

Staten Island Advance



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STATEN ISLAND

Colleges self-police on sexual assaults

All but one of seven crimes in the last school year were handled at the campus level

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There were seven instances of sexual assault or stalking on Staten Island's three college campuses during the last school year.

The incidents included two reported rapes.

College campuses are treated like private legal domains. They are given the authority to handle crimes on campus and there is no legal requirement for the schools' peace officers to report crimes to local police. The incidents are reported to police only if the victim decides to take that additional step.

The following incidents occurred during the 2015-16 school year, according to each institution's state-mandated Annual Security Report (ASR) filed with the Office of Postsecondary Education of the U.S. Department of Education:

› The College of Staten Island: One rape, **SEE COLLEGES, A8**

COLLEGES

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reported to the school's Department of Public Safety; one incident of fondling, reported to DPS; one incident of dating violence, reported to DPS, and two incidents of stalking, reported to DPS.

› Wagner College, Grymes Hill: One rape, which was reported to the NYPD.

› St. John's University, Grymes Hill: One incident of stalking.

As a requirement of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or Clery Act, and the Higher Education Opportunity Act, colleges that receive federal student aid are required to submit an annual report of campus safety and security statistics annually.

The data must be made available to the public on the school's website in the ASR, and published and distributed to students annually by Oct 1.

The most recent disclosures come after there were four reported rapes on Wagner's campus in 2014-15 school year and four in 2013-14.

In the past 14 years, there have been seven reported incidents of sexual assault at CSI's campus and 15 reported incidents of sexual assault on Wagner's campus, including the eight reported rapes, the Advance reported last year.

The issue of how sex crimes are handled on college and universities across the nation has been the focus of legal and policy debates for decades, leading to lawsuits, federal legislation and efforts by advocacy organizations that have tried to compensate for the schools' right to handle the cases solely through their internal security and disciplinary systems.

When a sexual assault or rape that occurs on campus is reported to campus personnel, it's handled by the school's disciplinary system, which is typically a tribunal comprising teachers, faculty and, sometimes, students, who, critics say, have very little, if any, training on how to deal with such cases.

Title IX, a civil rights law resulting from the Education Amendments of 1972 and enforced by the U.S. Department of Education's Office for Civil Rights (OCR), gave colleges this authority.

Local law enforcement is notified only if and when the victim chooses to report the crime a second time. Or, as in the Wagner case, the victim decides to go directly to law enforcement first.

According to Wagner's ASR, the one incident of rape was reported to the NYPD and not the school's public safety office

SAFETY PARAMOUNT

When asked about the five incidents that occurred at the College of Staten Island during the 2015-16 school year, Cheryl Adolph, spokeswoman for the college, said, "The safety and well-being of students, faculty and staff at the College of Staten Island is always of paramount concern.

"Incidents of reported sexual assaults at CSI are managed in compliance with CUNY's Policy on Sexual Misconduct and federal and state law.

"CSI remains deeply committed to our Island and campus communities by promptly issuing emergency notifications when there is an imminent, serious or continuing threat. Although a victim's choice to not report a sexual assault or incident to the police will take precedent, the College reserves the right to notify police when it believes that such reporting is necessary for

the protection of the College community. In these cases, and pursuant to CUNY policy, the College will support the complainant through counseling services and appropriate academic and housing accommodations, so that the student may continue their education absent unnecessary stress or trauma. Complainants will also be encouraged to come forward at any point in the future to pursue the allegation. Incidents are counted in the Annual Safety Report per Clery Act guidelines and shared with the College community."

Adolph said CSI is also in support of Gov. Andrew Cuomo's Enough is Enough: Combating Sexual Misconduct legislation.

In addition to being a sex offense, stalking is also a violation of the Violence Against Women Act (VAWA).

Signed by former President Barack Obama in 2013, VAWA amended the Clery Act to require schools to include in the Annual Security Report statistics for dating violence, domestic violence, sexual assault and stalking.

"The educational privacy laws prevent us from commenting on a specific incident, however, when we receive a report we respond promptly, investigate and take appropriate action," said Yael Wepman, St. John's University's Title IX coordinator, when asked about the incident.

Wagner did not respond to requests for a comment.

Last month, District Attorney Michael E. McMahon's office announced a partnership with the bor-

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ough's three colleges in the handling of sexual assaults.

The Staten Island Comprehensive College Sexual Assault Initiative, or the Staten Island Plan, makes the district attorney's investigative resources and survivor support services available to students at the borough's three colleges.

"Together, we will help survivors of sexual assault to explore a variety of options available to them, including counseling, medical resources, discussion of legal options, and provide them with a dedicated support person to guide them through the criminal justice system should the survivor wish to report the incident," McMahon said.

"This allows survivors to get a comprehensive idea of all their options before needing to make a decision on how they wish to continue," he said.

Through the initiative, assistant district attorneys from the D.A.'s Special Victims bureau will help the survivors navigate their options — inside and outside the criminal justice system — should they make the decision to report the incident.

The better to promote the partnership, assistant district attorneys have been attending orientation sessions at the three campuses, will attend events throughout the year, and will furnish relevant trainings for student groups and staff.

The College of Staten Island praised the initiative and pledged to work with McMahon's office in partnership with the other two schools.

"This Initiative will provide CSI students with more support during a difficult time whether or not a survivor chooses to report the matter to police or participate in a campus investigation," Adolph said.