

News Release

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NASPA[™]

Student Affairs Administrators
in Higher Education

Legislators urged to reject bills that make ending sexual assault on campus even more difficult

*Pending legislation in nine states may have unintended and chilling consequences
for victims nationwide*

Washington, DC (Feb. 19, 2015)—NASPA-Student Affairs Administrators in Higher Education, along with nearly 20 higher education associations and nonprofits, coalitions against sexual and domestic violence, and women’s and victim’s rights organizations, has called on legislators and governors in all 50 states to reject two kinds of bills that will impose additional obstacles for colleges and universities to end sexual violence on campus.

In an open letter issued today, NASPA and its coalition members noted that proposed legislation in nine states would mandate the referral of all reports of sexual assault to local law enforcement or give rights of judicial review only to accused students or organizations. The pending bills would actually have the opposite effect from the one intended and would make it *more* difficult for campuses to end violence and its devastating effects on victims’ lives.

“Sexual assault on campus is one of the most prominent and pressing challenges higher education leaders are grappling with—and college and university presidents are eager to have more and better ways to combat the issue,” says NASPA President Kevin Kruger. “While legislative remedies may have good intentions, they often offer imperfect and impractical approaches to these very complex and nuanced situations.”

Kruger added, “Legislation which mandates the referral of every sexual assault to law enforcement will have a chilling effect on many victims’ willingness to come forward. While campus-based processes offer room for improvement, requiring all cases to move to law enforcement has the potential to ‘re-victimize’ the victim by removing control over how their own case should proceed.”

Additionally, said Kruger, “Bills which allow attorneys full cross-examination rights on behalf of the accused may have been drafted to provide fairness to all parties, but we must not forget that the campus judicial proceedings *are not* courts of law—and shouldn’t be treated as such. The addition of attorneys who will have full participation rights in a campus hearing, is contrary to decades of case law that has rightly limited the role of the attorney in campus proceedings.”

Members of the coalition have reported that such bills have been proposed in Iowa, Texas, Maryland, New Jersey, Rhode Island, California, South Carolina, North Dakota and Virginia.

The full text of the letter and list of signatories can be viewed on the [NASPA website](#).

Interviews with NASPA President Kevin Kruger can be facilitated by contacting Kristal Griffith at 202-719-1177 or KGriffith@naspa.org

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