



**SPECIAL HOUSE COMMISSION TO STUDY THE  
ISSUE OF SEXUAL ASSAULT ON COLLEGE  
CAMPUSES IN THE STATE OF RHODE ISLAND**

**May 2016**

**Report Submitted to the Rhode Island House of  
Representatives**

## Table of Contents

Study Commission Members .....	3
Executive Summary .....	4
Commission Recommendations.....	5
Summary Notes of Commission Meetings .....	7
September 28, 2015 .....	7
October 26, 2015.....	8
November 30, 2015.....	10
December 21, 2015 .....	14
January 25, 2016 .....	18
February 29, 2016 .....	22
March 28, 2016 .....	24
April 25, 2016.....	26
Enabling Legislation .....	<b>Error! Bookmark not defined.</b> 30
General Assembly Press Releases .....	32
Media Coverage.....	40

## **Study Commission Members**

*Rep. Mia Ackerman (Chairwoman) – (District 45)*

*Rep. Christopher Blazejewski – (District 2)*

*Rep. Doreen Costa – (District 31)*

*Colonel Steven O'Donnell – Rhode Island State Police*

*Stacey Veroni – Office of Attorney General*

*Colonel John Desmarais – Cumberland Police Department*

*Dr. Scott Kane – Rhode Island College Interim Vice President Student Affairs and Dean of Students*

*Claire Hall – Trauma-Informed Educator, former Director of Student Conduct at Johnson and Wales University*

*Peg Langhammer – Day One*

*Deborah DeBare – Rhode Island Coalition Against Domestic Violence*

*Jane Johnson – Individual (A survivor of sexual assault)*

*Michael Jagoda – University of Rhode Island Police Department*

*Dr. James Campbell – Title IX Coordinator and Assistant Vice President for Student Development and Compliance*

## **Executive Summary**

The Rhode Island House of Representatives established The Special House Commission to Study the Issue of Sexual Assault on College Campuses in the State of Rhode Island with the unanimous approval of House Bill 6195 Substitute A.

The Commission met a total of eight times and examined the issue of sexual assault on college campuses to determine current preventative measures, response and reporting procedures, and the potential for implementing prevailing practices. Commission members received testimony from a total of nineteen presenters including individuals from the Rhode Island State Police, municipal law enforcement departments, Rhode Island universities and colleges, the Rhode Island Office of the Attorney General, and, notably, victims, victim advocacy groups as well as survivors. During and after these presentations, Commission members deliberated and now issue the following report with legislative and policy recommendations to address sexual assault on college campuses.

## Commission Recommendations

Commission members and presenters made the follow legislative and policy recommendations:

### **Prevention**

- Continue to educate students on sexual assault, and the definition of “consent”. Students should also continue to be educated on their college or university grievance procedures including what to do in the event of a sexual assault.
- Consider prevention/support efforts for non-students and students (DOJ: non-student victimization is 1.2 times that of students) which would include making their communication with sexual assault advocates a protected and privileged interaction.
- Colleges and universities should examine cultures of rape and sexual assault in college sports teams, sororities, fraternities as well as relevant clubs and organizations.
- To reduce incidence of sexual assault, the Centers for Disease Control (CDC) recommends using a public health paradigm to gather data about sexual violence, raise awareness, identify evidence-based interventions, and change behaviors. This could act as a means toward helping society conceptualize interpersonal violence as a preventable public health problem, to ground prevention policies in science, and to evaluate and disseminate effective policies.
- Change the climate: address “lower-level” incidents of gender bias and discrimination in classrooms, academic programs, athletics, and student life

### **Education**

- Expand access to educational opportunities that offer in-depth consideration of relationships and healthy sexuality (i.e. gender studies, psychology, human sexuality, sociology, etc.)
- Expand intervention training programs to emphasize the importance of bystander intervention. Such intervention can also increase the likelihood incidents will be reported when they occur.
- Develop safe and healthy relationships (middle and high school interventions). Create opportunities to learn about healthy sexual conduct, not only misconduct. (Example: The Safe Dates Program, confirmed reduction in dating violence through four year follow-up).

- Ensure that all Resident Assistants (RA's) and other residential life employees are trained on sexual and gender based violence.

### **Coordination**

- Interview/standardize/investigate trauma-informed best practices. Role playing training activities should be utilized to help investigators better understand trauma-informed practices.
- Address the timeframes for prosecuting adult sexual violence cases
- Colleges and universities should consider if there are ways that they can make their campuses safer i.e., increased foot patrol by campus security, additional blue lights on campus, greater access to safe rides, etc.
- Respect and empower complainants by maximizing their choices during campus and criminal proceedings
- State Police should train campus security and municipal law enforcement agencies uniformly so everyone is on the same page in terms of training.

## Summary Notes of Commission Meetings

September 28, 2015

### Meeting Notes

Leo Skenyon, Chief of Staff to Rhode Island Speaker of the House Nicholas Mattiello, called the meeting to order at 4:00. Mr. Skenyon requested nominations for the positions of chair and vice chair of the commission.

Commission members nominated and unanimously approved Representative Mia Ackerman as chairperson. Then they elected Representative Blazejewski as vice-chairperson.

Chairwoman Ackerman proceeded to read the commission's charge and then allowed the other commission members to introduce themselves.

Chairwoman Ackerman asked commission members if they had any questions. There were none. She announced that the next meeting would be held October 26, 2015, and then she entertained a motion to adjourn.

The commission adjourned at approximately 4:35 pm.

October 26, 2015

## Meeting Notes

Chairwoman Ackerman called the meeting to order at 4:05 pm.

Chairwoman Ackerman welcomed the commission members and members of the public. She gave opening remarks and outlined the scope of the meeting, which was to listen to and learn from the experience of two survivors of sexual assault.

The first sexual assault survivor to speak was Jane Johnson. Ms. Johnson was raped in her home at the age of 47. She is a former state employee and worked as a casework supervisor at DCYF. She acknowledges that her fellow commission members would have to “hear the ugly before [they] can understand the journey.” She proceeded to describe her rape, which occurred in her home and was perpetrated by someone she knew. She highlighted the violence and the specific acts of her attack, including being bitten on multiple parts of her body, violated in various ways, and having clumps of hair pulled out.

Ms. Johnson said she sought help. She felt safe with the initial police officer and when she was at the hospital treated by professionals. She said the best decision she ever made following her rape was to enlist an advocate from Day One. She explained that rape comes with a significant and negative impact on the survivor. She described that she felt like a “specimen” while professionals conducted a rape kit analysis and multiple other tests. Ms. Johnson explained that after the rape she learned her journey was just beginning. Eventually, she was diagnosed with Post Traumatic Stress Disorder, Dissociation Disorder, and Depression.

Ms. Johnson believes that so few survivors report their rape because the criminal justice and legal systems could be more survivor-friendly. She remarked that she felt like the criminal throughout her dealings with the legal system. Ms. Johnson’s rapist was sentenced to 50 years in prison with 25 years to serve. He was released after 3 years and 8 months.

The next chapter in Ms. Johnson’s journey was to join a victim’s advocacy group called “One Voice.” The group speaks on the issue of sexual assault at various places such as colleges. She found this support system helpful in the wake of her rape. Ms. Johnson explained that people always raise the question of forgiveness. She believes that forgiveness is a personal choice for the survivor but she has found that forgiveness gives her freedom.

A sexual assault survivor named Erin also testified about her experiences as a survivor following a gang rape on New Years Eve. She remains grateful that she encountered a kind, helpful, and compassionate police officer after her assault. She learned that she had been drugged after submitting to rape a kit analysis and drug testing.

Representative Ackerman asked the survivors what services they found most helpful in the aftermath of their rape. Jane answered that her female therapist was the most helpful person. Erin answered that her life coach, with whom she discussed forgiveness, was the most helpful person for her.

Chairwoman Ackerman proceeded to ask the survivors what they believed college campuses could do to prevent sexual assault. Ms. Johnson responded by sharing recommendations from her group, "One Voice." The group believes that every student should be required to take a 1 credit class (not online) that explains sexual assault and compliance with the school's reporting procedures. She emphasized that most college students do not understand the definition of sexual assault and what constitutes sexual assault. Ms. Johnson also recommended more "Blue Lights" for the campuses, sexual assault training for Resident Assistants (RA's), and more frequent foot patrols by campus security.

Erin responded to Chairwoman Ackerman's question by agreeing that resident assistants need more training, but adding that schools should encourage bystander interventions. Erin also spoke of the need to address the culture of rape among college sports teams and Greek life.

Lastly, Chairwoman Ackerman asked Ms. Johnson and Erin for their advice on how policymakers could better address this issue. Ms. Johnson answered by asking the commission members to consider the information she brought to the meeting (including literature, PowerPoint's, and articles). Ms. Johnson raised the question as to what measures can be taken to remove the barriers to reporting sexual assault on campuses. She stated that survivors fear, among other things, the legal system and retaliation.

Erin responded by saying that victim-shaming and blaming needs to end. Both women agreed that RA's need to be trained on how to handle incidents of sexual assault and need to support the survivor.

At this time, Chairwoman Ackerman asked if any of the commission members had any questions.

Meeting adjourned at approximately 4:55 pm.

November 30, 2015

## Meeting Notes

Chairwoman Ackerman called the meeting to order at 4:05.

Chairwoman Ackerman welcomed the commission members and members of the public. She spoke about the CNN Documentary “The Hunting Ground”, which involved the topic of campus sexual assault. She said it was important to hear from colleges and universities in order to understand policies and protocols regarding sexual assault. At this time, Chairwoman Ackerman invited the first presenter to begin.

### *Presentation by Amanda Walsh, Brown University Title IX Program Officer*

Amanda Walsh is the Brown University Title IX Program Officer. Ms. Walsh explained that Brown is working to address the issue and learning from their own experience working with survivors. Notably, Brown University assembled a sexual assault task force for the 2014-2015 academic year. The commission was a response to several on campus incidents as well as student feedback.

Brown’s sexual assault task force included students (at the graduate, undergraduate, and medical school levels), faculty, and staff. Task force members consistently heard that Brown’s process did not function well and that the university did not provide enough support to survivors. They also heard testimony encouraging the university to shift towards a civil rights model.

Brown currently uses internal and external investigators when an allegation occurs. The investigator drafts a report at the conclusion of the investigation. A series of interviews take place with the survivor, who is afforded the opportunity to bring an advisor (an attorney, an advocate, a peer) of their choice. Since these changes have been implemented, Brown University has seen an increase in survivors coming forward.

This increase may be the result of improved communication between the institution and its students regarding the complaint process. The school had acted upon student feedback calling for increased communication. Brown now includes students when designing and implementing the complaint process. Ms. Walsh then presented commission members with a handout illustrating the complaint process, which was a flow-chart also available to students. Ms. Walsh knows that students use these resources because they bring them in to her office at meetings.

Chairwoman Ackerman asked Ms. Walsh if incoming students are provided with statistics, information, or other resources regarding campus sexual assault. Ms. Walsh answered that incoming students participate in a module called “Agent of Change” before arriving at Brown University. “Agent of Change” is an interactive game that presents users with virtual reality scenarios in order to educate them on prevention and bystander intervention strategies. Brown also includes “Speak about it” in its orientation, which is a program designed to encourage students to learn from and support their peers who have been affected by sexual assault.

*Presentations by: Mary Jo Gonzales, AVP Student Affairs and Dean of Students for URI; Michael Chalek, Lieutenant, URI Police Department; Racine Amos, Coordinator, Violence Prevention and Advocacy at The University of Rhode Island*

Mary Jo Gonzales, AVP Student Affairs and Dean of Students, stated that URI has adopted a comprehensive process to handle situations of sexual assault. She explained that the Sexual Assault/violence Response Team (“SART”) addresses all concerns related to sexual or gender violence at the University of Rhode Island. Sexual and gender violence is defined to cover all State of Rhode Island and Federal definitions of sexual assault, domestic violence, dating violence, stalking, and harassment including cyber misconduct. SART is charged with coordinating the university’s response to these incidents, including case management and interim support for survivors.

SART reviews all reported cases to assess possible patterns of predatory behavior on campus, identify gaps in education and training, and suggest appropriate interventions to decrease future incidents. In order to increase the reporting of sexual violence on campus, SART maintains the privacy of individuals who identify as survivors through an intentional and strategic coordination delivery of support services. These services are provided by on- and off-campus partners. SART also assists in the development of the university’s formal and informal sexual assault response protocol and recommends changes that will encourage a responsive reporting culture.

Racine Amos serves as the coordinator of Violence Prevention and Advocacy Services (“VPAS”) at The University of Rhode Island. She explained that her office provides survivor-focused support services for individuals impacted by interpersonal violence including advocacy, education, and referrals. VPAS assists individuals through:

- Personalized and survivor-focused support including psycho-educational and lethality assessments
- Creation of safety plans and intervention mechanisms for on-going threats to individual health and safety
- Referral and expedited pathways to necessary university resources including Health Services, Counseling Services, interim housing and academic accommodations, and investigative authorities.

Lieutenant Michael Chalek from the URI Police Department explained the role of the URI Police when a sexual assault is reported. As a fully certified law enforcement agency, URI Police officers are vested with the same authority as the Rhode Island State Police and local police departments. URI Police:

- Investigate when requested by a survivor
- Serve as the arresting and prosecuting authority
- Ensure appropriate university notifications are made including securing a VPAS or external advocate when requested
- Recommend actions if there is an on-going threat to health and safety of the campus community
- Refer to the University Student Conduct System if survivor chooses not to pursue criminal charges, and notify that criminal charges may be filed at any time

The University Student Conduct System governs student behaviors including adjudication of sexual and gender violence cases. Processes include:

- Interim Actions
- Off-Campus Jurisdiction
- Rights and Responsibilities for Complainants and Respondents
- Due process
- Conduct Advisors
- Medical Amnesty
- Refer to URI Police if survivor chooses to pursue criminal charges and notify that conduct charges may be filed at any time

Students take part in learning about the protocols and policies during Orientation and URI 101. Additionally, faculty and staff receive targeted, intentional peer-to-peer programming as well as on-going discrimination and harassment training. URI presented the following statistics regarding education and training:

- In Summer 2015, over 1000 family members attending Orientation participated a joint presentation on Community Expectations by the Dean of Students Office, URI Police Department, and Violence Prevention and Advocacy Services.
- In September 2015, 87.5% of Resident Assistants completed a 90-minute Trauma Informed Response on-line training with an average post-test score of 92.9%.
- In Fall 2015, over 500 URI staff members received in-person integrated Title IX, Clery Campus Security Authority Training, Violence Prevention, and Student Conduct Training including residential life staff (hall directors, RAMs, Greek house directors), Athletics (all coaches, administrative staff), Health Services, Talent Development, and academic advisors.

Chairwoman Ackerman asked the panel if resident assistants (“RA”) receive any training. Ms. Gonzales answered that the university educates RA’s in a variety of ways. They all receive Title IX, trauma informed, and violence prevention at the beginning of the year. They also complete an online training course, which details what to do if someone tells you they may have been assaulted.

Chairwoman Ackerman asked Ms. Gonzales if there were any rape kits available on campus at the medical facilities. Ms. Gonzales answered that no rape kit utilization is done on campus and either performed at Rhode Island Hospital or South County Hospital.

*Presentation by Claire Hall, Director of Student Conduct at Johnson & Wales University*

Ms. Hall broke her presentation down into three categories: Prevention and Programming, Response, and Support. JWU has the Green Dot Program, which emphasizes bystander intervention. Additionally, students receive training at orientation in a program called Reality 101 where they work in small groups with a Title IX Officer. Ms. Hall believes that the quality of the programming is more important than the quantity of the programming.

With regards to response, JWU has a coordinated effort. Since campus security staff are employees instead of law enforcement, she believes they can do more than other institutions. When students report a situation to a member of the faculty or staff, they have an obligation as a Responsible Employee under Title IX, a Campus Security Authority under the Clery Act and in adhering to the Violence Against Women Act to report that to safety and security.

Two members of the campus safety and security team are specifically trained in handling trauma as well as sexual assault adjudication and investigation. Those trained officers perform the investigation. They are very cognizant of not re-victimizing the survivor. Then they create an Unusual Incident Report that goes to the Student Conduct Office where it is heard by a panel. The school works to protect the rights of the parties included while maintaining their dignity and respect.

Ultimately, the responsibility of sanctions falls to Ms. Hall, but JWU takes several steps while the investigation is ongoing. The accused is suspended in the interim and the school institutes a no-contact order. If the accused remains on campus, the institution relocates said person from their residence hall if the resident hall in which the accused resides is the same as the survivor. JWU also works with “Day One” to ensure survivors know about on- and off-campus resources.

Ms. Hall asked the commission to consider additional systems to support the survivor once they go to the police and the hospital. She also said health insurance issues arise if the student is on the same plan as their parents because the student may not want their parents to find out about the incident.

Chairwoman Ackerman concluded by thanking the presenters and entertained a motion to adjourn.

The commission adjourned at approximately 5:20 pm.

**December 21, 2015**

## **Meeting Notes**

Chairwoman Ackerman called the meeting to order at 4:05 pm. She explained that she had distributed a copy of a recent Boston Globe article talking about sexual assault at St. George's School in Middletown, Rhode Island. Chairwoman Ackerman said that at today's meeting commission members would hear from three more colleges regarding how they handle complaints of sexual assault.

*Presentation by Dr. Scott Kane, Rhode Island College, V.P. of Student Affairs and Dean of Students*

Dr. Kane began by reviewing policies Rhode Island College has put into place since the Violence Against Women Act Amendments to the Cleary Act.

In terms of prevention programming, Rhode Island College has implemented the following:

- Green Dot Bystander training for:
  - All freshmen at New Student Orientation
  - Resident Assistants during annual training program
  - members of fraternities/sororities at chapter meetings
- On-line Sexual Harassment course for faculty/staff
- 1-in-4 peer education rape prevention training for male students
- Human Resources new employee orientation

In terms of sexual assault awareness training, Rhode Island College has implemented the following programming:

- Student Affairs—Staff in-service training (Day One)
- Campus Police—periodic training of officers
- Women's Center—Silent Witness display, Clothesline project, and Vagina Monologues production to raise awareness of domestic violence
- On-line Library Guide of relevant resources

Dr. Kane explained that "Responsible Employees" are required to notify Title IX Coordinator. The Title IX Coordinator coordinates the college's response to reports of sexual harassment and sexual violence. These responsibilities include assigning investigators, identifying interim protective measures, and ensuring appropriate remedies and sanctions are taken. At this time, the Title IX office launches the investigation and then implements interim protective measures. They take steps to prevent the reoccurrence of behavior (student disciplinary or employee conduct processes). They then notify complainant and respondent of outcome. They also assist with filing criminal charges if desired.

Chairwoman Ackerman asked Dr. Scott Kane if a survivor who is assaulted off-campus still has access to on-campus resources. Dr. Kane answered that because the incident would

have on-campus implications the same resources are made available. In essence, they recognize that off-campus behavior still has on-campus effects.

Vice-Chair Blazejewski asked for clarification on how the school assists with the filing of criminal charges. Dr. Kane responded that the school begins the process by putting the survivor in touch with law enforcement. For example, law enforcement would come to campus to take a statement.

*Presentations by Sheri Norton, Director of Human Resources and Title IX Coordinator at C.C.R.I.; Captain Timothy Poulin, C.C.R.I. Police; and, Michael Cunningham, Dean of Students, C.C.R.I.*

Ms. Norton explained that The Community College of Rhode Island (C.C.R.I.) serves 17,000 students across four campuses and two satellite campuses and they serve 30,000 non-credit students. She explained that since C.C.R.I. is a commuter college they have no residence halls. The school refers all assault complaints to local and state law enforcement. In terms of working toward Title IX Compliance, Ms. Norton explained that C.C.R.I. has designated and trained a Title IX Coordinator, adopted policies and procedures to address sexual assault in compliance with new OCR guidance, created a Title IX website, established a Title IX Task Force, trained conduct board members on Title IX compliance, and established mechanisms to handle complaints within 60 days.

Ms. Norton stated that C.C.R.I. has a “Memorandum of Understanding” (“MOU”) with each local police department. They also have a MOU with Day One to provide resources and assist survivors of sexual assault. They have purchased on-line training for students on sexual assault and joined Association of Title IX Administrators (“ATIXA”) to access Title IX expertise. They have developed an introductory session on harassment, assault, and consent for new students at orientation. Furthermore, C.C.R.I. has hired a part-time educator to assist with passive education programs.

C.C.R.I. is taking further action to ensure Title IX Compliance. They have purchased “Responsible Employee” on-line training, which will launch in early 2016. The Title IX Task Force is developing a Campus Climate Survey.

Mr. Cunningham explained how the school responds to a sexual assault complaint. First, they ensure the survivor gets to a safe place and receives the necessary medical treatment and tests. This allows an opportunity for evidence collection. Then the school explains the options to the survivor. The school strongly encourages a survivor of sexual assault to report the incident in a timely manner. A college representative from College Police or Student Services guides the survivor through the available options and provides victim support. Ultimately, the survivor will be the decision maker.

Captain Timothy Poulin spoke to preparedness measures implemented by the college in order to identify all possible crimes, including sexual violence. They have implemented the following initiatives:

- Blue Lights at two of four campuses. Soon the other two campuses will have Blue Lights.
- Security cameras at two of four campuses. Soon the other two campuses will have security cameras.
- College police practice community policing.
- On-line, anonymous reporting system.
- All College Police have attended the RIMPTA or its equivalent.
- College Police Office has MOUS's with host municipal police agencies.
- College Police work with RSIP and local law enforcement agencies as needed.
- All College Police Officers have received training in Title IX/VAWA complaints.
- All College Police Officers have taken the extended Campus Security Authority (CSA) Course designed for Campus Public Safety Personnel.

Chairwoman Ackerman appreciated C.C.R.I.'s unique position in light of its commuter school status. She asked whether the incoming freshman take part in any type of orientation which includes information about sexual assault. Mr. Cunningham responded that that incoming freshman can take part in an orientation, which includes information about sexual assault, but the orientation is not mandatory.

*Presentation by Dr. Kathleen McMahon, Dean of Students, Roger Williams University*

Dr. McMahon began by explaining the ongoing collaboration among colleges and universities, who are in the process of developing best practices and sharing resources. She then highlighted the recent changes at Roger Williams University ("RWU"):

- RWU Student Handbook language/policy
- Extra sessions on sexual assault during orientation
- Implementation University Disciplinary Hearing - Investigator Model
- Monthly meeting of the Title IX Task Force

Dr. McMahon further explained that Roger Williams has revised several school wide policies. They updated language defining consent and retaliation. They instituted an appeals process for the reporting student. Additionally, the school now provides confidential resources and created the Domestic Violence/Sexual Assault Victim Guide in conjunction with the Sexual Assault Advisor Support Program.

Roger Williams University implemented the following to prevent sexual assault:

- the Green Dot Bystander Intervention,
- a Student Title IX Educator
- Trainings for faculty and staff
- HAWE's consent campaign

- Women's Center
- It's On Us
- Student Title IX Task Force

When speaking about the Fall 2015 Educational measures the school implemented, Dr. McMahon explained that the school implemented online training for all incoming students, student workshops, Student Title IX Educator, residence halls workshops on consent, and student leader workshops.

With regard to reporting, Dr. McMahon explained that survivors typically go to their resident assistant or public safety. The survivor meets with a staff person who discusses available resources. The Check list includes: police, hospital, counseling, health services, Day One, Student Conduct. That professional staff person then calls the Central Staff person. The case is then reviewed by Title IX Coordinator. She explained that the school has Title IX Deputy Officers in various areas including: Human Resources, Continuing Education, Academic Affairs, Student Life, the School of Law, Athletics, and Faculty.

In conclusion, Dr. McMahon spoke about adjudication. She explained that the school has an Investigator model now. This model gives fairness for both parties and also gives an opportunity to the students to respond to each other's statements. The parties can choose an advisor of their choice. There is a University Hearing. The Reporting party and responding party are never together and there are shorter hearings. Both sides have opportunity to appeal. Several remedies are available throughout the process; such as, academic support, residential relocation, and no contact orders.

Chairwoman Ackerman asked Dr. McMahon what she suggests that policymakers can work on to increase the reporting of these incidents by the survivors since that seems to be such an issue. Dr. McMahon responded that even just starting the conversation has helped increase reporting on campuses.

Chairwoman Ackerman thanked everyone for being there and entertained a motion to adjourn.

Meeting Adjourned at 5:15 pm.

January 25, 2016

## Meeting Notes

Chairwoman Ackerman called the meeting to order at 4:00 pm. She asked commission members to begin contemplating policy recommendations to in light of previous presentations. Chairwoman Ackerman explained that today's presenters would be the Colonel of the Rhode Island State Police, the Office of the Attorney General, and representatives from Providence College.

### *Presentation by Colonel Steven O'Donnell, Rhode Island State Police*

Before beginning his presentation, Colonel O'Donnell thanked Rhode Island State Police Sergeant Laurie Ludovici for representing him on this commission. Colonel O'Donnell started by discussing some basic statistics on campus sexual assault. He stated that 1 in 5 women are assaulted during their college years. Due to the assault, they are 4 times more likely to contemplate taking their own lives. This shows just how harmful and impactful this can be to the survivor. Unfortunately, reporting remains an issue. Only 5% of sexual assaults were reported in 2010.

Colonel O'Donnell said that there are barriers to reporting sexual assaults. Oftentimes, survivors are embarrassed or ashamed. Furthermore, some survivors feel that the reporting process is too long or difficult. He explained the Jean Clery Act, which requires colleges and universities that receive federal funding to inform the public about any and all crimes that occur at their school. Colleges and universities issue an annual security report containing the information. Under Title IX, colleges and universities must also provide resources and assistance to survivors. There is a penalty for colleges and universities, which is a fine of up to \$35,000, for each violation and the potential loss of federal funding. Colonel O'Donnell proceeded to highlight the Violence Against Women Act, which created obligations regarding sexual assault.

Since the Rhode Island State Police have statewide jurisdiction, they are uniquely positioned to provide assistance to any college or university. Colonel O'Donnell took a moment to speak about the annual training program at Rhode Island College and University Public Safety Academy. Many college campus security officers are former police officers, and often times they teach at the RICOS Academy so that new police officers will be better able to assist in situations of sexual assault that occur on campuses.

Colonel O'Donnell believes that on-campus sexual assault investigations should be conducted in the same way that the State Police and other investigate crimes on the streets. He continued that sometimes evidence is not recorded or preserved in the same manner when the assault occurs on-campus. Typically, the Rhode Island State Police are not called on by college campuses to be a first responder if a sexual assault happens on campus. Local police departments are usually called first because of original jurisdiction over these crimes. Colonel O'Donnell also spoke to the importance of ensuring survivors have the appropriate support and advocacy, and he continued that survivor's advocates often bridge the communication gap between the survivor and law enforcement.

Colonel O'Donnell detailed recent efforts by the Rhode Island State Police to create awareness at local college campuses. Many times their audience includes student athletes. He recently sat on a panel at Roger Williams University where they showed the documentary "The Hunting Ground." He was moved by the following conversation where he heard that many survivors do not feel empathy from their schools after reporting a sexual assault incident. He found that there is a clear need for education and training surrounding this issue.

Chairwoman Ackerman asked Colonel O'Donnell what more can be done regarding the issue of sexual assault. Colonel O'Donnell responded that training is of the utmost importance. There is an overwhelming need for training regarding sexual assault, whether it is campus sexual assault, human trafficking, or sensitivity training. He explained that this includes police, who must be sensitive to survivors, especially when questioning them about the incident.

*Presentation by Stacey Veroni, Office of the Attorney General*

Ms. Veroni explained that she has worked for the Attorney General's Office for 21 years. She first spoke of the importance of prior education, rather than a survivor finding out about the process as they go through it. It is important that the survivor understands the process before they enter it because it mitigates their expectations. For example, oftentimes, survivors will have expectations for a case but soon become frustrated by the process. Ms. Veroni explained that the process is long for specific reasons.

Ms. Veroni explained that when a case is brought, if it is a first degree sexual assault, two things can happen when the defendant is brought in for arraignment. One is that the defendant is released on bail and the other is that the offender is held without bail. If they are held without bail, in ten business days, the Attorney General's Office is obligated to produce that survivor, if they want the defendant to continue to be held without bail, at a bail hearing. They are required to do this so that the survivor can be cross-examined and answer questions. Sometimes, the survivor feels that that is too soon. They try to work collaboratively with everyone involved. If it is a first degree sexual assault, that case will have to be charged within six months and the survivor will likely have to testify again in front of a grand jury. Then the matter will make it to a calendar in the superior court. At this time, a process of discovery takes place. This process can, at times, seem very intrusive to the survivor. Counseling, text message, and telephone records are subpoenaed. The survivor will oftentimes become frustrated at that point. She said it is more likely between the 1-2 year range before the case makes it to court. The reasoning behind this is that defense attorneys want to exhaust all possibilities for discovery. She said it is important that all the parties involved work collaboratively to give the survivor what they need.

Ms. Veroni noted that if the survivor had the information regarding the process prior to the process beginning, it would be better because the survivor would be informed that it is a uniform process, not just personal to their case. She explained that the Attorney General's Office has victim support, such as people from Day One that, for example, can go to court with them. Ms. Veroni said it would be much better to get to the survivors to inform them of the process and the fact that there is help and resources available to them prior to the process beginning.

Chairwoman Ackerman asked how the Attorney General's Office encourages survivors to report, knowing that the process can be long and intimidating.

Ms. Veroni responded by saying oftentimes the survivor's expectations are not reality. The reality is that the Attorney General's Office does have helpful resources such as someone from Day One, and other support systems for survivors. They also have a liaison that can bring them through the process from their Victim Services team. She explained that the criminal justice system can be difficult to navigate but if the survivor is prepared and informed beforehand of the process and the resources and help available, it will be a different expectation that they will have.

Chairwoman Ackerman asked if any of the commission members had any questions. Jane Johnson said that when she was going through the process, after her sexual assault, the Attorney General's Office was so helpful to her, as was Day One.

At this time Chairwoman Ackerman asked that the final speakers begin.

*Presentations by Dr. James Campbell, Title IX Coordinator and Assistant Vice President for Student Development at Providence College; and Gail Dyer, Associate General Counsel for Providence College*

Ms. Dyer highlighted some of Providence College's Title IX Initiatives and Resources. They include:

- Task Force & recommendations
- Campus conversations, awareness & education efforts
- Bystander Intervention programming
- Policy development & amendments

She explained that Providence College's own task force makes recommendations and works to prevent and address any sexual misconduct at the school. The task force consists of 22 individuals representing Providence College students, faculty, and staff. In March 2012, they issued an extensive list of recommendations that the school is now implementing. Two of the more popular changes are a student acclaimed website and a bystander intervention program with a 96% participation rate.

Ms. Dyer explained that the school has amended some of their policies and distributed a packet with pertinent information and materials. The core Title IX Procedures at Providence College include: investigating complaints, strengthening the Title IX Coordinator/Deputy's role, protecting the rights of complainants, respondents, and witnesses, and adjudicating Code of Conduct charges. She highlighted the fact that the Title IX coordinator is the one constant through the whole procedure that is with the survivor.

Dr. Campbell then explained the various impacts of sexual assault, which include shock, self-blame, and shame. He also said that sexual assault has been linked to severe psychological trauma; increased risk of depression, sexual and medical problems; withdrawal, mood & anxiety

problems; concentration, sleep and memory difficulties; alcohol and drug use (to suppress symptoms); secondary victimization; and, a negative impact on school and work.

Ms. Dyer continued by discussing some recommendations with the commission, but she asked commission members to remember with regards to removing barriers to reporting that survivors typically report to friends, roommates, and even family. Dr. Campbell and Ms. Dyer then issued the following recommendations:

- Interview/investigate via trauma-informed best practices meaning that they should access and it should be standardized and in-depth. Role playing should take place so that investigators can be keen at what they will be doing and it takes practice.
- Respect and empower complainants by maximizing their choices during campus and criminal proceedings
- Address the timeframes for prosecuting adult sexual violence cases
- Consider prevention/support efforts for non-students and students (DOJ: non-student victimization is 1.2 times that of students)
- Expand bystander training interventions
- Change the climate: address “lower-level” incidents of gender bias and discrimination in classrooms, academic programs, athletics, and student life
- Expand access to educational opportunities that offer in-depth consideration of relationships and healthy sexuality (i.e. gender studies, psychology, human sexuality, sociology, etc.)
- Look “upstream” for prevention resources.

The commission also reviewed the Centers for Disease Control (CDC) recommendations for reducing incidences of sexual assault, which include:

- Use a public health paradigm to gather data about sexual violence, raise awareness, identify evidence-based interventions, and change behaviors
- Development of safe and healthy relationships (middle and high school interventions). Create opportunities to learn about healthy sexual conduct, not only misconduct. (Example: The Safe Dates Program, confirmed reduction in dating violence through four year follow-up).

Chairwoman Ackerman thanked the commission members for their time, announced the next meeting will be held on Monday, February 29, 2016 at 4 pm, and entertained a motion to adjourn.

Meeting Adjourned at 5:05 pm.

February 29, 2016

## Meeting Notes

Chairwoman Ackerman called the meeting to order at 4:00 pm. She explained that at this meeting, the commission would be hearing from two municipal law enforcement agencies how they interact with colleges when an incident of sexual assault is reported.

*Presentation by Major David Lapatin, Commanding Officer, Investigative Division,  
Providence Police Department*

Major Lapatin explained that the Providence Police Department frequently handles incidents of sexual assault, but he stressed the importance of schools immediately notifying the department. Oftentimes a survivor feels traumatized at the time of an incident; therefore, it is important that the police are involved from the very beginning.

Major Lapatin also highlighted that the police are highly trained to investigate sexual assault and that a school risks losing critical evidence if the police are not involved from the very beginning. Municipal police departments have specific training to investigate these crimes and crime scenes. The survivor retains the right not to move forward with an investigation if the police are involved and all the evidence will be preserved. More so, if the survivor chooses to move forward with the investigation, the case will be buttressed by the necessary evidence and police expertise.

At this time, Representative Costa asked what the average time is from when an assault occurs to when the Providence Police department responds. Major Lapatin responded that it varies. Sometimes it comes to them right away and sometimes it is hours later. He also explained that Day One has a counselor assigned to the Providence Police Department who will provide any necessary support and assistance to the survivor at the time of reporting.

Peg Langhammer from Day One asked whether the Day One employee is involved in all of the cases. Major Lapatin responded that they are involved in all the cases.

Chairwoman Ackerman asked Major Lapatin how to best improve reporting of on-campus sexual assaults. He began by noting the federal guidelines. At times, these can prevent schools from reporting the incident to the Police Department. He believes that is one area for improvement. He also commented that schools may be fearful to report a sexual assault because it may jeopardize their federal grants.

Ms. Veroni asked whether the Providence Police department conducts an investigation solely based upon an oral complaint. Major Lapatin responded that the department will begin an investigation even if the survivor does not sign the complaint that night.

Ms. Hall raised the hypothetical of a survivor who reports the incident to the school but is unaware that it will be reported to authorities. Major Lapatin responded that if a survivor is going to report it to the college they would have reported it to the police, because, essentially, it is telling somebody. He just hopes that the police are involved from the beginning.

Ms. Johnson asked whether she understood what he said correctly – that college campus safety personnel are not as highly trained as the municipal police department with regards to sexual assault. Major Lapatin responded that campus security forces do not all receive the same level of training.

*Presentation by Captain Joel Ewing-Chow, Captain of Operations, South Kingstown Police Department*

Captain Ewing-Chow explained that the University of Rhode Island is located within the jurisdiction of the South Kingstown Police Department. As a result, they work closely with the University of Rhode Island. Their main concern is maintaining the autonomy of the survivor and empowering them throughout the process. To do so, they utilize resources such as Day One and other victim-advocate services.

Captain Ewing-Chow then introduced their Law Enforcement Domestic Violence/Sex Assault advocate Laudine Koster. She works on every case involving sexual assault and reaches out to each survivor . At times, survivors feel more comfortable talking to her rather than law enforcement. Captain Ewing-Chow said the South Kingstown Police Department undergoes mandatory sexual assault and domestic violence training every three years.

At this time, Chairwoman Ackerman asked if any of the commission members had any questions for Captain Joel Ewing-Chow. Ms. Hall asked Captain Ewing-Chow to talk about the department's training in more detail. Captain Ewing-Chow explained that all sworn officers, on a rotational basis, go through the specific sexual assault and domestic violence training. The training is conducted by outside professionals and other municipal police departments familiar with the issue. They go over cases, what to do and what not to do, as well as any changes to existing law.

Chairwoman Ackerman asked Captain Ewing-Chow for his suggestions on improving current law. He said that educating students beforehand about the process and prevention are very important to reducing incidents of sexual assault and increasing the reporting of sexual assault when it does occur.

Chairwoman Ackerman thanked everyone present, explained that the next commission meeting would be on March 28 at 4 p.m., and entertained a motion to adjourn.

The Commission Meeting Adjourned at 4:30 pm

March 28, 2016

## Meeting Notes

Chairwoman Ackerman called the meeting to order at 4:00 pm. She explained that the commission would be hearing from victim- advocate groups. She felt it was important to dedicate an entire meeting to listen victim- advocate groups since they - like law enforcement, campus security, and other groups - advise, support, and help survivors through their ordeal.

Chairwoman Ackerman also explained that she recently introduced House Bill 7865, which would require institutions of higher learning to adopt a policy which grants amnesty for violations of drug/alcohol policies for those who report incidents of violence, including domestic violence, dating violence, stalking, and sexual assault. She explained that this legislation will hopefully encourage students to report incidents of violence to the institution officials.

### *Presentation by Maureen Philbin, Day One*

Ms. Philbin explained that Day One offers a variety of services, but today's presentation will cover their on-campus services. Day One has over 75 volunteers who respond to incidents of college sexual assault, human trafficking, or hate crimes day or night. Volunteers will go to the college, hospital, and the police department. Through the work of a year-long intern, they have developed a resource guide that details confidential and not confidential, what is available in the community, and what is available at Day One.

Day One also has law enforcement advocates in every community where there is a college. These law enforcement advocates provide survivors with court support along with any other support needed throughout the criminal justice process. Day One also provides extensive training and trauma support, which reflects a holistic approach.

Day One has relationships in every county in Rhode Island. Also, Rhode Island is the only state in the United States that has the *College Collaborative*. This is an innovation-hub program funded by the Centers for Disease Control. In this program, they review best practices, resources, and objectives and goals. Currently, the program is being evaluated and in need of additional funding.

Ms. Philbin proceeded to discuss Day One's Sexual Assault Task Force. She thanked Ms. Hall, who is a trauma-informed educator on the commission. Ms. Philbin explained that many members of the commission are involved with the Task Force, including legislators, law enforcement, universities, and others.

At this time, Chairwoman Ackerman said that the only way that this issue can move forward is through the collaboration of all involved stakeholders. Chairwoman Ackerman then asked when the victim advocate enters the process. Ms. Philbin said it can be at any point in the process and continued that the survivor would call the Day One help line to request an advocate. Day One immediately sends an advocate. If the advocate does not answer the phone, they have staff on call as well as an administrator on call for backup.

Chairwoman Ackerman inquired how an advocate ensures that an apprehensive survivor has their confidentiality protected. Ms. Philbin explained that victim advocates are there for the survivor and not anyone else. While they collaborate with law enforcement and the college, their sole concern is supporting the survivor. They do not keep any records.

Dr. Campbell asked why many survivors choose to stop during the criminal justice process. Ms. Philbin explained that reasons differ among survivors. Many times it is out of frustration or the length of the process. Ms. Johnson explained how Day One helped her in the aftermath of her sexual assault.

*Presentation by Rachel Orsinger, Rhode Island Coalition Against Domestic Violence*

Ms. Orsinger began by highlighting the close relationships between victim advocacy groups, colleges, and law enforcement departments across the state. She said that the Rhode Island Coalition Against Domestic Violence (RICADV) represents six member agencies across the state. These include: The Blackstone Valley Advocacy Center, The Domestic Violence Resource Center of South County, The Sojourner House, The Elizabeth Buffum Chace Center, The Women's Resource Center, and The Women's Center of Rhode Island. Those centers provide services to all survivors of domestic violence which can include sexual assault when it involves an intimate partner. A Centers for Disease Control (CDC) Study found that almost half of all assaulted women were first victimized in their college years. Ms. Orsinger explained that for male survivors it is about 30% who had first been victimized in their college years.

Ms. Orsinger explained that based on an Association of American Universities (AAU) Study, 75% of college students reported being in a relationship while at school and 10% of those them had experienced intimate partner violence while at school. 4.2% of students reported being victims of stalking since enrolling at the college. Ms. Orsinger continued that oftentimes, according to this study, survivors report to a friend or someone else other than an agency first. This same study showed that 28% of stalking survivors reported it to an agency and 15% of intimate partner violence survivors reported it to an agency. Meanwhile, 84% of stalking survivors reported it to someone else (such as a friend) and 64% of intimate partner violence survivors reported it to someone else such as a friend. Essentially, this shows that so few survivors are going to any system. In 2015, the 6 RICADV member agencies did 59 trainings for colleges reaching 1,178 students. The RICADV also implemented a program called "Buttons the Bear" at the University of Rhode Island and a marketing campaign called "Get Off the Bench" to try to make it relevant to that community, in collaboration with the University of Rhode Island, involving athletics.

Chairwoman Ackerman thanked RICADV for their work with schools and athletic departments. At this time, she asked if municipal law enforcement groups could do more to involve victim advocates in the process. Ms. Orsinger replied by saying that they are closely involved at this point.

Chairwoman Ackerman asked what the biggest challenge is for the victim advocate through the complaint process. Ms. Orsinger replied that a lot of it has to do with how supported the survivor feels by their school. Also, when the crime involves an intimate partner it can be

very complicated since it is someone that the survivor has close ties to and whom their friends and family know.

Ms. Hall asked Rachel Orsinger if there is a particular bystander program that she favors based upon her experience. Ms. Orsinger responded that she is not an expert in that field but knows many colleges utilizing those programs. She remarked that there cannot be a “one size fits all” program because each school is different, and, as a result, requires different tactics.

Dr. Campbell asked what percentage of individuals seeking services are men. Ms. Orsinger did not have that percentage by individual college; however, approximately twenty percent of the individuals seeking domestic violence services are men (1,550-2,500 of 8,000-10,000). In response to this comment, Chairwoman Ackerman remarked that it is important to understand that it is not just women who are survivors of these crimes.

At this time Chairwoman Ackerman thanked those present, explained that the next meeting would be held on April 25, 2016, and entertained a motion to adjourn.

The Commission Meeting Adjourned at 4:50 pm

**April 25, 2016**

### **Meeting Notes**

The meeting was called to order at 4:05 pm. Chairwoman Ackerman welcomed all of the commission members. She explained that this would be the final commission hearing. She then explained that through this commission, very knowledgeable voices and stakeholders were brought to the table with regard to sexual assault on college campuses, enlightening the public and this commission to university and state and municipal programs, protocols, and policies as well as information on the victim advocate groups who support and counsel survivors.

Chairwoman Ackerman took a moment to once again commend the survivors of sexual assault who the commission heard from, including Jane Johnson who is a member of the commission for their courage to discuss and recall a very difficult, horrific experience from their past. Chairwoman Ackerman asked each member of the commission to give a brief statement summarizing their experience on the commission including any final comments, suggestions or additional recommendations that may be considered for incorporation into the final report.

**Jane Johnson**

Jane would like to include a recommendation that every college/university freshman and incoming student should be required to take a 1 credit class on the topic of sexual assault. She does not think this course should be an online course. She emphasized that most college students do not understand the definition of sexual assault and what constitutes sexual assault. She noted that she has heard this particular recommendation from the hundreds of college students that she has spoken to at Salve Regina University, The University of Rhode Island, and Rhode Island College. She stated that these students also said it was important for an survivor to come into the classroom and speak to the students.

**Sergeant Laurie Ludovici (designee for Colonel Steven O'Donnell)**

Sergeant Ludovici, on behalf of Colonel O'Donnell suggested that the Rhode Island State Police be named the lead agency to investigate all allegations of sexual assault occurring at state colleges and universities, given that the Rhode Island State Police has jurisdiction over all these colleges. This can also provide continuity in the investigation and a consistent protocol. She noted that there should be continuity in response-protocol.

**Peg Langhammer**

Ms. Langhammer stated that it is important to remember that municipal law enforcement agencies would still like to weigh in on investigations. Ms. Langhammer suggested that a vote be taken if any substantive changes to the report are recommended.

**Claire Hall**

Ms. Hall explained that since this commission focuses on college campuses, it is important to remember that colleges are required to follow Title IX and the Violence Against Women Act (VAWA) which incorporates laws into the Clery Act. Given this fact, a recommendation involving the RI State Police being named the lead agency with regard to campus sexual assault incidents could be inconsistent with Title IX and the Clery Act. She explained that colleges and universities are in a position where if the survivor does not want to report the sexual assault to the police, the college cannot do so.

In terms of standardizing grievance procedures, she said that institutions have to abide by grievance procedures and it would be virtually impossible to have identical grievance procedures since all schools are different in size, needs, etc.

**Dr. Scott Kane**

Dr. Scott Kane said he was impressed by the elaborate support mechanisms the colleges and universities in our state have through hearing their presentations. He mentioned that it is

important to put an emphasis on training and education and perhaps institutionalizing and legislating education and training should happen.

He explained that he does not know if the police should be called right in immediately when an incident of sexual assault occurs. He also mentioned that some of the initiatives mentioned in the report could perhaps be expanded, specifically the recommendations involving expanding the campus blue lights and increasing security foot patrols. Dr. Kane said that perhaps it could be changed to “expanding safety and security measures” since some schools may already sufficiently do foot patrols and they may have sufficient blue lights on campus.

### **Deb DeBare**

Ms. DeBare said that in addition to the recommendations made in this report, the State of Rhode Island needs to invest in prevention. Our society allows sexual violence and dating violence to exist. She said that there is a bill pending this year and Representative and Vice-Chair Blazejewski is a sponsor of that bill.

### **Stacey Veroni**

She acknowledged that all of these systems can do better with regard to the issue of sexual assault on college campuses. She said that it has been enlightening to hear all of the information through the course of this commission’s series of meetings. Ms. Veroni explained that the survivors need to be educated about their options with regard to their decision to report the incident or not to report.

Ms. Veroni explained that coordination is very important, where groups work together instead of from their separate points of view. Ms. Veroni said that starting the conversation about this issue is an important factor in increasing reporting to the criminal justice system. Valuable information needs to be given to students so they are educated and informed on the issue. Reporting, in general, and more specifically, non-delayed reporting (for the purposes of the collection of evidence in a timely manner) is important to emphasize to students and the fact that delaying reporting to the criminal justice system could affect the viability of the investigation.

### **Dr. James Campbell**

Dr. Campbell explained that much of the Title IX infrastructure at Providence College was built before he moved into his current role last summer. He explained that Providence College and the other colleges and universities that have testified here have accomplished a great deal in a relatively short period of time. These institutions have hired administrators, investigators, and educators to try to bring fair resolutions to matters that the criminal justice system finds daunting. The New York Times has recently noted that colleges are spending millions of dollars to accomplish a very difficult task. Sexual assault is a horrible crime and it should be prevented

and offenders should be held accountable. It seems proper for this commission to acknowledge these ongoing efforts.

Dr. Campbell said that no matter how effective colleges are regarding education, prevention, and investigation of sexual assaults, one quarter of the student population changes every year. He said that it is important that schools must do the hard work of education and prevention in high schools and middle schools. This is when attitudes and beliefs around sexuality and relationships are formed.

The Centers for Disease Control has identified promising practices to accomplish this but much more research is needed. Dr. Campbell suggested that a demonstrated way to enhance survivor participation in the criminal justice process is the availability of investigators and prosecutors who are trained in trauma-informed investigations, and who offer survivors as much control as possible over the course of the investigation. The “You Have Options” model is one promising practice to consider implementing in both municipal and college police departments.

Dr. Campbell said that, as it was noted in the draft Commission report; non-students experience sexual assault at a rate higher than college students. While they have not been the focus of this commission, they should be the focus of legislature as the government looks to prevent sexual assaults and respond to the needs of survivors. One modest change that would help both populations would be to make their communications with sexual assault advocates protected and privileged communication.

#### **Vice-Chair Christopher Blazejewski:**

Representative Blazejewski explained that it is important to craft state policy from these recommendations so as to translate these comments, suggestions, and recommendations into legislation.

#### **Chairwoman Mia Ackerman**

Chairwoman Ackerman explained that sexual assault on college campuses is an issue that she is very passionate about. It is very important to discuss and do something about this issue. She explained that the conversation needs to continue. Chairwoman Ackerman said she is glad that this commission met and discussed the topic thoroughly and heard from such knowledgeable groups of people. She said she is happy to say that a bill was produced by the House coming from this commission, H7865, which focuses on increasing the reporting of incidents of sexual assault on college campuses. Chairwoman Ackerman said that her work on the issue of sexual assault on college campuses will continue. She encouraged commission members to stay in touch with her if they have any questions or policy and/or legislative recommendations regarding the issue.

At this time Chairwoman Ackerman thanked the commission members and presenters for all of their hard work since the commission’s inception.

The Commission Meeting Adjourned at 4:53 pm

**Enabling Legislation**

**2015 -- H 6195 SUBSTITUTE A**

===== LC002627/SUB A =====

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2015**

**H O U S E   R E S O L U T I O N**

**CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE ISSUE OF SEXUAL ASSAULT ON COLLEGE CAMPUSES IN THE STATE OF RHODE ISLAND**

**Introduced By: Representatives Ackerman, Keable, Costa, Blazejewski, and Craven**

**Date Introduced: May 13, 2015**

**Referred To: House Judiciary**

RESOLVED, That a special legislative commission be and the same is hereby created consisting of thirteen (13) members: three (3) of whom shall be members of the House of Representatives, not more than two (2) from the same political party, to be appointed by the Speaker of the House; one of whom shall be the Superintendent of the Rhode Island State Police, or designee; one of whom shall be the Rhode Island Attorney General, or designee; one of whom shall be a municipal police officer, to be appointed by the Speaker of the House; one of whom shall be a representative of public higher education, to be appointed by the Speaker of the House; one of whom shall be a representative of private higher education, to be appointed by the Speaker of the House; one of whom shall be a sexual assault treatment provider, to be appointed by the Speaker of the House; one of whom shall be a representative of a sexual assault advocacy group, to be appointed by the Speaker of the House; one of whom shall be a survivor of sexual assault, to be appointed by the Speaker of the House; one of whom shall be a current campus police law enforcement officer at a post-secondary education institution, to be appointed by the Speaker of the House; and one of whom shall be an individual with experience as a Title IX investigator, program officer, or hearing officer pursuant to Title IX of the United States Education Amendments of 1972 (20 U.S.C. §§ 1681-1688), to be appointed by the Speaker of the House.

In lieu of any appointment of a member of the legislature to a permanent advisory commission, a legislative study commission, or any commission created by a General Assembly resolution, the appointing authority may appoint a member of the general public to serve in lieu of a legislator, provided that the majority leader or the minority leader of the political party which is entitled to the appointment consents to the member of the general public.

The purpose of said commission shall be to make a comprehensive study of options, actions, and provide recommendations to eliminate the occurrence of sexual assaults on college campuses in our state.

Forthwith upon passage of this resolution, the members of the commission shall meet at the call of the Speaker of the House and organize and shall select a chairperson from among the legislators.

Vacancies in said commission shall be filled in like manner as the original appointment.

The membership of said commission shall receive no compensation for their services.

All departments and agencies of the state, shall furnish such advice and information, documentary and otherwise, to said commission and its agents as is deemed necessary or desirable by the commission to facilitate the purposes of this resolution.

The Speaker of the House is hereby authorized and directed to provide suitable quarters for said commission; and be it further

RESOLVED, That the commission shall report its findings and recommendations to the House of Representatives no later than May 31, 2016, and said commission shall expire on June 30, 2016.

EXPLANATION BY THE LEGISLATIVE COUNCIL OF  
H O U S E R E S O L U T I O N

CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE ISSUE OF SEXUAL  
ASSAULT ON COLLEGE CAMPUSES IN THE STATE OF RHODE ISLAND

\*\*\*

This resolution would create a thirteen (13) member special legislative study commission whose purpose it would be to make a comprehensive study of options to eliminate the occurrence of sexual assaults on college campuses in our state, and who would report back to the House of Representatives no later than May 31, 2016, and whose life would expire on June 30, 2016.

===== LC002627/SUB A =====

## General Assembly Press Releases

### **Rep. Ackerman introduces resolution creating commission to study sexual assault on college campuses**

May 12, 2015

STATE HOUSE –Rep. Mia Ackerman (D-Dist. 45, Cumberland, Lincoln) has introduced a resolution that would create a commission to study sexual assault on college campuses.

The resolution calls for an 11-member panel that will be tasked with undertaking a comprehensive study of options to eliminate the occurrence of sexual assaults on college campuses in Rhode Island.

“When I first submitted legislation at the beginning of this session, I was hoping to open a discussion about the problem of sexual assault on campuses,” said Representative Ackerman. “Well, I wasn’t disappointed. I heard from every college in the state. I heard the concerns of students, educators and law enforcement officers. Now I believe the best way to address this problem is through this commission. I want to keep the discussion going, because there are too many moving parts to be addressed right now in one piece of legislation.”

According to a report from the National Institute of Justice, Bureau of Justice Statistics, it is estimated that the percentage of completed or attempted rape victimization among women in higher educational institutions may be between 20 and 25 percent over the course of a college career. Of these, it is estimated that only 5 percent of completed or attempted rapes are reported to law enforcement.

“This problem needs to be handled delicately, as we all need to be sensitive to the worries and concerns of the victims who have already endured a severe emotional and physical trauma and have no desire to relive it,” said Representative Ackerman. “We need to do something not only to keep campuses safe and provide a strong response to cases of sexual assault, but to make certain we do it in a way that victims will know they will be treated with the utmost sensitivity. I believe this commission is a good first step toward getting that accomplished.”

The commission would be made up of three members of the House, the superintendent of the State Police or a designee, the attorney general or a designee, a municipal police officer, a representative of public higher education, a representative of private higher education, a sexual assault treatment provider, a representative of a sexual assault advocacy group and a survivor of sexual assault.

For more information, contact:  
Daniel Trafford, Publicist  
State House Room 20  
Providence, RI 02903  
(401)222-2457

**Media Advisory: Commission to study sexual assault on college campuses will hold its first meeting Monday**

September 24, 2015

STATE HOUSE — A special House commission to study the issue of sexual assault on college campuses in Rhode Island will have its first meeting on Monday.

The 13-member panel will be tasked with undertaking a comprehensive study of options to eliminate the occurrence of sexual assault on campuses. The commission meets Monday, Sept. 28, from 4 to 5 p.m. in Room 101 on the first floor of the State House.

Rep. Mia Ackerman (D-Dist. 45, Cumberland, Lincoln) introduced the resolution creating the commission earlier this year in the wake of reports from the National Institute of Justice, which estimated that the percentage of completed or attempted rape victimization among women in higher educational institutions may be between 20 and 25 percent over the course of a college career.

Besides Representative Ackerman, the commission will consist of Rep. Christopher R. Blazejewski (D-Dist. 2, Providence), Rep. Doreen Marie Costa (R-Dist. 31, North Kingstown, Exeter), Rhode Island State Police Superintendent Col. Steven O'Donnell, Attorney General Peter Kilmartin, Cumberland Police Chief Col. John Desmarais, Rhode Island College Interim Vice President of Student Affairs and Dean of Students Scott Kane, Johnson & Wales University Director of Student Contact Claire Hall, Day One Sexual Assault Treatment Provider Peg Langhammer, R.I. Coalition Against Domestic Violence Executive Director Deb Debare, sexual assault survivor Jane Johnson, University of Rhode Island Police Maj. Michael Jagoda and Dr. James Campbell of Providence College.

For more information, contact:  
Daniel Trafford, Publicist  
State House Room 20  
Providence, RI 02903  
(401)222-2457

## **Sexual assault commission has inaugural meeting; Rep. Ackerman elected chairwoman**

September 28, 2015

STATE HOUSE — A special House commission to study the issue of sexual assault on college campuses convened its first meeting today, electing Rep. Mia Ackerman (D-Dist. 45, Cumberland, Lincoln) as its chairwoman.

The commission came about as the result of several meetings Representative Ackerman had earlier this year with educators, victims and law enforcement officials.

“After these meetings, it became clear that this was an issue that needed to be addressed publicly,” said Representative Ackerman. “It also needs to be handled delicately, as we all need to be sensitive to the worries and concerns of the victims who have already endured a severe emotional and physical trauma and have no desire to relive it.”

The first meeting of the commission comes just one week after Brown University released the results of a campus climate survey that showed on out of every four of the university’s female undergraduates reported that they’d experienced some type of unwanted sexual contact.

The results of the survey echo a report from the National Institute of Justice that estimated the percentage of completed or attempted rape victimization among women in higher educational institutions may be between 20 and 25 percent over the course of the college careers.

“Those numbers are alarmingly high,” said Representative Ackerman. “So what do we do about it? Well, that’s what this commission is for. We’ll look at the causes, the frequency and the conditions under which these incidents happen. We’ll decide what can be done about it. But this has to stop.”

Representative Ackerman has identified two goals for the commission. The first is to reduce the number of incidents of sexual assault on college campuses in Rhode Island. The second is to reduce or eliminate the barriers to reporting these incidents. It is estimated that just 13 percent of rape victims report the crime to the campus police or local law enforcement agency.

In response to growing concerns about sexual assault on campus, many states have looked to create stronger policies for how colleges and universities handle the crimes. In the 2015 legislative session, at least 26 states introduced legislation to address sexual assault on and around college campuses.

Nationally, the White House Task Force to Protect Students from Sexual Assault released its first report, which laid out a list of recommendations and steps colleges and universities can take to address sexual assault on their campuses.

Besides Representative Ackerman, the commission will consist of Rep. Christopher R. Blazejewski (D-Dist. 2, Providence), Rep. Doreen Marie Costa (R-Dist. 31, North Kingstown, Exeter), Rhode Island State Police Superintendent Col. Steven O’Donnell, Attorney General

Peter Kilmartin, Cumberland Police Chief Col. John Desmarais, Rhode Island College Interim Vice President of Student Affairs and Dean of Students Scott Kane, Johnson & Wales University Director of Student Contact Claire Hall, Day One Sexual Assault Treatment Provider Peg Langhammer, R.I. Coalition Against Domestic Violence Executive Director Deb Debare, sexual assault survivor Jane Johnson, University of Rhode Island Police Maj. Michael Jagoda and Dr. James Campbell of Providence College.

The commission will report its findings and recommendations to the House of Representatives no later than May 31, 2016.

For more information, contact:

Daniel Trafford, Publicist  
State House Room 20  
Providence, RI 02903  
(401)222-2457

## **Special commission on campus sexual assault to meet**

October 22, 2015

STATE HOUSE — A special House commission to study the issue of sexual assault on college campuses will meet Monday to hear the testimony of victims of sexual assault.

The meeting is scheduled for Monday, October 26, at 4 p.m. in Room 101 on the first floor of the State House.

(News media please note: Due to the nature of the testimony, victims will be testifying anonymously. It is asked that any video or still photography of those giving testimony be only from the back.)

For more information, contact:  
Daniel Trafford, Publicist  
State House Room 20  
Providence, RI 02903  
(401)222-2457

**Media Advisory: Special commission on campus sexual assault to meet**

December 18, 2015

STATE HOUSE — A special House commission to study the issue of sexual assault on college campuses will meet Monday to hear from local colleges on their protocols and programs to address sexual assault.

The meeting is scheduled for Monday, December 21, at 4 p.m. in Room 101 on the first floor of the State House.

Representatives from the Community College of Rhode Island, Rhode Island College and Roger Williams University will give presentations. No public testimony will be taken at this meeting, although it is open to the public and the media.

The meeting will be televised live by Capitol Television, which can be seen on Cox on Channel 15 or in high definition on Channel 1013, and on Channel 34 by Verizon and Full Channel subscribers. They are also live streamed at [www.rilin.state.ri.us/CapTV](http://www.rilin.state.ri.us/CapTV).

For more information, contact:

Larry Berman, Communications Director for the Office of the Speaker  
State House Room 331A  
Providence, RI 02903  
(401) 222-2466

## **House Commission on Sexual Assault hears testimony from State Police superintendent; Ackerman urges members to think about policy changes**

February 8, 2016

STATE HOUSE — After hearing from several experts about the growing problem of campus sexual assault, Rep. Mia Ackerman (D-Dist. 45, Cumberland, Lincoln), chairwoman of the House Commission to Study Sexual Assault on College Campuses, has called upon her colleagues to start thinking about changes in policy and legislation to address the problem.

“Now that we’re hearing so much from everyone involved in this issue — victims, advocates, college administrators, law enforcement officials and the attorney general’s office — we need to start thinking about what legislation we can put together that will address the growing problem of college sexual assault with both efficiency and sensitivity,” said Representative Ackerman.

With an estimated 20 percent of women being sexually assaulted in college, Rhode Island legislators and policymakers have become concerned about both the frequency of assaults and how schools are handling them.

“Many states have looked to create stronger policies for how colleges and universities handle the crimes,” said Representative Ackerman. “According to a study by the National Conference of State Legislatures, one in five women is sexually assaulted while in college, most often during their freshmen or sophomore year. It is estimated that just 13 percent of rape victims report the crime to the campus police or local law enforcement agency.”

At its most recent meeting, the commission heard testimony from Col. Steven O’Donnell, superintendent of the Rhode Island State Police, who explained existing law enforcement strategy, relating it to the current sex abuse investigation that has embroiled St. George’s School, an elite Episcopal prep school in Middletown, which has admitted that students were abused by school employees in the 1970s and 80s.

“We need only look to (St. George’s) to know that it’s a real problem with real victims and it needs real solutions,” Colonel O’Donnell told the commission.

When asked by Representative Ackerman if he had any suggestions for legislators or policymakers, Colonel O’Donnell suggested mandating training.

“We already have training, but I think the training that goes into the colleges and universities should be mandatory for students,” said Colonel O’Donnell. “For freshmen and sophomores in college, it’s a totally different world. They’re being released at college with no more mom and no more dad into another environment where the culture is so much different.” The commission will meet again on Monday, Feb. 29, to hear testimony from municipal law enforcement agencies.

For more information, contact:  
Daniel Trafford, Publicist  
State House Room 20  
Providence, RI 02903  
(401)222-2457

**Media Advisory: House Commission on Sexual Assault to hear testimony from municipal police departments**

February 25, 2016

STATE HOUSE — The House Commission to Study the Issue of Sexual Assault on College Campuses in the State of Rhode Island is scheduled to meet Monday to hear testimony from municipal police departments.

The commission will meet on Monday, Feb. 29, from 4 to 5 p.m. in Room 101 on the first floor of the State House.

Scheduled to give testimony are Maj. David Lapatin, commanding officer of the investigative division of the Providence Police Department, and Capt. Joel Ewing-Chow, captain of operations of the South Kingstown Police Department.

The commission is chaired by Rep. Mia Ackerman (D-Dist. 45, Cumberland, Lincoln).

For more information, contact:  
Daniel Trafford, Publicist  
State House Room 20  
Providence, RI 02903  
(401)222-2457

## Media Coverage

*Brown Daily Herald*: “Proposed bill mandates campus sexual assault reporting; G.A. bill aims to help victims, falsely accused by involving local criminal justice systems”

By Elaina Wang

Thursday, January 22, 2015

A proposed sexual assault bill that would make it mandatory for universities to report sexual assault allegations involving their students or employees to law enforcement was introduced Jan. 7 to the General Assembly by Rep. Mia Ackerman, D-Cumberland and Lincoln.

Sexual assault cases in which the victim is a female student are less likely to be reported to the police than cases in which the victim is female and not a student, according to a decade-long study by the U.S. Department of Justice released in December 2014.

“This is actually an issue of national scale,” Ackerman said of sexual assault on college campuses in a Jan. 8 press release. “We have some great colleges and universities in this state, and we’re not saying they’re not equipped to handle the problem,” she said. “But our local law enforcement agencies are very well trained, equipped with special victims units and best able to handle complaints of sexual assault.”

“A lot of the times universities ... want to save their reputation,” Ackerman told The Herald. Universities “might want to handle it internally so the word doesn’t get out that there was an assault.”

Ackerman said the issue of sexual assault on college campuses is of personal significance to her, since her son is in college and her daughter will soon be in college.

Though the intention behind the bill is good, the bill is too vague about institutions’ responsibilities, said Rep. Brian Newberry, R-North Smithfield and Burrillville, minority leader for the House.

“The question is: What exactly are they supposed to report?” Newberry said. “What if a student at Brown tells their friends about something that happened and one of the friends mentions it to (an administrator) ... Is that a report?”

Universities will end up overreporting unless their responsibilities under state-mandated legislation are made clear, Newberry added.

“You could clearly create a situation with lots of overreporting,” said Dan Egan, president of the Association of Independent Colleges and Universities of Rhode Island.

“Mandatory reporting ... may create an unintended consequence of dissuading people from reporting,” Egan said.

Despite these concerns, Ackerman said she intentionally made the language in the bill broad so she could “get the dialogue going on this epidemic that we have going on in the country.”

Looking ahead, Ackerman said she hopes to discuss the bill with law enforcement officials, universities and victim advocacy groups. She will be sending letters to Rhode Island colleges and universities soliciting their input on the bill in the following weeks.

“Every story has two sides to it,” Ackerman said. “To perfect a bill you really need to open a dialogue.

Several states are considering proposals to refer more campus sexual assault cases to local law enforcement, and there’s one constituency in particular that is against it: sexual assault victims.

The proposals vary in their specifics, but bills drafted in New Jersey, New York, Rhode Island and Virginia all seek to increase the involvement city police have with campus rape reports.

And while lawmakers seem to be siding with student activists who have complained colleges are mishandling sexual assault cases, sexual assault advocates balk at the proposed legislative fixes, which would increase the role of the criminal justice system to get perpetrators off the street, because they say cops are just as bad at handling these cases.

New York Gov. Andrew Cuomo (D) put forward a legislative proposal last week that, in addition to establishing affirmative consent as a statewide policy, would require that colleges make it clear to sexual assault victims they are able to report their rapes to city and state police in addition to their university. However, it wouldn’t require campus reports to be passed on to local law enforcement.

“All too often, when a woman is victimized on a campus, the recourse is campus police and the tendency is to keep it private because it’s embarrassing for the university and all too often, justice is not done,” Cuomo said in his State of the State address Wednesday.

Alphonso David, who is deputy secretary for civil rights under Cuomo and will become the governor’s chief counsel in April, told The Huffington Post the student victims will control the process and have the “right to determine who they want that information to go to.” Cuomo’s proposal, David said, would also require police to be trained on how to respond to college sexual assault reports.

“Part of this process is ensuring police officers are focusing not only on the law in determining whether or not there’s a criminal act, but also apply appropriate sensitivity concepts when they’re dealing with the victims,” David said.

Other state proposals are more aggressive in their attempts to push more college sexual assault cases off campuses.

Virginia State Del. Robert B. Bell (R) introduced legislation that would require faculty members or administrators of public colleges to report any violent felony allegedly committed by a student to law enforcement. Anyone who does not would be subject to a \$500 fine for the first violation and up to \$1,000 for each subsequent violation.

“A rape is a rape, even if it happens in college, and no one should believe he can commit this crime and get away with it just because he is a student,” Bell and his co-sponsors, Dels. C. Todd Gilbert (R) and David B. Albo (R), said in a news release last month. Bell couldn’t be reached for comment. The University of Virginia is already asking Congress to clarify what it is allowed to share in regard to sexual assault reports under federal privacy laws.

Legislation in Rhode Island, proposed by state Rep. Mia Ackerman (D), would require any reports of sexual assault to college security or university police be referred to municipal law enforcement.

“I’m convinced [local police] are better equipped overall to handle these types of crime,” Ackerman said. “They deal with it a lot more than the campus police departments.”

Ackerman told HuffPost the reporting requirements in her proposal wouldn’t apply to university deans or counselors — unlike the Virginia proposal — so a student could still seek help to deal with mental health issues associated with rape without having the information passed to law enforcement. Similarly, Cuomo’s proposal doesn’t require deans, counselors or other school administrators to send rape reports to cops.

“We don’t want the victim to be re-victimized by the whole process,” Ackerman added.

Peg Langhammer, executive director of the Rhode Island sexual abuse non-profit Day One, said they’ll work with Ackerman to revise the legislation to ensure the “victim is in the driver’s seat.”

Indeed, any proposal that mandates campus rape reports to college administrators be sent to cops meets near-universal opposition from sexual assault survivors and advocacy groups.

The New Jersey Coalition Against Sexual Assault likes proposals such as Cuomo’s that would make sure options are laid out to victims, but is strongly against the bill offered in New Jersey that would require colleges to tell law enforcement of sexual assault reports.

“Why, once someone enrolls in one of our colleges or universities, should they lose their right to make decisions about how to proceed after such a violent crime was committed against them?” asked Patricia Teffenhart, executive director of NJCASA. “Why are the rights of college survivors trumped by our desire to hold institutions and offenders accountable?”

But New Jersey Assemblyman John McKeon (D), one of the sponsors of that bill, noted the victims would still have a say in deciding how far the cases go in the criminal justice system. His office noted that they are open to making amendments to the specifics of the legislation, but they’re convinced these cases are better served by the cops.

“It takes out the thought that campuses, for obvious reasons, would be less than encouraging regarding the criminal prosecution of such matters,” McKeon said.

Survivors such as Zoe Ridolfi-Starr, a Columbia University senior with the sexual assault activist group No Red Tape, are not convinced.

“If a survivor comes forward and says, ‘Hey I need help, I want to get this guy out of my classes,’ that’s very different from saying, ‘I want to involve myself in a lengthy arduous legal

process,” said Ridolfi-Starr, who filed a complaint that prompted a federal investigation into how Columbia handles sexual assault cases.

Ridolfi-Starr pointed to testimony from other women in New York who said the NYPD inappropriately responded when they reported sexual assaults, or prosecutors who declined to take their cases. Aside from those cases, Ridolfi-Starr said she isn’t eager to refer more campus rape victims to the same agency responsible for the death of Eric Garner — an unarmed black man who was choked to death by an NYPD officer.

“Until law enforcement agencies improve their policies,” Ridolfi-Starr said, “it’s absolutely inappropriate to increase their authority or role in campus-based adjudication processes.”

*The Providence Journal*: Representative Ackerman now seeking to create commission to study campus sexual assault

By Lynn Arditi

May 12, 2015

PROVIDENCE, R.I. — A state lawmaker, whose bill to require that colleges report sexual assaults to law enforcement sparked opposition from victims’ advocates, is instead calling for the creation of a commission to study campus sexual assaults.

Rep. Mia A. Ackerman, D-Cumberland, has introduced a resolution into the General Assembly to create an 11-member commission to undertake a “comprehensive study of options” to eliminate sexual assaults on college campuses in Rhode Island, according to a statement released Tuesday night.

The commission would replace the mandatory reporting bill (H-5034) that Ackerman introduced in January, said Larry Berman, a House spokesman.

Day One, a nonprofit that advocates for victims of sexual violence, had opposed the mandatory reporting bill saying that it could discourage students who were sexually assaulted from coming forward if they don’t want to press criminal charges.

The commission would be comprised of three House members, the superintendent of the state police or a designee, the attorney general or a designee, a municipal police officer, a representative of public higher education, a representative of private higher education, a sexual assault treatment provider, a representative of a sexual assault advocacy group and a survivor of sexual assault.

larditi@providencejournal.com

(401) 277-7335

On Twitter: @LynnArditi

*The Providence Journal*: “House Committee to consider creating 11-member commission to study campus sexual assaults”

By Lynn Arditi

May 19, 2015

PROVIDENCE, R.I. — The House Judiciary Committee is scheduled to consider a resolution Tuesday to create a commission to study campus sexual assaults.

The resolution, introduced by Rep. Mia A. Ackerman replaces a controversial bill (H-5034) which the Cumberland Democrat introduced in January to require that colleges report sexual assaults to law enforcement. Day One, a nonprofit that advocates for victims of sexual violence, had opposed the mandatory reporting bill, saying it could discourage victims from coming forward.

“This problem needs to be handled delicately, as we all need to be sensitive to the worries and concerns of the victims who have already endured a severe emotional and physical trauma and have no desire to relive it,” Rep. Ackerman said in a statement. “We need to do something not only to keep campuses safe and provide a strong response to cases of sexual assault, but to make certain we do it in a way that victims will know they will be treated with the utmost sensitivity. I believe this commission is a good first step toward getting that accomplished.”

The 11-member commission would be comprised of three House members, the superintendent of the state police or a designee, the attorney general or a designee, a municipal police officer, a representative of public higher education, a representative of private higher education, a sexual assault treatment provider, a representative of a sexual assault advocacy group and a survivor of sexual assault.

One in five women on college campuses have been victims of attempted or actual sexual assaults while they’re in college, according to a 2007 study of more than 5,400 college women commissioned by the National Institute of Justice. But fewer than 5 percent of these attempted or completed sexual assaults are reported to law enforcement.

larditi@providencejournal.com | On Twitter: @LynnArditi

*The Oklahoman*: Lawmaker adopts new strategy to combat campus sexual assault

May 19, 2015

PROVIDENCE, R.I. (AP) — A Rhode Island lawmaker changed her strategy for trying to address sexual assaults on college campuses.

Rep. Mia Ackerman introduced a broadly worded bill earlier this year that would have required colleges to report incidents of sexual assault on campus to local law enforcement agencies. But victim advocates told the Cumberland Democrat that mandatory reporting requirements can deter victims from coming forward.

After discussions with advocates, law enforcement officials and colleges, Ackerman introduced a new bill that would create a study commission to find a better solution to eliminate sexual assault occurrences on Rhode Island college campuses. The House Judiciary Committee held the bill for further study Tuesday.

Ackerman said her first bill was where she wanted to start; it sparked a discussion about campus sexual assault.

"To make it a more perfect bill, you really need to have everyone who's involved come to the table and talk about it," she said.

During bill discussions, Ackerman learned that advocates for victims of sexual assault say many victims aren't ready to go to law enforcement, or don't want to.

"You can't mandate that one category of sexual assault victims has to report to the police when anyone else who is sexually assaulted doesn't have to," said Peg Langhammer, executive director for Providence-based Day One Sexual Assault and Trauma Center, on Tuesday. "It would have a chilling effect."

Day One is hosting a new task force on adult sexual assault to improve how cases are handled in Rhode Island. The members plan to discuss campus sexual assault and hope to work with Ackerman's group, Langhammer said.

Ackerman said Rhode Island could serve as a model for other states.

"Because we're such a small state, we should be able to get this right," she said.

House Judiciary Committee Chairman Cale Keable said he's committed to ensuring Rhode Island is at the forefront of dealing with campus sexual assault, and commended Ackerman for her work.

"We have some of the best schools in the nation, it's important we also have the safest schools in the nation," he said.

At the committee hearing, the state's attorney general's office testified in support of creating a commission. The Association of Independent Colleges and Universities of Rhode Island asked for the commission's membership to be broadened.

Lawmakers in Virginia and New Jersey also introduced bills this session that would require college officials to promptly report all alleged on-campus sexual assaults to local law enforcement agencies. Critics have said these measures would conflict with federal requirements that victims of sexual assaults be allowed to decide for themselves whether law enforcement should be notified.

The Virginia proposal was scaled back before winning approval. In New Jersey, in the face of opposition from colleges and women's advocates, the bill's sponsor introduced another measure to create a study commission.

Ackerman said her initial mandatory-reporting bill will fizzle out. The new commission could start meeting in September, and she would introduce new legislation next year if necessary, Ackerman added.

"I don't want victims to be re-victimized," she said. "I just want to make this stop. I want kids to go to school and learn, enjoy their experience and not have to worry about these types of things. It's an epidemic. It's a national epidemic."

*WPRI*: “Commission on preventing sexual assault on campuses meets Monday

The Associated Press

September 27, 2015, 12:49 pm

PROVIDENCE, R.I. (AP) — A special commission within the state House of Representatives is meeting for the first time to consider how to prevent sexual assaults from occurring on college campuses statewide.

Rep. Mia Ackerman introduced a broadly-worded bill earlier this year that would have required colleges to report incidents of sexual assault on campus to local law enforcement agencies.

Victim advocates told the Cumberland Democrat that mandatory reporting requirements can deter victims from coming forward.

Ackerman then introduced a new bill to create a study commission to find a better solution. It passed in June.

The 13-member commission will meet Monday at the statehouse.

The group is comprised of lawmakers, including Ackerman, members of law enforcement, including Rhode Island State Police Col. Steven O’Donnell and Attorney General Peter Kilmartin, victim advocates and others.

*The Providence Journal*: "R.I. House panel studying sex assault on college campuses holds first meeting"

By Lynn Arditì

September 28, 2015

PROVIDENCE, R.I. – A special House commission to study sexual assault on college campuses will aim to reduce both the incidence of campus sexual assaults and "reduce or eliminate" barriers to reporting the crimes, the commission's chairwoman said Monday.

State Rep. Mia Ackerman, D-Cumberland, who introduced legislation to create the commission, was appointed chairwoman at the group's first meeting Monday.

The 13-member commission – which includes representatives from victims' advocates, colleges and law enforcement -- will report its findings and recommendations to the House of Representatives by May 31, 2016.

The commission is expected to hear from survivors of sexual assault at its next meeting on Oct. 26.

Ackerman introduced legislation to form the study commission after victims advocates opposed a bill she introduced last January to require colleges report sexual assault to law enforcement. Day One, a nonprofit that advocates for victims of sexual violence, opposed the mandatory reporting bill, saying it could discourage victims from coming forward. Ackerman withdrew the mandatory reporting bill.

Besides Ackerman, commissioner members include Rep. Christopher R. Blazewski, D-Providence, the commissioner's vice chairman; Rep. Doreen Marie Costa, D-North Kingstown; State Police Superintendent Col. Steven O'Donnell; Atty. Gen. Peter F. Kilmartin; Cumberland Police Chief Col. John Desmarais; Scott Kane, interim vice president of student affair and dean of students at Rhode Island College; Claire Hall, director of student contact at Johnson & Wales University; Peg Langhammer, executive director, Day One; Deb Debare, executive director R.I. Coalition Against Domestic Violence; Jane Johnson, a sexual assault survivor who co-chairs One Voice, a survivor's advocacy group at Day One; University of Rhode Island Police Major Michael Jagoda and James Campbell, a psychologist and the Title IX coordinator at Providence College.

[larditi@providencejournal.com](mailto:larditi@providencejournal.com) / (401) 277-7335

On Twitter: @LynnArditi

*The Brown Daily Herald*: “Rep. Ackerman elected chairwoman, University not represented on 13-member commission”

By Agnes Chan

Tuesday, September 29, 2015

A special House commission held its first meeting to discuss the issue of sexual assault on college campuses in Rhode Island Sept. 28. The 13-member commission elected Rep. Mia Ackerman, D-Cumberland and Lincoln, as its chairwoman and Rep. Christopher Blazewski, D-Providence, as its vice chairman.

Ackerman stated two main goals for the commission: to reduce the number of incidents of sexual assault on campuses across the state and to reduce or eliminate the barriers to reporting incidents of assault.

Aside from the chairwoman and vice chairman, the commission also includes Rep. Doreen Marie Costa, R-North Kingstown and Exeter; Rhode Island State Police Superintendent Col. Steven O’Donnell; Attorney General Peter Kilmartin; Cumberland Police Chief Col. John Desmarais, Rhode Island College Interim Vice President of Student Affairs and Dean of Students Scott Kane; Johnson and Wales University Director of Student Conduct Claire Hall; Day One Sexual Assault Treatment Provider Peg Langhammer; R.I. Coalition Against Domestic Violence Executive Director Deb DeBare; sexual assault survivor Jane Johnson; University of Rhode Island police officer Maj. Michael Jagoda and Title IX Coordinator at Providence College James Campbell.

The University is not represented on the commission. “The commission has only 13 members. You can’t have everybody. But I definitely want to hear from Brown,” Ackerman told *The Herald*.

The commission will hold its next meeting on Oct. 26. During the meeting, members will hear from various survivors of campus sexual assaults. Ackerman said she hopes University administrators will attend future meetings and present on the issue.

The commission’s first meeting was held just a week after the University released results of one of the largest-ever sexual assault surveys. The report revealed that 25 percent of undergraduate women at Brown indicated having experienced sexual assault, which includes attempted or completed non-consensual penetration or non-consensual sexual touching by force or incapacitation. Approximately 84 percent of those who were sexually touched by force did not report the incident.

“Those numbers are alarmingly high,” Ackerman said in a Sept. 28 press release. “We’ll look at the causes, the frequency and the conditions under which these incidents happen. We’ll decide what can be done about it. But this has to stop.”

In January, Ackerman introduced a bill requiring institutions of higher education to report allegations of sexual assault to law enforcement. But victims of sexual assault raised concerns

that such a law would instead deter victims from reporting their experiences to their universities, the Associated Press reported Sunday.

“The initial thought behind this was that assault was a crime and should be handled by those with plenty of experiences ... but what I didn’t realize is how truly complex the issue is,” Ackerman said.

A long process of research and discussion followed the introduction of the bill in January, Ackerman said. This included not only meeting with stakeholders from law enforcement and victim advocate groups, but also hosting a round-table discussion with higher education institutions.

“It’s been a long road that’s brought me here today,” Ackerman said. “I could have just taken the easy way, put the bill in and let the chips fall where they may, but that wouldn’t have served anybody.”

*The Providence Journal*: “At R.I. House commission hearing, victims of sexual assault share their stories”

By Lynn Arditi

October 26, 2015 11:15PM

PROVIDENCE, R.I. — One woman recalled arriving at the hospital with her body covered in bruises and bite marks. The other woman described the physical aftermath of being abducted and raped as feeling like she’d been a “human punching bag.”

Yet, despite the physical evidence and their own testimony that they’d been sexually assaulted, they said they were often treated with disbelief — or worse.

The women — Jane E. Johnson and Erin C. Cheschi — spoke Monday before a special House commission studying sexual assault on college campuses. Neither of the women (who agreed to have their names published) were college students at the time of the incidents. Rep. Mia Ackerman, the commission’s chairwoman, said the commission invited the women to speak about reporting and prosecuting their sexual assault cases so commission members could use their experiences to inform state policies and protocols.

“Rape victims are victimized by the court process,” Johnson, who serves on the commission, told the other members. “I completely understand why women don’t report sex crimes.”

Johnson, 60, said she was raped in her home almost 13 years ago by a man whom she knew. She called 911. At the hospital, she was asked if she wanted an advocate from Day One, and she said yes. “That’s the best decision I made in my life,” she said.

The doctor questioned her about what had happened. The police questioned her. They snapped photographs of her various injuries. “I felt like a specimen,” she said.

But “the burden of proof was always on me,” Johnson said. “The integrity of my character [was] always questioned.”

Cheschi, 37, said she was out with friends on New Year’s Eve in 2005 in another state when she was abducted, drugged and gang raped. The police officer who found her was “kind and listened” and called an ambulance. But then two other officers, she said, with a very different attitude showed up.

“The two officers looked at me with disdain and disgust,” she recalled, “telling me that I was drunk and hysterical. ‘You weren’t raped. You have no idea what you’re talking about.’”

Both women pressed charges. And both described a long, tedious legal process and the ensuing emotional rollercoaster. Johnson’s alleged assailant was convicted and served time in prison, but his conviction was overturned on appeal.

Both women pressed charges. And both described a long, tedious legal process and the ensuing emotional rollercoaster. Johnson’s alleged assailant was convicted and served time in prison, but

his conviction was overturned on appeal. In 2010, however, after a second trial, he was found guilty and pleaded no contest. He was sentenced to 30 years probation with 3½ years in prison already served, and ordered to register as a sex-offender.

Cheschi said one of the men charged with raping her fled to Florida, and when police finally tracked him down a year later and surrounded his apartment, he committed suicide. Cheschi, who is now a career adviser for a health-care work-force development program, Stepping Up, said her case is not over yet.

“Because of the statute of limitations,” she said, “I cannot know this man's name. I cannot see his picture until the statute of limitations in this case runs out ... in case they find the other two men.”

After the hearing, Johnson said that “colleges and universities have swept [sexual assault] under the rug for a long time,” and that has to stop. She said she would support mandatory reporting of campus sexual assaults to police because “offenders need to be held accountable.” But she also said that “victims need to be supported” and “sometimes victims don’t want to go through the process” of reporting, so “it should be up to the victim.”

Looking back at her own experience, she said, “if I was 21 years old, I don’t know if I would have pressed charges.”

To improve reporting of sexual assaults, Johnson delivered a series of recommendations to the commission, including addressing the “rape prone culture” and attitudes of sports teams and fraternities and changes and mandatory one-credit courses on all college campuses held in the classroom (as opposed to online) based on the bystander training approach, as well as intensive training for all resident assistants on becoming active bystanders.

“The attitudes demonstrated by college personnel,” Johnson wrote, “directly affects the acceptance ‘culture’ of [sexual assault] on campus.”

[larditi@providencejournal.com](mailto:larditi@providencejournal.com)

(401) 277-7335

On Twitter: @LynnArditi

*The Brown Daily Herald: “Survivors testify at sexual assault hearing”*

By Kate Talerico

Tuesday, October 27, 2015

Two female sexual assault survivors testified Monday at a meeting of the General Assembly’s Special Commission on Campus Sexual Assault, a 13-member body tasked with gathering information to inform Rhode Island policymakers, said Rep. Mia Ackerman, D-Cumberland and Lincoln, chair of the commission.

The creation of the commission was spurred by Ackerman’s introduction of a bill that would require institutions of higher education in the state to report incidents of sexual assault to law enforcement. While the commission does not include a representative from the University, representatives come to the commission from Johnson and Wales University, Rhode Island College, University of Rhode Island and Providence College.

Jane, whose last name has been removed to maintain confidentiality, testified before the commission about how she was in her own home when she was brutally raped and assaulted. Jane said after her assaulter left and she realized the extent of her injuries, she called the police and was transported to the Women and Infants Hospital of Rhode Island. There, physicians asked her what happened and measured the bites on her back while photographers took pictures of injuries on her arms, legs and vaginal area, she said.

Jane said she was asked if she wanted to call a friend or a family member but she declined. She said she felt ashamed and embarrassed about what had happened.

“At that moment I decided to keep my rape a secret,” Jane said.

Though Jane was assaulted at age 47 and was not a college student, the commission asked her to testify about the Rhode Island court system to determine whether the state should require students to utilize Rhode Island’s legal system through the proposed legislation, Ackerman said.

Jane sat through three trials concerning her assault — one after a mistrial of the original case and a second after an appeal from her assaulter.

“The burden of proof was always on me,” Jane said. “My character and my integrity as a woman were always questioned.”

Throughout her trials, Jane was supported by an advocate from Day One — a Rhode Island agency that aims to reduce sexual violence and support those affected by it.

Despite her experience in the legal system, Jane said she feels that universities must be required to report cases of sexual assault to the state. New Jersey and Virginia are among other states considering similar legislation.

“What I’ve heard from students is that colleges tend to sweep sexual assault under the rug,” said Jane, who now speaks to college students about her experience through One Voice, a survivor advocacy group that uses public speaking to address sexual violence. “We need to hold colleges accountable,” Jane added.

Erin — whose last name has been omitted to maintain confidentiality — is also a member of One Voice and testified Monday.

Erin was 24 years old when she was violently gang-raped on New Year’s Eve in 2005.

She approached a police officer who listened and called an ambulance for her. Several other police officers soon arrived on the scene and asked her to describe the incident.

“In my head, I thought I was clear,” she said. “The officers treated me as if I were the criminal and threw me in the back of the police car.”

When a detective asked her to recount the event, Erin found that two hours of her memory had been lost. Rape kit results later revealed that she had been drugged.

Three years following her rape, detectives found a possible match for one of her assailants. He had since fled from Rhode Island to Florida. Years later, he held up an apartment. Not wanting to give himself up to police, he killed himself. Before that, he drowned his electronics in water to destroy them and their contents, meaning that Erin and her advocate from Day One would not be able to trace the contacts of her assailant and link him with any of her other possible assailants.

Compelled to move forward from her assault and make sure the same would not happen to others, Erin worked toward a master’s of public health at Roger Williams University, where she studied methods of bystander prevention.

She and Jane recently spoke at Rhode Island College, where they gathered feedback from students about the culture of sexual assault on college campuses.

In their discussions with students, several male students did not know what consent was, Erin said. Other students voiced concern that sports teams and fraternities fostered a culture of rape, she added.

Students recommended a one-credit course taught during their first semester about the definition of consent and methods of bystander intervention, Erin said, noting that students specifically requested the material not be taught through an online course — a method that Brown piloted for the first time this year.

Students also suggested that sexual assault counseling come specifically from their residential advisors.

While California and New York have passed affirmative consent laws, which require active and freely given verbal consent during all sexual acts, Ackerman said she would not institute a similar bill in Rhode Island.

“I cannot see how, in the throws of passion ... anybody would be saying ‘Yes we can do this,’ ‘Yes we can do that,’” Ackerman said. “It’s not practical, and it’s not provable.”

*The Providence Journal*: “Brown says it is improving sexual assault reporting, hearing processes”

By Lynn Arditi

November 30, 2015 11:15PM

PROVIDENCE, R.I. — Brown University students have been reporting more cases of campus sexual assaults since the college adopted a new policy this fall for handling sexual and gender-based violence, the university’s Title IX program officer said at a State House hearing Monday.

Amanda Walsh, the Title IX program officer at Brown, told a special House commission studying campus sexual assault that the university’s efforts to remove barriers to reporting and streamlining the hearing process has enabled more students to come forward. Brown also has begun using its own private investigators — currently a former sex crimes prosecutor from Massachusetts — to investigate sexual assault reports, she said.

“We’ve seen a huge increase in both the number of students who have come forward to talk to the Title IX office and who are willing to participate in our process,” Walsh said. “Many who have been assaulted in years past, they’re coming in now because of the new process. ... We’ve seen a spike in students who want to report to either the Department of Public Safety or Providence Police.”

Walsh, along with representatives from the University of Rhode Island and Johnson & Wales University, appeared before the 13-member commission and provided an overview of how their institutions handle reports of sexual assaults.

Mary Jo Gonzales, dean of students and assistant vice president of student affairs at URI, said that every Monday morning members of the Sexual Assault/violence Response Team (SART) meet to review new cases and get updates on old ones.

In the past, students would report sexual assaults to officials in Student Life or other departments but not to campus police, said URI Police Lt. Michael Chalek. Students often didn’t realize, he said, that URI police were sworn police officers with arrest powers who are trained to handle sexual assault investigations.

“When I have a victim who does come to the police department,” he said, “I make it clear to them you don’t have to make that decision now” about whether to press charges. There is no statute of limitations on first-degree sexual assault.

Racine Amos, coordinator of violence prevention and advocacy services at URI, said two staffers are always present when a student reports a case so that he or she doesn’t have to repeat the story twice.

“We struggle, as a lot of colleges struggle, to find what is the most effective programming,” said Claire Hall, director of student conduct at JWU. “And I don’t think we know what that is.” Hall asked the commission if it could undertake a study about what programming is most effective.

Hall also said she is concerned that lawyers hired to represent students in sexual assault cases are not always experienced in handling trauma victims. And they tend to treat the cases as criminal ones while the colleges are conducting administrative hearings based on a “preponderance of evidence,” which is a lower standard than that used in criminal cases.

Federal law requires that students be allowed to have an adviser of their choice at their student conduct hearing, and in some cases they chose a lawyer — which not all students can afford. “That can be problematic,” Hall said, because “not everybody has equal representation.”

The commission’s chairwoman, state Rep. Mia Ackerman, D-Cumberland, said Monday that the commission plans to come up with recommendations this spring for legislation to introduce in the General Assembly.

The commission is expected to report its findings and recommendations to the House of Representatives by May 31, 2015.

— larditi@providencejournal.com

(401) 277-7335

On Twitter: @LynnArditi

*GoLocal Prov*: “The Time Has Come To Talk About Campus Sexual Assault Publicly”

Guest MINDSETTER™ Mia Ackerman

Saturday, February 21, 2015

A 2007 campus sexual assault study by the U.S. Department of Justice found that around one in five women are targets of attempted or completed sexual assault while they are college students.

That makes them four times more likely to become victims than any other age group.

### **It’s frightening.**

Last April, the Department of Justice released a list of 55 colleges under investigation for the way they handled sexual assault complaints. Whether they be state colleges, elite Ivy League schools or two-year junior colleges, less than 5 percent of campus sexual assault is reported to college or law enforcement authorities.

Now some institutions of higher learning do an admirable job of dealing with the problem. They’re equipped with the necessary tools to handle a complex, emotional, difficult situation. Some colleges have sexual assault response teams. Other have partnerships with nearby clinics to ensure proper health care for their students in the wake of an assault.

Other colleges leave a lot to be desired.

But it’s clear that it’s a problem that needs to be addressed publicly — and it needs to be handled delicately, as we all need to be sensitive to the worries and concerns of the victims who have already endured a severe emotional and physical trauma and have no desire to relive it.

### **A Culture Of Rape**

Since so many of the cases go unreported, it’s created a culture of rape in many colleges and universities, where perpetrators believe there will be no consequences. All they have to do is hunt for their next victim.

In response to complaints about the way some institutions handle sexual assault cases, about half a dozen states last year debated legislation addressing the problem of campus assaults.

It’s a difficult question. On the one hand, we don’t want to be so heavy-handed as to compel colleges to hand over every case to law enforcement, with no regard to the wants and desires of the victim. On the other hand, we also don’t want perpetrators of sexual assault to think there will be no repercussions.

### **Other States**

Different states have chosen different routes when it comes to campus sexual assault.

In Connecticut — the first state to enact such legislation last year — colleges are required to work with a community-based organization to create a sexual assault response team to provide confidential counseling or services. They also have to provide students with sexual assault

prevention information, report annually to the legislature the number of sexual assaults on campus, and allow students to report incidents anonymously.

In California, colleges have to adopt a policy of “affirmative consent,” meaning that silence does not necessarily mean consent. Also called the “Yes Means Yes” law, it defines consent as “an affirmative, conscious and voluntary agreement to engage in sexual activity” and reverses the traditional, unwritten rule that unless one party says “No,” the other party can assume he or she consents. While this policy, which has also been adopted in New York and New Jersey may sound like a good idea on paper, after speaking with victim advocate groups, the consensus is that it just doesn’t work. Nowhere in the real world will two people make a conscious effort to say “Yes” every step of the way when they are being intimate.

College students are adults — but just barely. Many of them are experiencing freedom for the first time. Unfortunately, for many, it’s freedom without responsibility. Add alcohol to the mix and it becomes a potentially dangerous situation.

### **Time For Legislative Involvement**

And that’s why it’s time for the legislature to get involved, if for no other reason than to get everybody — lawmakers, colleges, students, parents and the media — to start talking about this problem instead of sweeping it under the carpet.

We need to do something not only to keep campuses safe and provide a strong response to cases of sexual assault, but to make certain we do it in a way that victims will know they will be treated with the utmost sensitivity.

We owe it to all our students.

Mia Ackerman is a Democrat representing District 45, Cumberland and Lincoln, in the Rhode Island House of Representative

*The Providence Journal*: “Campus sexual assault: R.I. House panel hears from police on issue”

By Lynn Arditi

February 29, 2016

Providence major, South Kingstown captain testify about how their departments handle reports of assault

PROVIDENCE, R.I. — Police in two Rhode Island communities offered different perspectives about investigating sexual assaults at colleges during testimony Monday before a special House commission studying the issue.

Providence Police Maj. David A. Lapatin said that police “need to be notified as soon as a complaint is brought to a college or university” so that detectives can collect evidence before it’s contaminated or destroyed — regardless of whether the victim decides to pursue a criminal complaint.

“Some decisions she’ll want to make at the time, some she’ll want to reverse later on,” Lapatin, commanding officer of the department’s investigative division, testified. “For her to have that option — and for us to be 100 percent behind her — we need to be at that scene.”

Providence police treat every sexual assault report as a possible crime, he said, even if the victim hasn’t signed a complaint.

“If a victim doesn’t want to file a complaint,” Lapatin said, “nothing is lost except our time, which we’re glad to offer.”

South Kingstown Police Capt. Joel Ewing-Chow testified that his department will respond to any sexual assault complaint brought by a student, whether it’s off- or on-campus. But his officers would not pursue an investigation, he said, if the victim doesn’t want to file a criminal complaint.

“Our number one goal when dealing with victims is keeping the victims in the driver’s seat,” Ewing-Chow said. “If they don’t want us to continue an investigation for any reasons they have, we will suspend the investigation until they say they want to go forward with that case...”

Rep. Mia Ackerman, D-Cumberland, chairwoman of the commission, asked what could be done to encourage reporting of sexual assaults at colleges.

Lapatin, of Providence, said that one of the barriers police face is that they may not be able to investigate some sexual assaults at colleges because the federal Clery Act restricts colleges from reporting them to police unless the alleged victim agrees to do so.

After the hearing, a *Journal* reporter asked Ackerman why she hadn’t questioned Ewing-Chow about his department’s handling of a case last September in which two football players at the

University of Rhode Island were accused of sexually assaulting a female student at an off-campus party. South Kingstown police never interviewed the accused players.

“Apparently, the victim did not want to go forward” with a criminal complaint, Ackerman said. “I’m going to assume it’s because of the reason [Ewing-Chow] said: the victim is in the driver’s seat.”

URI has suspended the players.

The 13-member commission — which includes representatives from victims’ advocates, colleges and law enforcement — will report its findings and recommendations to the House of Representatives by May 31. The commission's next public hearing is March 28.

[larditi@providencejournal.com](mailto:larditi@providencejournal.com)

(401) 277-7335

On Twitter: @LynnArditi

*The Providence Journal*: “Victim advocates testify before R.I. House commission Monday”

By Lynn Arditi

March 28, 2016

PROVIDENCE — Privacy concerns often prevent college students who are sexually assaulted from reporting the incidents, representatives of two nonprofits testified Monday before the final hearing of a special House commission studying campus sexual assaults.

“A lot of students are very afraid to get treatment or get services, because they don’t want their family’s insurance to be [billed],” Maureen Philbin, director of advocacy for Day One, which helps victims of sexual violence, told the commission.

Rep. Mia A. Ackerman, commission chairwoman, asked how Day One ensures that the victim’s confidentiality will be protected.

Day One advocates “do not keep records,” Philbin said. “We are not there for the police. We are not there for the university. We are there for the victim. So what happens with the victim there at that time is confidential.”

(Day One does, however, keep records of clinical clients as required by insurance, a spokesman said later.)

James Campbell, assistant vice president for student development and compliance at Providence College, asked why a lot of victims begin the reporting process but then don’t follow through.

“A lot of times they feel that the table has been turned on them,” Philbin said, “and their private life is being investigated.”

Day One offers law enforcement advocates in five areas in the state with college campuses — Providence, Northern Rhode Island, South County, Warwick, West Warwick and Bristol — and expects to soon have a sixth advocate in Newport.

“We stay with victims through the whole process,” Philbin said.

Some victims initially may not tell anyone except a friend, a dormitory resident assistant or trusted professor. “One of the strategies is to get out there and build a campus climate so when they tell a friend or R.A. they can interact in ways helpful and advise them where to get services,” said Rachel Orsinger, director of policy and advocacy for the Rhode Island Coalition Against Domestic Violence.

“Sometimes they call us a year later,” Philbin said, “and we’re there for them.”

Rhode Island is the only state in the country, Philbin said, which has launched a “college collaborative” funded by the U.S. Centers for Disease Control. The collaborative is working to develop a report that includes best practices and frequently asked questions.

The 13-member commission, which includes representatives from victims' advocates, colleges and law enforcement, will report its findings and recommendations to the House of Representatives by May 31, 2016.

*The Huffington Post: "States Want More Campus Rape Reports Sent To Police, But Survivors Feel Differently"*

By Tyler Kingkade

January 25, 2016

Several states are considering proposals to refer more campus sexual assault cases to local law enforcement, and there's one constituency in particular that is against it: sexual assault victims.

The proposals vary in their specifics, but bills drafted in New Jersey, New York, Rhode Island and Virginia all seek to increase the involvement city police have with campus rape reports.

And while lawmakers seem to be siding with student activists who have complained colleges are mishandling sexual assault cases, sexual assault advocates balk at the proposed legislative fixes, which would increase the role of the criminal justice system to get perpetrators off the street, because they say cops are just as bad at handling these cases.

New York Gov. Andrew Cuomo (D) put forward a legislative proposal last week that, in addition to establishing affirmative consent as a statewide policy, would require that colleges make it clear to sexual assault victims they are able to report their rapes to city and state police in addition to their university. However, it wouldn't require campus reports to be passed on to local law enforcement.

"All too often, when a woman is victimized on a campus, the recourse is campus police and the tendency is to keep it private because it's embarrassing for the university and all too often, justice is not done," Cuomo said in his State of the State address Wednesday.

Alphonso David, who is deputy secretary for civil rights under Cuomo and will become the governor's chief counsel in April, told The Huffington Post the student victims will control the process and have the "right to determine who they want that information to go to." Cuomo's proposal, David said, would also require police to be trained on how to respond to college sexual assault reports.

"Part of this process is ensuring police officers are focusing not only on the law in determining whether or not there's a criminal act, but also apply appropriate sensitivity concepts when they're dealing with the victims," David said.

Other state proposals are more aggressive in their attempts to push more college sexual assault cases off campuses.

Virginia state Del. Robert B. Bell (R) introduced legislation that would require faculty members or administrators of public colleges to report any violent felony allegedly committed by a student to law enforcement. Anyone who does not would be subject to a \$500 fine for the first violation and up to \$1,000 for each subsequent violation.

“A rape is a rape, even if it happens in college, and no one should believe he can commit this crime and get away with it just because he is a student,” Bell and his co-sponsors, Dels. C. Todd Gilbert (R) and David B. Albo (R), said in a news release last month. Bell couldn’t be reached for comment. The University of Virginia is already asking Congress to clarify what it is allowed to share in regard to sexual assault reports under federal privacy laws.

Legislation in Rhode Island, proposed by state Rep. Mia Ackerman (D), would require any reports of sexual assault to college security or university police be referred to municipal law enforcement.

“I’m convinced [local police] are better equipped overall to handle these types of crime,” Ackerman said. “They deal with it a lot more than the campus police departments.”

Ackerman told HuffPost the reporting requirements in her proposal wouldn’t apply to university deans or counselors — unlike the Virginia proposal — so a student could still seek help to deal with mental health issues associated with rape without having the information passed to law enforcement. Similarly, Cuomo’s proposal doesn’t require deans, counselors or other school administrators to send rape reports to cops.

“We don’t want the victim to be re-victimized by the whole process,” Ackerman added.

Peg Langhammer, executive director of the Rhode Island sexual abuse non-profit Day One, said they’ll work with Ackerman to revise the legislation to ensure the “victim is in the driver’s seat.”

Indeed, any proposal that mandates campus rape reports to college administrators be sent to cops meets near-universal opposition from sexual assault survivors and advocacy groups.

The New Jersey Coalition Against Sexual Assault likes proposals such as Cuomo’s that would make sure options are laid out to victims, but is strongly against the bill offered in New Jersey that would require colleges to tell law enforcement of sexual assault reports.

“Why, once someone enrolls in one of our colleges or universities, should they lose their right to make decisions about how to proceed after such a violent crime was committed against them?” asked Patricia Teffenhart, executive director of NJCASA. “Why are the rights of college survivors trumped by our desire to hold institutions and offenders accountable?”

But New Jersey Assemblyman John McKeon (D), one of the sponsors of that bill, noted the victims would still have a say in deciding how far the cases go in the criminal justice system. His office noted that they are open to making amendments to the specifics of the legislation, but they’re convinced these cases are better served by the cops.

“It takes out the thought that campuses, for obvious reasons, would be less than encouraging regarding the criminal prosecution of such matters,” McKeon said.

Survivors such as Zoe Ridolfi-Starr, a Columbia University senior with the sexual assault activist group No Red Tape, are not convinced.

“If a survivor comes forward and says, ‘Hey I need help, I want to get this guy out of my classes,’ that’s very different from saying, ‘I want to involve myself in a lengthy arduous legal process,’” said Ridolfi-Starr, who filed a complaint that prompted a federal investigation into how Columbia handles sexual assault cases.

Ridolfi-Starr pointed to testimony from other women in New York who said the NYPD inappropriately responded when they reported sexual assaults, or prosecutors who declined to take their cases. Aside from those cases, Ridolfi-Starr said she isn’t eager to refer more campus rape victims to the same agency responsible for the death of Eric Garner — an unarmed black man who was choked to death by an NYPD officer.

“Until law enforcement agencies improve their policies,” Ridolfi-Starr said, “it’s absolutely inappropriate to increase their authority or role in campus-based adjudication processes.”