

From: Christopher Perry  
Re: HB 7233

**Testimony to Connecticut General Assembly – March 9, 2017**

Good Afternoon – Members of Higher Education and Employment Advancement Committee. Thank you for your consideration and allowing me the opportunity to testify today regarding HB 7233, AN ACT CODIFYING FEDERAL TITLE IX PROTECTIONS.

My name is Christopher Perry, and I am the Deputy Executive Director for Stop Abusive and Violent Environments. SAVE is a non-partisan 501(c)(3) organization dedicated to protecting all victims, ensuring due process, and producing reliable outcomes in campus sexual assault cases.

SAVE is supportive of the proposed revisions of HB 7233. In addition, we wish to urge this committee to take this a step further and include statutory language that would enhance law enforcement's role in investigating campus sexual assault allegations.

I want to highlight two recent cases that showcase the essential role of law enforcement. The first case reveals how *college* investigators so often do a bad job of conducting a fair investigation. The second case shows how local police possess the requisite independence and investigational skills to reach a just outcome.

**Amherst College**

The Amherst College investigators failed to uncover relevant evidence of the accused's innocence, specifically, a text message by the female accuser sent to a friend which called her credibility into question. This text message was never disclosed to the college disciplinary committee, which ultimately decided to expel the male student. The male student later filed a lawsuit against the College. Two weeks ago, on February 28, a Federal District Judge ruled that the school's disciplinary procedures violated the accused's rights by not affording a fair

investigation or adjudication process. The Amherst case is a prime example of school investigators who utilize the “victim-centered” approach, leading to an erroneous conclusion and wrongful expulsion. (See <http://reason.com/blog/2017/02/28/student-expelled-for-rape-says-amherst-d>)

### Sacred Heart University

As I’m sure you have heard, a young woman, Nikki Yovino, recently was charged with filing a false police report. She alleged that two members of the SHU football team sexually assaulted her during an off-campus party. However, the complainant’s version of the incident contained several inconsistencies. When the Bridgeport police spoke to her about the inconsistencies, she admitted that she made up the rape allegations in hopes of gaining sympathy from another man. Yovino now faces up to five years in prison if convicted on the tampering charge. (See <http://nypost.com/2017/02/22/teen-charged-with-lying-about-being-raped-by-college-football-players/>)

To address these problems facing universities and students, SAVE developed model legislation entitled Campus Equality Fairness and Transparency Act (CEFTA). The purpose of CEFTA is to consider the legitimate interests and rights of both complainants and accused students to assure a fair adjudication process and to achieve reliable outcomes. In addition to numerous other provisions, CEFTA encourages, with the consent of the complainant, referral of sexual violence cases to local police. (See: <http://www.saveservices.org/wp-content/uploads/CEFTA-2.26.2017.pdf>)

I am grateful to the committee for addressing these serious cases. I urge you to ensure that the campus investigation and adjudication processes are comprehensive, impartial, and protect all students.

I thank you for your time, and I welcome any questions from the members of the Committee.