



**COMMONWEALTH of VIRGINIA**  
**GOVERNOR TERRY MCAULIFFE'S TASK FORCE ON**  
**COMBATING CAMPUS SEXUAL VIOLENCE**  
**CHAIR ATTORNEY GENERAL MARK HERRING**

**PREVENTION SUBCOMMITTEE**

**Summary of Work to Date and Future Areas of Focus**

**Background:**

**Prevention Subcommittee Areas of Focus:**

- Finding ways to create an open and supportive relationship among students, faculty, campus organizations, the administration, law enforcement, community based organizations, and the greater college/university community;
- Assess current prevention programs for faculty, students and staff to determine what training is currently being utilized, who are the recipients and their effectiveness;
- Research and review prevention programs for faculty, students and staff in Virginia, nationally and internationally to identify best practices; and
- Identify the best methods to encourage reporting by victims and anonymous reporting by witnesses.

**Work to date:**

The Prevention Subcommittee has held two meetings: one two-part meeting with numerous experts presenting to gather data and one meeting to determine areas of focus for action and further study. The subcommittee heard from nine speakers to understand the scope of prevention as well as primary prevention, secondary prevention and tertiary prevention efforts. The subcommittee learned about targeting programming to affinity groups, evidence based practices, and opportunities for improvement. After digesting this information, the subcommittee determined that it will focus its work in three areas encompassing the following topics:

1. Climate Surveys  
Ángel Cabrera, Leah Cox, Fran Bradford  
Staff: Kay Heidbreder
  - a. Social normalizing: What behaviors are normal and acceptable in our campus community as evidenced by climate surveys?
  - b. How to use Data: Can climate survey data be used to drive specific campaigns to specific groups?

- c. Statewide question set: Many campuses are doing climate surveys-could a set of common questions be helpful in directing prevention efforts? What sort of data might be gained by a consistent set of questions: A working group of those campus-based individuals responsible for those surveys is being formed to focus on this issue.
  - d. What mobile applications are campuses using relative to prevention?
2. Evidence-based Prevention Strategies/Programs  
Frank Shushok, Tom Kramer, Christopher Ndiritu, Dorothy Edwards  
Staff: Secretary Holton, Lisa Furr
- a. Populations: Identify the sub-populations on a campus and how they might best be targeted for education. Also identify the type of students that might be reached through those groups.
  - b. Timing of education: The "one and done" method of information sharing during Freshman year may not be sufficient. Determine the best times to deliver information to different populations during the school year.
  - c. Specific outreach strategies: Identify outreach strategies proven to work with different groups and determine if they can be replicated or improved upon.
  - d. Healthy relationships: Identify successful efforts that help individuals define and practice healthy behaviors within relationships over the life span.
  - e. Applications being used for prevention: What computer or phone-based applications are being used and what is their efficacy?
  - f. Bystander intervention: Investigate the success of these prevention efforts and identify those that can be easily replicated.
3. Intersectional Issues  
Brandon Day, Kristi Van Audenhove, Emily Renda  
Staff: Mary Vail Ware, Dr. Trent
- a. K-12: What existing prevention efforts in K-12 can be maximized to include information about healthy relationships and age-appropriate messages about sexual assault prevention?
  - b. Alcohol: Investigate the role of alcohol and other substances as an enabler of sexual harassment and assault and model programs and efforts that address this issue.
  - c. Hazing: Acknowledge that hazing can create an environment that accepts violence and violation of personal boundaries in an atmosphere that encourages secrecy. Identify hazing prevention programs that might be a natural fit to include sexual assault prevention activities.
  - d. Healthy relationships: Identify characteristics of healthy relationships and how those messages are incorporated into all campus-based prevention programs.

- e. Gender roles: Acknowledge how notions of gender roles can influence the perpetration and acceptance of sexual harassment and sexual assault and identify successful institution and K-12 based efforts to open dialog on this issue.

### **SUMMARY:**

The Prevention Subcommittee will hold a meeting to explore the intersection of alcohol and other substances with sexual assault and harassment. Additionally, the climate survey task group is convening a working group of individuals from institutions that have experience with development, administration, and data analysis relative to climate surveys. This work group will determine commonalities and best practices in developing survey instruments and using the data for prevention efforts. Each task group identified above will work on the identified issues to develop specific recommendations around the identified topics for the June 2015 Task Force report.



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**LAW ENFORCEMENT SUBCOMMITTEE**

**Summary of Work to Date and Future Areas of Focus**

The **Governor's Task Force on Combating Sexual Violence** held its first meeting October 9, 2014, under the chairmanship of Attorney General Mark Herring. Since that meeting, each of three subcommittees (Prevention, Response, and Law Enforcement) has met monthly to advance the work of the Task Force.

The **Law Enforcement subcommittee** of this Task Force has been directed to consider:

- Communication and relationship-building between local law enforcement, prosecutors, campus police, administration and students;
- Best practices for survivor-centered response throughout both university and criminal investigations, and the intersection/overlap of these investigations; and
- Officer and responder training around the issue of sexual assault.

Subcommittee meetings were held on October 22<sup>nd</sup>, December 10<sup>th</sup>, and January 7<sup>th</sup>, prior to the next full Task Force meeting scheduled on January 8, 2015. Additionally, Subcommittee Chair John Venuti spoke individually with each task force member by phone after the first subcommittee meeting and compiled a list of ideas and suggestions that included each committee member's feedback for potential areas of focus for the subcommittee's work. This list was shared at the December 10<sup>th</sup> meeting for review by all subcommittee members. Based on this list and discussion at the first two meetings, a work plan was developed and presented by Abby Raphael at the January 7<sup>th</sup> meeting and tasks were divided among committee members.

**Work to Date:**

The three meetings of the subcommittee yielded much healthy discussion and idea exchange.

Speakers at the October 22<sup>nd</sup> meeting included Reuban Rodriguez, Dean of Student Affairs and Deputy Title IX Coordinator at VCU, who provided a Title IX overview and spoke about how Title IX issues are handled at VCU; Chelsea Godfrey, a sexual assault survivor who was

raped in her first month on campus at Ferrum College who recounted her experiences, including the obstacles she encountered in her attempts to get assistance on-campus and within the community; and Chief Venuti, who discussed Clery Act requirements for timely warnings and shared the template he uses to both alert and educate the VCU campus community about sexual assault issues. This meeting also included robust discussion of trauma-informed response on all levels, including interviewing.

Speakers at the December 10<sup>th</sup> meeting included Kristina Vadas, Sexual Assault Program Coordinator at DCJS, who provided information about Sexual Assault Response Teams, including current statutory requirements, typical team composition, and campus-specific SARTs and Chiefs Anthony Wilson (Blacksburg PD) and Kevin Foust (Virginia Tech PD) who discussed relationship-building between campus and municipal law enforcement agencies and opportunities for collaboration between these two entities. Public comment was also considered at this meeting from Chief David McCoy (University of Richmond PD), who pointed out the benefits to the increased reporting that Title IX and the Clery Act have encouraged and also urged the codification of campus SARTs, potentially adding it to threat assessment language already in code, and from Kristine Hall (Public Policy Director, Virginia Sexual and Domestic Violence Action Alliance), who applauded the comprehensive and multidisciplinary lens the subcommittee, and task force in its entirety, is taking with regard to this complex issue and discussed the continuum of disclosure, the need for supportive systems, and baseline data to consider not only reporting but also case outcomes/dispositions.

Speakers at the January 7<sup>th</sup> meeting included Chiefs Michael Gibson (UVA PD), Tim Longo (Charlottesville PD), Robert Beach (Longwood PD), and Doug Mooney (Farmville PD), who provided information about how these particular municipal and campus law enforcement agencies collaborate and maximize resources and participated in discussion about SARTs, accreditation, and Title IX/criminal investigation intersection. Jane Chambers, Director of the Commonwealth's Attorneys' Services Council, also shared information about current training opportunities available for prosecutors to enhance successful prosecution in sexual assault cases while being mindful of trauma-informed response.

As the committee looks forward towards recommendations for the June 2015 report, the following topics are under current consideration by the group:

- Coordination of criminal and Title IX investigations - consideration of potential parallel investigations
- Campus/municipal law enforcement relationships - best practices for coordination and information-sharing / MOUs addressing sexual assault
- Campus Sexual Assault Response Teams
- Ongoing opportunity for trauma-informed sexual assault training
- Training for municipal law enforcement / prosecutors on Title IX/federal law
- Certification process and training for Title IX investigators, including a potential cadre of Title IX investigators for the state

- Reporting options - including technology options available for reporting
- Minimizing victim reluctance to report - including amnesty options when the victim has engaged in unlawful conduct

**Summary:**

The Law Enforcement subcommittee will continue formulating and fine-tuning recommendations around the major themes of training, legislation, and technical assistance, with upcoming subcommittee meetings scheduled for February 4<sup>th</sup> and March 10<sup>th</sup>. At the January 7<sup>th</sup> meeting the subcommittee divided tasks in accordance with a drafted workplan based on previously identified themes / areas of focus, with each committee member tasked with assignments to complete between now and the February subcommittee meeting.



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**RESPONSE SUBCOMMITTEE**

**Summary of Work to Date and Future Areas of Focus**

**Background:**

**Response Subcommittee Areas of Focus:**

- Identifying ways to coordinate campus and community response services and ensure response services are accessible to survivors;
- Develop best practices for policies and grievance procedures (confidentiality and requests not to pursue investigation, definition of consent, hearing and appeals processes, interim measures, sanctions);
- Ensuring compliance with federal guidance; and
- Finding ways to create an open and supportive relationship among students, faculty, campus organizations, the administration, law enforcement, community based organizations, and the greater college/university community.

**Work to date:**

The Response Subcommittee has met three times since the first full Task Force meeting, with an additional meeting scheduled for January 7, 2015. During those meetings, the subcommittee heard from 11 speakers regarding various response measures and issues related to addressing campus sexual violence. The subcommittee learned about Title IX/VAWA/Clery/FERPA as a foundation for upcoming discussions regarding responses to sexual violence. This included information on reporting procedures, interim measures, time frames, confidentiality, victims' rights notifications, coordination between law enforcement and Title IX investigations, resolutions, sanctions, and remedies upon case closure. Through the speakers presenting, the subcommittee discussed the differences between two-year institutions and four-year institutions and that responses to sexual violence are not one-size-fits-all for all institutions. Response policies and procedures must be tailored to meet the needs of each institution, whether it is a two year, four year, public, or private. The presenters discussed the need for collaboration when addressing sexual violence, both internal to the institution (such as case management) as well as partnering with community-based services, programs, and agencies. Additional presentation topics included: the two-year institution response; the four-year institution response; statewide sexual violence programs and the local sexual violence program perspective; student perspective; PERK (Physical Evidence Recovery Kit) exams, SANE (Sexual Assault Nurse Examiner) exams, and how to access these services; law enforcement response; the national context in the student affairs community; and the national conversations about campus sexual

violence amongst higher education governance and leadership organizations. The subcommittee also learned about the impact of trauma on survivors and the long-term effects sexual assault can have on a survivor. Finally, the strategic use of technology as a method for reaching students, providing resources, and for offering assistance after an incident occurs was discussed.

The following action items were identified by the subcommittee to be addressed:

- Trauma-informed response for survivors from the point a report is made through adjudication;
- Fair and equitable response to the accused;
  - Due Process
  - Interim measures
  - Should transcripts be flagged if the accused is found responsible? Should transcripts be flagged if the accused is charged with a violation?
- Collaboration;
  - Case management
  - Sharing information and resources between the institution, local advocacy groups, and crisis centers in specific cases
  - Statewide collaboration and sharing of resources between all institutions of higher education
- Training and education regarding reporting options and support services for survivors. Using technology, apps, and social media to raise awareness of how to respond when an incident occurs;
- Establishing standards or metrics for response services and staff (i.e. having a certain number of counselors or confidential aides based on student population and a ratio of law enforcement officers to students); and
- Address and improve the gaps and collisions between federal mandates (OCR, VAWA, FERPA), Virginia law, local law and practices, and college and university policies for response.

**Summary:**

At one of its future meetings, the Response Subcommittee will be discussing issues and responses related to the accused student or individual including due process, rights of the respondent in investigation and adjudication, and interim measures. The Response Subcommittee has been in an information-gathering stage thus far in order to identify the key issues to ensure a trauma informed and a fair and equitable response to sexual violence in the campus setting. Future meetings will be dedicated to addressing these issues and formulating detailed recommendations for the final Task Force report due in June 2015.