



# TECHNOLOGY AND TITLE IX: STALKING, HARASSMENT, AND INTIMATE PARTNER VIOLENCE IN THE SOCIAL MEDIA AGE

Jennifer Newell, Title IX Coordinator

Nicole Madonna-Rosario, Health Education Specialist – Interpersonal Violence

*Barnhardt Student Activity Center Salons*

*September 29, 2016*

# MEET THE #TITLEIXTEAM

- Jennifer Newell, Title IX Coordinator
  - Over 20 years senior administrative experience in higher education within Student Affairs, Dean of Students and Title IX.
  - Certifications include:
    - ATIXA Civil Rights Level 2 Investigator Certification (2016)
    - GREEN DOT Certification – Bystander Training (2016)
    - ATIXA Civil Rights Investigator Certification (2015)
    - ATIXA Title IX Coordinator Training (2014)
    - NCHERM Title IX Investigator Training (2012)
    - NCHERM Behavioral Intervention Team Training (2012 & 2014)



# HEALTH EDUCATION SPECIALIST – INTERPERSONAL VIOLENCE

- Nicole Madonna-Rosario
  - Over 15 years experience in Wellness and Interpersonal Violence Prevention and Bystander Training
  - 15 Years of Experience as a Bilingual Social worker, Advocate and Trauma Therapist
  - Volunteer Sexual Assault and Domestic Violence Advocate assisting Spanish speaking victims at the local YMCA in Poughkeepsie, NY.
  - Masters in Social Work at Fordhman University in 2005
  - Community mental health mobile crisis worker, Clinical Director at a Sexual Assault Crisis Center and in the higher education field in the Bronx, NY and here in Charlotte for 9 years.



# TITLE IX

EQUAL RELATIONSHIPS ARE VIOLENCE FREE



PROTECT YOURSELF AND YOUR PARTNER AGAINST HIV, STI, AND UNPLANNED PREGNANCY. NEED HELP? CALL 000-0000

It's always OK to say No. You may decide you're not ready for sex in your relationship. You may have strong beliefs about sex before marriage. You may have agreed to sex with your partner and want to change your mind. You should never feel you have to give consent to anyone. For any reason. It's always your choice. Sex with consent is sexy. Sex without consent is rape. Respect yourself. Respect your partner.

## ok to say no?

Agree? Disagree? TELL US WHAT YOU THINK Visit [www.consentissexy.net](http://www.consentissexy.net)

Walk Your Talk. Sign the Consent is Sexy Pledge

This Consent is Sexy Campaign promotes Respect, Consent and Open Discussion. Development funded by IASG.




1 in 6 women  
1 in 19 men

at some point in their lives become victims of

## STALKING

IT'S ON



to stop sexual assault

CARING, FUN, HONESTY, RESPECT, GENUINE, HAPPY

CONSIDERATE, TRUST, EQUALITY, COMPROMISE, ROMANTIC

### What's a healthy relationship?

CONSENT is *sexy* MANDATORY.



CONSENT IS AN ACTIVE, SOBER, VERBAL YES. NOT THE ABSENCE OF A NO.



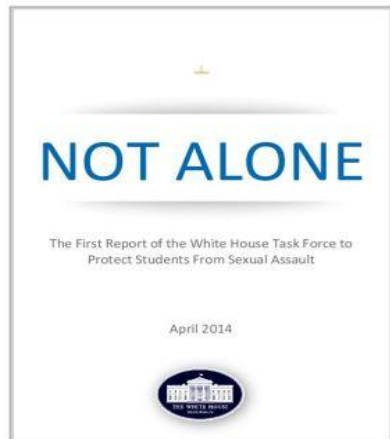
be one for change



MARCH 7, 2013-VAWA-VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT  
JANUARY 22, 2014-WHITE HOUSE ESTABLISHED A TASK FORCE TO PROTECT STUDENTS SEXUAL ASSAULT  
APRIL 28, 2014-WHITE HOUSE RELEASES COLLEGE SEXUAL ASSAULT RECOMMENDATIONS

# Breaking the Silence

Addressing Sexual Assault on Campus

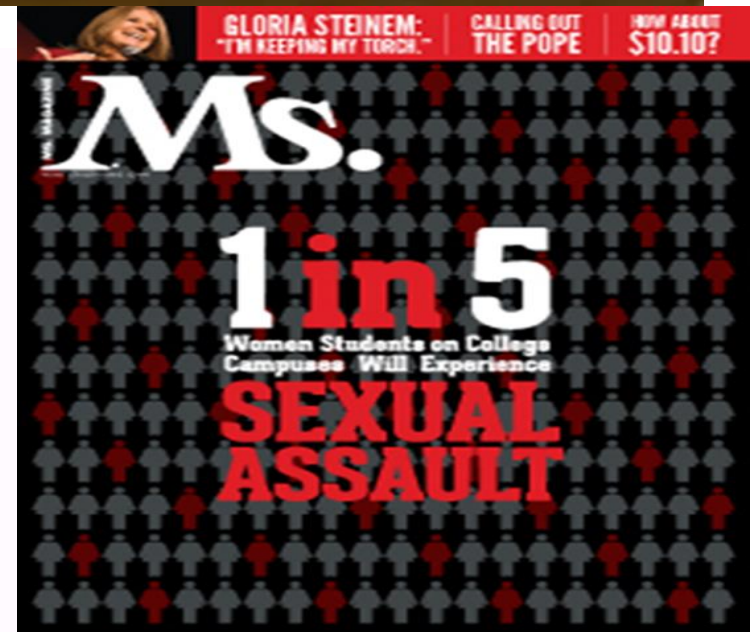


Jeanne Clery  
1966 - 1986



*"Lest We Forget The Meaning of Her Death, That We Must Protect One Another, So That Her Life Will Not Have Been In Vain."*

**V**iolence  
**A**gainst  
**W**omen  
**A**ct



# TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

Prohibits discrimination on the basis of sex in educational programs or activities operated by recipients of federal financial assistance (UNC Charlotte)

- Sexual harassment is a form of sex discrimination
- Sexual assault and other forms of sexual misconduct is sex discrimination



# TITLE IX COORDINATOR RESPONSIBILITIES

- **Oversee the University's response to Title IX reports and complaints.**
- **Identify and address any patterns or systemic problems revealed by such reports and complaints.**
- **Investigate, when appropriate, complaints of sex discrimination, sexual harassment and sexual violence.**
- **Ensuring a prompt, thorough, and equitable investigative process for everyone involved.**
- **Training the campus community of the prohibitions of Title IX, protections of Title IX, and reporting requirements.**

# Title IX of the Education Amendments of 1972

If UNC Charlotte (you) receives a report of sexual harassment, sexual assault or other sexual misconduct the University **must**:

- **Investigate** what occurred;
- **Stop** the discrimination;
- **Remedy** the effects; and
- **Prevent** its recurrence.



# Code of Student Responsibility

- **Sexual harassment** = unwelcome conduct of a sexual nature that creates a hostile environment (severe, persistent, or pervasive)
- **Gender-based harassment** = unwelcome conduct based on an individual's actual or perceived gender that creates a hostile environment (severe, persistent, or pervasive)
- **Sexual assault** = sexual act (intercourse or oral sex) or sexual contact (touching of intimate parts) without consent
- **Sexual exhibitionism** = engaging in sex or exposing one's intimate parts (buttocks, genitalia, groin, breast (unless breastfeeding)) in the presence of others
- **Sexual exploitation** = taking abusive sexual advantage of someone (e.g. non-consensual explicit photographs, prostituting someone, voyeurism, etc.)

# Code of Student Responsibility

- **Stalking** = two or more acts directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or (b) suffer substantial emotional distress
- **Relationship violence** =
  - \* physical or sexual violence, or threat of such violence, against current or former dating partner (dating violence)
  - \* crime of violence against current or former spouse, cohabitating intimate partner, child, parent, or other parent of child (domestic violence)
- **Retaliation** = threats/intimidation/harassment against someone who engaged in protected activity (e.g. filed a complaint, is participating as a witness, etc.)

\* All of these violations (except stalking and retaliation) include attempts to commit the acts and assisting someone else in committing the acts.

# Code of Student Responsibility

Consent =

an affirmative decision by all participants to engage in mutually acceptable sexual activity. Consent means **unambiguous, clear, knowing, and voluntary approval given by words or demonstrated actions to engage in sexual activity.** This decision must be made freely and actively by all participants. If any confusion or ambiguity on the issue of Consent arises at any time during the sexual activity, each participant must stop and clarify from the other participant(s) a willingness to continue.

University Policy 406 – [www.legal.uncc.edu/policies/up-406](http://www.legal.uncc.edu/policies/up-406)

# Code of Student Responsibility

## Consent is not:

- silence, passivity, or lack of resistance;
- implied from a previous relationship or prior participation in a sexual activity between the participants;
- implied from consent to a different form of sexual activity; or
- implied from consent to sexual activity with a different person

## Consent cannot be obtained:

- by force, intimidation, or coercion;
- if the other party is asleep, unconscious, or incapacitated by drugs or alcohol;
- if the other party has a physical/mental disability that inhibits his/her ability to give consent; or
- if one party is below the age of consent under North Carolina state law



## THINK ABOUT IT! FORTYIXERS!



Don't forget to complete your Think About It Course!  
For more information visit [titleix.uncc.edu](http://titleix.uncc.edu)



## WELCOME TO NINER NATION PARENTS AND FAMILY MEMBERS!



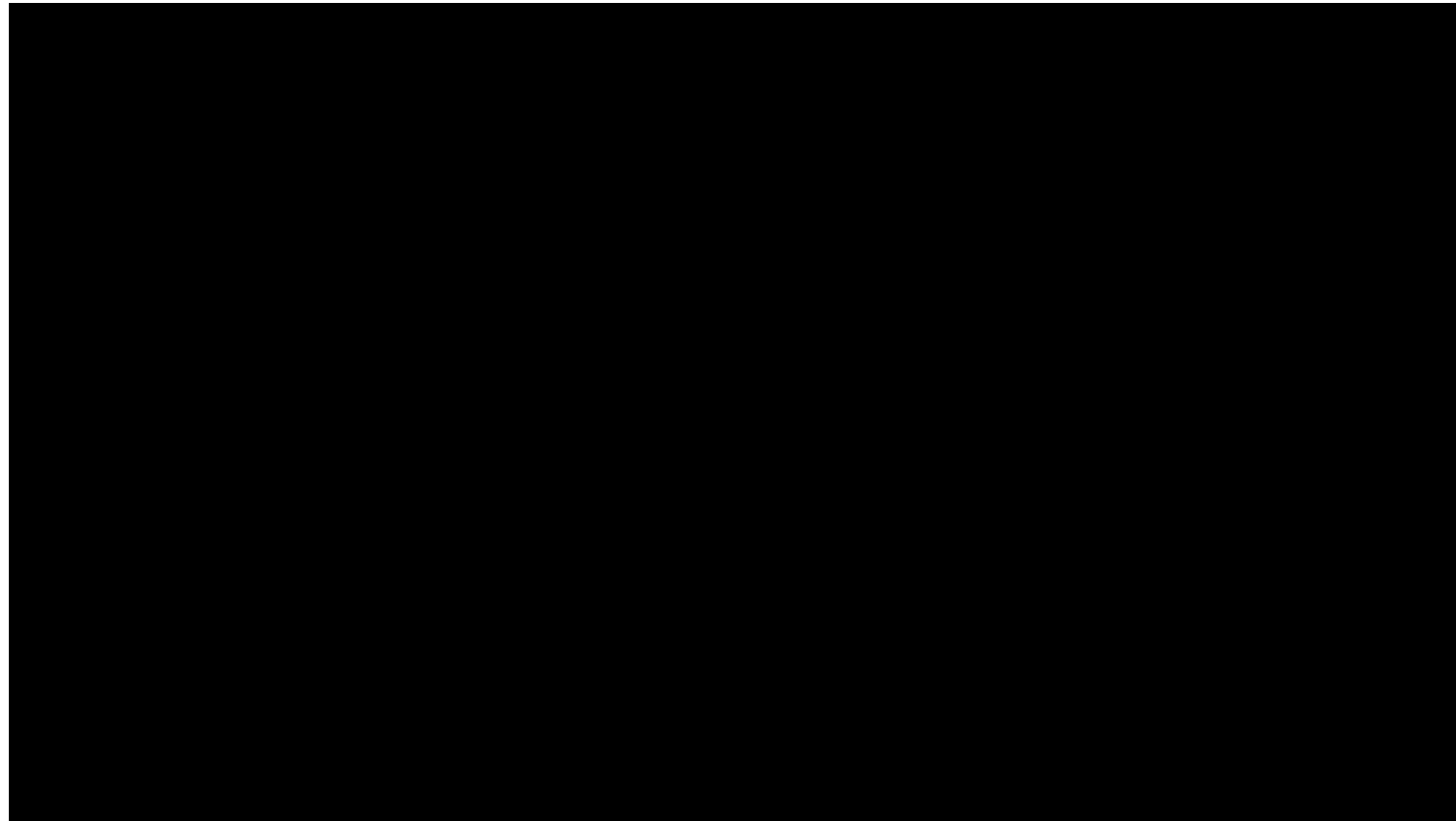
Don't forget to remind your student to complete the *Think About It!* Course



# Think About It



*#THINKABOUTIT* TRAINING MODULE



# #THINKABOUTIT TRAINING MODULE

- Training module on sexual violence, healthy relationships and consent, and bystander intervention
- 2<sup>nd</sup> year of implementation
- All new students received the course
- Undergraduate, Graduate, and Adult Learner Courses
  - Follow-Up / Refresher Courses

	Graduate Students	Undergraduate students
Invited	1324	7853
Completed	577	1840

**THERE IS STILL TIME TO COMPLETE THE COURSE!**



IF YOU SEE SOMETHING,  
SAY SOMETHING

  
KEEP  
CALM;  
BE AN  
ACTIVE  
BYSTANDER

NO MORE

TOGETHER WE CAN END  
DOMESTIC VIOLENCE & SEXUAL ASSAULT





- Hidden photos and videos behind a functional of Calculator.
- Built-in camera.



# ABUSE: THE DARK SIDE OF DATING ON CAMPUS

TITLE IX: HOW IT INTERSECTS WITH TECHNOLOGY




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Calculator%



Calculator+

1,234 =  
+   
Ultimate  
Calculator



Calculator

# STALKING – SEXTORTION- REVENGE PORN



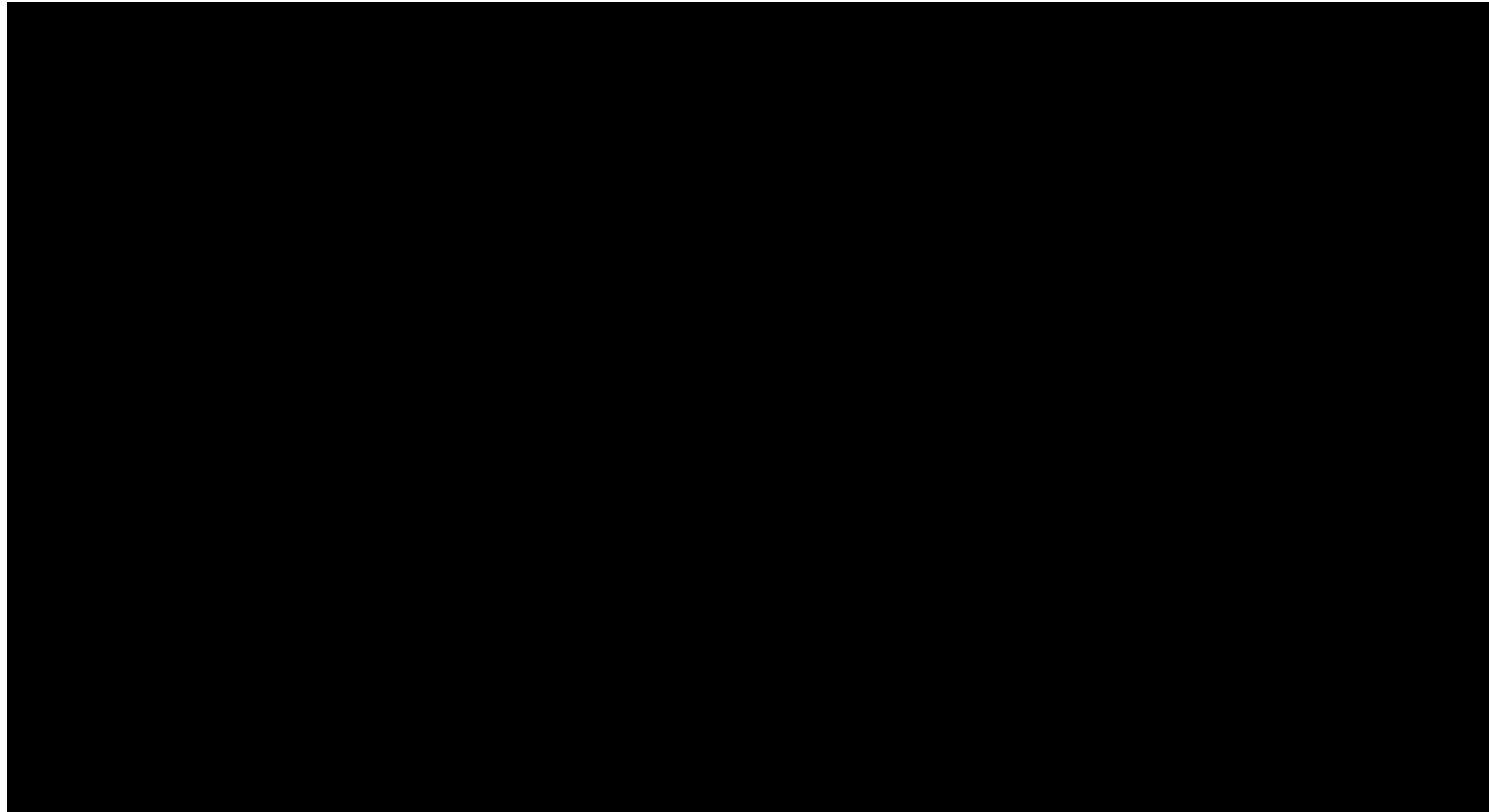
In 2008, Erin Andrews experienced what many would see as a living nightmare. The sportscaster and 'Dancing With the Stars' co-host was traveling for work when a serial stalker secretly recorded her changing in two hotel rooms. (September 11, 2009)

**Erin Andrews  
Awarded  
\$55 Million in  
'Peephole'  
Case**





SPORTSCASTER ERIN ANDREWS

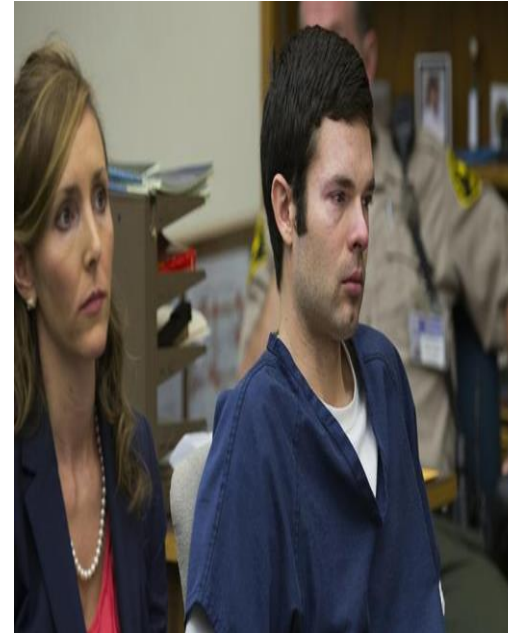


# STALKING – SEXTORTION- REVENGE PORN

## IS ANYONE UP?

- Moore started the website in 2010. It featured revealing photos and videos of real men and women, linked to their social networking profiles on [Facebook](#) or [Twitter](#).<sup>[1]</sup> Many of the subjects were outraged by the publicity, claiming that the explicit photos had been hacked from their personal computers or shared with former boyfriends or girlfriends, and that the photos had been posted as form of revenge. Because of this, the site's content became known as "revenge porn", but in an investigation by [Charlotte Laws](#), a substantial portion of victims contacted stated that the pictures were outright stolen (40% had their computer or phone hacked only days before their pictures appeared on Moore's website) and another 12% stated that the pictures were fabricated, with their faces photoshopped onto or posted next to shots of nude bodies that were not theirs.<sup>[2]</sup> The site attracted a great deal of attention, some of it salacious, much of it condemnatory.
- Moore claimed that the website attracted 30 million page views monthly as well as yielding \$10,000 a month in ad revenue.<sup>[3]</sup>
- Moore eventually faced numerous lawsuits, an FBI investigation<sup>[2][4]</sup> and he was stabbed in the shoulder with a pen by a woman who had been featured on the site.<sup>[4][5][6]</sup>

## Hunter Moore Is Probably Going to Prison. How Scared Should Revenge Porn Kingpins Be?



Revenge Porn Sites:  
“Is Anybody Up”  
“Is Anybody Down”  
“U Got Posted”

Revenge porn' site operator gets 18 years

# STALKING – SEXTORTION- REVENGE PORN

## SEXTORTION – AMANDA TODD



- **Amanda Michelle Todd** (November 27, 1996 – October 10, 2012)<sup>[4][5]</sup> killed herself at the age of 15 at her home in Port Coquitlam, British Columbia, Canada. Prior to her death, Todd had posted a video on YouTube in which she used a series of flash cards to tell her experience of being blackmailed into exposing her breasts via webcam,<sup>[3]</sup> and of being bullied and physically assaulted. The video went viral after her death,<sup>[6]</sup> resulting in international media attention. The video has had more than 200 million views as of June 2016.<sup>[3]</sup> The Royal Canadian Mounted Police and British Columbia Coroners Service launched investigations into the suicide

# HARASSMENT- SEXUAL HARASSMENT- CYBER BULLYING

## Playboy Model Dani Mathers Body Shamed a Naked Woman at Gym -- Could the Police Get Involved?

Dani Mathers, the 2015 *Playboy* Playmate of the Year, has come under fire after the 29-year-old model posted a photo of a naked woman in her gym locker room, captioning the Snap, "If I can't unsee this then you can't either." She followed it up with a selfie of herself covering her mouth in mock shock. (July 15, 2016)



# TITLE IX: HOW IT INTERSECTS WITH TECHNOLOGY

- **Bullying & Cyber Bullying:** the electronic posting of mean-spirited messages about a person (as a student) often done anonymously
- **Cyberstalking:** is the use of the Internet or other electronic means to stalk or harass an individual, a group, or an organization.<sup>[1]</sup> It may include false accusations, defamation, slander and libel. It may also include monitoring, identity theft, threats, vandalism, solicitation for sex, or gathering information that may be used to threaten, embarrass or harass
- **Revenge Porn:** revealing or sexually explicit images or videos of a person posted on the Internet, typically by a former sexual partner, without the consent of the subject and in order to cause them distress or embarrassment:
- **Sexual Exploitation:** means taking the advantage of sexuality and attractiveness of a person to make a personal gain or profit. It is the abuse of a position of vulnerability, differential power, or trust for sexual purposes.
- **Retaliation:** to do something bad to someone who has hurt you or treated you badly : to get revenge against someone
- **Sextortion:** is a form of sexual exploitation that employs non-physical forms of coercion to extort sexual favors from the victim. Sextortion refers to the broad category of sexual exploitation in which abuse of power is the means of coercion, as well as to the category of sexual exploitation in which threatened release of sexual images or information is the means of coercion.<sup>[1]</sup>
- **Remote/Virtual Sexual Assault:** forced online sexual activity — whether through text, animation, malicious scripts or other means



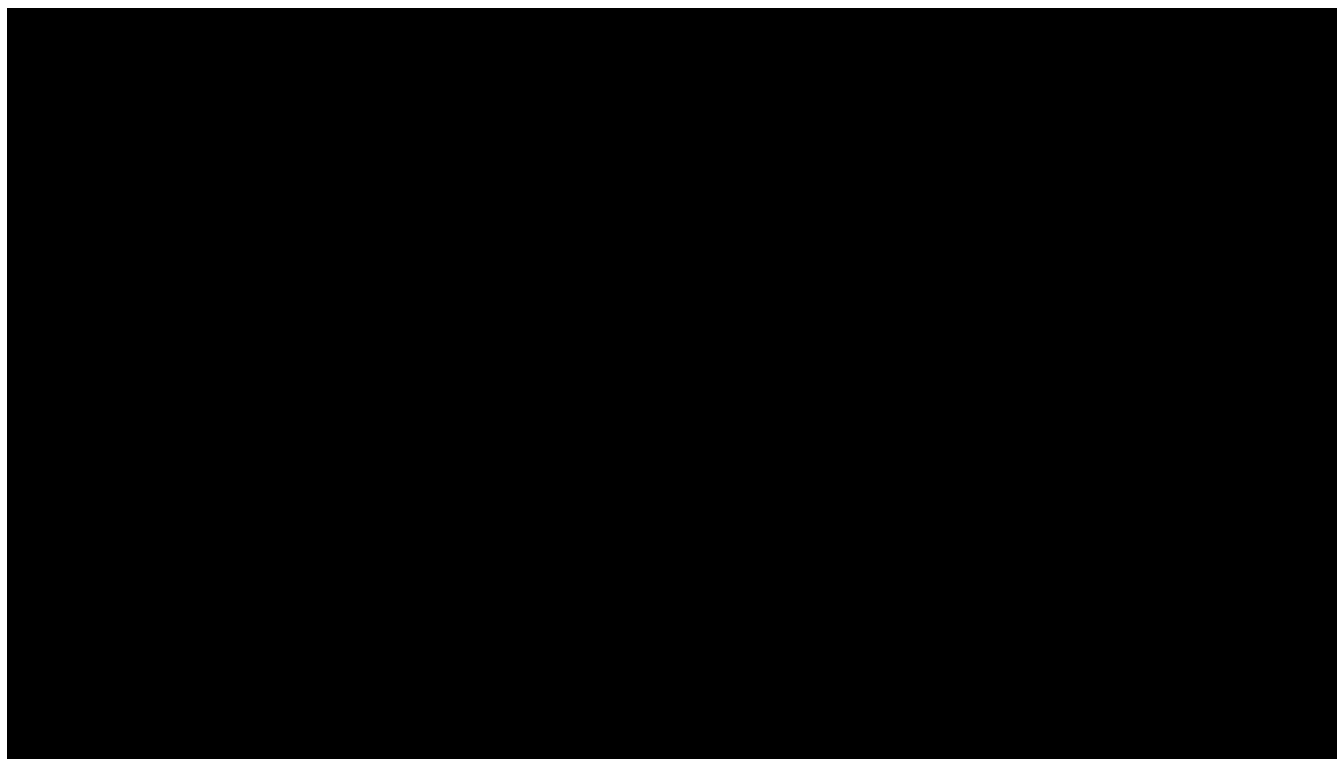
## TITLE IX: HOW IT INTERSECTS WITH TECHNOLOGY

- **‘Sextortion,’ growing online problem worldwide, victimizes two George Mason students.**

**May 10, 2016**

This intense PSA from the Department of Justice warns teenagers about the dangers of sharing private moments online.

"Sextortion" is a growing problem and has led some kids to take their lives. (U.S. Department of Justice

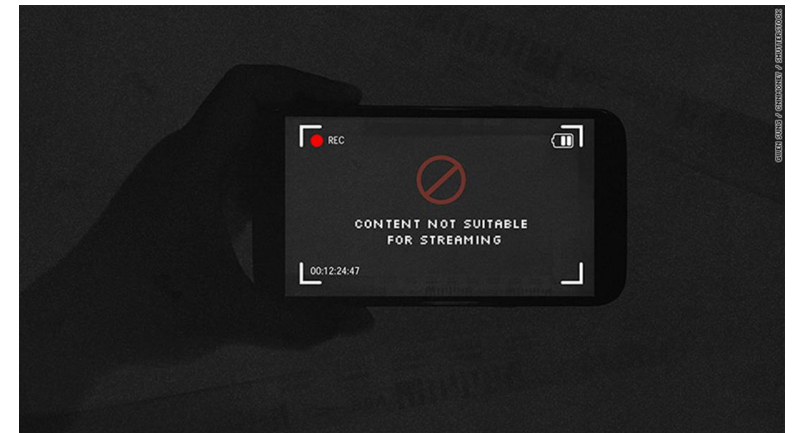


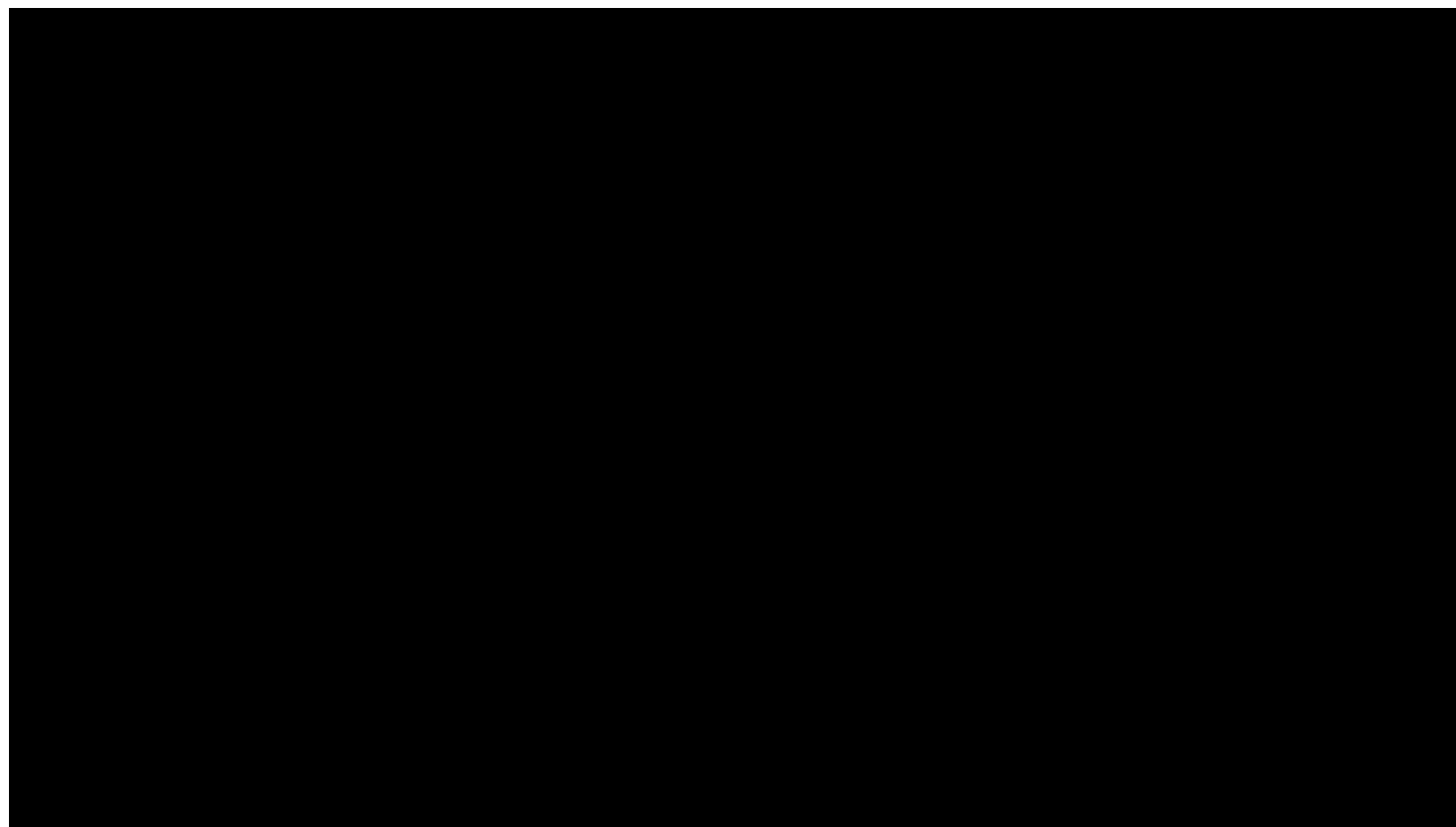
# DEFINITIONS

- **SEXTORTION:** It's the practice of using personal information -- often photos obtained by illicit means -- to extort victims into providing more sexually explicit photos and videos
- "It's a new form of sexual assault because you can do it without being in the person's presence -- and you can do it at scale," said Senior Fellow Benjamin Wittes during a webcast discussing his findings.
- But whereas revenge porn is often about public humiliation, sextortion victims are privately being controlled. They fear coming forward to law enforcement in case images and content are publicly disclosed by perpetrators.
- The misuse of technology continues to get more disturbing, from revenge porn to cyberbullying to livestreaming rape.



## What is REVENGE PORN?





# JUNE 2016 SEXTORTION REPORT

- The researchers used Facebook and Twitter ads to get respondents, targeting users ages 18 to 25. While they'd only expected 150 responses, 1,600 people answered the ads, Thorn CEO Julie Cordua said. Survey respondents detailed how they were targeted, how often threats were carried out, and the aftermath of this type of harassment.
- The study found that women are the primary targets, and more than half knew the perpetrator before the harassment began. Nearly half said they were under 18 when the abuse started, and one in eight said they'd fled their homes, fearing for their safety.
- Researchers found that 54% of the victims who reported harassment were targeted on social networks, 41% on messaging and photo apps, and 9% on dating apps. Forty-five percent said they experienced sextortion on more than one platform.





## SEXTORTION CAUSES SERIOUS HARM



**1 in 4 victims** saw a medical or mental health professional.



## VICTIMS ARE STAYING SILENT



**1 in 3 victims** did not tell anyone, often because of shame, embarrassment and self-blame.



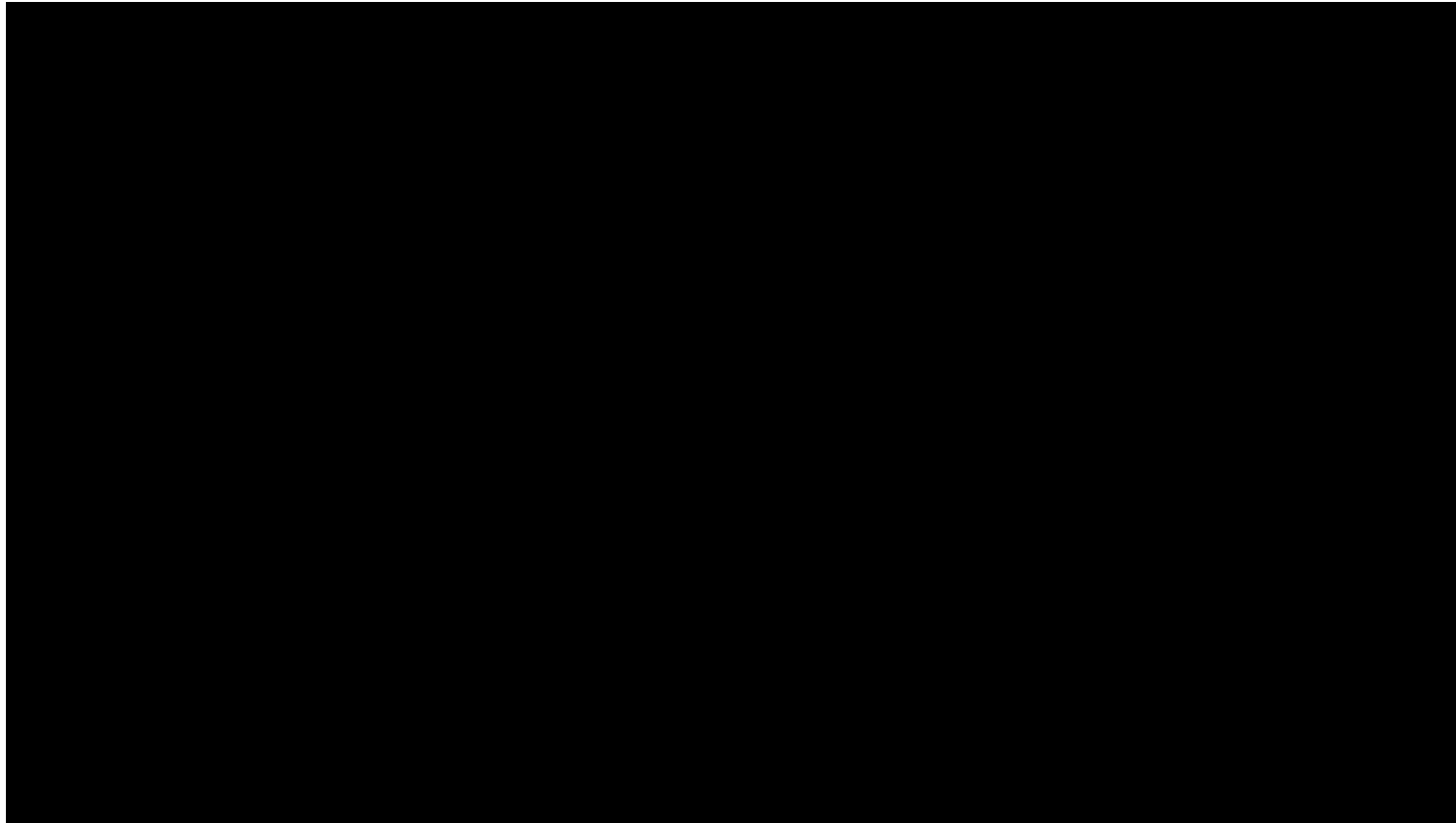
## VICTIMS ARE UPROOTED



**1 in 8 victims** move from their homes for fear of their safety.



# OUTRAGEUS.ORG STALKING AND TECHNOLOGY



# STALKING ON CAMPUS: A SILENT EPIDEMIC

- The most common ways offenders stalk is by unwanted phone calls, voicemails, text messages, spying, sending unwanted gifts, letters and E-mails and showing up uninvited to the victim's location or waiting for him or her at a particular location.
- Eighteen- to 24-year-olds have the highest rate of stalking victimization, says Michelle Garcia, director for the National Center for Victims of Crime's Stalking Resource Center. "The rates of stalking on college campuses are higher than in the general population; similar to the rates of sexual assault."
- The motivations as to why stalkers stalk vary. In a relationship with a history of domestic violence, the offender might use stalking to regain or maintain the relationship and control of the victim. With sexual assault cases, stalking might take place before and/or after the incident. It also happens with unrequited affection or romantic rejection.
- "The stalker thinks if they try hard enough, the other person will come back to them despite the person telling them they don't want anything to do with them," claims Garcia.
- A student might even stalk a teacher or faculty member because of a bad grade or a crush.

## IS THE BEHAVIOR IMMATURITY OR STALKING?

- Unfortunately, the level of emotional maturity in adolescents and young adults can make the issue quite murky.
- “There is this notion of developmentally appropriate pursuit behavior,” says Garcia. “There is some research that has looked at behaviors that are really typical of adolescents, such as having crushes on teachers, idolizing an actor or musician or someone in the public eye and having that person’s poster on their wall.
- “It’s common [adolescent behavior] to happen to be at [the target of their affection’s] locker when they get out of class or going by a person’s house to see if they are home or calling them repeatedly and hanging up or asking their friends for information about them or looking at their Facebook page repeatedly. All of this is typical adolescent developmentally appropriate affection-seeking behavior, and rarely does the target experience fear in response to these behaviors.”
- **IT CAN ALSO LOOK LIKE STALKING...**

# EVALUATE SITUATIONS IN CONTEXT

- It can also look like stalking if not put in the proper context. It is important to view the behavior from the victim's perspective. Behaviors that seem benign to an outsider might be terrifying to a victim.
- “One thing to look at is has the victim or target attempted to set a boundary that this person continues to ignore?” Garcia explains. “Has the person been told by the target, a friend, police officer, HR, RA, etc. that the stalking behavior is not OK?”
- Generally, a verbal and/or written warning can be issued to the offender. Another option is an order of protection. That said, Garcia warns, “With stalkers, we know there is a really high recidivism rate. Over 60% will reengage in the stalking behavior after an intervention and after they have been arrested or served with an order of protection.”
- Identifying stalking, however, can be challenging, particularly for victims who often minimize the problem.
- “If you think about any of those behaviors that are typical of stalking cases — the phone calls, showing up to places, the texts, the E-mails — many of those behaviors in and of themselves are not criminal behaviors,” says Garcia.

## STALKERS OFTEN USE TECHNOLOGY

- “National research from 2009 shows that a quarter of stalking victims report that some sort of technology was used, but I think those numbers are huge underestimates,” says Michelle Garcia, director for the National Center for Victims of Crime’s Stalking Resource Center. “When you look at the national study, it couldn’t ask about every form of technology. It didn’t ask about text messaging, which is a very common technology used to stalk.”
- “Also, for victims to say that technology was used against them they had to be aware of it. So many of these technologies can be used against victims without their knowledge. I can put a GPS tracker on someone’s car and see everywhere they go, and they will have no idea.”
- Spyware can also be installed on a computer or phone.



# STALKERS OFTEN USE TECHNOLOGY

PLEASE increase awareness as to how offenders are misusing technology and educate OUR community how to engage with that technology more safely. That means encouraging students, faculty, and staff to:

- Protect their phones and computers against spyware
- Use passwords
- Keep their cell phones with them at all times
- Notice if something strange is happening on their phone (the battery is draining too quickly)
- Not provide detailed information on social networking sites
- Follow guidelines on privacy and database management
- Additionally, campuses can work with their IT departments to provide documentation of cyber stalking behavior.

Plug and Play Hidden Spy Camera Clock with Audio



- 2.4GHZ Wireless Receiver
- Wireless Camera
- Electronic Shutter: 1/60~1/15000's
- S/N Ratio: 48dB
- Horizontal Resolution: 380 TV lines
- Video Output: 1Vp-p 75ohm
- File Format: AVI
- Min Illuminator: 2LUX
- Price: \$52.25 (The More. The Cheaper)

4GB Silver Spy Camera Wrist Watch with Micro Camcorder



- Camera: 0.3M pixels
- Video Output Formats: AVI
- Time and Date Display
- Video and Voice Recording
- Camera Dimension: 352\*288
- Price: \$46.47 (The More. The Cheaper)



# QUESTIONS?

UP NEXT – CASE STUDY & VIGNETTES





# CASE STUDY/VIGNETTES

GROUP DISCUSSION



## VIGNETTE:TOMMY AND PAM

- Tommy and Pam, both students at UNC Charlotte met in Geology Lab. Tommy asked to borrow Pam's lap top a few times to work on their lab project. Pam didn't think it was a big deal and gave Tommy permission. Tommy accessed Pam's nude photos on her lap top and sent them to himself. Tommy then shared the photos in a group chat to his Intramurals team.



## VIGNETTE: SAM AND DIANE

- Sam and Diane started sending messages back and forth on the website meetme.com. They swapped KIK usernames and started to message on that. Diane got comfortable with Sam and started to trust him. Sam sensing that Diane was comfortable with him asked for a partial nude photo. After much pleading from Sam, Diane eventually sent the picture. Sam then constantly asked Diane to send more pictures or he would send (the partial nude) to Diane's followers on Twitter. Diane knew Sam was serious when he started to name every single follower.



twitter



## VIGNETTE: JOHN AND JODIE

- John is a junior at the College of Knowledge. Jodie is a sophomore. They have been dating for 6 months. John has met Jodie's family and even visited during the winter break. Jodie has sent John several "sexy pictures" of herself so that he would have something to look at when they are apart. Now back at school Jodie feels as though the relationship has run its course and wants to break up with John.

John says to Jodie, "Honey, I love you. Don't do this. You don't want me to talk with your friends, right? You would hate for them to see you like that right?" "I have some lovely pictures of you. That thong is wonderful. I bet your mom and dad would like it too...they deserve to know just how much of a slut their little girl is."





QUESTIONS?



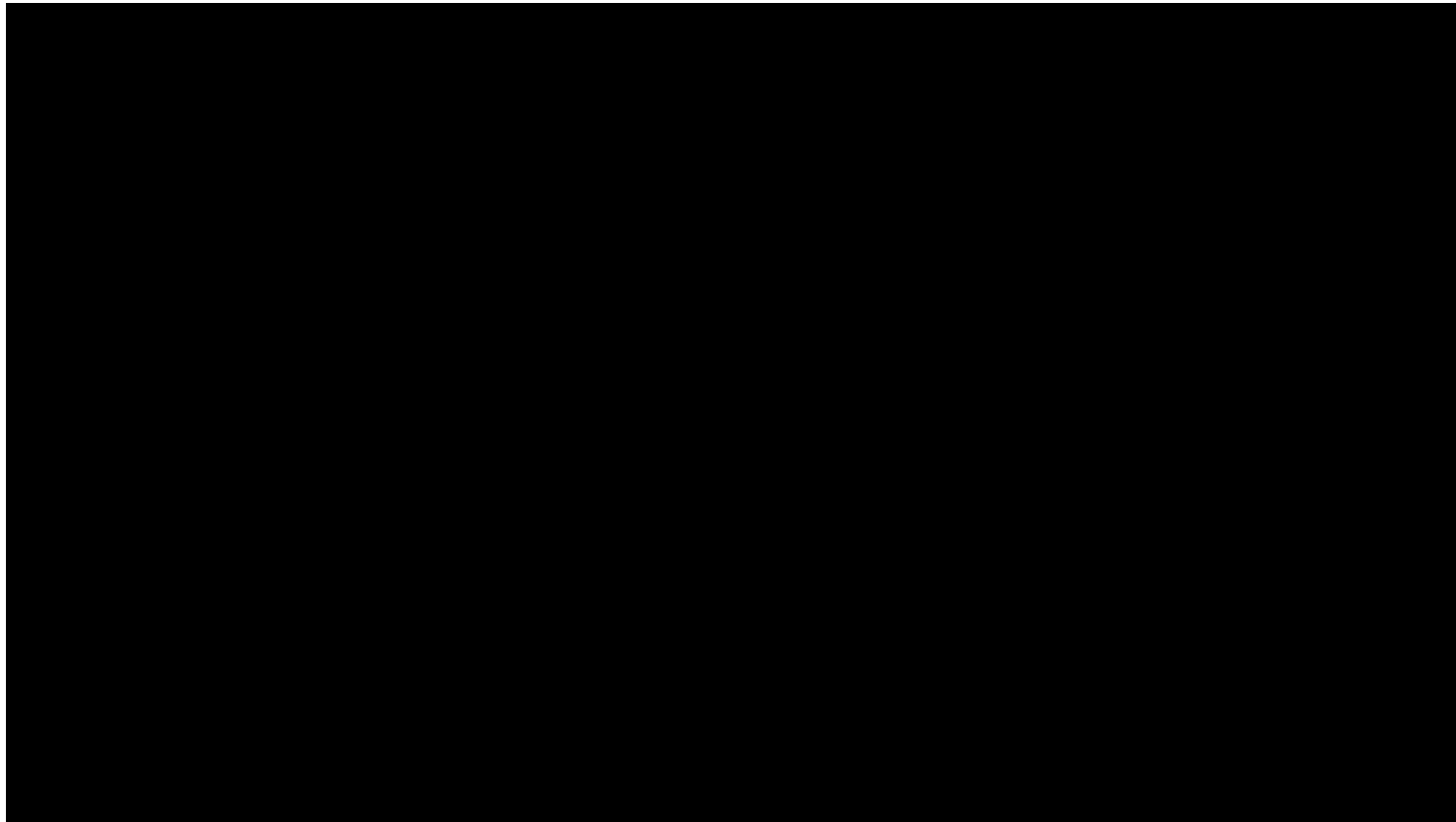
# HOW YOUR FAMILY CAN BE A #FORTYIXERFAMILY



- Encourage your students to complete the *Think About It* Course
- Encourage your students to attend our programs and events
- Get involved (volunteering, etc.)
- Be an active bystander
- Follow [@titleixuncc](https://twitter.com/titleixuncc) on Twitter to receive daily updates, news, and tips!



IT'S ON US #UNCCHARLOTTE



# QUESTIONS?



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