



Testimony of Dasia Moore  
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In favor: H.B. 5376  
An Act Concerning Affirmative Consent

Madam Chairs and Members of the Higher Education and Employment Advancement Committee,

My name is Dasia Moore, and I am a sophomore at Yale University, one of three colleges in Connecticut that already define sexual misconduct using the affirmative consent standard. I am in support of H.B. 5376, An Act Concerning Affirmative Consent, because I believe it has the power to address the cultural and structural roots of sexual violence on college campuses.

I want to begin my argument in favor of H.B. 5376 with a question: “What about safety?” Ask any college tour guide, and they are likely to tell you this is one of the questions they receive most often from parents. Just as high school seniors prepare for the next chapter of their lives—excited for independence, adulthood, and furthering their education—their parents are also embarking on a new journey. I remember from my own college touring process. While I was marveling at the architecture, course listings, and dining options at each school, my parents were scanning campuses for signs of reassurance that I would be able to thrive and be safe, far from their protective gaze.

Though parents take comfort in campus security forces, blue emergency lights, and locked dorms, the truth is that college campuses are disturbingly unsafe. Appalling levels of rape and sexual assault persist at our colleges and universities and prevent many students from ever feeling protected or at home. The statistics on how many college students are victims of sexual violence vary, but all estimates are too high. Many studies estimate that one in five women experience sexual assault during their college careers<sup>1</sup>. The Association of American Universities campus climate survey, conducted just last school year, found that 23 percent of female-identified respondents had experienced unwanted sexual contact<sup>2</sup>. Being victimized by sexual violence is by no means restricted to college women. Men are also assaulted, and transgender students are disproportionately victimized.

Why is it that places of higher learning, which profess their dedication to individuals’ and the world’s improvement, continue to be so unsafe for so many students? I believe the answer is two-fold. First, the culture of colleges and US society at large fail to emphasize the extreme

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<sup>1</sup> [http://www.nsvrc.org/sites/default/files/publications\\_nsvrc\\_factsheet\\_media-packet\\_statistics-about-sexual-violence\\_0.pdf](http://www.nsvrc.org/sites/default/files/publications_nsvrc_factsheet_media-packet_statistics-about-sexual-violence_0.pdf)

<http://www.cnn.com/2015/05/20/living/feat-rape-freshmen-women-new-study/>

<sup>2</sup> <https://www.aau.edu/Climate-Survey.aspx?id=16525>

importance of communication, respect, and consent in sexual encounters. This results in a culture in which some people feel that rape is okay or incorrectly believe that some nonconsensual acts can be excused or justified.

To make matters worse, students who pursue justice through the university system fear that colleges will mishandle sexual assault cases by failing to properly identify and punish perpetrators. This is not to say that universities should not have the authority to adjudicate instances of sexual misconduct. The legal system provides even more barriers to survivors of sexual assault who want justice. In fact, this is one reason the failure of academic institutions to properly punish rapists and other sexual assailants is especially disappointing; failing university justice systems are still often a survivor's best option.

With such complex causes contributing to the prevalence of sexual violence at colleges, the issue can hardly be solved with a simple solution. However, the best type of response would be one that seeks to change both the culture that allows sexual violence and the university adjudication processes that allow it to go unpunished. Affirmative consent does just that.

By asserting that positive sexual encounters involve clear consent—and all acts that lack consent are assault by definition—this policy encourages healthier, more respectful sexual standards for college students. Instead of simply avoiding resistance, as the “no means no” standard encourages, students at schools with affirmative consent policies and education look for sexual encounters that involve mutual enthusiasm and agreement. The second benefit of affirmative consent is that it would make campus adjudication of sexual assault cases more uniform and fair across the state. Using consent as the standard for healthy sexual interactions, schools will be able to better respond to victims who face a range of assault. It will give a voice and a path to justice to those who were previously denied both, simply because they might not have been able to prove they physically or verbally resisted their attackers.

H.B. 5376 will not eradicate campus sexual violence overnight. However, it will go a long way to repairing campus cultures that are ignorant of consent. The bill proposes mandating sexual violence awareness, prevention, and intervention training for all students. This type of training would build on people's natural understandings of consent and respect to make clear that nonconsensual sexual activity is absolutely unacceptable. H.B. 5376 will also ensure that survivors of sexual violence who choose to seek justice through the university system are heard.

So what about safety? How do you, the honorable members of the Higher Education Committee—parents, aunts, uncles, siblings and friends yourselves—answer mothers and fathers sending their children to college in your state? How do you answer 18-year-olds ready to embark on a new journey, without fear of physical and psychological harm? How do you answer the scores of students in your districts who are waiting for you to help them make their campuses safer? I hope you choose to answer with H.B. 5376. I hope you choose to answer with justice.