### Definitions to take with you:

**Sexual Assault:**
- Physical contact of a sexual nature which occurs without consent. This contact could range from unwanted kissing and/or touching to rape.

**Rape:**
- Sexual penetration, however slight, by a part of a person’s body, or any object into the genital, oral, or anal openings of another person when consent is not given.

**Title IX:**
- “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.”

**Clery Act (1998)**
- requires colleges and universities to report annual occurrences of violent crime, including sex offenses, on their campuses.

### Where does Washington and Lee compare to national statistics?

**According to 2008 CORE data:**
- **25.4% of W&L women experienced sexual battery (touching against their will)**
  - This number is twice the national average and indicates that 228 women at W&L experienced sexual battery in 2008 alone.
- **7.4% of W&L women have experienced attempted rape.**
  - This number is three times the national average and indicates that 66 women at W&L experienced attempted rape in 2008 alone.
- **6.5% of W&L women are raped each year.**
  - This indicates that at least 58 women at W&L were raped in 2008 alone.

### How often does sexual assault occur in a university environment?

- 1 in 4 college women experience rape or attempted rape by the time they graduate
- 35 rapes per 1000 college women occur each academic year
- 90% of women who have experienced sexual assault were assaulted by people they knew

### Common Myths about Sexual Assault:

- Alcohol compromises a survivor’s ability to give consent (Under Virginia law, an intoxicated person cannot give legally recognized consent to sexual contact)
- If a survivor agrees to some kind of sexual intimacy, she/he wants or can’t be blamed for intimacy that occurs after (“no” means “no”)
- Rapes that do get reported are typically false reports (the rate for false reporting is the same as any other violent crime)

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2 1985 Study done by Mary Koss and used for the basis of popular “1 in 4” campaign
4 Fisher Report
5 The FBI’s 1996 Uniform Crime Report
Important Survey Results from WGS-296A

For our own personal survey, 400 random W&L undergrads and 100 random law students were emailed. 258 total ended up taking it, 36 were law, 6 didn't specify, and 216 were undergrad.

Here’s the good news:

- 98% of respondents endorsed the statement “Sexual assault at Washington and Lee must be prevented”

What is more troubling is the difference in attitudes between the genders here at W&L:

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<tr>
<td>Completely disagree</td>
<td>Disagree</td>
<td>Somewhat disagree</td>
<td>Neutral</td>
<td>Somewhat agree</td>
<td>Agree</td>
<td>Completely agree</td>
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Women view sexual assault at W&L to be a greater problem than do men

- “Sexual assault is a major problem at W&L”
  - women: 5.35; men: 4.47
  - undergrad: 5.15; law: 4.34

- Differences in sexual expectations: “if a woman goes to a formal with a man, he expects her to engage in some sexual activity with him”
  - women: 3.63; men: 2.76

- And, although both genders disagreed with the statement “it isn’t rape if the person who did not initiate sex was under the influence of alcohol”, women disagreed more so than men
  - women: 1.46; men: 1.92

- “Sometimes women are just asking for sex (through their style of dress, dance, etc)”
  - undergrad: 3.66; law: 2.79

Most troubling attitude difference:

“If a sexual assault or rape is reported to an authority (such as campus security), or if it becomes the subject of a complaint (such as an SFHB complaint), the impact on the life of the person who committed the assault or rape might be worse than the impact on the life of the victim”

Women: 2/3 no, 1/3 yes
Men: about 50-50

This helps explain the low rate of reporting, because it reveals a climate in which victims may not feel comfortable reporting to authorities, or where it may not occur to victims to report the occurrence.

Alcohol and sexual assault:

- Nearly half (47.7%) of respondents said that alcohol was the number one contributor to sexual assault at W&L
- 41.1% said alcohol frequently compromises a person’s ability to give consent to sexual activity.
- Most agreed that “At W&L, male students frequently attempt to hook up with female students who are under the influence of alcohol”
- no gender difference (overall mean was about 6 = agree)

So, what do students think needs to change in order to change the prevalence of sexual assault at W&L? Well...there are gender differences here too!

- Male control of W&L’s social scene:
- Most women say this needs to change; About 2/3 of men say this does not need to change in order to reduce the prevalence of sexual assault. However, fully 1/3 do agree this needs to change.
WGS 296A Proposals

Top Priorities

1. Hire someone full time to coordinate and implement sexual assault programming only (including public relations campaigns and prevention), and to serve as central collection for all reports of sexual assault across the university.
   a. Green Dot Campaign:
      i. not at W&L now, but currently being explored for adoption at W&L
      ii. a comprehensive approach to sexual violence that promotes pro-social behavior and bystander intervention to prevent power-based personal violence
      iii. Reason: W&L is a community supposedly based on trust. Green Dot trains friends of potential victims to continue a community of trust outside of the academic environment
   b. Interactive screening program for survivors of sexual violence:
      i. not at W&L now, and not currently under consideration
      ii. a mechanism that sends e-mails to students and invites them to participate in completely anonymous screening. Then it groups students according to whether and how badly they seem to need help. Their results go to a counselor (again, anonymously) and the counselor gives a tailored response to the student, inviting the student to come for help if she needs it. If she doesn’t want to go to counseling or reveal her identity, she can continue an anonymous online dialogue with a counselor.
      iii. Not long term, is intended to help students feel comfortable enough to go to in-person counseling
      iv. Reason: there is a stigma attached to sexual assault to the point that some students can’t even bring themselves to go to counseling for various reasons. This would serve as temporary encouragement for counseling and support for the student.
   c. Begin alcohol and sexual assault programming before first-year students arrive on campus (involve parents in the programming) and continue the education throughout all four years of college.

2. Institute a separate sexual assault policy (disaggregated from harassment, discrimination and retaliation) and enumerate specific offenses with minimum consequences. See suggested policy details below.
   a. Establish precise definitions of rape, sexual assault, and other sexual offenses (especially specifying that consumption of alcohol is never a defense to a sexual assault accusation).
   b. Establish a baseline of non-consent, and require evidence of a publicly observable performative (behavioral or verbal) act of consent to establish consent.
   c. Define rape and sexual assault disjunctively, as occurring either when there is (1) force or threat of force used, or (2) the absence of a performative act of consent. Penalties for (1) could be more serious than penalties for (2), but the offenses should not be defined conjunctively (as requiring both elements to be proved).
   d. Provide that the perpetrator and victim do not have to be in the same room at a hearing. Instead, each can have his or her hearing portion recorded for the other to hear.
   e. Specify that no one who seeks help from authorities because she or he is a victim of a crime (including sexual assault or rape) will be punished for violating rules against use of alcohol or other drugs.

3. Institute a well-advertised, easy to understand anonymous and third-party means of reporting and counting sexual assault statistics independently of what Clery requires. One central authority would have to receive all reports.
   a. Currently, students are not generally aware of an anonymous reporting mechanism at W&L, and
there is no third party means of reporting a sexual assault for the purpose of counting sexual assault frequency. We need to be able to empower the survivor to make the decision that she/he is most comfortable with. Currently, there are very viable few reporting options.

i. Anonymous means the victim does not have to identify herself/himself; third party means someone else can report to an official for her.
   1. allows a survivor’s story to be counted in the numbers, but does not require them to file an official report if they are not ready to do so

ii. Third-party reporting is when a peer or advocate (a doctor or a counselor, for example) reports for the victim.

b. Specify that anonymous and third-party reporting are permitted through the Health Center, University Counseling, and/or other designated agencies. Explain procedures and path of the report in detail.

4. **Infuse the academic curriculum with student life concerns, providing opportunities to discuss student life in the classroom and making academic matters more concrete and clearly relevant to students.**
   a. "Respect and Responsibility at W&L," a one-credit mandatory first-year seminar has been proposed by Professor Melina Bell and is under consideration
   b. This course would be mandatory for all first year students (female and male) and would require them to come to class and talk about issues of good citizenship and avoiding harm to others, but not exclusively sexual assault
   c. There would be academic readings, quizzes, and exams to insure academic intensity, but the course would also facilitate talking about important topics early on during students’ careers at W&L
   d. This would help students develop another close mentoring relationship that will serve as a resource throughout their time at W&L

**Our Wish List: some easily implemented improvements suggested by WGS 296A**

1. Educate all members of the community regarding what the reporting structure is when a sexual assault has occurred, defining all possible pathways and chains for information. Ensure that confidentiality is maintained by keeping complaints from flowing through too many hands; ensure that all complaints make it to one central authority, who can identify patterns of behavior and accusations against the same person.

2. Add an "Emergency" button to the W&L home website for students; include a "sexual assault and rape" help button under that one that links, in a very reader friendly format, every resource in one list, and every policy in another, that a victim might want immediate access to.

3. Move sexual assault to the beginning of the Pieces of the Puzzle book. It is nearly at the end, mixed up in everything else, doesn't really look like a problem. Prioritize it because it involves harm to others, not just harm to self. Require the peer discussion leader to draw attention to our NCHA data on rape and sexual assault.

4. Make Rape Aggression Defense classes available to all female students who wish to take it.