

Gender-Based Discrimination, Harassment, or Violence on Campus

TERRIE MINNER, ASSOCIATE DEAN CAR, TITLE IX COORDINATOR
+ CARL YEH, DIRECTOR OF STUDENT CONDUCT, DEPUTY TITLE IX

Purpose of this presentation

- Review definition of sexual misconduct, prevalence of sexual violence on campus and causes of sexual assault
- Explore myths about sexual assault
- Provide resources for reporting sexual assault and information on the process

You may already know...

As many as ***one in five women*** experience **unwanted** sexual intercourse while attending a U.S. college (U.S. DEPARTMENT OF JUSTICE 2007)



One in 12 college men admit to acts that **meet the legal definition of rape.** (AMERICAN ACADEMY OF PEDIATRICS 1994)

Sexual violence is rooted in oppression.

Data shows people with certain traits at higher risk of perpetration, such as:

- Being male
- Having sexually aggressive friends
- Witnessing or experience violence as a child
- Drug or alcohol use
- Exposure to social norms supporting and promoting sexual violence

Data shows these groups are at a higher risk of victimization....

- Women
- LGBTQ community
- Gender minorities
- Communities of color
- Students experiencing homelessness
- International students
- Sex workers
- Students with disabilities
- Deaf and hard of hearing
- Intoxicated students
- Minors
- Undocumented students
- Non-English speaking students

What is “sexual misconduct”?

Sexual misconduct includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation.

What is “sexual harassment”?

Sexual harassment is defined as unwanted sexual advances, requests for sexual favors, and/or other verbal, written, visual or physical sexual conduct that makes the terms or conditions of employment or attendance contingent on the acceptance of unwanted sexual advances that negatively affects employment or educational opportunities, or that creates an intimidating, hostile, or offensive environment for one of the parties.

(Harassment is any unwelcome conduct based on actual or perceived status including: sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation or other protected status.)

What is “consent”?

Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate. Indications that consent is not present include: when physical force is used or there is a reasonable belief of the threat of physical force; when duress is present; when one person overcomes the physical limitations of another; and when a person is incapable of making an intentional decision to participate in a sexual act, which could include instances in which the person is in a state of incapacitation.

Consent is voluntary, informed, un-coerced agreement through words and actions freely given, which a reasonable person would interpret as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate.

What is “dating violence”?

Dating violence committed by a person who has or has been in a social relationship of a romantic or intimate nature with the victim.

What is “domestic violence”?

Domestic violence is a particular type of intimate relationship violence that occurs when partners in a current or former intimate relationship are or have been cohabiting in the same space. Students are deemed to be cohabiting when they share access to the same private living space or bathroom.

(Intimate relationship violence is violence or abuse by a person in an intimate relationship with another.)

What is “stalking”?

Stalking is a course of conduct (i.e., more than one act) directed at a partner in a current or former intimate relationship that would cause a reasonable person to feel fear, to experience emotional distress, or to fear for the safety of a third person. Acts that together constitute stalking may be direct actions or may be communicated by a third party, and can include, but are not limited to: threats of harm to self or others; pursuing or following; non-consensual (unwanted) communication by any means; unwanted gifts; trespassing; and surveillance or other types of observation

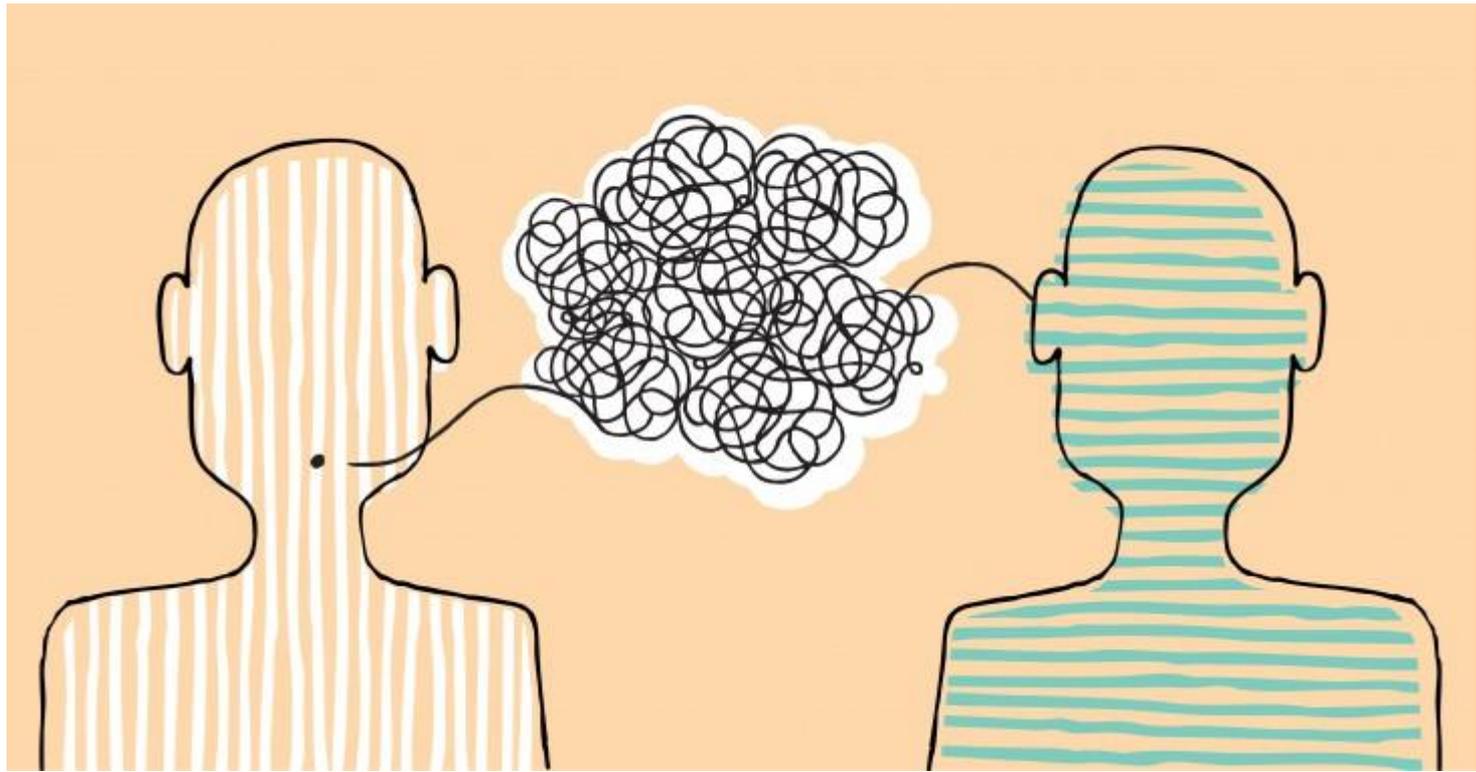
What is “sexual exploitation”?

Sexual Exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit or to benefit another person.

Examples of sexual exploitation include, but are not limited to: invasion of sexual privacy, engaging in voyeurism, exposing one’s genitals in non-consensual circumstances, prostituting another person, or inducing incapacitation with the intent to commit other acts of sexual misconduct.



17 Myths about Sexual Assault



Myth: Sexual Assault is usually a misunderstanding

Myth: Sexual Assault is usually a misunderstanding

- 90 percent of campus rapists are repeat offenders, averaging nearly six victims apiece.
- Men and women both understand social cues, including nonverbal indications that someone doesn't want to have sex.
- Acquaintance rapists intentionally target women they perceive as vulnerable and give them alcohol until they pass out. Rapists rely on the misconception that sexual assault is a misunderstanding and that drunk girls are asking for it.
- It's the exact opposite of a misunderstanding — it's a series of calculated decisions.



Myth: It's usually strangers who commit sexual assault.

Myth: It's usually strangers who commit sexual assault.

- There are stranger rapists, but far more often, sexual assailants attack people they know.
- Two-thirds of rape survivors know their attacker; more than a third of rapists are a family member or friend of the victim.
- On college campuses, where 80 to 90 percent of sexual assaults involve students who know each other.



Myth: It's only rape if you're violently, physically forced into penetrative sex.

Myth: It's only rape if you're violently, physically forced into penetrative sex.

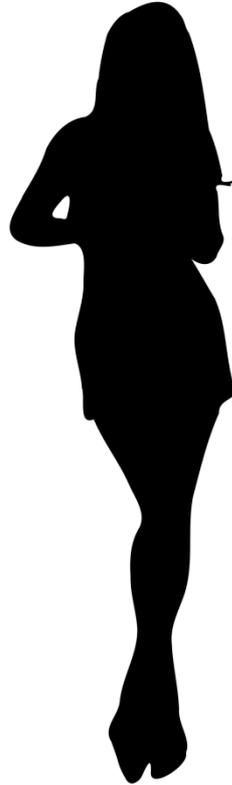
- Rape and sexual assault can be anything from penetrative sex to unwanted sexual touching or groping.
- Drugs and alcohol can impair one's ability to give meaningful consent.
- Rape doesn't require a penis — objects or fingers can be used to rape or assault.
- A person has to give an actual, genuine, and non-coerced "yes" for consent to be obtained.



Myth: Rape is about sexual desire.

Myth: Rape is about sexual desire.

- Rapists don't rape because they're uncontrollably horny. They rape because they want to control and harm their victim.
- The majority of rapes are planned in advance— rape isn't the end result of overactive hormones perhaps fueled by alcohol.



Myth: Women put themselves at risk if they're promiscuous, if they dress provocatively, or if they flirt.

Myth: Women put themselves at risk if they're promiscuous, if they dress provocatively, or if they flirt.

- The difference between a night out in a short skirt that ends in rape and one that doesn't isn't the clothing or the woman's behavior — it's the presence of a rapist.
- No one has ever been able to show a correlation between how a victim dresses and her chances of sexual assault.
- There's also no correlation between number of sexual partners and victimization.

No!

Myth: Once you've said yes, you can't say no.

Myth: Once you've said yes, you can't say no.

- Sex isn't an unbreakable contract; it's an act entered into by two people.
- You can say no to sex with someone even if you've had sex with that person before, even if the person you're saying no to is your partner.
- You can always withdraw consent. That is your right as a human being with sexual autonomy.

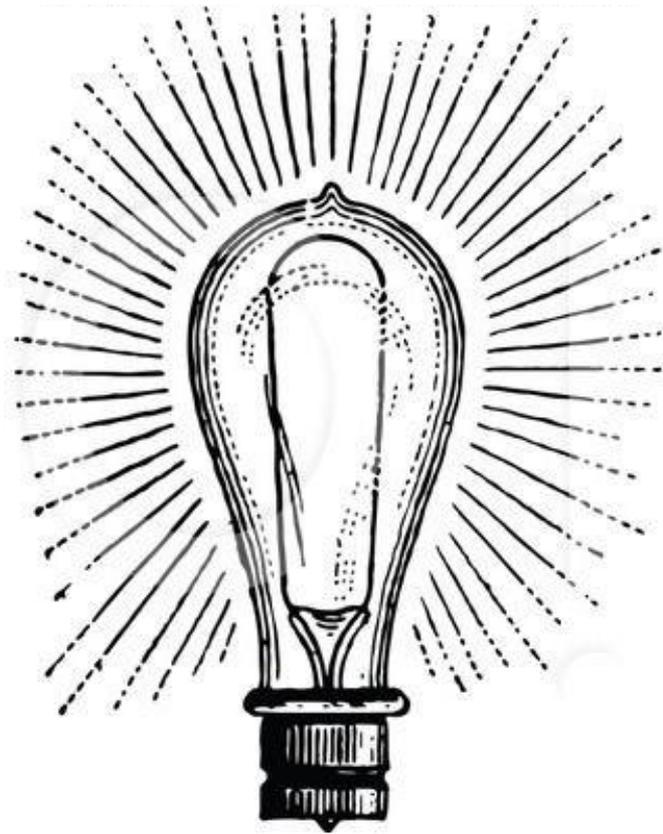


LIES

Myth: Women lie about being raped.

Myth: Women lie about being raped.

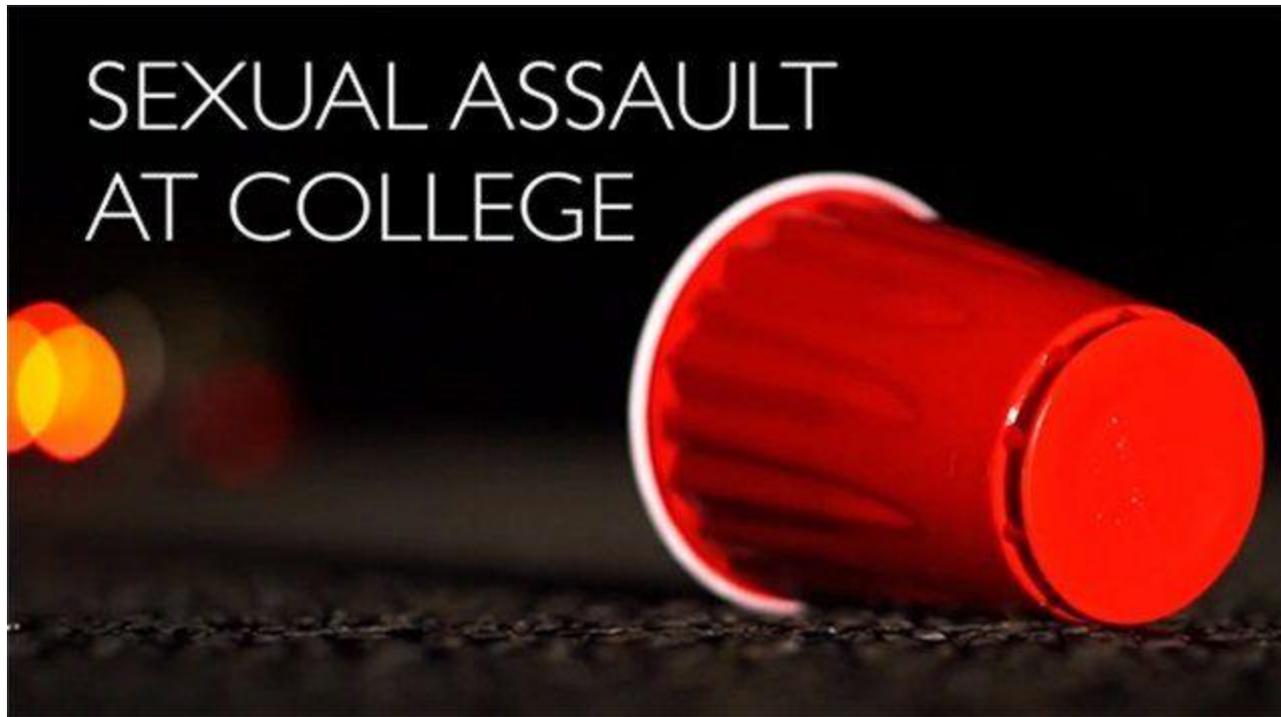
- False rape reports to the police account for between 2 and 8 percent of all reports — about the same as for other crimes.
- Yes, some women lie about rape, just like some people lie about being victims of nearly every other crime.
- But far more women never report at all — 60 percent of sexual assaults are never reported to the police.



Myth: Rape fantasies mean you want to be raped.

Myth: Rape fantasies mean you want to be raped.

- Fantasies can be a healthy way to express and explore our fears.
- If we're watching or imagining a rape fantasy, we can encounter the power of that fear while knowing that we're actually safe.
- The experience of encountering this fear on your own terms exactly when and how and for how long you want to — can, for some people, be a powerful and even healing experience.



Myth: Rape doesn't happen very often on college campuses.

Myth: Rape doesn't happen very often on college campuses.

- One in five college-age women are sexually assaulted. But fewer than 1 in 20 assaults is ever reported to police.



Myth: Campus rapists are always expelled.

Myth: Campus rapists are always expelled.

- Many colleges are secretive about their numbers, but [one survey](#) suggests that only 10 to 25 percent of men found responsible for sexual assault are expelled.
- And that's only looking at men found responsible — many more never face charges or are let off the hook.



Myth: Most rapists go to jail.

Myth: Most rapists go to jail.

- Most rapists never see the inside of a courtroom, let alone a jail cell — only 3 percent of rapists are ever incarcerated.



Myth: Only women are rape victims.

Myth: Only women are rape victims.

- Men are less likely to be victimized than women, but men are raped too: 1 in 33 American men will experience rape or attempted rape in his lifetime.
- Men also experience other forms of sexual assault and sexual violence, sometimes at the hands of other men, sometimes at the hands of women.



Myth: Roofies are the most common date rape drug.

Myth: Roofies are the most common date rape drug.

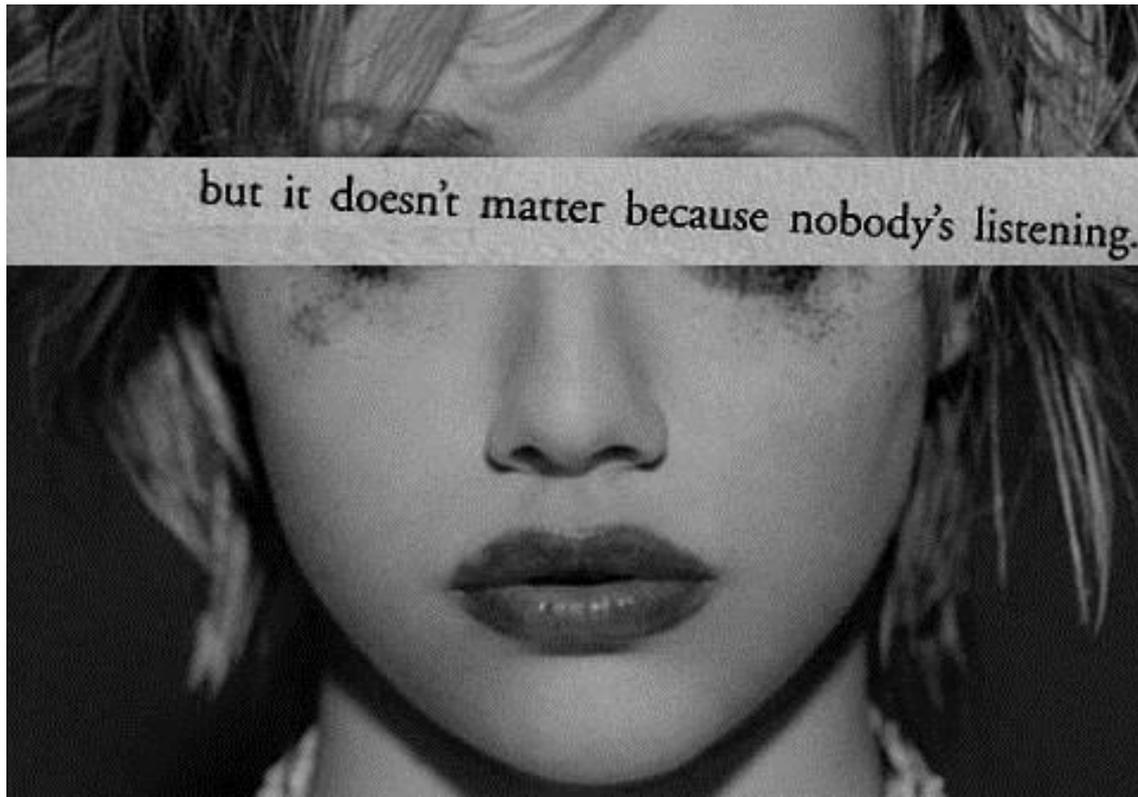
- According to one study, [72 percent](#) of female rape victims on college campuses were intoxicated to the point where they couldn't consent to sex.
- Sexual predators target women they perceive as vulnerable, often underclassmen— 84 percent of women sexually assaulted in college said their assaults happened in their freshman or sophomore years.



Myth: Rape victims act like victims.

Myth: Rape victims act like victims.

- It's common for survivors to feel numb and come across as cold or unemotional, or even to make what feel like inappropriate jokes.
- It's common for a victim to downplay what happened or be confused about it, or to not want to go to the police.
- It's even common for rape survivors to have sex again soon after the event, sometimes with the same person they later say raped them — it can be a way of reasserting control after control over their own bodies was just taken from them.



Myth: If an alleged victim is inconsistent about what happened, she's lying.

Myth: If an alleged victim is inconsistent about what happened, she's lying.

- When someone undergoes a trauma, the part of the brain that normally creates memories is not functioning well. The language center of the brain is also degraded in function during a trauma. So what you'll get are halting responses that can seem confused or uncertain.
- It's extraordinarily unlikely that the victim will be able to provide absolutely consistent statements one after another. That's a major issue in law enforcement and in these judicial cases on college campuses."

Police Report Template

POLICE REPORT

Case No: _____

Date: _____

Reporting Officer: _____

Prepared By: _____

Incident/Issue: _____

Myth: If your friend is raped, you should make her go to the police.

Myth: If your friend is raped, you should make her go to the police.

- Rape victims don't choose to be raped, and therefore they have no obligation to anyone but themselves and their own healing.
- Rape represents a profound and violent loss of control over one's own body and agency. It's for that reason that the best thing you can do for a friend who is a victim of rape is put them in charge.
- The key is to help your friend understand her options and decide what she wants to do. Your friend the survivor is the one who knows what's best for them.

end rape.

stop rapists.

Myth: Women can prevent rape by drinking less, using the buddy system, and avoiding parties.

Myth: Women can prevent rape by drinking less, using the buddy system, and avoiding parties.

- “Risk reduction” basically means evaluating the common things assailants look for and deciding to alter your behavior.
- There is nothing you can do to decrease your risk of assault down to zero.
- There's nothing wrong with risk reduction, but it's not prevention. It's not going to lower the overall rate of sexual assault. It simply alters who gets targeted.
- The best thing you can do is to push your school to have both comprehensive prevention education on campus and thoughtful disciplinary policies to get sexual predators off campus.

Barriers to Reporting Sexual Violence

- Only *two to eight percent* of assault cases are false reports
- The closer the relationship is between the victim and the perpetrator, the less likely the victim is to report

Do students report sexual assault to a college source?

- 90% of students who had a nonconsensual sexual experience did not tell *any* college source

- 86% of those who were raped *did not* tell any college source

Reporting sexual assault at Lane Community College

https://publicdocs.maxient.com/reportingform.php?LaneCC&layout_id=2

The above link is to LCC's reporting form. A report can be submitted by the student or on behalf of the student involved in the assault.

Sexual misconduct reporting process

COMPLAINT

- Students of Concern
- Public Safety
- T9 Coordinator

INVESTIGATION

- Investigate what occurred
- Take prompt and effective action to end the harassment
- Remedy the effects
- Prevent the recurrence

FINDINGS

- Responsible
- Not responsible

APPEALS

FINAL OUTCOME

Questions?
