

Student Guidelines for the University of Pennsylvania Sexual Violence Policy

Introduction

The University of Pennsylvania seeks to foster a safe and healthy environment for all members of our community. Sexual violence, which continues to be prevalent on college campuses, erodes the respect, civility, dignity and trust essential to the vitality of a university community. The personal trauma experienced by victims/survivors and the nature and consequences of sexual violence undermine the educational process and the mission of the University. Penn has provided national leadership with respect to sexual violence education and counseling, and through its policy and guidelines, reaffirms its commitment to eradicating sexual violence. This Guidelines document is intended to support students in understanding the Sexual Violence Policy by offering answers to frequently asked questions and providing more detailed information.

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What is sexual violence?

As defined in Penn's Policy, sexual violence is a term that identifies a range of behaviors in which an act of a sexual nature is perpetrated against an individual without consent or when an individual is unable to give consent. There are other types of gender-based misconduct such as harassment, dating violence, stalking, invasion of privacy, etc. that are not physical acts of sexual violence but are also prohibited by law and University policy.

Examples of Sexual Violence include, but are not limited to:

- The unwanted touching or attempted touching of a person's breast/chest, buttocks, inner thighs, or genitalia.
- Forced penetration of another person's oral, anal or genital opening with a body part or any object.

Sexual violence may be committed by:

- Physical force, violence, or threats
- Coercion or intimidation
- Ignoring the objections of another person
- Causing another's intoxication or impairment with alcohol or drugs
- Taking advantage of another person's intoxication, incapacitation, unconsciousness, state of intimidation, helplessness, or other inability to consent.

What is consent?

Consent is an affirmative decision to engage in mutually acceptable sexual activity, and is given by clear words or actions. It is an informed decision made freely and actively by all parties. Consent may not be inferred from silence, passivity, or lack of resistance alone. Furthermore, consent to one form of sexual activity does not imply consent to other forms of sexual activity and the existence of a current or previous dating, marital, and /or sexual relationship is not sufficient to constitute consent to additional sexual activity. Consent cannot be obtained from someone who is asleep, unconscious, or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. Consent cannot be obtained by threat, coercion, intimidation, isolation, confinement, or force. Agreement given under such conditions does not constitute consent. A student's own use of alcohol and/or drugs does not automatically eliminate his or her responsibility to obtain consent. During an investigation related to sexual violence, it is likely that the context and circumstances will be taken into account in order to determine whether consent was provided.

What should I do if I am sexually assaulted?

Our primary goal is to empower victims of sexual assault to make the decisions that are best for them. You will find comprehensive information about all the reporting and support options in this document. Below is a brief outline of the recommended steps for Penn students to take immediately after experiencing sexual violence:

- 1) If possible, **find a safe place** away from the perpetrator or from any other potential danger.
- 2) **Contact the Special Services Unit** in the Division of Public Safety by calling Penn Police at 215.898.6600. The Penn police will connect victims with an advocate from Special Services who can talk about all of the reporting options, and can accompany students through the process of receiving a medical exam.
- 3) **Seek medical attention** as soon as possible. It is important to have a forensic medical exam to check for internal injuries, receive medication for sexually transmitted infections, discuss options for HIV and pregnancy prevention, and gather forensic evidence. Victims can receive a Forensic Medical Examination at the Philadelphia Sexual Assault Response Center, and can be transported there by Special Services. More information about this process can be found [here](#).
- 4) **Seek additional support.** Special Services will continue to provide support and will inform students of all the resources available including the Penn Women's Center and Counseling & Psychological Services.

Where can I go for information and support regarding sexual violence?

Students who believe that they or someone they know have been a victim of sexual violence may seek confidential options counseling and support from any of the resources listed below. Discussing a matter with these offices is *not* considered a report to the University or a request that any action be taken by the University in response to an allegation, unless specifically requested by the student. Additional [resources](#) are listed at the end of this guide.

- [Penn Women's Center](#)
3643 Locust Walk

Tel: 215.898.6500, 215.898.8611

Staff Hours: 9:30am-5:30pm, Monday-Friday

Staff at the Penn Women's Center can provide support and assist victims in navigating the different resources at both Penn and in the broader community. They are also available to provide support and guidance to friends and family members who have been affected by sexual violence.

- **[Special Services Unit in the Division of Public Safety](#)**

4040 Chestnut Street

24 Hour Helpline: 215.898.6600

Special Services offers comprehensive victim support for any member of the University community who has been a victim of sexual violence. Special Services has advocates on call 24-hours a day that can provide options counseling, hospital and court accompaniment, and take formal police reports. They are available to provide accompaniment to the Special Victims Unit and the Philadelphia Sexual Assault Response Center. Special Services is a confidential unit and can provide support for students who wish to remain anonymous.

- **[Counseling and Psychological Services \(CAPS\)](#)**

133 South 36th Street, 2nd Floor Tel: 215.898.7021,

Hours: 9:00am-5:00pm, Monday - Friday. Emergency walk-in all day.

Night and Weekend Emergencies: 215.349.5490 (ask for CAPS Clinician on Call)

CAPS offers a wide range of free and confidential services in a safe space to help students who have experienced sexual violence of any kind. Initial consultation, individual and group counseling, crisis intervention, structured workshops, and medication reviews are available.

What are my options for reporting sexual violence?

A victim of sexual violence has the right to pursue criminal charges through the City of Philadelphia (or the local governance in which the incident occurred) and/or to pursue disciplinary action through the University of Pennsylvania if the accused is a Penn Student. More information about these options follows.

Will it be confidential if I talk to someone?

All of the resource offices at Penn respect victim confidentiality and recognize the importance of empowering victims to make the decisions that are best for them. They will honor students' requests to keep reports confidential to the extent permitted by law, and to the extent consistent with the University's obligation to investigate allegations. Students are encouraged to inquire about confidentiality when seeking assistance and support from the varying offices. Under the [Clery Act](#), federal law mandates the disclosure of certain statistics regarding sexual violence that occurs within the geographic boundaries of an institution of higher education. Clery Act reports do not include the names of anyone involved, or any other information that identifies an individual. More information about Clery Act mandates and reports can be found [here](#).

How do I make a report to the police or pursue legal action?

Students who have been victims of sexual violence are encouraged to contact [Special Services](#) where they will be informed of their reporting options, including the right to report the incident fully and completely to the Philadelphia Police Department, *and* the right to not file a report.

Reporting immediately following an assault: It is recommended that victims who wish to pursue legal action, or who may wish to take legal action in the future, receive a [forensic rape examination](#) (also known as a rape kit) which includes a collection of evidence. Personnel from Special Services are available 24/7 to accompany victims to the [Philadelphia Sexual Assault Response Center](#) where they will receive a forensic rape examination. During

this examination victims can receive treatment for injuries and sexually transmitted infections as well as emergency contraception. In order to preserve evidence victims are advised not to smoke, eat, drink, bathe, douche, brush their teeth, or change their clothes prior to receiving the exam. However, doing any of the above does not mean an exam cannot be performed. While it is highly recommended that victims receive an exam within 72 hours of an assault, there is no official time limit after which an exam cannot be performed. Individuals may contact PSARC directly by calling the 24 hour hotline at 215.425.1625, but it is recommended that they reach out to Penn's Special Services Department who will provide 24/7 transportation and accompaniment to the center. **Please note that forensic rape examinations cannot be performed at any local hospital unless the victim is being treated there for injuries that are so severe they are considered medically unstable.**

Reporting long after an assault occurred: For adult victims of sexual assault (those over 18 when the crime occurred) the statute of limitations for filing charges is twelve years from the date of the crime. For cases involving child victims who turned 18 on or after August 27, 1997, the Commonwealth now has until the victim's 50th birthday to file criminal charges for abuse that occurred before the victim turned 18. However, this does not revive cases where the statute of limitations has already expired.

Where can I receive medical treatment?

The [Student Health Service](#) can provide evaluation and treatment to victims of sexual violence regardless of whether they make a report or seek additional resources. All services are confidential. Both male and female providers can perform examinations, discuss testing and treatment of sexually transmissible infections, provide emergency contraception if necessary and arrange for referrals and follow up. However, **the Student Health Service center does not perform forensic rape examinations and a forensic examination cannot be performed once a non-forensic examination has been conducted.** Therefore, any victim who plans to press charges or who wants to retain the ability to press charges in the future is advised to pursue a forensic rape examination and to seek assistance from Penn's Special Services Department. Please see ["How do I make a report to the police or pursue legal action?"](#) for information about how to receive a forensic medical exam at the Philadelphia Sexual Assault Response Center. Penn's Student Health Service can and does provide follow up treatment to victims after the forensic rape examination is completed. Office visits are covered in full by the clinical fee (or PSIP). Students who are covered under a private insurance plan will still need to pay the semesterly [clinical fee](#) to receive services at SHS. Charges for lab tests related to a sexual assault are waived.

What if I want the morning after pill?

Emergency Contraception (EC), also known as the morning after pill, can be started up until 120 hours after intercourse. Emergency Contraception is available through Student Health Service and from drugstores and health centers without a prescription for women and men 17 and older. Emergency Contraception should ideally be taken within 3 days of intercourse (72 hours) but can be taken up to 5 days afterwards (120 hours). EC will also be provided to anyone receiving a medical rape examination at the Philadelphia Sexual Assault Response Center. Click [here](#) for more information about Emergency Contraception.

What if I am worried about sexually transmitted infections/diseases?

Testing and treatment for STI's can be provided at Penn's Student Health Service as well at the Philadelphia Sexual Assault Response Center. For questions or additional information you can contact the National STD Hotline at 1-800-227-8922 from 8am-11pm Monday-Friday.

How do I make a report to the University?

Students who wish for the University to take further action must report the incident to the [Office of Student Conduct](#) (if the accused is a student) or the [Office of Affirmative Action and Equal Opportunity Programs](#) (if the accused is staff/faculty). These offices have the authority to investigate and/or take remedial action. Where the accused student is enrolled in a graduate or professional school that has established its own disciplinary process a complaint will be handled by the appropriate school-specific body unless the school refers the complaint to OSC. Students options for resolution (formal vs. informal) will be explained to them by the office to which they take their complaint. The particular process that will be employed will depend on the university status (student/faculty/staff) of the accused, the particulars of the complaint, and, to the fullest extent possible, the requests of the victim.

How does the University respond to disciplinary complaints of sexual violence?

[The Office of the Vice Provost for University Life/Student Intervention Services](#) will work in partnership with the various reporting and support offices to coordinate the University's response and to do the following, as needed:

- Support the direct provision of services to students and others impacted
- Ensure the confidentiality and security of the affected student(s)
- Provide case management and collaborative follow-up services
- Serve as a consultant for administrators and faculty from schools across the University regarding issues that affect academic performance and the psychological and physical wellbeing of individual students.

In some circumstances, the University can restrict contact between student victims/survivors and accused students when a case is pending with the Office of Student Conduct. The University can also provide student victims/survivors options for changing their academic and living situations. Student Intervention Services, in the Office of the Vice Provost for University Life, coordinates this response discreetly and provides support for students.

How does the Office of Student Conduct's disciplinary process work?

The [Office of Student Conduct](#) handles disciplinary complaints, including sexual violence complaints, against University students. An OSC complaint does not preclude a victim from pursuing criminal and/or civil remedies. The following provides an overview of the disciplinary process that occurs when a complaint is filed at the OSC. At the OSC the term "complainant" is used to identify the individual who reports being a victim of sexual violence, and the term "respondent" is used to identify the individual being accused of sexual violence. For further details regarding the disciplinary process see the [Charter of the University of Pennsylvania Student Disciplinary System](#):

- Once a complaint is made, the OSC investigates to determine the validity of the complaint by interviewing the respondent, the complainant, and others who may have relevant information;
- The respondent will be notified that a complaint has been filed;
- The OSC will make every effort to complete a thorough investigation within 60 days of receipt of the complaint;
- Complainants will have the chance to participate in the investigation, provide information, and attend and present evidence at disciplinary hearings, if a hearing should occur;
- Complainant and respondent will have the same opportunity to have an advisor accompany them throughout the disciplinary process, including throughout the investigation and at hearings;
- During the pendency of the investigation, either the OSC or other University officials may put appropriate interim measures in place to, among other things, restrict contact between the respondent and the complainant and protect the community;
- If the OSC's investigation does not obtain sufficient information to support the complaint by a preponderance of the evidence, no further action is taken and the complaint will be dismissed;

- If the OSC's investigation yields a [preponderance of evidence](#) (see "Standard of Proof") that leads the OSC to conclude that the respondent is responsible for violating the University's rules regarding sexual misconduct, the respondent will receive a letter detailing the basis of the charges and will be offered an opportunity to resolve the case through a voluntary agreement to proposed sanctions;
- The respondent may ask the OSC to consider alternate sanctions to the ones originally proposed and if they and the OSC can reach an agreement on sanctions, the matter will be resolved by voluntary agreement;
- The complainant will be informed of the outcome of a disciplinary investigation and if an agreement to sanctions is reached with an accused student, the complainant will be informed of the provisions of the agreement that directly relate to the complainant;
- If the respondent and the OSC are unable to resolve the case by voluntary agreement, the case will be presented to a disciplinary hearing panel which will determine whether the respondent is responsible for the charged violations by a preponderance of the evidence and, if so, what sanctions are warranted;
- During a disciplinary hearing on sexual misconduct charges, both the respondent and the complainant have similar rights to present evidence, call and question witnesses, and be accompanied by an advisor;
- Both the accused student and the complainant may each comment on the proposed sanctions submitted by the OSC at a sexual misconduct hearing;
- Both the respondent and the complainant may appeal the hearing panel's findings;
- Both the respondent and the complainant are entitled to learn the outcome of any appeal taken from the hearing panel's findings;
- Violations of the Sexual Violence Policy are considered serious acts of misconduct and may result in suspension, expulsion and the creation of a permanent disciplinary record.

What do I do if I am scared of retaliation for reporting?

The University will not tolerate retaliation against an individual who in good faith reports, complains about, or participates in an investigation into an allegation of unlawful discrimination or harassment or sexual assault. Any member of the community who believes that he or she has been retaliated against should file a complaint with a reporting office. The Policy Against Retaliation is discussed in the [Sexual Violence Policy](#).

What are my rights if I am a victim/survivor of sexual violence?

In order to foster a safe and healthy campus environment Penn seeks to uphold the following rights, which are consistent with the requirements of the [Clery Act](#):

- Victims/Survivors will be informed of their options to notify law enforcement;
- Victims/Survivors will be notified of counseling services;
- Victims/Survivors will be notified of options for changing academic and living situations;
- Victims/Survivors will be offered the option of assistance through the criminal process.

What if I am assaulted while traveling abroad?

All of the Penn resources provided here can also be accessed by students who are traveling abroad. Depending on the location and the circumstances students may have the option of reporting to local police, reporting to the school where they are studying, or making the report to the Penn Police. It is recommended that students immediately seek support from the Penn staff or faculty member that is overseeing their study abroad program to determine the best steps to take. Students are also encouraged to get information about local resources, including where to go for medical assistance, before traveling abroad. Below are some useful resources:

- [Penn Global Activities Register](#):

The **Global Activities Registry (GAR)** is Penn's central resource for collecting information about the

travel plans and activities of faculty, staff, and students preparing to travel abroad for academic, educational, extracurricular, clinical, research, or University business purposes. This information is Pennkey protected, and is used to contact travelers in emergencies, assist individuals and groups, as needed, with pre-travel preparations, and identify opportunities for closer collaboration on international research and operations

- **[International SOS:](#)**

215.942.8226

International SOS is the world's largest medical and security assistance company, with more than 3,000 professionals in 24-hour Alarm Centers, international clinics and remote-site medical facilities across five continents.

What is Penn doing to prevent sexual violence?

The prevention of sexual violence and the establishment of effective procedures with due concern for all parties requires thoughtful educational programming. Penn supports a number of institutional efforts to educate our campus community about sexual violence. The primary ones are highlighted below:

- **[Penn Violence Prevention Program](#)**

The Penn Violence Prevention Program (PVP) was founded with the support of a grant from the Department of Justice to address issues of **dating violence, sexual assault, and stalking** on campus. Based in the [Penn Women's Center](#), PVP works to ensure students have access to effective and safe resources on campus and provides preventative education and training. These efforts include providing education during New Student Orientation for incoming students and facilitating year-round workshops for the entire student body. PVP also mentors multiple student groups including:

- **One in Four:** A male peer education group that provides sexual violence education programs;
- **ASAP:** Abuse and Sexual Assault Prevention, a co-ed group committed to raising awareness about interpersonal violence;
- **Vagina Monologues:** Produces the annual Vagina Monologues show to raise awareness about sexual violence globally. Proceeds go to [WOAR](#);
- **Penn Monologues:** Produces annual performance showcasing student voices on a range of issues including sexual violence and sexual empowerment;
- **PCUW:** Penn Consortium of Undergraduate Women, an umbrella organization for all women's interest groups on campus.

PVP also oversees the training and implementation of Penn's Anti-Violence Advocates (AVAs) Program. AVAs are a growing group of Penn faculty and staff members who have completed a comprehensive training about issues related to dating violence, sexual assault, and stalking on campus. They are available to lend students support by providing information and referrals. Click [here](#) for a complete list of AVAs.

- **[Rape Aggression Defense \(RAD\)](#)**

The Department of Special Services within the Division of Public Safety offers free-of-charge RAD classes with the support of the [Trustees' Council of Penn Women \(TCPW\)](#). The RAD System offers comprehensive courses which begin with awareness, prevention, risk reduction and avoidance, and progress to the basics of hands-on defense training.

Are there other policies related to sexual violence that I should be aware of?

Penn has a number of policies intended to maintain a safe environment for all members of the Penn community. The following policies may also be useful for individuals affected by sexual violence.

- [Sexual Violence Policy](#)
- [Sexual Harassment Policy](#)
- [Consensual Sexual Relations Between Faculty and Students](#)
- [Medical Amnesty Policy for Students](#)
- [Domestic or Sexual Violence Leave Policy for Faculty/Staff](#)
- [Clery Act Crime Reporting & Compliance](#)

What are the resources at Penn?

Many of the offices and departments that provide support, counseling, and other services related to sexual violence have been mentioned in detail throughout this guide. Below is a quick reference list of the key offices that may be useful for a student affected by sexual violence;

- [Special Services Unit in the Division of Public Safety](#)
4040 Chestnut Street
24 Hour Helpline: 215.898.6600
Special Services offers comprehensive victim support for any member of the University community who had been a victim of sexual violence. Special Services has advocates on call 24-hours a day that can provide options counseling, hospital and court accompaniment, and take formal police reports. Special Services is a confidential unit and can provide support for students who wish to remain anonymous.
- [Penn Women's Center](#)
3643 Locust Walk
Tel: 215.898.6500, 215.898.8611
Staff Hours: 9:30am-5:30pm, Monday-Friday
The Penn Women's Center provides education, advocacy, and co-facilitates support groups for survivors of sexual violence. Staff at the Penn Women's Center can assist victims in navigating the different resources at both Penn and in the broader community. They are also available to provide support and guidance to friends and family of sexual assault victims. PWC supports all students regardless of gender identity or sexual orientation.
- [Counseling and Psychological Services \(CAPS\)](#)
133 South 36th Street, 2nd Floor Tel: 215.898.7021,
Hours: 9:00am-5:00pm, Monday - Friday. Emergency walk-in all day.
Night and Weekend Emergencies: 215.349.5490 (ask for CAPS Clinician on Call)
CAPS offers a wide range of free and confidential services in a safe space to help students who have experienced sexual violence of any kind. Initial consultation, individual and group counseling, crisis intervention, structured workshops, and medication reviews are available.
- [Student Health Service](#)
3535 Market St, Suite 100
Tel: 215.746.3535 (on call provider available 24/7)
Office Hours: Mon-Weds 8:00am-7:30pm, Thurs 10:30am-5:30pm, Friday 8:00am-5:30pm, Saturday 11:00am-4:30pm; modified hours are in effect during Fall, Winter, and Spring Break, major holidays, and Summer

Sessions.

The Student Health Service can provide evaluation and treatment to victims of sexual violence regardless of whether they make a report or seek additional resources. Both male and female providers can perform examinations, discuss testing and treatment of sexually transmissible infections, provide emergency contraception if necessary and arrange for referrals and follow up. The Student Health Service does not perform forensic rape examinations. All services are confidential. Office visits are covered in full by the Clinical Fee and the Penn Student Insurance Plan (PSIP). Charges for lab tests related to a sexual assault are waived.

- **Office of Student Conduct**

207 Duhring Wing, 236 S. 34th Street

Tel: 215.898.5651

Hours: 9:00am-5:00pm, Monday-Friday

The Office of Student Conduct (OSC) is responsible for acting on behalf of the University in matters of student discipline. OSC investigates and resolves cases of sexual misconduct, academic dishonesty, and other violations of community standards in order to uphold the student codes of conduct and the educational mission of the university. Any member of the University community or the general public who believes that a Penn student has violated Penn's rules may bring a complaint to OSC.

- **VPUL/Student Intervention Services**

3611 Locust Walk

Tel: 215.898.6081

Office Hours: 9 a.m. to 5 p.m. Monday-Friday

Student Intervention Services (SIS), which is centrally located in the Office of the Vice Provost for University Life, coordinates the University's response to reported sexual violence against students. SIS provides support to student victims/survivors; coordinates with schools, housing administrators, and other relevant offices at students' request; and connects students to appropriate support services. SIS respects the sensitivity of sexual violence cases and can discreetly advocate for students with schools and other offices in the University.

- **Office of the Ombudsman**

113 Duhring Wing , 236 S. 34th Street

Tel: 215.898.8261

The Ombudsman is available to listen and inquire into issues or complaints; to explore options for informal resolution of conflicts; to mediate specific disputes; to clarify and examine university policies and procedures; and to connect people with appropriate resources within the University.

- **Office of Affirmative Action and Equal Opportunity Programs**

3600 Chestnut Street, Sansom Place East, Suite 228

Tel: 215.898.6993

Faculty, staff, and students who believe that they, or someone they know, has been sexually harassed or discriminated against may file a complaint with the Office of Affirmative Action and Equal Opportunity Programs. OAA/EOP can assist with informal resolution or may pursue formal action. Formal action is initiated by filing a written complaint with OAA/EOP. They will investigate the complaint and will take appropriate action. OAA/EOP also provides training for Penn faculty and staff on sexual harassment and other issues related to affirmative action, equal opportunity and diversity.

- **Lesbian Gay Bisexual Transgender (LGBT) Center**

Carriage House, 3907 Spruce Street

215-898-5044

The LGBT Center provides advocacy, education, outreach, and support for and concerning Penn's lesbian, gay, bisexual, and transgender community

Are there community resources outside of Penn that I can access?

There are a number of community-based agencies that are not affiliated with the University that can provide support, counseling, and advocacy. Below is information about a few of these organizations that are often recommended to students:

- **[Women Organized Against Rape \(WOAR\)](#)**

One Penn Center 1617 John F Kennedy Blvd., Suite 1100

24 Hour Hotline: 215.985.3333

WOAR is a non-profit organization in Philadelphia that provides a 24-hour hotline, free individual and group counseling to children and adults who have experienced sexual abuse/ assault, counseling in Spanish, and hospital and court accompaniment.

- **[Women Against Abuse \(WAA\)](#)**

100 South Broad Street, Suite 1341

Philadelphia, PA 19110

24-hour hotline: 1.866.723.3014, Office #: 215.386.1280

WAA is a non-profit organization in Philadelphia that provides comprehensive services to victims of domestic violence in the Philadelphia community including emergency shelter, transitional housing, legal services, behavioral healthcare, advocacy and education.

- **[Philadelphia Sexual Assault Response Center \(PSARC\)](#)**

Medical Arts Building, Suite 205, 100 East Lehigh Ave

24 hour answering service: 215.425.1625

The Philadelphia Sexual Assault Treatment Center is designated to provide forensic rape examinations to victims of sexual assault and to assist them in the process of making a report to the Philadelphia Police Department. It is recommended that victims who wish to pursue legal action, or who may wish to take legal action in the future, receive a rape exam which includes a collection of evidence. During this examination victims can receive treatment for injuries and sexually transmitted infections as well as emergency contraception. Individuals may contact PSARC directly by calling the 24 hour hotline, or they can reach out to the Penn DPS Special Services Department who will provide 24/7 transportation and accompaniment to the center.