

**Senate Judiciary Hearing: Campus Sexual Assault: the Roles and
Responsibilities of Law Enforcement**

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Senator Whitehouse, Senator Graham, and distinguished committee members, thank you for inviting us here today.

Ashland Police Department's You Have Options Program and Southern Oregon University's Campus Choice were created as a response to one of the truths we know about sexual assault: it is a vastly under-reported crime. The barriers that keep survivors from coming forward are many but are often surmountable, if we are able to focus our efforts on offering choice and providing trauma informed care. And when we increase at least initial reporting, the resulting benefits to individual victims and to our community are profound. By utilizing specially trained individuals in the response to reports of sexual assault, survivors are given access to accurate, complete information and options, and communities become safer as we learn to identify the offenders within, most of whom will continue to commit sexual offenses if left unidentified.

The need for programs like these is urgent and undeniable: Some version of the following scenario plays out thousands of times each year on campuses across the country:

An assault happens. There is no clearly identified place for the victim to go for information, and she or he is encouraged by campus administrators to "just move on" or to accept help by engaging in the campus administrative process. The victim is never provided a clear explanation of the law enforcement response possibilities, or if police response is considered the investigation is often hindered by campus actions already taken. If the administrative process moves forward and the accused is found responsible, they may be expelled- often to move on to another school where, because academic records are protected, they are free to offend again. And again....The survivor may drop out of school or continue to struggle through classes feeling unsupported by the administration and as though her case is unresolved. Throughout it all, what is missing is the one thing that could best mitigate the impact of this crime on the survivor and on the campus community - an informed person who can provide options, ensure that the process proceeds at the speed that benefits the survivor, and who can accompany the victim through the administrative and criminal justice processes: a professional that is trained in trauma informed interviewing, the criminal justice system and the Title IX process.

It is important for us to acknowledge that part of improving the campus response to sexual assault is improving the law enforcement response, so that it can be a viable, victim-centered option; close coordination between campus and law enforcement responders is vital. Traditional policing has left much to be desired in regard to its treatment of victims, investigative techniques, and its collaboration

with university and college administrations; because of this victims can be discouraged from coming forward to report crimes; rapists are allowed to continue committing assaults, and the safety of campuses remains tenuous. By creating a system that links the efforts of both campus administration and law enforcement, and that rethinks the way law enforcement approaches these cases, You Have Options and Campus Choice have each more than doubled the reporting rates within their jurisdictions.

Emphasizing a victim centered and offender focused response, the You Have Options program seeks to collect information about offenders in their community by encouraging victims to come forward and report in whatever manner they are most comfortable, including anonymously, in person or through a website. Victims choose the level of reporting they want and dictate the timeframe and scope of their investigation, and are assured of their right to suspend the investigation at any time. Providing these options to victims yields valuable information about offenders in the community that police would not otherwise have, regardless of the ultimate legal outcome.

Campus Choice provides students with the opportunity to seek information and options through Confidential Advising. Through a Confidential Advisor who is exempt from the Title IX reporting process, students can receive information and help without triggering a mandatory investigation. It is imperative that the college administrator serving as the Confidential Advisor have a deep understanding of both the criminal justice system and the Title IX process. Municipal police can also interact with a Confidential Advisor without triggering a mandatory campus investigation. In partnership, law enforcement and campus stake holders meet monthly to review campus sexual assault cases, and the Confidential Advisor attends the county's monthly review of sexual assault response in the community.

Before serving as the Confidential Advisor at Southern Oregon University, I worked in the community alongside law enforcement. I was a part of the development of the You Have Options program and brought to the school my knowledge, understanding, and experience of responding to sexual assault in a system that prioritized offering choices to victims. I am trained in trauma informed interviewing, as a Title IX investigator, and as a mental health clinician. When the police department and the university are working together on a case, I am able to accompany a victim through the entire criminal justice process. I have seen firsthand the improvements to victim care our programs bring.

Before You Have Options and Campus Choice there was very little coordination between Law Enforcement and our University; but now, at SOU, 76% of the cases coming through Confidential Advising that involve a crime have interaction with law enforcement.

There are a number of reasons for this increase: In our model both institutions respect the process of the other. A victim may enter either system and expect to get reliable information about both the criminal justice and administrative processes, and neither law enforcement nor the university will report to the other without the permission of the victim. However, either entity might contact the other to relay information or ask hypothetical questions that could benefit the understanding and choices of a victim. Most importantly, both Campus Choice and You Have Options require that anyone interviewing victims is trained in trauma informed interviewing techniques.

Trauma informed interviewing – the Forensic Experiential Trauma Interview or (FETI) process – was developed to recognize and respond to how trauma affects victims’ ability to access memories of their assault and how it affects their emotions and behavioral presentations. This technique, created by Russell Strand, David Lisak and Rebecca Campbell, greatly increases the accuracy of the information provided and profoundly improves the positive experience of the victim during any investigation; the success we have seen it bring to our own cases leads us to highlight its use as the most important first step any campus or law enforcement agency can take. For those seeking to improve their campus response, this is where I urge you to start.

I truly believe that law enforcement and colleges together can create safer campuses and communities by starting with a few concrete steps: becoming fully educated about each other’s processes, providing Forensic Experiential Trauma Interview training for all interviewers, adopting the victim-centered methods of reporting found in the You Have Options and Campus Choice programs, emphasizing the identification of serial perpetration, and committing fully to an on-going, purposeful collaboration that focuses on the needs of the victim.

I believe this because in Ashland, Oregon and Southern Oregon University, I have seen the change begin: it is possible, and it is powerful...