



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

HOUSE DEMOCRATIC POLICY COMMITTEE HEARING

Topic: House Bill 962

Temple University – Philadelphia, PA

April 6, 2018

AGENDA

- 10:00 a.m. Welcome and Opening Remarks
- 10:10 a.m. Stephanie Ives
Dean of Students
Temple University
- 10:40 a.m. Panel of Advocates:
- Penelope Ettinger
Executive Director
Network of Victim Assistance (NOVA)
 - Monique Howard
Executive Director
Women Organized Against Rape (WOAR)
- 11:20 a.m. Closing Remarks

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House Co-Sponsorship Memoranda

House of Representatives Session of 2017 - 2018 Regular Session

MEMORANDUM

Posted: February 27, 2017 01:17 PM
From: [Representative Tina M. Davis](#) and [Rep. Maria P. Donatucci](#)
To: All House members
Subject: Co-Sponsorship – Safe Campuses Act (former HB 1173)

In the near future, we will re-introduce the Safe Campuses Act. This legislation is a part of the overall *PA Agenda for Women's Health*.

This legislative proposal would require all post-secondary schools, colleges and universities in the state to adopt policies and establish programs to make students, staff and officials aware of the risks of sexual assault and intimate partner violence. These institutions would also be mandated to annually report the number of instances of sexual assault and intimate partner violence on campus, and the security policies they have established to deal with these issues. Reports would be public records and would be required to be posted on the school's official website. Schools also would be required to have sexual assault and intimate partner violence policies to ensure that students, employees, volunteers and officials are aware of the rights of victims and responsibilities of witnesses, and to ensure that instances involving minors are immediately reported. Schools also would be required to have prevention and awareness programs for all students and employees.

We believe this legislation creates an important framework for combating the epidemic of sexual assault and intimate partner violence on our college campuses. We hope you will join us as a co-sponsor.



Introduced as [HB962](#)

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 962 Session of 2017

INTRODUCED BY DAVIS, DONATUCCI, KINSEY, DRISCOLL, READSHAW,
MILLARD, FREEMAN, HILL-EVANS, CALTAGIRONE, D. COSTA,
SCHWEYER, McNEILL, ROEBUCK, PASHINSKI, SCHLOSSBERG, DAY,
BRIGGS, FRANKEL, O'BRIEN, BULLOCK, DEAN, NEILSON, SOLOMON,
DeLUCA, MURT, KORTZ, V. BROWN AND GALLOWAY, MARCH 27, 2017

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 27, 2017

AN ACT

1 Amending the act of November 29, 2004 (P.L.1383, No.180),
2 entitled "An act requiring institutions of higher education
3 to provide students and employees with information relating
4 to crime statistics and security measures and to provide
5 similar information to prospective students and employees
6 upon request; granting powers to the State Board of
7 Education; establishing a uniform crime reporting program;
8 requiring all county and municipal law enforcement agencies
9 to report certain information occurring within the respective
10 jurisdictions; imposing duties on the Pennsylvania Commission
11 on Crime and Delinquency; authorizing the Pennsylvania State
12 Police to collect and gather information on crime and make
13 annual reports; providing for penalties; and making a related
14 repeal," in higher education security information, further
15 providing for crime statistics and security policies and
16 procedures; and providing for Pennsylvania safe campuses.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. Section 303(b) of the act of November 29, 2004
20 (P.L.1383, No.180), known as the Uniform Crime Reporting Act, is
21 amended to read:

22 Section 303. Crime statistics and security policies and
23 procedures.

1 * * *

2 (b) Publishing and distributing reports.--Each institution
3 of higher education shall publish and distribute a report which
4 shall be updated annually and which shall include the crime
5 statistics as reported under subsections (a) and (b.2) for the
6 most recent three-year period. Crime rates shall also be
7 included in the report. The crime rates reported shall be based
8 on the numbers and categories of crimes reported under
9 subsections (a) and (b.2) and the number of full-time equivalent
10 undergraduate and graduate students (FTES) and full-time
11 equivalent employees at the institution of higher education.
12 [Upon] The report shall be posted on the official Internet
13 website of the institution and upon request, the institution
14 shall provide the report to every person who submits an
15 application for admission to either a main or branch campus and
16 to each new employee at the time of employment. In its
17 acknowledgment of receipt of the formal application of
18 admission, the institution shall notify the applicant of the
19 availability of such information. The information shall also be
20 provided on an annual basis to all students and employees.
21 Institutions with more than one campus shall provide the
22 required information on a campus-by-campus basis.

23 * * *

24 Section 2. The act is amended by adding a chapter to read:

25 CHAPTER 3-A

26 PENNSYLVANIA SAFE CAMPUSES

27 Section 301-A. Scope of chapter.

28 This chapter relates to reporting, policy and program
29 requirements concerning sexual assault and intimate partner
30 violence on campuses of institutions of higher education.

1 Section 302-A. Definitions.

2 The following words and phrases when used in this chapter
3 shall have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 "Awareness program." A program designed to communicate the
6 nature and risk of sexual assaults and intimate partner
7 violence.

8 "Institution of higher education." As defined under section
9 302.

10 "Intimate partner violence." The commission of, attempt to
11 commit or conspiracy to commit an act constituting abuse within
12 the meaning of 23 Pa.C.S. Ch. 61 (relating to protection from
13 abuse) where the actor is or was the spouse of or in a dating
14 relationship with the victim.

15 "Prevention program." A program designed to prevent sexual
16 assault and intimate partner violence.

17 "Sexual assault." The commission of, attempt to commit and
18 conspiracy to commit an act prohibited under 18 Pa.C.S. Ch. 31
19 (relating to sexual offenses).

20 "Valid complaint." As defined under section 302.

21 "Victim." A victim of sexual assault or intimate partner
22 violence.

23 Section 303-A. Sexual assault and intimate partner violence
24 reporting.

25 (a) Reporting requirements.--An institution of higher
26 education shall annually include in the report required under
27 section 303 the security policies specifically relating to and
28 the number of valid complaints of sexual assault and intimate
29 partner violence reported on its campus, including:

30 (1) The number of valid complaints of sexual assault and

intimate partner violence reported to campus police, campus security officers or State, county or local police as follows:

(i) beginning one year after the effective date of this section, the information shall be reported for the immediately preceding calendar year;

(ii) beginning two years after the effective date of this section, the information shall be reported for the two immediately preceding calendar years; and

(iii) beginning three years after the effective date of this section and thereafter, the information shall be reported for the three immediately preceding calendar years.

(2) A statement indicating where information concerning the location of offenders subject to 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders) can be obtained.

(3) A description of programs available to students, employees and other institution of higher education officials concerning the institution's security procedures and practices relating to sexual assault and intimate partner violence.

(b) Interim reports.--Reports of incidents that represent a potential threat to other parties shall be publicly and timely disclosed in a manner that is prudent to prevent harm and to protect the confidentiality of the prior victim.

Section 304-A. Policies required.

An institution of higher education shall establish and implement a policy that informs students, employees and officials of the institution of the rights of victims and the

1 responsibilities of witnesses of sexual assault and intimate
2 partner violence and states the manner for informing them of
3 their rights and responsibilities. The policy shall include all
4 of the following:

5 (1) All instances of sexual assault or intimate partner
6 violence involving a minor that are required under Federal or
7 State law to be reported to law enforcement authorities shall
8 be reported without delay.

9 (2) Victims shall be provided with written, plain
10 language information that identifies the availability of and
11 contact information for local medical, mental health and
12 legal assistance services and the procedures a victim should
13 follow after an incident of sexual assault or intimate
14 partner violence.

15 (3) Student and employee victims shall be informed of
16 assistance that is available to them from the institution of
17 higher education in making appropriate changes to academic,
18 living, transportation or work circumstances as a result of
19 sexual assault or intimate partner violence.

20 Section 305-A. Sexual assault and intimate partner violence
21 prevention and awareness program.

22 (a) Program requirements.--An institution of higher
23 education shall offer a program on prevention and awareness of
24 sexual assault and intimate partner violence for all students
25 and employees. The program shall:

26 (1) Provide information on the nature and dynamics of
27 sexual assault and intimate partner violence, including the
28 meaning of consent and the number of valid complaints of
29 sexual assault and intimate partner violence at the
30 institution during the most recently concluded calendar year

1 and the immediately preceding two calendar years.

2 (2) Provide information on sanctions called for under
3 institutional disciplinary proceedings and on potential
4 criminal and civil liability.

5 (3) Provide information on procedures that should be
6 followed, including the preservation of evidence, contacting
7 law enforcement and victim assistance agencies and the
8 availability of assistance from the institution to notify
9 civil authorities of incidents of sexual assault or intimate
10 partner violence.

11 (4) Provide information on the availability of
12 counseling, mental health or other services for victims on
13 campus or in the community.

14 (5) Provide information relating to bystander
15 intervention and risk-reduction strategies.

16 (b) Construction.--This section shall not be construed to
17 require particular programs, policies or procedures.

18 Section 306-A. Interpretation.

19 The provisions of this chapter shall not confer a private
20 right of action to enforce its provisions, to establish a
21 specific standard of care or a civil cause of action or to
22 require the reporting or disclosure of privileged information.
23 Evidence of compliance or noncompliance shall not be admissible
24 as evidence in a proceeding before a court, agency, board or
25 other entity except with respect to an action to enforce the
26 provisions of this chapter.

27 Section 307-A. Enforcement.

28 (a) Action to compel compliance.--The Attorney General may
29 bring an action in the name of the Commonwealth against an
30 institution of higher education to compel compliance with this

1 chapter.

2 (b) Civil penalty.--In an action by the Attorney General to
3 compel compliance with this chapter, the court may award a civil
4 penalty as follows:

5 (1) Not more than \$1,000 for each day of violation for
6 willful noncompliance or failure to promptly comply with an
7 order of the court to comply with the provisions of this
8 chapter.

9 (2) Not more than \$25,000 for the first case of
10 intentional misrepresentation or concealment by an
11 institution of higher education of a valid complaint required
12 to be reported under this chapter.

13 (3) Not more than \$50,000 for a second or subsequent
14 intentional misrepresentation or concealment by an
15 institution of higher education of a valid complaint required
16 to be reported under this chapter.

17 Section 308-A. Rules and regulations.

18 The State Board of Education may, in the manner provided by
19 law, promulgate the rules and regulations necessary to carry out
20 this chapter.

21 Section 3. This act shall take effect in 180 days.

I am Stephanie Ives and I have been the Dean of Students here at Temple University since 2010. In the eight years I have served in this role, sexual assault and misconduct on college campuses across the nation has been one of the most serious and challenging issues we have faced.

Both the federal government and our Commonwealth legislators have been important partners in keeping our communities focused on addressing and working to eliminate stalking, dating violence, rape and other crimes of a sexual or intimate partner nature.

As we are here today to discuss House Bill 962, I would like to share briefly with you some of the steps that Temple has in place to address the very important issues raised in the legislation.

Temple is a leader in combatting sexual violence. Twice, we have been a recipient of the Governor's It's On Us Pennsylvania grants to further our education and reporting efforts.

These grants are helping us expand new programming initiatives to support vulnerable communities on our domestic and international Temple campuses. Because of these efforts, students with a disability, students of color, LGBTQIA students, and international students attending Temple campuses will be better informed about sexual assault, consent, the resources we have for reporting and adjudication, accommodations we can offer to ensure that students graduate, and support services for counseling or other medical needs.

It's our responsibility to provide students with education throughout their college career. And because no one program meets the needs of all students, Temple's programming is tailored so that new students attending college for the first time receive comprehensive information to establish a strong foundation of understanding of what consent is, what healthy relationships are, the presence of alcohol in sexual encounters, and the variety of reporting options that can comfort, support, and guide a student who needs help.

At the same time, graduate and professional students, employees, and others in our community - who typically have completed comparable prevention programs - receive informational boosters to keep their knowledge current and to ensure that Temple-specific resources for reporting and support are well known. And *all* students are encouraged to be active as bystanders when they see something that has the potential to victimize another.

Temple has worked hard to remove barriers for easier reporting. Our Title IX efforts, our unique partnership with WOAR, our enhanced police officer training for sensitive response to sexual assault victims, our use of an independent adjudicator to determine responsibility in student conduct cases involving sexual violence, all underscore our efforts to be responsive and assertive in our education, prevention, adjudication, and support efforts.

It is our collective responsibility to build communities that care and support our students, and it is Temple's commitment to continue our efforts to address and eliminate sexual violence.

Thank you for the opportunity to speak with you today.

Sexual Harassment

Temple has been a 2016 and 2018 recipient of the PA Governor's It's On Us grant to address sexual violence on college campuses.

Here is a sample of Temple's many and varied educational and intervention efforts:

- Presentations throughout new student orientation on consent, sexual assault policy, and campus resources for reporting and survivor support.
- Risk management workshops each semester with required attendance from all fraternity and sorority chapter leaders. Training includes, among other things, education on consent and sexual misconduct, campus resources, and bystander intervention.
- Involvement from fraternity and sorority members in campus-wide programming such as WalkTU and Sexual Assault Awareness Month.
- In September 2017, Temple Student Government hosted its first Sexual Assault Prevention Week with activities such as:
 - 'Owl Stand Up' – an interactive and arts-based program involving stories and art from survivors
 - Bystander Intervention Training with the Wellness Resource Center
 - 'Know Your Resource' panel with campus professionals
 - Self-defense workshop
 - Inaugural release of a newly produced It's On Us PSA at Temple Football Game
- The It's On Us grant supported focus groups to gain insight into the needs of specific vulnerable Temple student populations including LGBTQIA+ students, students of color, international students, and students with disabilities. This information was used to design a widespread awareness campaign to help meet the identified needs.
- The Wellness Resource Center provides a wide range of sexual violence prevention efforts including online education for all students, in-person staff and student-facilitated programs, printed materials and events. This includes a wide spectrum of coordinated efforts every April to recognize Sexual Assault Awareness Month.

- The Wellness Resource Center also leads a newly formed Sexual Violence Prevention Workgroup which brings together stakeholders to create a comprehensive vision of sexual violence prevention at Temple.
- Counseling services for both victims and alleged perpetrators of sexual harassment.
- Mandated psychoeducational sessions for those found responsible for sexual harassment after a disciplinary hearing.

Sexual Misconduct

Reports of sexual misconduct fall into three primary categories: (1) requests for support services only; (2) notification only; and (3) full investigations. For the fall 2017 semester, Temple received 111 reports of sexual misconduct. The previous fall semester (2016), the university received 83. We have engaged in an aggressive campaign to remove barriers to reporting and this increase in the number of reports may not necessarily be indicative of a greater number of offenses, but a greater willingness to report.

There are a range of behaviors that constitute sexual misconduct including:

- **Sexual Assault:** generally is intentional unconsented touching of a sexual nature. While we certainly do not want to minimize anyone's experience, it is nonetheless important to understand that sexual assault includes a range of offenses such as someone touching or groping a student on a crowded subway, several pre-teens touching a college student on the buttocks and running away, or sexual intercourse with a friend or acquaintance, but the student is unable to consent because of intoxication. Sexual assaults tend to be higher during the fall semester, and are highest among freshman and lower class students during the first few months of school.
- **Sexual Harassment:** basically unwelcome sexual advances, requests for sexual favors, and other harassing conduct or physical contact of a sexual nature. This would include "cat calling" and repeated and unwelcome requests for dates.

- ▶ Sexual Exploitation: unconsented taking and/or dissemination of photographs or video of another person engaging in a sexual act or of a sexual nature.
- ▶ Dating Violence: violence involving persons who are or have been in a romantic or intimate relationship.
- ▶ Domestic Violence: an act of violence committed by person in relationship to another such as spouse, someone you share a home with, parent, child. Not limited to someone you are dating.
- ▶ Stalking Behavior: repeated course of conduct that would cause someone to be distressed or fearful.

In the majority of reports, the alleged respondent is:

- ▶ A fellow student. (45%)
- ▶ Followed by an unaffiliated third party – most often someone attending party, perhaps student at another school (24%) and
- ▶ Known to the student, but student declines to identify (11%)

The following are just a few things that Temple has done most recently to strengthen our efforts to combat sexual misconduct:

- ▶ Title IX Office – Temple has established a dedicated Title IX Office and Coordinator with no shared responsibilities. The Title IX Coordinator now has greater visibility and has reached more than 7,000 members of the Temple community through training and presentations.
- ▶ WOAR Partnership – The first of its kind in the region, Temple has partnered with Women Organized Against Rape (WOAR), the region's premier rape crisis center, to provide 24/7 in person coverage and support to students.
- ▶ Online Reporting – To encourage reporting, Temple provides an online reporting option. Reports also may be made anonymously using this option.
- ▶ Marketing – Temple has launched a marketing campaign, including a public service announcement featuring the Provost and me that, driven by our research, is more inclusive. Students saw themselves in the video and

as they requested, heard from the highest levels of university administration.

- ▶ Collaboration – led by the Title IX Coordinator, bi-weekly meetings are held with a cross section of the university to review outstanding cases and to identify trends and special concerns.

- ▶ Mandatory student sexual misconduct training – Each year that a student is in attendance at the university, they must complete sexual misconduct training.

- ▶ Digital resource card – Temple students can download to their smart phones a digital resource card that provides easy access to on and off campus resources.

- ▶ It's On Us Grant – Temple was the recipient of the first "It's On Us PA" grants. Specifically, Temple was awarded \$26,000 to further its focus on removing barriers to reporting sexual misconduct. The funds were used to conduct student focus groups and using feedback from these groups to (1) develop a more inclusive marketing campaign, (2) develop and implement training curriculum for police officers, and (3) develop an online reporting alternative. We were just awarded a second grant to expand our efforts to all domestic and international Temple campuses.

Testimony for the Pennsylvania General Assembly- House of Representatives
Democratic Policy Committee
April 6, 2018
Philadelphia, PA

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Good morning Representatives Davis and Donatucci and members of the House Democratic Policy Committee. On behalf of the Network of Victim Assistance in Bucks County, I welcome the opportunity to provide comments today on House Bill 962, the Safe Campuses Act. My name is Penny Ettinger and I am the Executive Director of the Network of Victim Assistance, also known as NOVA. NOVA is the rape crisis and comprehensive crime victim service agency for Bucks County. A private non-profit, community-based organization founded in 1974, NOVA's mission is to support, counsel and empower victims of sexual assault and other serious crimes in Bucks County and to work to prevent and eliminate violence in society through advocacy, training, community education and prevention programs. In FY 2017, NOVA staff provided direct services, to nearly 3,500 victims and their family members. About one-half involved sexual assault victimization and 256 cases involved victims of sexual assault between the ages of 18 and 24. Those direct services include professional counseling for children and adults, police and court room proceeding accompaniment for victims through the investigation and criminal justice process, and medical accompaniment especially following a sexual assault. In addition to these services, for 30 years NOVA has been providing child abuse and violence prevention education programs for students, teachers, parents and professionals in Bucks County. In the last fiscal year, NOVA presented 1077 prevention programs to 24,775 students and 462 community and professional programs to 16,833 residents of Bucks County.

As a comprehensive crime victim service agency, our experience is primarily with victims of sexual assault but we know that there is much overlap between sexual violence and intimate partner violence. Our sister agency, A Woman's Place, is the primary provider of services to victims of intimate partner violence in Bucks County and their expertise will be essential to inform legislative and policy proposals.

NOVA's work with teens and young adults over the past almost 45 years has informed our response to victims of sexual assault including in campus settings. We know from a variety of sources that the incidence of sexual assaults and intimate partner violence on our campuses is significant. There have been numerous studies and reports about the prevalence of campus sexual assault. One study that is frequently cited indicates that one in 5 women and 1 in 16 men are sexually assaulted while in college. (1) Another study reported that 27% of college women have

experienced some form of unwanted sexual contact and another survey revealed that nearly two-thirds of college students experience sexual harassment, and less than 10% of these students tell a college or university employee. (2) One in six (16%) college women have been sexually abused in a dating relationship and nearly half (43%) of dating college women report experiencing violent and abusive dating behaviors. (3) The American College Health Association conducted a campus climate survey across 27 universities in Fall 2015 and found that "26.1 % of female students and 29.5 % of students identifying as (TGQN) transgender, genderqueer, nonconforming, questioning or something not listed experienced sexual contact involving penetration or sexual touching as a result of physical force or incapacitation. Senior males are subject to much smaller risk (6.3%)." (4)

Looking at our community, according to most recent graduation data from the PA Dept. of Education, in 2015 almost 5500 public high school students in Bucks County reported that they planned to attend a 2 or 4-year college or university. This number does not include students who graduated from private, non-public schools or students who planned to attend post-secondary trade or technical schools. While we are not aware of the exact gender breakdown of the students in that graduating class, if one half (2250) identified as female, how would sexual assault and intimate partner violence look if you applied the results of just a few of those studies to our college age community? We would find that 450 college women would be victims of sexual assault and 967 women would experience violent and abusive dating behaviors. For the 2250 college men, there would be 141 victims of sexual assault. Now think about how these numbers look for the entire state of Pennsylvania-with a female college population of 419,228 in 2015 (most recent data available from US DOE). 83,845 women would be victims of sexual assault and over 180,000 would be victims of violent and abusive dating behaviors. Sexual violence and intimate partner violence are simply unacceptable in our society and we support your efforts to reduce this epidemic of violence with the legislation proposed in the Safe Campuses Act.

Sexual assault is one of the most under-reported crimes. Victims are reluctant to report for a variety of reasons-they don't think anyone will believe that the assault happened, they fear retaliation, they feel shame or blame themselves, or they don't think law enforcement can help. Victims of intimate partner violence struggle with similar concerns-and so a very important way to shine a light on these crimes is to report them out to the community.

HB962 requires that crime statistics reports be posted on the official Internet website of the institution and that it be disseminated to applicants who request the report either when they apply or when they enroll. Providing the new employees and distributing it annually to all students and employees provides more transparency and access to the reports for the college or university community. Like the requirements of the Clery Act, this is a straightforward way to help raise awareness among the community members. Including the number of complaints, location of sex offender information and program descriptions about security procedures and practices relating to sexual assault and intimate partner violence also boosts transparency, and allows more access to resources for students and employees. NOVA provides support to minor victims of sexual assault, and we are pleased that there is explicit guidance on reporting involvement of minors in sexual assault and intimate partner violence to law enforcement. We would suggest that language around mandated reporting to Childline also be included.

Providing plain language information to victims to help direct them to medical, mental health and legal assistance can increase access to support services. Consideration might be given to insure that materials are developed/available for non-English speakers as well as persons with different physical and cognitive abilities. Our sexual assault response protocol in Bucks County also includes referrals to the nearest hospital that offers the service of a sexual assault forensic nurse examiner. This specially trained nurse can provide compassionate, comprehensive and gender-sensitive care for the sexual assault victim in a trauma informed manner. We would encourage students to access these services in order to receive the appropriate medical and emotional care and follow up services, including treatment for physical injuries or sexually transmitted diseases. Pennsylvania has a large network of domestic violence and rape crisis centers and we would request that language referring to these resources be included as part of the policy.

Many sections of HB962 mirror requirements set out in the federal Clery Act and we support codification of these federal laws in state law. Colleges and universities are already familiar with Clery requirements so barriers to their compliance with the Safe Campuses Act may be minimal. When comparing Clery and Safe Campuses Act we did note some areas that might warrant further review, as they seem to separate reporting standards for statistics. One area is the definition of valid complaint-Clery allows for a more expansive list than HB962. Another example is where HB962 seems to be more inclusive in how it defines sexual assault (to include assaults as defined under the PA Code while Clery is narrow and limited to rape, incest, fondling and statutory sexual assault. We would also be concerned if any of the requirements in HB962 were more narrow than those set out in other federal law, including Title IX.

NOVA also serves victims of stalking, including cyber stalking. In 2016 the Stalking Resource Center of the National Center for Victims of Crime prepared a resource guide "Responding to Stalking On Campus". The guide cited data from the most recent National Intimate Partner and Sexual Violence Survey, which revealed "7.5 million people are stalked each year in the United States. Sixty-two percent of female victims and 43 percent of male victim's experience stalking from a current or former intimate partner. (5) Current research shows that stalking and technology facilitated stalking are significantly more common among college students than the general public. Research estimates that the rate among individuals ages 18-24 is almost double that of other age ranges. While college students are more likely than the general public to acknowledge stalking, they are less likely to report to law enforcement. In fact, 70-75% of college stalking victims do not contact law enforcement." (6)

The Clery Act was amended in 2013 with VAWA amendments which included the crime of stalking for campus reporting. Victims of stalking need support and assistance and including it as a reportable crime in the Safe Campus Act can help raise awareness of the crime and align with the reporting requirements of Clery.

Public Health views and primary prevention narrative need for programs at high school, middle school level, support for its on us.

Sexual and intimate partner violence are being recognized more and more as a public health issue in our society. For college students who are victims there are serious repercussions including experiences of alienation, interruption of their academic program, lower graduation rates, health problems and mental health issues. Prevention, risk reduction and response to sexual and interpersonal violence within the campus community may help to end this epidemic and help victims to heal. But what is happening at the campus level is a symptom of larger social and developmental forces/factors/experiences/behaviors. We need to look “upstream” and examine opportunities to offer primary prevention education long before our young people arrive on college campuses. Adolescents and teens are at high risk for sexual assault and intimate partner violence. Rep. Davis, we know that you are concerned with teen dating violence and have introduced HB 567 to require schools to provide dating violence awareness education beginning in middle school to grade 12. In 2017, NOVA provided services for 341 victims of sexual assault between the ages of 13 and 17. We reviewed the 2015 Pennsylvania Youth Survey conducted across the commonwealth for grades 6-12 and learned that 20.3 % of youth reported that they had had contact via the internet with someone who tried to get them to talk online about sex, look at sexual pictures, or do something sexual. We would suggest that similar legislation to require sexual assault awareness education in grades 6-12 also be considered. Sexual assault and intimate partner violence are traumatic experiences and so we must be sure to use trauma informed approaches in order to best support young people in our communities and help them to rebuild a sense of safety, control and empowerment.

Thank you for this opportunity to share comments on the HB962-SafeCampuses Act and for your continued support for victims of sexual assault and intimate partner violence.

References

1. Fisher, B. S., Cullen, F. T., & Turner, M. G. (2000). The sexual victimization of college women. Retrieved from the National Criminal Justice Reference Service: <https://www.ncjrs.gov/pdffiles1/nij/182369.pdf>
2. Gross, A. M., Winslett, A., Roberts, M., & Gohm, C. L. (2006). An examination of sexual violence against college women. *Violence Against Women*, 12, 288-300. doi:10.1177/1077801205277358
3. Fifth & Pacific Companies, Inc. (Formerly: Liz Claiborne, Inc.), Conducted by Knowledge Networks, (December 2010). “College Dating Violence and Abuse Poll,” Available at: <https://www.breakthecycle.org/surveys>.
4. Fifth & Pacific Companies, Inc. (Formerly: Liz Claiborne, Inc.), Conducted by Knowledge Networks, (December 2010). “College Dating Violence and Abuse Poll,”

Available at: <https://www.breakthecycle.org/surveys>.

5. From AAUW report 7. Lee van der Voo, "Sexual Violence on Campus: Not Just a Crime of Men against Women," Investigate West, February 25, 2010, <http://invw.org/node/941>; "National Statistics about Sexual Violence on Campus," New York University Student Health Center, accessed January 17, 2013, <http://www.nyu.edu/shc/promotion/svstat.html>. See also Ann Fleck-Henderson et al., *Beyond Title IX: Guidelines for Preventing and Responding to Gender-Based Violence in Higher Education* (San Francisco: Futures without Violence and Avon Foundation for Women, 2012),
6. Matthew J. Breiding et al., "Prevalence and Characteristics of Sexual Violence, Stalking, and Intimate Partner Violence Victimization – National Intimate Partner and Sexual Violence Survey, United States, 2011", Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, Vol. 63, No. 8 (2014): 7]

Good morning, my name is Dr. Monique Howard, I am the executive director at Women Organized Against Rape. The only rape crisis center in Philadelphia and one of the first in Pennsylvania. Thank you to the members of the House Democratic Policy Committee for inviting WOAR to provide testimony in response to House Bill 962. Thank you also to Sponsors, Representative Davis and Representative Donatucci for addressing campus sexual assault in Pennsylvania. Women Organized Against rape looks forward to working collaboratively with you on this and future campus sexual assault prevention initiatives.

Women Organized Against Rape (WOAR), was founded in 1971 and it's mission is to eliminate rape in society by educating communities, provide support and referrals to victims of sexual violence, and empower survivors to gain control over their lives. WOAR provides a comprehensive array of programs and support services to victims, their non-offending family members or friends, and anyone else in the community who has experienced a sexual assault or who needs support or knowledge about crisis intervention, victims' rights, prevention, and training.

Soon after the organization's founding, WOAR's court advocates were helping over 20 survivors a month navigate the criminal justice system, though much of WOAR's operations were "underground". In 2017, WOAR provided 754 clients with assistance during preliminary trial.

In 1973 WOAR became the first "above ground" center when it opened an office and hotline in Philadelphia General Hospital. Over the next four decades, WOAR would increase service to victims, their families and friends exponentially and challenge Philadelphia to transform its treatment of rape survivors systemically and socially. From July 1 2017 until just last Friday, the 24 hour crisis hotline received 3087 calls. This is a stark increase from FY 2017 where the same hotline received 2498 calls.

WOAR's advocacy extends to the creation of additional service organizations such as Women's Way and the Pennsylvania Coalition Against Rape, both of which have WOAR as a founding member. Additionally, WOAR worked diligently to reform the District Attorney's Office and to create specialized

sexual assault units in the Philadelphia Police Department. In 1977, WOAR developed a prototype of a comprehensive quality treatment program for victims of sexual assault, which was praised and utilized by the Philadelphia Police Department and the Prosecutor's Office by providing staff trainings on sexual violence. WOAR successfully advocated for the establishment of the Rape Prosecution Unit of the District Attorney's Office and the Sex Crimes Unit of the Philadelphia Police Department, which has now evolved into the Special Victims Unit.

Since its founding, WOAR worked to broaden its collaboration in the community in order to more effectively serve its mission. Some of those entities are; Philadelphia Police Department, the District Attorney's Office, Temple University, University of Pennsylvania, Drexel University, the Philadelphia Sexual Assault Response Center, and child advocacy organizations. WOAR is proud to be a part of a movement in Philadelphia working to end sexual violence and the complex issues impacting victims.

Campus Partnerships

As you already know, unwanted sexual experiences are distressingly common among university students and pose a substantial public health concern. One of the many barriers to assault prevention efforts is the general perception of violence as an unwanted yet implicitly tolerated aspect of the status quo. Two best practices that WOAR utilizes to decrease violence on college campuses are; on-campus dialogues and bystander intervention training. These strategies are possible when a campus has a strong relationship with the local rape crisis center.

Most sexual violence incidents occur when the victim is incapacitated due to alcohol, substance, or asleep. An acquaintance, peer, or colleague was the most frequently reported perpetrator. As a result, WOAR conducts bystander intervention training in alcohol selling establishments, particularly those near college campuses. A bystander is a person who is trained to identify potentially unsafe situations, ones that could result in a sexual assault.

Secondly, WOAR's Men's Alliance addresses the issues of toxic hyper-masculinity and its intersection with rape culture. Dialogue about hyper-

masculinity, rape culture, and creating a culture of consent are occurring on campuses throughout the city. These dialogues address the social norms that influence rape culture as well as address system changes needed to modify individual, community and organizational efforts to develop a necessary culture of consent.

These two practices are part of a larger Safe City Philadelphia initiative sponsored by WOAR.

Currently, WOAR has a strong partnership with Temple University and works cooperatively with the neighboring higher learning institutions. Our contribution to these partnerships is our expertise in psycho education programming, evidence based therapeutic modalities and our cadre of services that benefits victims of sexual assault.

Temple University and WOAR have expanded its existing relationship as a result of a student government push and the findings of the university's Presidential Committee on Campus Sexual Assault Misconduct.

Victims can call WOAR's 24-hour hotline to receive counseling and support from a trained volunteer. Those who wish to have an in-person meeting can coordinate a time and location on campus with a WOAR representative. In addition, WOAR conducts training with campus police officers at Temple University and other local universities. All of the communication with the anonymous campus location will remain confidential in order to protect those who seek assistance.

The implementation of House Bill Number 962 together with mandates around strong collaborations between college campuses and local rape crisis centers will ensure safe campuses and in Philadelphia; work toward a safe city.

Thank you for inviting WOAR to speak on House Bill Number 962 and for your leadership in strengthening sexual assault prevention on college campuses.



Help • Hope • Healing

**House Democratic Policy Committee
Public Hearing on House Bill 962
April 6, 2018**

My name is Donna Greco. I am the Policy Director at the Pennsylvania Coalition Against Rape (PCAR). I want to thank Chairman Sturla and fellow members of the House Democratic Policy Committee for inviting PCAR to provide testimony in response to House Bill 962. I also want to express gratitude to Sponsors, Rep. Davis and Rep. Donatucci for their leadership in addressing and preventing campus sexual assault in Pennsylvania through HB 962 and other legislative efforts. PCAR looks forward to working collaboratively with members of the Committee and larger legislature on strengthening campus sexual assault prevention and response efforts.

About PCAR

Founded in 1975, PCAR works to eliminate all forms of sexual violence and to advocate for the rights and needs of victims of sexual assault. PCAR partners with a network of 50 rape crisis centers that work to prevent sexual violence and support victims in all of Pennsylvania's 67 counties. Last year, rape crisis centers served 76,202 individuals impacted by sexual violence, including close to 20,000 children. As a result of this network's efforts, over 32,000 hotline calls were answered; 180,000 hours of counseling and advocacy were provided; and approximately 45,000 community members received training on how to better respond to victims and do their part in preventing sexual violence.

Prevalence of campus sexual assault

While campus sexual assault is far too frequently a reality for students, 89% of campuses reported zero incidents of rape in 2015. There is often a glaring disparity between what is reported to college officials and the traumatic reality of sexual violence in the lives of college students.

Anonymous campus sexual assault climate surveys enable colleges and universities to better understand the true prevalence of sexual violence on their campuses and to address the risk factors that allow it to occur. Students are able to respond to these surveys—sharing information about incidents, locations, relationships, as well as their feelings about campus adjudication systems and evaluations of current prevention efforts—without disclosing their identities. This results in campuses receiving a more accurate

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picture of how, where, and to whom sexual violence occurs on campus and what steps they can take to both help students who are impacted and safeguard against future violence.

A recent analysis of climate survey data can help us better understand the landscape of campus sexual violence throughout the U.S. According to climate survey data from a representative sample of 27 colleges and universities (AAUW, 2015):

- 16% of college students have experienced nonconsensual sexual penetration or touching as a result of physical force or incapacitation while enrolled in a 4-year college or university.
- Students who are new (first-year and undergraduate), female, transgender, or have disabilities experience higher rates of sexual victimization while enrolled.
- Close to 50% of college students have experienced sexual harassment, 9% experienced intimate partner violence, and 4% experienced stalking.
- Most sexual assaults are not reported to colleges and universities: only 25% of victims of forced penetration, 7% of victims of nonconsensual sexual touching by force, and 5% of victims of incapacitated nonconsensual sexual touching reported their assaults to campus officials.
- Experiential and academic research shows that barriers to reporting include fear of not being believed or of retaliation, lack of faith or trust in the campus adjudication system, physical and mental health needs, competing demands of school and work, feeling ashamed or blamed for the assault, fear of getting in trouble, and not understanding what happened to them was a form of sexual violence.

Best practices in prevention

While sexual violence is prevalent on college campuses, it is also preventable. Research shows that stopping sexual violence is possible when prevention efforts are comprehensive, theory-driven, socio-culturally relevant, conducted by skilled individuals, provided in sufficient dosage, and appropriately timed (Nation, 2003).

Public health approaches to sexual violence prevention mobilize individual behavior change in the context of relationships, communities, organizations/systems, and larger society (Centers for Disease Control and Prevention, 2017). “Once-and-done” awareness or risk reduction programs that solely focus on individual-level change do not ultimately stop sexual violence from occurring. For example, teaching someone how to keep themselves safe from an attack (through self-defense, the buddy system, watching your drink,

etc.) may help some individuals feel safer, but they do not ultimately interrupt the social conditions that enable sexual violence to occur or stop a person from committing sexual assault against someone else.

Recent research points to multi-session efforts that address social norms, foster organizational-level environmental and policy change, engage men and boys, and equip bystanders to intervene as showing promise in stopping sexual violence (NSVRC, 2014). Additionally, it is imperative that K—12 prevention efforts are underway before a person starts their college career. While skill development and changes in behavior and knowledge are possible in early adulthood, it is critical that values and norms about safety, respect, consent, and healthy relationships are established much earlier than age 18—in developmentally appropriate methods with students throughout the trajectories of their preschool, elementary, secondary, and post-secondary learning.

Best practices in sexual assault counseling and advocacy

Research shows that victims of sexual violence benefit from the support of a rape crisis advocate after an assault and when interfacing with medical, law enforcement, criminal justice, and other response systems (Campbell, 2006). The White House Task Force to Protect Students from Sexual Assault identified victim service resources as key components of a trauma-informed sexual assault response and crisis intervention system.

Rape crisis advocates are uniquely suited to support campus sexual assault victims and survivors. Advocates do not report to the campus administration nor are they faced with having to fulfil a dual—and at times conflicting—professional role on campus as some Title IX, Student Conduct, Campus Security Authorities, Public Safety, Faculty, and other professionals often face. Advocates are there to provide confidential support and services to victims of sexual violence. That is their primary role. They bring expertise and knowledge to students that are unduplicated. Given the vast underreporting of sexual violence to campus professionals, it is of utmost importance that students have the support of a rape crisis advocate, who can provide confidential, professional, and 24/7 services and help students navigate their campus and criminal justice options.

Future steps in combatting sexual violence on college campuses

Given what is known about the principles of effective sexual violence prevention and the benefits of a trauma-informed system of response for victims, PCAR recommends that collaborations occur across institutions of higher education and community-based rape crisis and domestic violence centers throughout Pennsylvania. Any legislation attempting to strengthen sexual violence prevention and response will be more successful when such collaborations are named, formalized, and encouraged.

As we anticipate the federal Department of Education's public commenting period on Title IX this spring, PCAR continues to express concern about further dilution of Title IX rights and resources for victims of sexual assault. Efforts to codify Title IX at the state level are underway in other states and jurisdictions. PCAR applauds the aspects of HB 962 that seem to attempt to codify them in Pennsylvania.

If passed, HB 962 would help to further support and expand existing requirements through the Clery Act, the Violence Against Women Act, Title IX, and other legislation pertaining to campus sexual assault prevention and response in Pennsylvania. More specifically, HB 962 may enhance transparency in incident reporting; policies and protocols pertaining to campus adjudication proceedings as well as awareness and prevention programming; notifications to campus community members about rights, resources, and safety risks; and other efforts.

PCAR looks forward to additional opportunities to inform HB 962 in relation to the *It's On Us* legislative package, federal legislation, and other pending bills related to campus sexual assault. In future discussions, we are interested in learning more about what is meant by "valid complaint" and how HB 962's language pertaining to definitions and reporting intersect with and potentially strengthen or conflict with existing reporting structures and definitions (for example in Clery, Title IX, and others).

If the intent of the bill is to codify Title IX as a safeguard, PCAR would like to offer additional language to consider—for example language that protects Title IX guidance pertaining to the preponderance of evidence standard of evidence, interim measures, advisors of choosing, timeliness of investigations, availability of both civil and criminal reporting mechanisms, definitions, and others. Further, we feel it is important to specifically name rape crisis centers as referrals for victims and to ensure that prevention efforts are designed and delivered in collaboration with these subject matter experts.

Thank you for inviting PCAR to share this information with the Committee and for your collective leadership in strengthening sexual assault prevention and victim services throughout the Commonwealth. Please contact me if I can be of further assistance in the Committee's consideration of HB 962 or other legislation: dgreco@pcar.org or 1-717-728-9740, x114.