



Westchester Sexual Violence
Conference
March 7, 2017

Opening Remarks of President Tim Hall

- <https://vimeo.com/206622666>

Hypothetical

INCIDENT AT “CYU COLLEGE,” WESTCHESTER COUNTY, NY

- On Monday morning in late September, the Dean of Students receives a call from the Director of Residential Life. A transgender female student had been attacked by a male student in her dorm room on Friday night at around midnight. She ran out of the room, down to the security desk in an hysterical state. The security guard called 911 and the local police arrived at the dorm. The complainant (trembling and crying) informed the responding officer that the male student pinned her to her bed, grabbed her private parts and tried to take her clothes off because he wanted to see what was underneath while she was yelling no and telling him to stop. The responding officer stated to the complainant: “did you invite him into room? And BTW, I can smell from your breath that you were drinking too.”
- The police nonetheless processed the complaint, and charged the accused student with a misdemeanor. The accused student then went before the local judge, who released the student on his own recognizance and who ordered a limited order of protection, allowing the accused student to continue to attend classes at the College.

Hypothetical (cont.)

- What steps should the Dean of Students immediately take?
- Was the police response appropriate and adequate?
- Was the misdemeanor charge appropriate?
- Was the limited order of protection appropriate?
- What is the role of the College in the continued criminal case?
- What other steps could/should the College take in handling the campus investigation?

Hypothetical (cont.)

- In the scenario, the accused asserts his innocent, and states that she was okay with everything one minute but then in an instant, out of the blue, she snapped, changed her mind, and ran out the door.
- What are the rights of the accused under both scenarios as it relates to the College?
- What are some of the issues that an accused must contend with in defending himself?
- How can campus administrators balance rights of accused and complainant in this scenario?

Hypothetical (cont.)

- There have been a number of lawsuits brought by accused/respondent students against colleges: what are the general bases for these suits?
- How does that impact the way the CYU College should handle this case?