



February 7, 2022

On behalf of the American Association of University Women of Oregon (AAUW of OR), we express our strong support for Senate Bill 1572.

Much of the language in Senate Bill 1572 represents a technical fix to Oregon House Bill 3415 (2019), but its provisions are critical in establishing a meaningful response to sexual harassment, sexual assault, stalking, and dating violence on behalf of Oregon institutions of higher learning.

The decision of a survivor of sexual assault about whether to report or keep quiet about an assault is fraught with a variety of contradictory feelings - profound shame, fear of being judged by family and friends, guilt, concern that they are going to have to share details about prior sexual history, fear of retaliation and belief that law enforcement is not going to do anything about the crime. Unfortunately, history shows that reports of sexual violence are often met with a casual, blame-the-victim mentality. The prevalence of this attitude only serves to re-victimize the individual who has been assaulted.

Despite many efforts, rape and sexual assault remain among the more underreported crimes. Statistics indicate that only 310 out of every 1,000 sexual assaults are reported to police, which means that more than 2 out of 3 go unreported.¹ The Rape, Abuse and Incest National Network also estimates that out of every 1,000 sexual assaults, 975 perpetrators will walk free.

Importantly, Senate Bill 1572 confirms that even if a student survivor does not wish to report a sexual assault or participate in a grievance process, services will be provided by higher education institutions. This requirement ensures that these institutions will be "walking the walk" by not simply voicing that targeted services are available if sought by the student, but also delivering survivors the respect, agency and support they deserve. It will be the survivor who will drive the process, not the educational institution or law enforcement. By accessing these services, survivors will also be empowered to open the doors to obtain any needed treatment, as well as to receive critical information about the process of addressing sexual assault. This provision will go long way towards encouraging survivors to make the decisions that are best for them, to obtain the education they seek and look to the future with self-respect and confidence.

The adoption of a uniform, appropriate definition of what constitutes consent is vital. Senate Bill 1572 makes clear that silence or lack of resistance does not demonstrate consent, and that consent may be withdrawn at any time. This definition will place all students on notice about what will be expected when deciding whether to engage in sexual activity.

¹ The Criminal Justice System: Statistics, RAINN, <https://www.rainn.org/statistics/criminal-justice-system>.

Another important feature of Senate Bill 1572 is providing for a campus-wide survey about campus sexual assaults. Such a survey not only increase awareness about the problem of sexual violence, but will also gather data that can be used to prevent future violence. The bill does not just place the onus on survivors by asking them to "do something about it," but will seek relevant information from all students attending the educational institution. Understanding the breadth of sexual violence creates a foundation for determining how we can in fact alleviate the pain suffered by survivors and place students on notice about what is, or what is not, consensual sexual activity.

We also note that Senate Bill 1572 has been filed at the request of the Oregon Attorney General's Sexual Assault Task Force and is a result of collaborative efforts among SATF, Oregon college and university students, SATF statewide Campus Committees, advocates and others. We have a great deal of respect for the accomplishments of the Task Force and endorse the work this group has clearly done regarding this most important issue.

We urge the passage of Senate Bill 1572.

Respectfully Submitted,

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