September 17, 2017

To Whom It May Concern:

I am writing as the CEO of a sexual and domestic violence program on behalf of survivors of sexual assault, specifically in K-12 education settings and on university and college campuses. As an agency that has provided these services for nearly 40 years, we have first-hand knowledge of the immediate impact of sexual assault on survivors, as well as the lifelong effects on their health.

Sexual assault statistics provided by the CDC indicate that:

* 37.4% of female rape victims were first raped between ages 18-24.
* 29.9% of female rape victims were first raped between the ages of 11-17.
* A 2011 survey of high school students found that 11.8% of girls and 4.5% of boys from grades 9-12 reported that they were forced to have sexual intercourse at some time in their lives.

Rape is the most under-reported crime; 63% of sexual assaults are not reported to police. Only 12% of child sexual abuse is reported to the authorities. Numerous studies indicate that the prevalence of false reporting is between 2% and 10%. For example, a study of eight U.S. communities, which included 2,059 cases of sexual assault, found a 7.1% rate of false reports.2

While New Hope applauds the Office of Civil Rights (OCR) correct clarification that the evidentiary standard in campus disciplinary hearings is preponderance of the evidence, we are concerned about the potential rollback of the Dear Colleague letter. The Dear Colleague letter provides important guidance and is pro-active in nature. Most importantly the letter lets survivors know that their welfare is of utmost importance to the Department of Education.

We urge the U.S. Department of Education to keep the 2011 Dear Colleague Letter in place.

Sincerely,



Marcia Szymanski, President/CEO

Hanson, R. F., Resnick, H. S., Saunders, B. E., Kilpatrick, D. G., & Best, C. (1999). Factors related to the reporting of childhood rape. Child Abuse and Neglect, 23, 559–569. doi:10.1016/S0145-2134(99)00028-9

2 Lonsway, K. A., Archambault, J., & Lisak, D. (2009). False reports: Moving beyond the issue to successfully investigate and prosecute non-stranger sexual assault. The Voice, 3(1), 1-11. Retrieved from the National District Attorneys Association: http://www.ndaa.org/pdf/the\_voice\_vol\_3\_no\_1\_2009.pdf (l) Miller, T. R., Cohen, M. A., & Wiersema, B. (1996).

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