegate to someone in a trained role, such as an event host, supervisor, or Title IX Resource Coordinator
- Distract or divert attention such as interrupting the incident or conversation to ask for assistance with a task
- Delay your exit from the space and simply be present with the other person

### REMOVE

If you are able to connect with the person who is potentially being harmed, check in to see what they may need. If the person wishes to remove themselves from the situation, you may offer to connect them with a trusted colleague, friend, or supportive resources.

### REPEAT

Remember, every time you choose to be an active bystander, you are modeling a positive approach for others. Being an active bystander not only helps one person—it sets the tone for the entire community and can improve the climate around you.

## PERSONAL SAFETY: REDUCING OUR RISK OF HARM

---

People of all identities and backgrounds experience sexual harassment and/or other sexual misconduct. While the responsibility for harassment lies with the individuals who enact the harm, and the systems that have historically supported such harm, we can reduce our own exposure to harm by remaining informed about our rights and resources. Thus, the information below is not mutually exclusive of other forms of prevention, but is included to enhance personal safety wherever possible.

It is important to remember that everyone has different needs, perspectives, and experiences, so choosing steps that work for you individually is essential. You are encouraged to select among, or add to, the following considerations.

- **Know your rights.** You have the right to participate in Harvard's programs and activities free from discrimination and harassment. You have a right to set boundaries. You have a right to access resources and to be informed. It may be helpful to review the types of conduct prohibited under the University's Interim Sexual Harassment Policy and Interim Other Sexual Misconduct Policy, as well as the University's commitment to maintaining a safe and healthy educational and work environment.
- **Consider power dynamics.** Where does the the power reside in your relationships and how is it distributed or shared? If you have concerns about how power is being used in any of your relationships, consider contacting one or more of the resources in this guide, which can help you understand its effects on your learning, your work, and your wellbeing.
- **Have a plan.** If you are going out for the evening with friends, have you discussed your plans before going out? Do you feel like drinking? Where do you want to go? Having a clear plan ahead of time can help friends look out for one another.
- **Traveling.** Consider your travel plans to and from places. Do you want to make arrangements to travel with friends? If you go out as a group, do you want to come home as a group? Do you wish to avoid situations in which you would be isolated, or with people you do not know or trust? Have your friends agreed not to leave one another behind?
- **Have a conversation.** Have you and your sexual partner(s) discussed your needs, boundaries, and priorities? You might consider exploring with your partner(s) issues such as use of protection methods, privacy, agreements about recording on digital devices, and how you communicate throughout sexual encounters.



- **Call for Help.** If you or someone you know is feeling uncomfortable, scared, or pressured, you can call for help any time. You can contact professionals you trust, which may include the Harvard University Policy Department (HUPD) at 617-495-1212. Please note that HUPD does not inquire about immigration status and is not involved in the enforcement of federal immigration laws. You may also contact local police if you need an immediate response.
- **Build knowledge.** Get involved with campus resources that build knowledge and cultivate communities that are free of harassment and harm. Visit [titleix.harvard.edu](https://titleix.harvard.edu) and [osapr.harvard.edu](https://osapr.harvard.edu) for more information or to schedule training for your community, organization, or school.
- **Wherever you are, keep in mind these general safety tips:**
  - Move through lighted areas after dark
  - Know what transportation is accessible
  - Lock the doors to your home, car, etc.
  - Have your keys and phone easily accessible
  - Save the HUPD phone number in your cell phone 617-495-1212 so it is accessible
  - Call the Campus Escort Service (HUCEP) at 617-494-8237 if you are uncomfortable changing locations on your own

# V. APPENDIX

## Massachusetts State Laws

---

### Dating Violence and Domestic Violence

There are no crimes called “dating violence” or “domestic violence” in Massachusetts; however, there are related crimes of assault, battery, and abuse. “Abuse” is defined in Massachusetts General Laws (M.G.L.) chapter 209A § 1 as “the occurrence of one or more of the following acts between family or household members:

- (a) attempting to cause or causing physical harm;
- (b) placing another in fear of imminent serious physical harm;
- (c) causing another to engage involuntarily in sexual relations by force, threat or duress.”

The phrase “family or household members” is defined as “persons who:

- (a) are or were married to one another;
- (b) are or were residing together in the same household;
- (c) are or were related by blood or marriage;
- (d) [have] a child in common regardless of whether they have ever married or lived together; or
- (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts [in] consideration of the following factors:
  - (1) the length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.”

## **Sexual Assault**

There is no crime called “sexual assault” in Massachusetts; however, there are related crimes of “indecent assault and battery,” “rape,” and “assault with intent to commit rape.”

Indecent Assault and Battery is a crime under M.G.L. chapter 265:

§ 13B (Indecent assault and battery on a child under the age of fourteen);

§ 13B 1/2 (Commission of indecent assault and battery on a child under the age of fourteen during commission of certain other offenses or by mandated reporters);

§ 13B 3/4 Commission of indecent assault and battery on a child under the age of fourteen by certain previously convicted offenders);

§ 13F (Indecent assault and battery on a person with an intellectual disability); and

§ 13H (Indecent assault and battery on a person fourteen or older).

The term “indecent assault and battery” is not defined by statute.

Rape is a crime under M.G.L. chapter 265:

§ 22 (Rape, generally: “Whoever has sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury . . .”);

§ 22A (Rape of a child: “Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury . . . ”);

§ 22B (Rape of a child during commission of certain offenses or by use of force: “Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury and . . . ”);

§ 22C (Rape of a child through use of force by certain previously convicted offenders: “Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury, and has been previously convicted of or adjudicated delinquent or as a youthful offender for . . . ”);

§ 23 (Rape and abuse of child: “Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age . . . ”);

§ 23A (Rape and abuse of child aggravated by age difference between defendant and victim or when committed by mandated reporters: “Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age and . . . ”); and

§ 23B (Rape and abuse of a child by certain previously convicted offenders: “Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age and has been previously convicted of or adjudicated delinquent or as a youthful offender for . . . ”).

Assault with intent to commit rape is a crime under M.G.L. c. 265, § 24. “Assault with intent to commit rape” is not defined by statute.

## **Stalking**

Stalking is a crime under M.G.L. c. 265, § 43(a), where it is described as follows:

“Whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking. . . . The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.”

## **Consent**

“Consent,” in reference to sexual activity, is not defined by statute in Massachusetts. However, lack of consent is an element of the crimes of rape and indecent assault and battery.



Engage. Educate. Empower. Engage. Educate.  
Empower. Engage. Educate. Empower. Engage.  
Educate. Empower. Engage. Educate. Empower.  
Engage. Educate. Empower. Engage. Educate.  
Empower. Engage. Educate. Empower. Engage.  
Educate. Empower. Engage. Educate. Empower.  
Engage. Educate. Empower. Engage. Educate.  
Empower. Engage. Educate. Empower. Engage.  
Educate. Empower. Engage. Educate. Empower.  
Engage. Educate. Empower. Engage. Educate.  
Empower. Engage. Educate. Empower. Engage.  
Engage. Educate. Empower. Engage. Educate.  
Empower. Engage. Educate. Empower. Engage.  
Educate. Empower. Engage. Educate. Empower.  
Engage. Educate. Empower. Engage. Educate.  
Empower. Engage. Educate. Empower. Engage.  
Engage. Educate. Empower. Engage. Educate.



Engage.  
Educate.  
Empower.

(617) 496-0200 • [titleix@harvard.edu](mailto:titleix@harvard.edu) • [titleix.harvard.edu](http://titleix.harvard.edu)