NORTHERN ILLINOIS UNIVERSITY

Sexual Assault in Universities
A Thesis Submitted to the
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Sociology

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Abstract

In this study, the author investigates how and why rape culture continues to exist in our society today. Certain concepts such as gender roles, college experience, acquaintance rape, and victim blaming are discussed in order to elaborate on this ideology. Furthermore, the author looks at how rape culture effects outcomes and survivors of sexual assault, specifically within universities, and how institutions handle such cases. Using surveys and research, it is clear that victims of sexual assault are not being supported and more needs to be done to help them. The author argues that because college environments and institutions tolerate sexual assault and put the responsibility on the survivors as opposed to the offender, victims suffer even more and refrain from reporting and seeking help. Universities fail to punish those found guilty of sexual assault appropriately, which only allows this epidemic to continue. It is clear that more people need to rebuke rape culture and start supporting and believing victims instead of shaming or blaming them into silence.
I. Introduction

Within our society, sexual assault has been and continues to be overlooked in criminal courts, leaving victims to feel helpless (Department of Justice 2015). However, sexual assaults on college campuses have become an epidemic. One in five women are sexually assaulted, and more women are vulnerable to sexual assault on college campuses (Lisak, et al. 2010). However, it is important to note that men can, and are, victims of sexual assault as well (Lisak, et al. 2010).

Rape is the most under-reported crime in the United States, noting that 63% of sexual assaults are not reported to police (Rennison 2002). Furthermore, within the sphere of college sexual assault, more than 90% of victims do not report. This is because victims of sexual assault have a fear of being accused of lying, blamed, shamed, nobody believing them, and not having a thorough investigation take place (Fisher, et al. 2000). Victims also do not report because they are aware that not many cases are taken to trial.

Based on the National Incident-Based Reporting System, only 13 rape cases are referred to a prosecutor and only 7 of those referred will result in a felony conviction out of every 1000 instances of rape (Department of Justice 2015). Because it is extremely difficult for victims to receive justice within our legal system, universities may be the only place for them to get the justice they deserve. These institutions might also be the only place for victims of sexual assault to receive resources to help them as well. However, some universities do not conduct adequate investigations or fail to punish offender appropriately, leaving the victim to face his/her rapist continuously, on campus.

With that in mind, this paper will focus on the policies implemented by both the state and the federal government regarding sexual assault within universities. I will be looking at the effectiveness of these policies as well. That is to say, if they really help victims of sexual assault
and punish the offender appropriately. More specifically, I will be looking at three research questions: 1) how are federal laws regarding sexual assault and dating violence carried out at Northern Illinois University? 2) What data are available to assess whether Northern Illinois University’s policies prevent sexual assault and dating violence, and are there problems with these data? And 3) how do Northern Illinois University students who’ve experienced sexual assault and dating violence get help within this structure, if at all? I will also investigate whether legislation is actually making an impact on sexual assault.

There are various boundaries that compel sexual assault victims to not report, which can cause them to suffer more physically, mentally, and emotionally (Ward, et al. 1991). Sexual assault is more common than we as a society want to acknowledge and in order to address this sensitive issue, we must discuss the social constraints that surround this area as well as improve the way institutions.

II. Literature Review

Rape culture is a set of values and beliefs that provide an environment conducive to rape (Buchwald, et al. 1993). Essentially, this means that as a society, we have created a culture that condones or allows rape and sexual assault to occur. Sexual assault has been directed more towards women being subject to oppression by men. “Rape is a kind of terrorism which severely limits the freedom of women and makes women dependent on men,” (Herman 1989; 45). This demonstrates that women in society are often at the mercy of men due to gender stereotypes. Because of the way our society has established such gender roles and stereotypes, women must follow certain “rules” in order to avoid sexual assault, and even when they do, it is still their fault if they were assaulted. The myths surrounding rape imply that the victims are to be held responsible for their attack. As a consequence, women are told that they are too promiscuous and
too flirtatious, and that is why they were assaulted (Herman 1989). This is how people put the responsibility of not being sexually assaulted on the victims by telling them not to flirt too much or dress too provocatively, instead of making the perpetrator accountable.

As previously mentioned, women in college are more vulnerable to sexual assault (Fisher et al. 2000). This is because of the culture that goes with the “college experience.” Martin et al. (2006) argue that because of the social atmosphere in colleges, alcohol and sexual assault are tightly linked together. The peer culture established in universities also allow for rape culture to transpire. They looked at three different approaches to sexual assault: the “individual determinants” approach, the “rape culture” approach, and the sociology of gender which includes fraternities and bars. They identify the type of rape that occurs most commonly in colleges as “party rape” – a kind of sexual assault that happens off campus or at a fraternity which consists of women being pressured and supplied with alcohol and then being targeted (Sampson 2002). The research shows that because college kids are concerned with social status and adhere to gender stereotypes, “party rape” is more likely to occur in that college setting. Because resources such as alcohol and venues are limited to men in fraternities, college women are encouraged to turn to those institutions for that so called “college experience.” This furthers the idea of gender roles and stereotypes by allowing fraternities to have control in party situations and encouraging women to drink more in order to inhibit their abilities. Doing so makes it possible for the men in these situations to take advantage of these women, and because there is a stigma attached to partying, these women are blamed for ruining a “good time” when they disclose that they have been sexually assaulted. Students attribute bad experiences, such as sexual assault, to women making mistakes. This leads women to believe they are responsible for preventing an attack, and they should be on guard at all times (Armstrong, et al. 2006).
Other scholars propose that sexual aggression within fraternities and universities are learned as opposed to being predispositions (Boeringer, et al. 1991). This reiterates the concept of gender roles. Men are seen as naturally sexual and aggressive, while women are seen as passive and reserved in their sexuality (Miller and Marshall 1987). These stereotypes are learned and stimulated further in the college setting. Men, especially those in fraternities, are seen as “cool” or “manly” when they brag about their sexual conquest of women. Rape culture is extremely evident in this environment. When college men were asked what date rape was, most of them stated that is when a women regrets having intercourse the morning after (Boswell and Spade 1996). This is type of ideology is what makes it difficult for victims of sexual assault to disclose and be believed when doing so.

Victims of sexual assault are hesitant to disclose because it is a popular belief that victims, women in particular, lie about the incident. People who believe this idea usually refer to a study done by Eugene Kanin in 1994 as evidence that victims usually lie about being sexually assaulted. Kanin studied 109 rape cases that were brought to and investigated by a small, Midwestern police department over the course of 9 years. The methods Kanin used within this study provided little information as to how he evaluated the police department’s system regarding the classification of these rape cases. He did not offer an exact definition of what a false report was, but instead simply classified reports as false only when the police department classified it as one. Kanin was given the opportunity to inquire further about these reports, however he failed to mention any details about the type of questions he asked or how he examined the process in which the police department declared a report as false. Furthermore, no systematized method was used during this study, such as a coding system, in order to analyze the police reports that would have protected the study against bias. Throughout this research, police
would threaten victims of sexual assault to be subject to a polygraph test, something that is now an illegal procedure due to the fact that this could intimidate and frighten the victim from pursuing criminal charges. Not to mention, polygraph tests are not reliable given the change of heart rate for other reasons besides lying. Because polygraphing has such negative effects on victims, the reauthorization of the Violence Against Women Act (VAWA) in 2005 states “that any state in which agencies use the polygraph on sexual assault victims jeopardizes its eligibility for certain grants, and a number of states have passed laws prohibiting the use of the polygraph to determine whether charges should be filed in a sexual assault case,” (Lisak, et al. 2010; 1323). The conclusion Kanin reached in his study was that 41% of those 109 reported rapes were false allegations.

However, recently Kanin’s methods of this study were examined more closely. David Lisak (2007) found the study was not reliable at all. The study did not meet the criteria of the scientific method. Kanin describes his methods as studying a case at one police agency, in one town. This shows limitations due to the fact that it is an extremely small sample size and the results are based on the biases of that town. Kanin would categorize reports as false only because the police believed it to be false and did not interview anyone besides the police. It is evident that the study only reflected the feelings of the police officers. The police in Kanin’s study were known for being unfair to the victims as well. Lisak pointed out various aspects that were wrong with Kanin’s study and why it cannot be taken as fact. Lisak cites more reliable studies conducted that refute Kanin’s findings. Kelly et al. (2005) and Lonsway et al. (2007) both conducted in-depth, studies that were similar in results. They found that approximately 2%-8% of rape reports are false allegations (Lisak 2007). This is substantially less than what the common belief is in regard to false rape reports. However, because a majority of our society
adheres to this falsehoods and other myths regarding sexual assault, victims are afraid to come forward (Lisak 2007).

The public tends to believe that rapists are strangers that come out of nowhere and attack (Lisak 2002). However, evidence shows that sexual assault and rape often occur between people that know each other in some way, this is known as “acquaintance rape” (Ward, et al.1991). Rapists can blend in well with society, especially within the realm of college. This is because people do not acknowledge certain types of rape, such as “party rape,” and as a result, such rapists continue to repeat their offenses (Armstrong, et al. 2006). Additionally, most rapists are repeat rapists and are undetected because they blend in well with society (Lisak and Miller 2002). Because acquaintance rape occurs most frequently on college campuses, (Ward, et al. 1991) most people in that atmosphere buy into the ideology that surrounds rape culture, leaving these rapists to repeat offenses. Lisak and Miller found that out of 120 men that committed sexual assault at a university, 76 of them were responsible for committing multiple rapes against multiple victims (2002). Furthermore, less than 8% of men in college commit more than 90% of sexual assaults, and repeat offenders commit an average of six or more acts of sexual assault (Lisak and Miller 2002). This shows that when rapists are not removed from campuses, they reoffend again and again targeting new victims each time. Because they are not expelled from the premises by their institutions, they can continue to prey on victims repeatedly. If our society were to acknowledge the realities of sexual assault and rape, we can address such issues. Institutions such as colleges and universities need to take more responsibility for these assaults by properly punishing those that commit such offenses in order to maintain the safety of other students.
Another reason sexual assault is one of the most under-reported crimes is because victims are shamed and blamed when they tell their stories. The public, and sometimes even the police, blame victims for drinking too much, not keeping an eye on their drinks, trusting the wrong people, wearing the wrong clothes, not screaming, not fighting back, or leading the attacker on (Armstrong, et al. 2006). Women who are raped continue to be embarrassed, doubted, and abused by the legal organizations that process them, a pattern referred to as a "second assault” (Williams and Holmes 1981). This leads victims of sexual assault to be tentative in reporting and disclosing their assault to authorities and taking criminal action against their attacker. They also believe that nothing will result if their cases are taken to trial, which is that their attack will not face significant consequence, if any (Department of Justice 2013). Only 26% of rapes reported in the United States lead to an arrest and only 20% of rapes report to the police in the United States are prosecuted (FBI Uniform Crime Report 2010). The rape culture ingrained within our society makes it extremely difficult for victims to receive any justice in the criminal justice system.

This type of stigma had an extreme effect on victims that came forward during the sexual assault scandal in the college town of Missoula. The University of Montana had several rape allegations against their biggest source of income, their football players. Once the victims came forward about their attacks, they were quickly shunned, looked down on, and disliked, not only by the public but by the criminal justice system as well. The system was stacked against them. All of this is shows how our society shames sexual assault victims into believing something as tragic as what happened to them is their fault when in reality, it is no one’s fault besides the actions of the offender (Krakauer 2016). Because it is so difficult to get any justice in the law system, victims turn to their academic institutions for justice. However, universities often do little to ensure the safety of such victims (Krakauer 2016). Rape culture perpetuates colleges and
faculty, as well, and as a result, victims face the consequences by having to see their attacker on campus. This type of injustice is not isolated, but rather evident throughout various universities (Dick 2015).

This literature contributes to my argument by demonstrating the problems within our society and institutions that allow rape culture to persist and the negative effects this has. This research will show that there are still some grey areas that need to be looked at more closely not only in our government, but in universities as well. More so, it will demonstrate how society’s view on rape and sexual assault effect survivors and outcomes.

III. Methods

Data are from a survey conducted by a universities’ Center for the Study of Family Violence and Sexual Assault. This survey and additional information was provided through faculty of the university. The survey contained various questions pertaining to sexual assault on campus and the effects the experience had on the victims, as well as addressing whether they reported the incident to faculty or others. The questions on the survey were in reference to academic satisfaction at the university, academic disengagement, general wellbeing, general safety, social desirability, alcohol use, self/peer beliefs about relationships, consent, sexual harassment, peer intervention, bystander intervention, campus safety, and perceptions of campus climate regarding sexual misconduct. These questions were either in the form of true or false or on a Likert scale, followed by some follow up questions. The survey was made to distinguish students that were victims of sexual harassment and assault and those that were not victims. The survey was sent as a link to all undergraduate and graduate students at the university. Students were offered the chance to enter a drawing for thirty $100 prizes as an incentive for participating.
in the questionnaire. The responses to the survey were anonymous, however the contact information was collected after the responses were collected via a separate link.

There were 1,393 students that started the survey, however only 565 students completed the entire survey. The age range was 18-64 years old with the average age of the respondents being 25. There were more females (68%) than males (30%), and a majority were heterosexual (84%). Most of the respondents were Caucasian (77%) with other races such as African American, Asian, Hispanic, and other making up about 6% each. The year in school varied with a most students being fourth year undergraduates followed by graduate students, third year undergraduates, first or second year undergraduates, fifth year undergraduates, and others. A majority of respondents lived off-campus. However, this study was limited by underrepresenting men, African Americans, first year undergraduates, and students living on campus.

In addition to the survey, I also examined and evaluated policies at the university and federal level regarding sexual assault. In order to assess federal policies, I looked at various governmental sources indicating the standards universities must employ when handling sexual assault cases, as well as the requirements they must possess. Such policies include the standard of proof for disciplinary hearings, what type of resources universities are required to have accessible to victims, and what type of actions are mandatory to be taken after a report is filed with the university. These type of policies were chosen to be evaluated due to the controversy that has recently been surrounding about them in the media. The standard of proof has been changed so that each university can decide what burden they must meet for sexual assault cases when concerning disciplinary hearings. Previously, under the Obama Administration, colleges were required to have a low bar set for the standard of proof, that being a preponderance of the evidence. This standard of proof meant that the evidence had to show that it was more likely then
not that sexual misconduct occurred. This policy was suggested through a “Dear Colleague Letter” sent in April of 2011. Within this letter, it was established that under Title IX, no one is to be discriminated against on the basis of sex, including acts of sexual harassment and sexual assault, due to the fact that it causes a hostile environment for the victim and interferes with the student’s academic ability. It also stated that schools have an obligation to respond to and investigate sexual assault reports brought to the universities’ attention as to ensure the safety of the victims, as well as other students.

There is a clear distinction between a criminal investigation and a school investigation. “The school’s Title IX investigation is different from any law enforcement investigation, and a law enforcement investigation does not relieve the school of its independent Title IX obligation to investigate the conduct,” (Ali 2011). This means that the school’s action taken against the perpetrator are different than those taken out by the state regarding a criminal investigation. Instead of deciding whether the student is to be held criminally responsible for the crime, the school’s job is to decide whether the student should be held liable for the actions taken against the victim. With that in mind, the letter addressed the process in which institutions should go about disciplinary actions concerning sexual assault. They state that schools must use a preponderance of the evidence standard to evaluate complaints, just as other school grievance procedures adhere to this standard of proof, as opposed to the burden of proof used in the criminal justice system, beyond a reasonable doubt. Equal opportunity was also discussed within this letter. Both the complainant and the alleged perpetrator were to be given similar and equal opportunities when dealing with the investigation and the hearing (Ali 2011). However, under the current Trump Administration, Besty Devos, the Secretary of Education, dismantled this requirement and instead has implement a new policy which allows each university to decide
whether they want to set a low burden, as the one previously mentioned, or a high burden, that being clear and convincing evidence (Department of Education 2017). Yet, allowing universities to use this high standard of proof (clear and convincing evidence) shows an inconsistency with the burden established for civil rights violations, and therefore is not justifiable under Title IX. That being said, preponderance of the evidence is the suitable standard when handling investigations of alleged sexual harassment (Ali 2011).

As for policies within the university, I viewed public information made available by Northern Illinois University’s website to incorporate what resources were offered to students that have been sexual assaulted on campus. I also looked at what disciplinary actions the institution takes, and the process it entails. I focused on these policies specifically because faculty within universities have been known to turn a blind eye to students that report sexual assaults on campus. Faculty has shamed, blamed, and intimidated victims that come forward causing them to change their mind about following through with reporting (Dick 2015). Universities have a financial incentive to keep sexual assault cases as low as possible. If people were to realize the amount of sexual assaults that occur on campuses, they would be reluctant to send their children to those schools, or avoid going themselves. This would result in the universities losing money on tuition. Institutions also have an interest to suppress reports of sexual assaults in order to preserve their reputations. This also goes with the idea of losing financial support because donors would be less enthusiastic about funding schools that have a lot of sexual assault cases. Therefore, schools and faculty discourage students from going to police so that there is not public record that the incident occurred on their campus (Dick 2015). Furthermore, universities have pressured students not to talk about the attack at all. They ask questions such as, “Well, what were you wearing? Did you consume any alcohol? How much did you drink? Did you say
no? How many times did you say no? Did you scream it? Did you fight him off? Do you have a boyfriend? Did you lead him on,” (Dick 2015). It is evident there was an extreme reluctance to believe sexual assault victims and blame them for the offense.

Another reason for looking into how universities carry out policies is to ensure they are doing so properly, since some universities have violated federal policies regarding sexual assault procedures in the past. For example, Harvard University failed to include the victim, or even notify her, that her attacker had appealed to the disciplinary board and has been readmitted back into school (Dick 2015). In addition, there have been various discrepancies between sexual assaults reported to schools and the amount of disciplinary action taken against those perpetrators. Between the years of 2002-2010, Harvard had 135 sexual assaults reported but only resulted in 10 suspensions, University of California – Berkley had 78 sexual assaults reported, but only three expulsions, Dartmouth had 155 sexual assaults reported, but only 3 expulsions, Stanford University had 259 sexual assaults reported, but only 1 expulsion, University of North Carolina – Chapel Hill had 136 sexual assaults reported, but resulted in no disciplinary actions, and University of Virginia had 205 sexual assaults reported, but resulted in no disciplinary actions (Dick 2015). This demonstrates how universities fail to adequately and efficiently discipline and remove alleged perpetrators. For this reason, it is important to evaluate how a university handles sexual assault reports and what the outcomes are.

IV. Findings

The purpose of this study was to examine rape culture within a university, and evaluate the procedures and policies that must be upheld by universities regarding alleged sexual assault reports. I used Northern Illinois University as an example for examining such policies. Additionally, I looked at how federal policies about sexual assault cases effects such procedures.
Overall, I find that sexual assault offenses most commonly occurred interpersonally. Victims of sexual assault were more likely to have difficulty in various areas of their lives than non-victims. While the government attempted to make adequate guidelines for institutions to abide by, they failed to address important areas, such as sanctions. As for the university establishing an effective and efficient process, it can be understood the sanctions they impose may be disproportionate to the offenses. The results demonstrate that ideas of rape culture perpetuate on campus, and are mostly held by the victims, themselves. In order to address these issues sufficiently, I analyze and discuss each them independently.

Survey Data

Interpersonal Victimization

Acquaintance rape is usually more common than stranger rape or sexual assault (Ward, et al. 1991). In this study, the students that were sexual assaulted reported the attacker being a fellow student. More specifically, about fifty-five percent out of one-hundred forty-four cases involved another student. In more than half of the cases, the victim was attacked by a peer, indicating that acquaintance rape or sexual assault is very prevalent on campus.

Effects on Victim

Those that experienced sexual assault were more likely to suffer both mentally and emotionally. Respondents of the survey that were exposed to one or more forms of victimization during the academic year assessed their overall health as less positive, felt less safe on campus, were less satisfied with their college experience, and reported more academic disengagement. The traumatic experience such victims encountered resulted in various negative effects.
Victim’s Perception

Victims had a different outlook about the type of responses they would receive from others if they were to disclose to them about the attack than non-victims did. Victims were more fearful and pessimistic about disclosing because they believed that they wouldn’t receive any help, they would be retaliated against by the alleged offender or their friends, they wouldn’t be supported, they would be held responsible for the attack, or they were ashamed/embarrassed. Taking that into consideration, 43.8% of sexual violence victims did not tell anyone about their attack. However, when people did disclose (49.3%), they were very particular in who they chose to do so with. They told either a close friend, a roommate, or a romantic partner. However, very few victims reported their experiences to university faculty. Approximately 8% of victims informed a university representative about their experience.

Federal Policy Data

Title IX

Title IX is an equity law stating that no institution that receives federal funding or that possess education programs can discriminate others on the basis of sex (Ali 2011). However, it was only recently that acts of sexual harassment and sexual violence were considered forms of discrimination due to the fact they create a hostile environment for the victims and effects or limits a student’s ability to benefit from or stay involved in school programs (Ali 2011). The Department of Education created guidelines, requirements, and procedures regarding the school’s responsibility to address these sensitive issues in response to this additional protection under Title IX.
Procedure and Investigation Guidelines

According to the Department of Education, an educational institution must take immediate action to investigate a complaint once a sexual violence incident has been reported. If it is evident that some type of sexual violence did happen, schools must take adequate and effective steps to stop it, prevent it, and address the effects of it. Furthermore, a school is required to take the necessary steps to protect the complainant. A grievance procedure for students must be made available by schools for students to file complaints concerning sexual discrimination, as well as sexual violence. Such procedures are to be equal for both parties involved, the complainant and the respondent. A school is obligated to inform both parties of the result of the complaint (Department of Education 2017).

Although the standard of proof schools were required to use for Title IX complaint procedures was initially a preponderance of the evidence, recent changes in the Department of Education have allowed each institution to decide for themselves what standard of proof they want to use. A preponderance of the evidence is still a choice, however, now, schools also have the option to set the standard of proof to be by clear and convincing evidence (Department of Education 2017).

There is no set sanction provided by the federal government in response to finding a person guilty of sexual misconduct in academic institutions. The type of sanction is at the discretion of each individual school, however the Department of Education does state that any disciplinary action taken out must be proportionate in response to the violation. In addition, the government requires that all postsecondary institutions list each possible sanction they can impose if sexual misconduct is found.
Once a decision has been reached in light of a sexual misconduct investigation, it is mandated that institutions notify both parties, simultaneously, about the outcome of the disciplinary proceeding, as well as provide them with information on the institution’s process to appeal the result and any final changes to the result. Such notification must include any and all decisions made by the institution, the sanctions imposed, and the reasoning for the outcome and disciplinary actions. (Department of Education 2017).

The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act states that colleges must file annual reports with the federal government about campus crimes (“Campus Sexual Assault: Suggest Policies and Procedures” 2010). The Clery Act was amended by the Violence Against Women Reauthorization Act of 2013. This required schools to gather statistics regarding instances of sexual assault, dating violence, stalking, and domestic violence. Moreover, this amendment required institutions to incorporate programs, policies, and procedures concerning these cases in the annual security reports (Department of Education 2017).

Institutional Policy Data

The Implementation of the Clery Act

The annual crime report for this university contained statistics that were accumulated by various outlets such as the university’s police and public safety department, campus officials, state and local police, Affirmative Action and Equity Compliance, and Student Conduct. The reports are based off the definitions of crime provided by the Federal Bureau of Investigation’s Uniform Crime Report. This report included data from three years prior to this year (2014-2016).
The crimes that are featured are those that took place on campus, as well as crimes that were reported to the university. The Clery report provided by the institution contained crime statistics that adhered to the requirements implemented by federal law. The Clery Report for Northern Illinois as seen in Figure 1 shows that sexual assault is prevalent on campus, with 15 sexual offenses occurring in 2014, 14 rape reports in 2015, and 16 rape report in 2016. Other Title IX offenses include Domestic Violence, Dating Violence, and Stalking.

Figure 1

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Source: Northern Illinois University Annual Security Report
Available Information from University

If a university knows of an alleged incident of sexual misconduct, an in-depth, unbiased investigation must take place in order to determine whether there has been a violation within the school’s policy. Victims of sexual harassment or sexual assault have the option to make various types of complaints such as a Title IX complaint, a criminal complaint, and/or an anonymous complaint. Title IX and anonymous complaints are made through the university’s Title IX Department, and criminal complaints are made through the local or state police (Northern Illinois University 2017). Regardless if the victims decides to file a report, they are given the option to make use of other resources such as medical services, counseling, advocacy services, legal assistance, mental health services and visa and immigration assistance. In regards to medical services, the university encourages victims to seek medical treatment as soon as possible as to preserve any evidence, even if they may not want to take any action at the time. Such services are provided not only by the community hospital, but is also offered by the university’s health services. It was made a point to note that victims need not be required to have forensic evidence collected in order to receive medical treatment. The university not only encourages victims to obtain forensic evidence, but also any other type of evidence that may help their case such as messages, logs of documents, pictures, etc.

The university also incorporated ways to prevent sexual assaults through various programs and workshops. These workshops address issues such as being an active bystander, consent, reducing risks, facts and myths about sexual assault, and advocating for victims. The institution also required that all incoming students and faculty complete webinars that pertained to binge drinking/alcoholism and sexual assault.
The university also had a section listing ways in which to reduce risks of becoming a victim of sexual assault. Such recommendations were avoid being alone, walk with purpose, avoid carrying heavy items as to not look vulnerable, do not leave a drink unattended, do not take drinks from strangers, and keep an eye on your friends and have them keep an eye on you. (Northern Illinois University 2017).

Procedure of Sexual Misconduct Reporting

The university had an outline of each process for reporting and investigating violations that concerned Title IX such as domestic violence, dating violence, sexual assault, and stalking. Some schools have been in violation of some of the guidelines set out by the government. However due to the fact that cases are handled confidentially, it is difficult to gain access to such data.

In regards to the sexual assault procedure, the institution states that, first, they will provide the complainant access the medical services and asses their safety needs. Then, they will assist the complainant with getting in contact with the police to file a criminal report, if they wish to do so. Multiple resources and services will be referred to the complainant as well, being provided both off and on campus. The complainant will receive an explanation of their rights and options written out from the university. The university will offer any protection or accommodations for the victim regarding conflicts with the alleged perpetrator during the investigation. The victim will be informed of the procedure timeline, the outcome of the investigation, and if an appeal of the result is requested and occurs.

The actual timeline for receiving a possible outcome of a given sexual assault investigation ranges from 56-61 days, according to the university. After the initial report is
received by the Title IX Department, a preliminary investigation starts. The investigator will give notice to the Respondent of the complaint and proceed to meet with the parties involved (Claimant, Respondent, and witness if necessary). Each party will have the right to suggest other witnesses and tell their stories to the Title IX coordinator. After this, a preliminary report will be sent to both the Claimant and Respondent that contains a summary of information. Both parties may offer a rebuttal in response to this report, as well as make further suggestions about additional witness within five days or receiving the report. Then, the Title IX investigator will consider all information provided by each party and conduct any other interviews or investigation deemed necessary. A final report will be written, then sent to be reviewed and approved by the Title IX Coordinator. This report will contain information regarding the conclusions of fact and the finding(s). The Claimant and Respondent will both receive notice of the finding(s) and be allowed five days to appeal to the Executive Vice President and Provost. If no appeal is filed, a Resolution Officer will be selected and be given a copy of the final report. The Resolution Officer will then attempt to determine the sanction by agreement. If a lack of agreement on sanction exists between students, then a hearing will take place and a sanction will be imposed by a hearing officer; both parties will be notified.

If a report results in finding sexual misconduct occurred, a final report of findings will be sent to Student Conduct to determine the suitable sanction. The Resolution Officer will meet with the Title IX Coordinator, the Claimant, and the Respondent, as well as any other participating parties, and gather input about possible sanctions. The Resolution Officer will proceed to propose a resolution agreement between all parties involved. The Respondent will be required to complete the sanction, if it becomes binding due to failure to participate in agreement
or acceptance of agreement. As a result, the Claimant, as well as the Respondent, will not be allowed to appeal the sanction.

If a sanction must be decided by hearing, a Hearing Officer will decide the type of sanction that will be imposed. Before doing so, the Hearing Officer must review the investigative report, suggested resolution agreement, and any written protests to suggested resolution agreement from either the Claimant or Respondent. Additionally, they must consult with proper campus officials, the Title IX Coordinator, as well as any document or witnesses offered by the parties.

Possible Sanctions that may be imposed on students include, but are not limited to: abuse intervention program, anger intervention assessment, banishment from all campus property and functions, community service to university or community, Work/Written assignments, Research paper, program presentation, fines, a written warning, loss of privileges, no contact with victim, parental notification, probation, residence hall expulsion, residence hall suspension, restitution, revocation of admission and/or degree, substance abuse assessment, training on sexual misconduct, university expulsion, university suspension, and withholding degree.

Both findings and sanctions may be appealed only after five days of receiving initial outcomes. Appeals may be made only on the ground that new information is available that was not before, the procedure was not carried out properly, the sanction are disproportionate to findings, and/or the evidence does not sufficiently support findings. Appeals regarding findings are dealt with by the Executive Vice President and Provost. A decision for appealing will be given within seven business days after reviewing the findings. On the other hand, the Vice President of Student Affairs and Enrollment Management reviews appeals pertaining to sanctions. (Northern Illinois University 2017).
V. Discussion and Conclusion

By studying victims of sexual assault, it is evident that rape culture continues to persist within our society, regardless of efforts to defeat it. As shown, victims/survivors are more likely to be attacked by a peer or someone they know within a university. They suffer not only emotionally, but mentally and physically as well. This goes back to the prevalence of “acquaintance rape” (Ward, et al. 1991). Having a peer being the attacker can cause survivors to feel in denial, in shock, embarrassed, and/or ashamed. Because they may be familiar with the person, they might feel more conflicted about telling others about the incident and cause them to be confused and stressed. Furthermore, victims were more pessimistic than non-victims when regarding disclosure responses. Rape culture shapes these victim/survivors’ perceptions of how other people will react when they learn of the assault. Victim/survivors fear backlash if they disclose, fearing people will tell them they “asked for it.” This is rape culture in itself. Rape culture influences society to allow and justify rape (Buchwald, et al 1993). This is because people are putting blame on the survivor, making them feel as if they are the ones responsible for what happened. Meanwhile, the people that are actually committing these crimes are not being blamed, which lets them continue to repeat sexual assaults because what they are doing is not seen as a problem. Victim/survivors’ not coming forward lets this cycle and behavior to continue.

The myth that victims are not telling the truth also may play a part in why they do not tell someone about their experience (Lisak 2007). Victims being blamed or being told they are responsible for what happened to them is another reason why they do not disclose (Armstrong, et al. 2006). Even the school indirectly adheres to this behavior. It does so by including a section in their Title IX procedure outline that says people should avoid isolated areas, not carry heavy
items, do not leave drinks unattended, do not accept drinks from others, and watch your friends and have your friends watch you in order to avoid becoming victims of sexual assault. This is promoting rape culture by telling the victims they need to fix their behaviors as opposed to addressing the perpetrators behavior. Keep in mind that the criminal justice system is a brutal process for victims to undergo and rarely results in an arrest of conviction (FBI Uniform Crime Report 2010). So they are skeptical and hesitant to involve the police (Rape, Abuse, and Incest National Network). The same can be said for why victims are reluctant to involve university faculty, as well. This is evident since only 8% of victims disclosed to faculty out of the NUMBER that told others about their attack.

Although data showed that the government has made efforts to address this epidemic within institutions, it has failed to do so adequately. While guidelines and procedures are considered a step in the right direction, the Department of Education took one huge step back for the movement when they allowed schools to decide what standard of proof to assume in respect to such procedures. With 26% of reported rapes leading to an arrest and 20% of reported rapes prosecuted (FBI Uniform Crime Report 2010), it is already extremely difficult for victims to receive justice and results that favor them within the criminal justice system. Because the standard of proof was initially a required low burden within institutional systems, it was thought that it would be easier for victims to see results and feel safe on campus. Unfortunately, even with this low bar, it was still challenging for victims to do so. Now that schools have the opportunity to choose a higher burden, they may be more inclined to do so in order to shield their school’s reputation and avoid multiple sexual assault cases. They want to make it harder for these reports to be filed and found true because they need to maintain a good image so that they can continue to have more students pay to go to their schools as well as receive donation and
sponsorships from other financial sources. (Dick 2015). As a result, the progress that has been made to support and help victims will be damaged and/destroyed and cause institutions to revert back to covering their bases and being concerned first and foremost with themselves, instead of the safety of their students.

The federal government not having set sanctions for certain violations allows schools to give inappropriate consequences for serious actions. If found responsible for sexual assault, some offenders have faced sanctions such as being suspended for one semester, suspended over summer vacation, suspended for one day, given a $25 fine, given a warning, assigned a paper to reflect on experience, make a poster board that lists ways to approach a girl you like, and assigned 50 hours of community service to a rape crisis center (Dick 2015). These consequences are clearly not reflective and proportionate to what these perpetrators were found responsible for. This is because sanctions are at the discretion at each individual school, which means people can get away with committing such a heinous crime and be allowed back on campus. Schools have also been known to violate some of the guidelines set out by government. For instance, Harvard University failed to involve and even inform a victim that her attacker had repealed the ruling that had gone in her favor and that he was allowed back on campus (Dick 2015). There needs to be policies put in place to punish such universities that do this in order to set an example and efficiently address this problem. Institutions that do not follow federal guidelines need to be held accountable and face consequences for neglecting their duty to protect students.

While the resources and information provided by the university are commendable, there were some flaws within the system they set up to handle such serious reports. The amount of time it takes to receive a ruling is about two months. While it is understood that it takes time to conduct an investigation, it is important to take into consideration how valuable time is in these
situations. Furthermore, Student Conduct determines the sanctions that will imposed on those found guilty of being in violation of university policies, which is disturbing when looking at the list of possible punishments. Someone found guilty of sexual harassment or sexual assault may only have to be put in a program, pay a fine, be given a warning, have their parents told, or have to do a writing assignment which can be extremely unsettling to and unfair for the victim that had to endure a traumatic event. It is reasonable to give different levels of punishment for different instances, and not everywhere occurrence is similar, however, in order to properly punish violators and perpetrators, a set of sanctions should be set by the government for universities to abide by. Doing so would get the serious offenders off campus, while giving the less serious offenders an appropriate, but not extreme consequence. It is important to get these serious offenders off campus in order to protect the overall being of students. This is because those type of perpetrators are more likely to continue prey on and attack new victims within the campus (Armstrong, et al 2006). Additionally, one person can go on to be responsible for multiple sexual assault, when in reality such experiences could have been avoided if the offender were taken off the premises (Lisak 2002).

Rape culture continues to be a problem within our society and campus sexual assault remains, and will continue to be, a hidden epidemic (Martin, et al. 2006). In order to address these issues, we must discuss the problems with society, government, and intuitions and come up with solutions as a collective whole. We must defend, believe, and support victims of sexual assault and tear down falsehoods and myths that the surround this sensitive topic. By standing idly by, not saying anything, and allowing people to believe these myths and stereotypes, we are allowing rape culture to persist, while at the same time putting victims of traumatic events in the backseat.
References


Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Female Victims of Sexual Violence, 1994-2010 (2013).


“Q and A on Campus Sexual Misconduct.” 2017. The Department of Education.

