

CAMPUS SEXUAL ASSAULT LEGISLATION: 2015 GENERAL ASSEMBLY

We have made significant progress in the past thirty years, but justice for victims of sexual assault is still elusive. Statistics also show of the cases reported to police, few are prosecuted and adjudicated and even fewer result in convictions. A consistent, coordinated and trauma-informed response to sexual assault along with a pattern of offender accountability can turn this around.

Based on more than 30 years of work with students, campuses, community advocates and national leaders dedicated to building an effective response to sexual assault, the Action Alliance believes to effectively and meaningfully address sexual assault, on and off campus, will require individual and systemic changes in how we think about sexual violence; how we treat victims and hold offenders accountable; and how we approach prevention on and off campus.

MANDATORY REPORTING: OPPOSE

The Action Alliance opposes mandatory reporting policies that do not allow victims the right to decide whether or not to report. We are also concerned with the idea of treating one group of sexual assault victims significantly different from all other victims. Mandatory reporting policies are included, at least in part, in the following bills:

SB 712 (Sen. Black)

HB 1786 (Del. Massie)

HB 1930 (Del. Rob Bell)--in part

HB 2139 (Del. Toscano)--in part



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MEMORANDA OF UNDERSTANDING (MOUs): SUPPORT

The Action Alliance supports legislation that requires institutions of higher education to have memoranda of understanding with independent sexual assault crisis centers and/or other victims support services in order to provide sexual assault victims with immediate access to a confidential, independent advocate who can provide a trauma-informed response that includes an explanation of options for moving forward. Such policies are included in the following bills:

HB 1508 (Del. Sullivan)

SB 1329 (Sen. Garrett)

HB 1930 (Del. Rob Bell)--in part



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TRAUMA-INFORMED RESPONSE: SUPPORT

The Action Alliance supports legislation that expands protocols and policies for sexual assault response teams to include the campus response to criminal sexual assaults, and requires campus law enforcement training in trauma-informed response, interviewing, and investigation of alleged criminal sexual assaults committed on campus.

HB 1930 (Del. Rob Bell)--in part

SEXUAL MISCONDUCT POLICY REVIEW: SUPPORT

The Action Alliance supports legislation that requires an external review of sexual misconduct policies developed by institutions of higher education.

HB 2102 (Del. Hester)



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NOTIFICATION OF **FELONY** INVESTIGATIONS: **SUPPORT**

The Action Alliance supports legislation that requires campus and local law enforcement to notify the local Commonwealth's Attorney of any felony sexual assault investigations.

HB 1343 (Del. Filler-Corn)
HB 1785 (Del. Massie)
HB 1988 (Del. Morrissey)
HB 2139 (Del. Toscano)--in part
HB 1930 (Del. Rob Bell)--in part

ACADEMIC TRANSCRIPTS: RESERVATIONS

While sexual assault should be taken seriously by all communities, including campus communities, we are not in support of barring students from higher education for life as a result of the outcome of a campus disciplinary process. The Action Alliance has reservations about the following bills that require a notation on the transcript of students who have been suspended or permanently dismissed from the institution for a violation of the institution's code, rules, or set of standards governing the conduct of students.

HB1888 (Del. Jones)
HB 2201 (Del. Toscano)
HB 2139 (Del. Toscano)--in part
SB 1193 (Sen. Norment)



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