

# PRICE: An unsafe campus

HELEN PRICE | 1:32 AM, NOV 19, 2015  
GUEST COLUMNIST

Last Friday, the National Panhellenic Conference, a umbrella organization for sororities, finally withdrew its support for the Safe Campus Act, long after virtually every national anti-sexual violence group had condemned it. As a member of Greek life at Yale, and co-founder of Unite Against Sexual Assault Yale, the NPC's previous support for the bill had long been a source of frustration and anger for me. The Safe Campus Act would ban universities from investigating reports of sexual assault themselves and prevent them from punishing offenders unless the victim reports the attack to the police. It would be nothing short of disastrous for victims of sexual assault.

The representatives proposing the bill ostensibly do so on the grounds that colleges are ineffective at investigating sexual assault, and favor the accuser over the accused. While there are undoubtedly problems with college investigative processes, in truth, this legislation is based on an insidious distrust of victims, and a wildly irrational belief that false rape claims are the real problem with sexual assault on campus. But, The Safe Campus Act would not limit universities' abilities to investigate and punish any other crime. Someone who had been physically assaulted would still be able to report the incident to the university, utilize an internal investigative process and see the perpetrator punished by their college.

The singling out of sexual assault as the one crime for which police reporting would be mandated speaks to the suspicion often directed at victims. Those who argue that students falsely report sexual assault in order to exact some petty revenge or get attention frequently use the myth of false rape claim to derail the conversation. They maintain against all evidence that these people willingly face the threats, social ostracism and vitriol that are often directed at victims that come forward.

Making police reporting the only option open to victims would be catastrophic. The pervasiveness of victim blaming and indifference to sexual assault within the police force is well

documented. According to a 2015 article in USA Today, there is a backlog of 70,000 untested rape kits in police departments across the country — evidence that could lead to thousands of prosecutions if utilized properly. And an investigation earlier this month by The Guardian found that hundreds of police departments systematically destroy rape kits after a certain time has elapsed, removing the possibility that victims receive justice.

The police force has long been a perpetrator of violence and discrimination against women of color and individuals with non-binary gender identities, two groups that are disproportionately at risk of sexual violence and disproportionately unlikely to report it. According to the advocacy organization “Know Your IX,” many states do not recognize rape against someone of the same gender, or rape against men, as a crime at all. Additionally, given the likelihood that there are no direct witnesses, it is extremely hard to find someone guilty of rape using the “beyond reasonable doubt” standard of evidence used in courtrooms. At the college level, however, the standard used is “preponderance of the evidence,” since the most serious penalty is expulsion — not jail time. Since the stakes are lower, victims are more likely to come forward and see their attackers punished.

Rather than legislating the issue, we should be holding colleges accountable to improve their existing reporting processes for sexual assault and support for victims. Given the recent number of fraternity assault scandals, it is no coincidence that the North-American Interfraternity Conference had long supported the bill in spite of widespread criticism. By mandating police reporting, the government takes responsibility away from colleges, rather than pushing them to explore new ways of improving their sexual climates. Constraining a university’s ability to help victims limits the options of survivors in how they choose to move forward.

Being sexually assaulted is one of the most disempowering experiences an individual can face. The Safe Campus Act would slash the already limited agency afforded to survivors. It is a piece of legislation designed to protect the attacker rather than the victim, and the powerful rather than the marginalized. If passed, it would send a clear message to survivors that the institutions charged with keeping them safe fail to do so.

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**Doug** • 3 years ago

I agree that rape should not be treated differently than other major felonies on campus and this bill was flawed in requiring a different response to reports of rape. That said, if you don't think a university has any business investigating a charge of manslaughter, then you should agree that it doesn't have any business investigating a charge of rape. Both are serious crimes that require investigation by trained investigators with the power to seize evidence, access to forensic experts and the power to compel testimony via the grand jury. If you were serious about rape, instead of just grandstanding for political purposes, you'd be campaigning for increased training of sex crimes investigators in local police departments.

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**Debbie** • 3 years ago

I would like for as many actual rapists as possible be imprisoned for as long as possible *with* due process. Many if not most will rape again if not incarcerated. Our justice system isn't perfect, but replacing it with campus kangaroo courts eliminates both due process and any chance of incarceration. It also exposes colleges to civil liability, as we have seen in several cases. Rape must be dealt with by the criminal justice system.

I know that the Obama administration is trying to impose the kangaroo court system on colleges and this puts them between a rock and a hard place, but colleges should choose the option that best serves justice, and that is certainly not the kangaroo court.

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**Bob** • 3 years ago

"While there are undoubtedly problems with college investigative processes, in truth, this legislation is based on an insidious distrust of victims, and a wildly irrational belief that false rape claims are the real problem with sexual assault on campus."

False rape claims are a serious problem on college campuses because of college women engaging in sex who are, according to the "yes-means-yes" advocates, too immature to simply say "no" or "harder" or "maybe next time." If you're unable to tell a partner what you want or don't want, you're too immature to have sex. But instead of spreading this message to college age women, feminists insist men must be mind readers. But men aren't mind

readers so anti-rape activists routinely state that the rate of false rape allegations is 2%.

FBI reports consistently put the number of "unfounded" rape accusations ("unfounded" meaning that police investigation did not support the claim) at around 8%. That rate is, however, four times the average rate of unfounded reports for all FBI Index crimes.

[see more](#)

3 ^ | v • Reply • Share ›



**matt10023** • 3 years ago

By your logic, schools should be allowed to decide whether or not they report a murder to the police. How about kidnapping? Oh, we'll just work that out among ourselves, no need for that pesky criminal justice system.

3 ^ | v • Reply • Share ›



**marcedward** • 3 years ago

So the University is set up with a forensics lab? Do Campus police have rape kits to collect evidence?

How is the school supposed to be better than the law enforcement system we already pay for? How can they judge the merit of an accusation without evidence? How can you have any system that does not involve

\* presumption of innocence

\* due process, including being represented by a lawyer

\* the ability to examine evidence and cross examine an accuser

\* a standard of guilt that is beyond a reasonable doubt

and call it a just system?

Preponderance of the evidence is a foolish and inane standard, because the penalty is not just expulsion, it's putting the word "RAPIST" on somebody's permanent record, it insures the accused won't get into any other college, all based on the word of one person.

Of course, soon enough the shoe will be on the other foot. Any touching without consent is SEXUAL ASSAULT, so any guy who's upset that his GF broke up with him can bring the same charges. What will the writer be saying when women start getting tossed out of the university for sexual assault and rape? Or will she say "Some men lie about being raped"?

3 ^ | v • Reply • Share ›



**I love Trump!!!** • 3 years ago

Campus police should be authorized to investigate any crime that occurs on the campus. Campus police officers are duly appointed law enforcement personnel who have taken an oath to uphold the laws of the city of New Haven as well as the state of Connecticut.

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**Jawaralal\_Schwartz** • 3 years ago

Stop the jabbering. The issue is competence. Academics and their police minders are not qualified to investigate felonies. Further, they are often guilty of dithering and political games. The local -- in this case, City PD-- should investigate all such crimes or allegations of such crimes.

3 ^ | v • Reply • Share ›



**Debbie** • 3 years ago

Apparently, for social "justice" warriors, the opportunity to mess up the lives of innocent men on the basis of an unproven and quite possibly false accusation is more important than trying to make sure the guilty get locked up so that they can't rape more innocent women.

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**Yirmin** • 3 years ago



3 years ago

Reality is all universities will fail to do justice to the victim or the accuser because at the very heart of all universities is self preservation and means no bad press. No woman or man should ever waste their time reporting a crime to the university, call the police - the police don't care if the university gets bad publicity.

Now don't think that just because you report it to the police that the perpetrator will go to jail or even get convicted... But remember if you are ever raped the university can't do anything to the rapist except expel him/her.... If you want even a slimist of chance that the rapist will go to prison the only option is the police. And don't think you can still contact the police later if the university doesn't do enough, because a crime like rape requires a quick response to insure the maximum evidence is obtainable and the more evidence and fresher the case the better chance of a conviction.

If Yale wants to go an extra mile on this they can simply create a policy that expels any student that is brought up on charges of rape regardless of the outcome of the trial... it might not seem fair to some but I remember going to Harvard Business School and having a classmate removed from the program simply because the DOJ filed charges against him for securities fraud... They didn't wait for a conviction or even the start of any trial the fact that he was accused by the Feds was enough for the school... Maybe that's the same standard that Yale needs to use for rapists, if you are arrested and charged with rape the school just errs on the side of caution.

^ | v • Reply • Share ›

**Doug** → Yirmin • 3 years ago

If you were suggesting that students should be suspended if they've been arrested and charged with rape of another student, not many folks would argue with you. In those circumstances, it's probably wise for the school to let the judicial process play out and then act.

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**CoryIntheHouse** • 3 years ago

Universities shouldn't be investigating felony assault cases either.

6 ^ | v • Reply • Share ›

**dzmlscience** • 3 years ago

In truth, this legislation is based on an insidious distrust of academic administration's ability to conduct a fair process in a politically charged environment.

Rape is a violent crime and any citizen who witness or experience it have a social obligation to report the attacker to the authorities. They should not have the option to seek a purely private justice in a forum they think more politically appealing. The act either is provable rape or it is not.

The dirty little secret is that rape is a crime that can be very difficult to prove and some miscreants will go free. At the same time, rape is very easy to fake - we must not create a system that encourages fake rape persecutions. Required criminal reporting not only reinforces our civic duty but raises the stakes for those who would falsely accuse.

8 ^ | v • Reply • Share ›

**bwayjunction** • 3 years ago

Nonsense, all you want do to is create an extra judicial system with lower evidentiary standards, the presumption of guilt and run by a bunch of SJWs. Here's the data. Where's the crisis? <http://www.bjs.gov/index.cf...>

5 ^ | v • Reply • Share ›

**matt10023** → bwayjunction • 3 years ago

According to activists that understates the problem because It uses

According to activists, that understates the problem because... it uses the criminal definitions and the DOJ doesn't have their axes to grind.

They don't like that because they want to include other things, like intoxication, in their definitions.

And frankly, 20% seems a lot more urgent than 0.6% which would give them less political leverage.