



POLITICS SEXUAL ASSAULT

Due-process group launches campaign to 'End Kangaroo Courts' on campus, bring back 'rule of law'

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Bungling bureaucrats aren't helping anyone

With the inauguration of a new president, a nonprofit group that advocates for students' due-process rights is launching a campaign to take sexual-assault investigations out of the hands of college bureaucrats.

The campaign by Stop Abusive and Violent Environments (SAVE), "**End Kangaroo Courts**," calls for "a wide-ranging re-evaluation of the role of campus disciplinary committees in adjudicating allegations of felony-level sexual assaults."

The intent is to "assure justice and fairness for both sexual assault victims and for the accused," SAVE said in a press release.

It cited a **University of Kentucky investigation** that resulted in three internal appeals in favor of the accused student, owing to due-process violations.

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The accuser sued the school for putting her through repeated proceedings, and a judge let her suit continue, blasting UK for having "bungled" the proceedings "inexcusably" and showing "deliberate indifference" to the accuser.


The campaign will include "meetings with state lawmakers, radio interviews, a whiteboard video" and other elements, SAVE said.

President E. Everett Bartlett told *The College Fix* that SAVE planned to “schedule advance meetings with the chairs and vice-chairs of the Education Committees in both the [U.S.] Senate and House.” It will do the same for any other committee members that ask.

Campus cops are ‘close to clueless’

One of the main goals of the campaign is to repeal the **2011 “Dear Colleague” letter**, which was issued by the Department of Education’s Office for Civil Rights on **the same day** that then-President Obama announced his re-election bid.

That letter, which was not issued in accordance with regulatory rulemaking procedures, claimed “1 in 5 women are victims of completed or attempted sexual assault while in college.” It also mandated a lower evidence standard than some colleges used and “strongly” discouraged them from letting alleged victims cross-examine their accusers.



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The 2011 Dear Colleague letter is bad for both men and women because “it requires that allegations of sexual assault be handled by campus committees,” said Bartlett.

He called campus police “close to clueless” when it comes to investigating allegations, which “shortchanges” the accuser, and noted that the worst punishment a school can impose is “expulsion, not jail time.”

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The accused student – a group consisting largely of young males – is wronged from the start because “there’s no presumption of innocence,” Bartlett said.

According to the advocacy group **Title IX for All**, which represents the educational interests of boys and men, more than 130 due-process lawsuits have been filed against universities for their sexual-assault investigations.

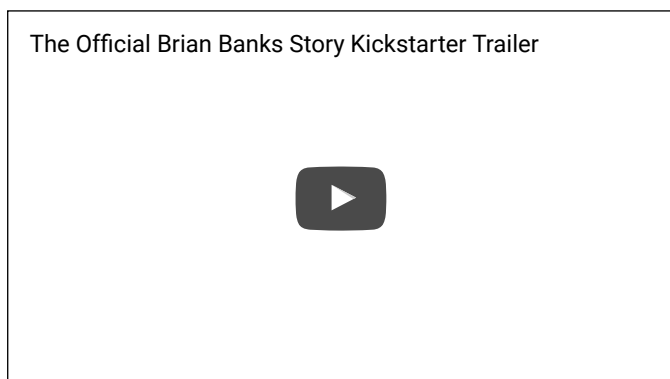
“Rescinding the Dear Colleague Letter would send a very strong message to administrators and to the larger college community that we have to look at this problem different,” said Bartlett.

No more ‘victim-centered’ investigations

SAVE is also making a **renewed push** for its model legislation, the **Campus Equality, Fairness, and Transparency Act**, to be introduced in state legislatures.

CEFTA, the model legislation, has **eight main directives**. It mandates the provision of confidential advisers to both accused and accusing students, and requires colleges to use a “justice-centered” investigative procedure, as opposed to the “victim-centered” approach widely advocated by victim-rights activists.

(Bartlett also leads the Center for Prosecutor Integrity, a SAVE partner that **previously launched a campaign** against victim-centered investigations in the criminal and military justice systems.)



“Institutions of higher education need to take into account the legitimate interests and rights of complainants and accused students to assure a fair and transparent adjudication process and to achieve reliable outcomes,” the model bill says.

In addition to media appearances to promote their campaign, SAVE’s lawyers plan to make lobbying visits in at least 20 states, Bartlett told *The Fix*: “We want to end this charade of injustice on campus.”

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Cynthia Garrett, an attorney and board president of SAVE, also will help promote the campaign.

She told *The Fix* she'll be "interviewing with various radio shows and possibly some television as well" to raise awareness of how the "inadequate and imbalanced" college proceedings affect students.

"As the parent of two daughters and a son, all of whom have attended college, I understand both perspectives," Garrett said.

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Eric Rosenberg, an attorney and SAVE board member who has represented accused students for six years, is also participating.

"I have zero tolerance for sexual assault," Rosenberg told *The Fix*, but campus proceedings are not balanced: "Many kids who have been falsely accused have their permanent records stamped, and their lives are over."

He traced his interest in the subject to his years running "a Christian nonprofit organization for sex trafficked women and at-risk girls in Asia and Africa ... in countries where rule of law is lacking."

America has rule of law, "but it's not being followed on both sides" in university proceedings, Rosenberg said.

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