

# A Resolution Against the Safe Campus Act (House of Representatives Bill #3403)

**WHEREAS**, The Safe Campus Act of 2015 (H.R. #3403) proposes the prohibition of colleges and universities from investigating sexual assault cases or punishing sexual predators until the victims or survivors report the crime to law enforcement<sup>1</sup>; and,

**WHEREAS**, Title IX of the Education Amendments of 1972 prohibits any form of sex discrimination, including sexual violence and sexual harassment, from all educational programs and activities that receive federal funding. Such prohibition requires universities to create a safe environment for all students and to ensure the continued education for those who experience sexual harassment, sexual violence, dating and domestic violence, and/or stalking<sup>2</sup>; and,

**WHEREAS**, The University of California, Los Angeles (UCLA) is committed to creating and maintaining a campus community free from all forms of discrimination, including sexual harassment and sexual violence, and does not tolerate any acts of sexual harassment and sexual violence, which are prohibited both by the law and University policy<sup>3</sup>; and,

**WHEREAS**, The Safe Campus Act would prohibit UCLA from upholding these standards and ensuring a safe campus for students' well-being, as required under Title IX<sup>4</sup>; and,

**WHEREAS**, UCLA provides students with confidential resources such as Counseling and Psychological Services (CAPS), Campus Assault Resources and Education (CARE) Advocates, Student Legal Services, and the Rape Treatment Center at Santa Monica, for students who would prefer to discuss all possible options, including reporting and/or accommodations to ensure students' continued education, prior to potential engagement with non-confidential, or reporting resources<sup>5</sup>; and,

**WHEREAS**, The Title IX Office upholds student rights to report incidences of sexual violence to UCLA, in order for UCLA to investigate the claims and have the complaint resolved promptly through a fair and equitable process<sup>6</sup>; and,

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<sup>1</sup> <https://www.govtrack.us/congress/bills/114/hr3403/text>

<sup>2</sup> <http://www.dol.gov/oasam/regs/statutes/titleix.htm>

<sup>3</sup> <http://www.sexualharassment.ucla.edu/>

<sup>4</sup> <https://www.govtrack.us/congress/bills/114/hr3403/text>

<sup>5</sup> <http://www.sexualviolence.ucla.edu/Get-Help>

<sup>6</sup> [http://www.sexualharassment.ucla.edu/Portals/42/Documents/YOUR\\_RIGHTS\\_UNDER\\_TITLE\\_IX.pdf](http://www.sexualharassment.ucla.edu/Portals/42/Documents/YOUR_RIGHTS_UNDER_TITLE_IX.pdf)

**WHEREAS**, In providing the reporting options of both the Title IX Office and UCPD, UCLA allows the victim or survivor to choose whichever, if either, reporting path to pursue. This method upholds the victim's or survivor's choice and agency<sup>7</sup>; and,

**WHEREAS** Some student victims or survivors choose not to report to law enforcement because legal proceedings often take an extended amount of time and effort. This can be emotionally exhausting for victims or survivors and also take time away from their education and educational opportunities<sup>8</sup>, thus infringing on their right under Title IX to have an education free from ongoing sex discrimination, sexual harassment, or sexual violence;<sup>9</sup> and

**WHEREAS**, 1 in 5 women<sup>10</sup> and 1 in 6 men<sup>11</sup> will experience sexual assault while in college; and,

**WHEREAS**, 1 in 2 transgender people experience sexual violence.<sup>12</sup> Most transgender survivors have experienced repeated sexual violence: 73% of transgender survivors have been sexually assaulted more than once<sup>13</sup>; and,

**WHEREAS**, Undocumented persons experience sexual violence and sexual harassment at higher rates than documented persons. However, undocumented survivors are less likely to report violence against them<sup>14</sup>; and,

**WHEREAS**, People of Color experience sexual violence at disproportionately high rates: Approximately 34% of multiracial women, 27% of Native American Indian women, 22% of Black women and 14.6% of Latina women are survivors of sexual violence<sup>15</sup>; and,

**WHEREAS**, Communities of color and undocumented persons have faced historical oppression by law enforcement in a variety of contexts. As a result of their experiences, they may not feel comfortable reporting to police agencies<sup>16</sup>; and,

**WHEREAS**, Approximately 80% of assaults are committed by someone known to the victim or survivor and 47% of rapists are a friend or acquaintance<sup>17</sup>; and,

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<sup>7</sup> <http://www.sexualviolence.ucla.edu/Filing-a-Report>

<sup>8</sup> <http://knowyourix.org/why-schools-handle-sexual-violence-reports/>

<sup>9</sup> <http://knowyourix.org/title-ix/title-ix-the-basics/>

<sup>10</sup> [https://www.whitehouse.gov/sites/default/files/docs/sexual\\_assault\\_report\\_1-21-14.pdf](https://www.whitehouse.gov/sites/default/files/docs/sexual_assault_report_1-21-14.pdf)

<sup>11</sup> [http://www.nsvrc.org/sites/default/files/publications\\_nsvrc\\_factsheet\\_media-packet\\_campus-sexual-assault.pdf](http://www.nsvrc.org/sites/default/files/publications_nsvrc_factsheet_media-packet_campus-sexual-assault.pdf)

<sup>12</sup> <http://www.sciencedirect.com/science/article/pii/S1359178909000202>

<sup>13</sup> <http://forge-forward.org/2015/09/trans-sa-survivors-self-help-guide/>

<sup>14</sup> [http://www.prrac.org/full\\_text.php?text\\_id=315&item\\_id=3289&newsletter\\_id=33&header=Race+%2F+Racism](http://www.prrac.org/full_text.php?text_id=315&item_id=3289&newsletter_id=33&header=Race+%2F+Racism)

<sup>15</sup> [http://www.cdc.gov/violenceprevention/pdf/nisvs\\_report2010-a.pdf](http://www.cdc.gov/violenceprevention/pdf/nisvs_report2010-a.pdf)

<sup>16</sup> <http://www.ocadsv.org/resources/fact-sheets/communities-color>

<sup>17</sup> <https://rainn.org/statistics>

**WHEREAS**, Only 7% of survivors of incapacitated sexual assault report to the police<sup>18</sup>, and 90% of all campus sexual assaults involve alcohol<sup>19</sup>; and,

**WHEREAS**, Nationally, as of 2014, only 33.6% of rapes and sexual assaults were reported to law enforcement<sup>20</sup> and even fewer have lead to an arrest or conviction.<sup>21</sup>

**THEREFORE LET IT BE RESOLVED** The Undergraduate Student Association Council (USAC) directs the External Vice President (EVP) to encourage the University of California Students Association (UCSA) to formally oppose the Safe Campus Act (HR 3403); and,

**THEREFORE LET IT BE RESOLVED** The Undergraduate Student Association Council (USAC) directs the President to encourage the Council of Student Body Presidents to formally oppose the Safe Campus Act (HR 3403); and,

**THEREFORE LET IT FURTHER BE RESOLVED** The Undergraduate Student Association Council (USAC) directs the External Vice President (EVP) to send letters to Congressman Matt Salmon, who introduced this bill, and to Congressman Pete Sessions, Congresswoman Kay Granger, and Congresswoman Brenda Lawrence, who co-sponsored this bill. These letters should express opposition to this bill; and,

**THEREFORE LET IT FINALLY BE RESOLVED** The UCLA Undergraduate Students Association Council (USAC) does not support the Safe Campus Act (HR 3403) of 2015.

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<sup>18</sup> <https://www.ncjrs.gov/pdffiles1/nij/grants/219181.pdf>

<sup>19</sup> [https://www.wcasa.org/file\\_open.php?id=42](https://www.wcasa.org/file_open.php?id=42)

<sup>20</sup> <http://www.bjs.gov/content/pub/pdf/cv14.pdf>

<sup>21</sup> <https://rainn.org/get-information/statistics/reporting-rates>