October 24, 2019

SUBJECT: Resources for Reporting Sexual Harassment, Sexual Assault, Stalking, or Domestic and Dating/Intimate Partner Violence

Dear John Jay College Community:

As we recognize National Domestic Violence Awareness month, I take this opportunity to reiterate the College’s on-going commitment to fostering a College community free from sexual misconduct, including sexual harassment, gender-based harassment and sexual violence. As President Mason stated earlier this semester, there are important resources and protections available to all students, faculty and staff affected by these issues.

Sexual Misconduct is Against the Law and CUNY Policy.

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in education programs or activities at universities receiving federal funds. Together, Title IX, the New York State Education Law 129B (also known as “Enough is Enough”) and the CUNY Policy on Sexual Misconduct prohibit sex discrimination (which can include discrimination on the basis of pregnancy, childbirth or medically related conditions), sexual harassment, gender-based harassment, stalking, sexual assault, intimate partner violence and retaliation against any CUNY student, employee or visitor. The Policy can be accessed here: http://policy.cuny.edu/wp-content/uploads/sites/6/page-assets/general-policy/CUNY-Policy-on-Sexual-Misconduct-2018-for-June-BOT.pdf

In addition, New York City’s recent Stop Sexual Harassment Act seeks to promote a safe environment in the workplace by requiring that employees be informed of their rights and responsibilities as described in the attached posters.
We Can Help if You Experience Sexual Misconduct, Sex Discrimination or Retaliation for Reporting, Cooperating in an Investigation or for Opposing Such Behavior.

Any member of the College community can file a complaint regardless of race, color, creed, national origin, ethnicity, ancestry, alienage (immigration status), citizenship, religion, age, sex, sexual orientation, gender, gender identity, disability, marital or partnership status, military or veteran status, genetic information, unemployment status, pregnancy, or status as a victim of domestic violence/stalking/sex offenses.

There are a number of different people on campus, who are designated “Responsible Employees” under the CUNY Policy on Sexual Misconduct. Responsible Employees are required to report to the Title IX Coordinator any instance they learn of regarding incidents of sexual harassment, gender based harassment, sexual violence, domestic violence, intimate partner violence and stalking. Such employees are available to discuss your rights, provide support, and help you explore the different options for responding, including through filing a formal complaint:

1. **Title IX Coordinator**: Gabriela Leal, Interim Director of Compliance and Diversity and Title IX coordinator, Haaren Hall, Room 622T, (646)-557-4674, gleal@jjay.cuny.edu.

2. **Public Safety**: Diego Redondo, Director of Public Safety & Risk Management, New Building, Room L2.61.00, (212)-237-8524, dredondo@jjay.cuny.edu.

3. **Student Affairs**: Michael Martinez-Sachs, Dean of Students, New Building, Room L7.1, (212)-237-8211; msachs@jjay.cuny.edu

4. **Human Resources**: Paul Wyatt, Director of Performance Development, BMW Building, 555 West 57th Street, 10th Floor, (212)-237-8704, pawyatt@jjay.cuny.edu.

Unlike “Responsible Employees,” the following resources are available to provide confidential consultations:

5. **Students** may contact Jessica Greenfield, Gender Based Violence Prevention and Response Advocate at the Women’s Center for Gender Justice: New Building, Room L6.07, (646)-557-4535, jgreenfield@jjay.cuny.edu or any counselor in the Counseling Services Center: New Building, Room L6.00, (212) 237-8111. For more information visit: [http://www.jjay.cuny.edu/counseling](http://www.jjay.cuny.edu/counseling)

6. **Employees** can access supportive confidential resources, such as private counseling from the CUNY Work-life Program, through Deer Oaks. More information can be accessed here: [http://www.jjay.cuny.edu/cuny-employee-assistance-program](http://www.jjay.cuny.edu/cuny-employee-assistance-program) including a free phone helpline (855)-492-3633.

More Information is Available.
To learn more about the CUNY Policy on Sexual Misconduct and the Students' Bill of Rights, please visit the John Jay College Office of Compliance and Diversity website at http://www.jjay.cuny.edu/title-ix-and-non-discrimination-compliance or the campus Title IX web page at http://www1.cuny.edu/sites/title-ix/campus/john-jay-college-of-criminal-justice/

To learn more about New York City's Stop Sexual Harassment Act and employees' rights and responsibilities in the workplace, please visit the NYC Human Rights website: https://www1.nyc.gov/site/cchr/law/stop-sexual-harassment-act.page
8 TIPS FOR WORKING WITH SURVIVORS OF INTIMATE PARTNER VIOLENCE

1. ACKNOWLEDGE POTENTIAL PAST AND/OR ONGOING TRAUMA
   - Recognize that trauma can affect an individual in many ways.
   - Remember that people may express the same emotions in different ways.
   - Make the person experiencing the abuse feel they are in control.
   - Be mindful of body language and verbal communication.

2. LISTEN ACTIVELY
   - Start by believing the person experiencing the abuse.
   - Validate the person's feelings and their experiences.
   - Ask open-ended, non-judgmental questions.
   - Mirror the person's language, when referring to the abuse, abusive partner or the relationship.

3. RESPECT PRIVACY AND CONFIDENTIALITY
   - Provide a private space for discussion.
   - Do not leave any documents with identifying information about the abuse where other people can view them.
   - If you are a mandated reporter make sure to inform the person of the limits on confidentiality.

4. RESPECT THE PERSON'S RIGHT TO SELF-DETERMINATION
   - Remember, disclosing the abuse does not mean the person experiencing the abuse is ready to take action.
   - People are experts on their lives; let the person experiencing abuse decide what is best for them, even if you disagree.
   - Manage expectations, know your resources and provide appropriate information.
   - Offer options and support, not your opinion on what they should or shouldn't do.

5. USE THE FOLLOWING TYPES OF SUPPORTIVE STATEMENTS
   - "It's not your fault; anyone could find themselves in this situation."
   - "What can I do to support you today?"
   - "It must be very painful when someone you care about is frightening you."
   - "I am worried about your safety; what do you think would help you feel safe?"

6. DEFINE YOUR ROLE
   - Remind the person experiencing abuse of your role and what you are able to do to help.
   - Ask the person experiencing abuse what kind of help they are looking for; don't assume you know.
   - Be aware of your limitations and ability to act in certain situations.
   - Maintain the boundaries of the helping role throughout your work with the person experiencing abuse.

7. CHECK YOUR BIASES
   - Use gender neutral language; don't assume that all gender identities are visible.
   - Be mindful of your facial expressions and other non-verbal cues.
   - Avoid judging or criticizing the person's behavior or their abusive partner's behavior.
   - Avoid blaming or defending the person's culture.

8. AVOID THE FOLLOWING TYPES OF QUESTIONS
   - "Why would you let your partner treat you that way?"
   - "What did you do to make your partner angry?"
   - "Why are you still with your partner?"
   - "How can you love someone like that?"
   - "Why don't you just leave?"

To learn more or request a training please contact the OCDV Training Institute at: OCDVTraining@ocdv.nyc.gov
STOP SEXUAL HARASSMENT ACT
NOTICE

All employers are required to provide written notice of employees' rights under the Human Rights Law both in the form of a displayed poster and as an information sheet distributed to individual employees at the time of hire. This document satisfies the poster requirement.

The NYC Human Rights Law

The NYC Human Rights Law, one of the strongest anti-discrimination laws in the nation, protects all individuals against discrimination based on gender, which includes sexual harassment in the workplace, in housing, and in public accommodations like stores and restaurants. Violators can be held accountable with civil penalties of up to $250,000 in the case of a willful violation. The Commission can also assess emotional distress damages and other remedies to the victim, require the violator to undergo training, and mandate other remedies such as community service.

Retaliation Is Prohibited Under the Law

It is a violation of the law for an employer to take action against you because you oppose or speak out against sexual harassment in the workplace. The NYC Human Rights Law prohibits employers from retaliating or discriminating "in any manner against any person" because that person opposed an unlawful discriminatory practice. Retaliation can manifest through direct actions, such as demotions or terminations, or more subtle behavior, such as an increased work load or being transferred to a less desirable location. The NYC Human Rights Law protects individuals against retaliation who have a good faith belief that their employer's conduct is illegal, even if it turns out that they were mistaken.

Sexual Harassment Under the Law

Sexual harassment, a form of gender-based discrimination, is unwelcome verbal or physical behavior based on a person's gender.

Some Examples of Sexual Harassment

- unwelcome or inappropriate touching of employees or customers
- threatening or engaging in adverse action after someone refuses a sexual advance
- making lewd or sexual comments about an individual's appearance, body, or style of dress
- conditioning promotions or other opportunities on sexual favors
- displaying pornographic images, cartoons, or graffiti on computers, emails, cell phones, bulletin boards, etc.
- making sexist remarks or derogatory comments based on gender

Report Sexual Harassment

If you have witnessed or experienced sexual harassment inform a manager, the equal employment opportunity officer at your workplace, or human resources as soon as possible.

Report sexual harassment to the NYC Commission on Human Rights. Call 718-722-3131 or visit NYC.gov/HumanRights to learn how to file a complaint or report discrimination. You can file a complaint anonymously.

State and Federal Government Resources

Sexual harassment is also unlawful under state and federal law where statutes of limitations vary.

To file a complaint with the New York State Division of Human Rights, please visit the Division's website at www.dhr.ny.gov.

To file a charge with the U.S. Equal Employment Opportunity Commission (EEOC), please visit the EEOC's website at www.eeoc.gov.

NYC Commission on Human Rights
BILL DE BLASIO
Mayor
CARMELYN P. MALALIS
Commissioner/Chair

NYC.gov/HumanRights
AVISO SOBRE LA LEY PARA DETENER EL ACOSO SEXUAL

Todos los empleadores deben proporcionar un aviso por escrito sobre los derechos de los empleados de conformidad con la Ley de Derechos Humanos de la Ciudad de Nueva York mediante un afiche exhibido y una hoja de información distribuida a cada empleado en el momento de la contratación. Este documento cumple con el requisito del afiche.

La Ley de Derechos Humanos de la Ciudad de Nueva York

La Ley de Derechos Humanos de la Ciudad de Nueva York, una de las leyes más rigurosas contra la discriminación del país, protege a todas las personas contra la discriminación debido al género, lo que incluye el acoso sexual en el lugar de trabajo, la vivienda y espacios públicos, como tiendas y restaurantes. Quienes infrinjan esta ley pueden ser responsables de sanciones civiles de hasta $250,000 en el caso de una infracción intencionada. La Comisión también puede evaluar concederle a la víctima una indemnización por daños y perjuicios debido a angustia emocional y otros recursos, exigirle al infractor asistir a una capacitación y ordenar otras medidas, como servicio comunitario.

La ley prohíbe las represalias

Es contrario a la ley que un empleador tome medidas en su contra por oponerse o expresarse en contra del acoso sexual en el lugar de trabajo. La Ley de Derechos Humanos de la Ciudad de Nueva York prohíbe a los empleadores tomar represalias o discriminar “de cualquier forma a una persona” por oponerse a una práctica discriminatoria ilegal. Las represalias pueden manifestarse a través de acciones directas, como descensos o despíidos, o a través de comportamientos más sutiles, como un aumento en la carga de trabajo o la transferencia a un lugar menos deseable. La Ley de Derechos Humanos de la Ciudad de Nueva York protege contra las represalias a las personas que creen de buena fe que el comportamiento de su empleador es ilegal, incluso si resultan estar equivocadas.

El acoso sexual según la ley

El acoso sexual, una forma de discriminación en función del género, es el comportamiento físico o verbal no deseado en relación con el género de una persona.

Algunos ejemplos de acoso sexual

- Tocar a los empleados o clientes de manera inapropiada.
- Amenazar o actuar de manera adversa luego de que una persona rechaza una insinuación sexual.
- Hacer comentarios lascivos o sexuales sobre el aspecto, cuerpo o la forma de vestir de una persona.
- Condicionar ascensos u otras oportunidades en función de favores sexuales.
- Mostrar imágenes, dibujos o grafitis pornográficos en computadoras, correos electrónicos, teléfonos celulares, tableros de anuncios, etc.
- Hacer comentarios sexistas o despectivos en función del género.

Denuncie el acoso sexual

Si cree que es víctima de acoso sexual, informe lo antes posible a un gerente, al representante de igualdad de oportunidades laborales de su lugar de trabajo o al Departamento de Recursos Humanos.

Recursos del gobierno estatal y federal

El acoso sexual también es ilegal en virtud de la ley estatal y federal.

Para presentar una queja ante la División de Derechos Humanos del Estado de Nueva York, visite el sitio web de la División en www.dhr.ny.gov.

Para presentar cargos ante la Comisión para la Igualdad de Oportunidades en el Empleo (EEOC) de los EE. UU., visite el sitio web de la EEOC en www.eeoc.gov.

NYC Comisión de Derechos Humanos
BILL DE BLASIO
Alcalde
CARMELYN R. MALALIS
Presidenta/Comisionada

NYC.gov/DerechosHumanos
Are you in a relationship that makes you feel scared, hurt or unsafe?

New York City Family Justice Centers

The New York City Family Justice Centers provide FREE and CONFIDENTIAL assistance to survivors of intimate partner violence, sex trafficking and elder abuse. We welcome people of all ages, sexual orientations and gender identities, regardless of what language you speak, your immigration status or your income.

All Centers are open Monday through Friday from 9:00AM – 5:00PM. Spoken translation services are available at every Center. No appointment necessary.

NYC Family Justice Center, Bronx
198 East 161st Street, 2nd Floor
(718) 508-1220
Subway: 4 B D to Yankee Stadium
Bus: BX1, BX2, BX6 and BX13

NYC Family Justice Center, Brooklyn
350 Jay Street
(718) 250-5111
Subway: A C F R to Jay Street
or 2 3 4 5 to Borough Hall
Bus: B25, B26, B38, B54, B57, B61, B62, B65, B67, B75 and B103

NYC Family Justice Center, Manhattan
80 Centre Street
(212) 602-2800
Subway: 4 5 6 to Brooklyn Bridge-City Hall
J Z to Chambers Street
N G R to Canal Street
1 2 3 A C to Chambers Street
Bus: M5, M9, M22 and M103

NYC Family Justice Center, Queens
126-02 82nd Avenue
(718) 575-4545
Subway: E F to Kew Gardens-Union Turnpike
Bus: Q10, Q37, Q46 and Q60

NYC Family Justice Center, Staten Island
126 Stuyvesant Place
(718) 697-4300
Close to the St. George Ferry terminal
Staten Island Railroad to St. George
Bus: S40, S42, S44, S46, S48, S51, S52, S61, S62, S66, S74, S76, S78, S81, S84, S86, S90, S91, S92, S94, S96 and S98
How Can the Family Justice Centers Help Me?

The Centers provide many services all at one location:

Case Managers can help you plan for your safety and provide advice and referrals for public benefits, housing, shelter and other needs.

Counselors, Therapists and Psychiatrists can help support adults and children dealing with the emotional and psychological impact of intimate partner violence.

Economic Empowerment Services are available to help you with budgeting, credit repair, other financial issues and referrals to job training and educational programs.

Lawyers can advise and represent people in orders of protection, child support, custody, visitation, divorce and immigration matters, and can give referrals for other legal issues.

Domestic Violence Prevention Officers from the New York City Police Department can assist with filing police reports and getting police paperwork.

Prosecutors from the District Attorney's Office are specially trained in domestic violence prosecutions and can provide information about criminal cases.

The NYC Sheriff's Office is available to assist with serving civil court documents and connected services.

Child Care is also available while you are receiving services at the Family Justice Center!

Thinking About Your Safety

Here are a few things to consider about safety:

Tech Safety

- Does your partner have access to your phone, email, social media accounts or anything else that gives them information about where you are or who you are with? Consider changing your passwords and settings.

If you decide to leave your partner

- Have you packed a bag with things that you will need, like clothes, medicine and important documents (ID, birth certificates, passports, etc.)? Try to keep copies of documents with someone you can trust or somewhere your partner can't access.

- Is there somewhere you can go where your partner will not be able to find you? You can call the NYC Domestic Violence Hotline at 1-800-621-HOPE (4673) to look for a safe place you can go.

If you have children

- Do they know how to call 911 in case of an emergency?

- Does the school or day care know who can pick them up? If you have an order of protection and/or order of custody/visitation, make sure the school or day care has a copy.

Remember

- If you are in immediate danger, you can call 911.

- You can call the NYC Domestic Violence Hotline at 1-800-621-HOPE (4673) 24 hours a day for immediate safety planning and shelter assistance.

- You can go to a Family Justice Center Monday through Friday, between the hours of 9:00 a.m. and 5:00 p.m., to create a full plan for your safety and discuss options with a case manager.

www.nyc.gov/domesticviolence

NYC Mayor's Office to Combat Domestic Violence