

**Remarks for Senator Kirsten Gillibrand
Campus Accountability and Safety Act HELP Committee Testimony
Wednesday, July 29, 2015**

Thank you, Chairman Alexander and Ranking Member Murray, for holding this important hearing on campus sexual assault.

Despite having a legal obligation to guarantee a safe learning environment, colleges and universities have consistently underplayed and underreported campus sexual violence, fearful that their application numbers will simply go down if these incidents become public.

A year ago, we outlined a new path forward to protect students from campus sexual assaults. We heard from survivors who spoke not only of the physical assault they endured, but of the second injustice – the second betrayal of trust – by the schools they loved. And we listened to law enforcement, to campus officials, and to advocates for the rights of the accused, who wanted their voices heard.

After soliciting feedback from stakeholders across the spectrum, earlier this year, we introduced a superior version of the *Campus Accountability and Safety Act*.

This bill would flip the incentives, so that for the first time, it would be in the schools' best interest to actually solve this problem, and to do it aggressively. We did it because the price of a college education should never include the risk of sexual assault.

When we reintroduced the legislation earlier this year, we had 16 original cosponsors. Since then, support for the bill has grown to 32 total co-sponsors – 12 Republicans and 20 Democrats.

Every day, it's becoming increasingly clear that too many schools are failing because they do not take sexual assault seriously enough. They do not treat these life-altering assaults for the violent crimes that they are.

Schools all across the country will routinely withhold your diploma if you didn't pay your fees. They'll routinely kick you out of school if you cheated on a test. But the statistics for students who have violated other students – who have sexually assaulted them and raped them – show that only one-third are actually expelled for that crime.

In other words, two-thirds of students who were found responsible for sexual assault are still on their college campuses. What does it say about these schools' priorities if some colleges have tougher justice for a student cheating on an exam than for someone who has raped another student?

The *Campus Accountability and Safety Act* would transform the way colleges and universities deal with this crime.

With this bill, instead of pretending these crimes don't happen, schools would be held accountable for reporting their sexual assault statistics – accurately and publicly.

Every college and university in the country would give their students an anonymous, standardized survey to assess students' experiences with campus sexual violence. The results of this biennial survey would give students, parents, and campus administrators a snapshot in time of what's happening on campuses, and would paint a more comprehensive picture of the scope and depth of this national problem.

And instead of worrying about a drop-off in applications if those numbers go public, schools would be considered outliers when the crime statistics they provide to the Department of Education in their Clery reports are lower than what students are reporting in their surveys.

With this bill, instead of having campus security and local police debate jurisdiction after a sexual assault is reported, every college and university in the country would be required to have a memorandum of understanding with local law enforcement to clearly delineate responsibilities.

In these types of crimes where physical evidence is crucial, time is precious, and we cannot tolerate hours or days or weeks of delay while jurisdictional arguments are being made.

And instead of a survivor feeling like she has to go public with the details of her rape just to capture her school's attention, with this bill, she would get a dignified path to justice, without having to broadcast the details of the worst night of her life to the public, on the cover of The New York Times.

I urge my colleagues here to support this critically important bill. We all have a responsibility to keep our young men and women safe on campus.

Thank you.