



STATE ACTION IN ADDRESSING CAMPUS SEXUAL VIOLENCE

By AmiJo Wadena



Reasons for Research

- Secretary DeVos's rollback of Obama era Title IX guidelines highlighted the diminishing federal stance on campus sexual assault and violence.
 - *Leading victim advocates to look to state governments to take responsibility of regulating the issue.*
- The #MeToo movement aided in bringing attention to the pervasiveness of sexual harassment and violence.
 - *The movement also opened the door for discussion of the issue.*
 - *Resulted in greater push for action from advocates.*

Literature Review

- Andrew Morse Interview

- *Title IX compliance applied unevenly.*
- *Lopsided abilities to prevent and address incidents.*
- *Without consistent emphasis and enforcement, states won't provide proper protection for survivors.*
- *While state regulation is important, a more transparent and consistent federal policy is needed.*

Literature Review- Continued

- Study by David DeMatteo
 - *Over 400 sexual assault statutes from all 50 states have been reviewed.*
 - Every state had at least 1 statute broadly covering sexual assault.
 - *Statutes were often vague or undefined*
 - consent and alcohol consumption
 - *5 states use specific gender language expressing who are victims and perpetrators.*
 - Georgia, Indiana & Maryland specify female victims
 - Georgia & Indiana specify male perpetrators

Hypothesis

- 1). What circumstances could result in increased reports of incidents of sexual violence?
- I believe reported incidents of campus sexual violence will be influenced by:
 - *Presence of Affirmative Consent Legislation*
 - *Alcohol Consumption*

Hypothesis- Continued

- 2). What can influence the strength of state sexual assault statutes?
- I believe state sexual assault statutes will be influenced by:
 - *Percent of Female Legislators*
 - *Abortion Restrictions*

Methodology

- Dependent Variables
 - *Elements of Sexual Assault Statutes from DeMatteo study*
 - *Reported Incidents of Sexual Violence from U.S. Department of Education*
- Independent Variables:
 - *Percent of Women Legislators, Abortion Restrictions & Alcohol Consumption data from SAGE Publishing*
 - *Affirmative Consent data from affirmativeconsent.com*

Sexual Violence Data

		Affirmative Consent Legislation Present?		Total
		No	Yes	
Reported Incidents of Campus Sexual Violence	Low	16	1	17
		34.8%	25.0%	34.0%
	Medium	23	0	23
		50.0%	0.0%	46.0%
	High	7	3	10
		15.2%	75.0%	20.0%
Total		46	4	50
		100.0%	100.0%	100.0%

Chi-Square= 12.443, Sig. = .014, Lambda= .097, Somers D= .178

Sexual Violence Data

		Alcohol Consumption Per Capita			Total
		Low	Medium	High	
Reported Incidents of Campus Sexual Violence	Low	5	8	4	17
		29.4%	47.1%	25.0%	34.0%
	Medium	10	4	9	23
		58.8%	23.5%	56.3%	46.0%
	High	2	5	3	10
		11.8%	29.4%	18.8%	20.0%
Total		17	17	16	50
		100.0%	100.0%	100.0%	100.0%

Chi-Square= 5.520, Sig. = .238, Somers D= .052

Statute Data

		Percentage of Women in the Legislature			Total
		Low	Medium	High	
Strength of State Sexual Assault Statutes	Weak	8	7	6	21
		47.1%	41.2%	37.5%	42.0%
	Moderate	4	6	4	14
		23.5%	35.3%	25.0%	28.0%
	Strong	5	4	6	15
		29.4%	23.5%	37.5%	30.0%
Total		17	17	16	50
		100.0%	100.0%	100.0%	100.0%

Chi-Square= 1.218, Sig= .875, Somers D= .076

Statute Data

		Abortion Restrictions			Total
		Low	Medium	High	
Strength of State Sexual Assault Statutes	Weak	10	6	5	21
		62.5%	35.3%	29.4%	42.0%
	Moderate	2	8	4	14
		12.5%	47.1%	23.5%	28.0%
	Strong	4	3	8	15
		25.0%	17.6%	47.1%	30.0%
Total		16	17	17	50
		100.0%	100.0%	100.0%	100.0%

Chi-Square= 8.771, Sig. = .067, Lambda= .226, Somers D= .251

Conclusion

- Many states need to work on reforming aspects of current statutes
- Emphasis needed on creating clear definitions of consent
 - *20 states have introduced legislation addressing sexual violence on campuses*
 - Some even include Affirmative Consent Standards
- Further research needed to explore potential influences on the state statutes.

Bibliography

- DeMatteo, D. (2015). *Sexual Assault on College Campuses: A 50-State Survey of Criminal Sexual Assault Statutes and Their Relevance to Campus Sexual Assault.*
- Morse, A (2017). *How Do States Handle Sexual Assault on Campus?*
- Anderson, M. J. (2016). *Campus Sexual Assault Adjudication and Resistance to Reform.*