



## HB 691, RELATING TO CAMPUS SAFETY

FEBRUARY 3, 2021 · HOUSE HIGHER EDUCATION  
AND TECHNOLOGY COMMITTEE · CHAIR REP.  
GREGG TAKAYAMA

**POSITION:** Support.

**RATIONALE:** Imua Alliance strongly supports HB 691, relating to campus safety, which requires UH to provide training on the impacts of trauma for employees responsible for investigating incidents and assisting victims of sexual and domestic violence; improves access for confidential support services; requires UH to annually distribute information about sexual and domestic violence prevention and disclosure protocols to students and employees; and to the extent possible, requires a private college or university to implement identical campus safety and accountability standards to those applicable to UH.

According to the Rape, Abuse and Incest National Network, the nation's largest anti-sexual violence organization, 11.2 percent of all college students experience rape or sexual assault through physical force, violence, or incapacitation. Among undergraduate students, 23.1 percent of females experience rape or sexual assault through physical force, violence, or incapacitation. This issue is not specific to women, either. Male college-aged students (18-24) are 78 percent more likely than non-students of the same age to be a victim of rape or sexual assault.

Sexual violence is pervasive on college campuses in Hawai'i. According to UH's most recent climate survey, conducted in 2019:

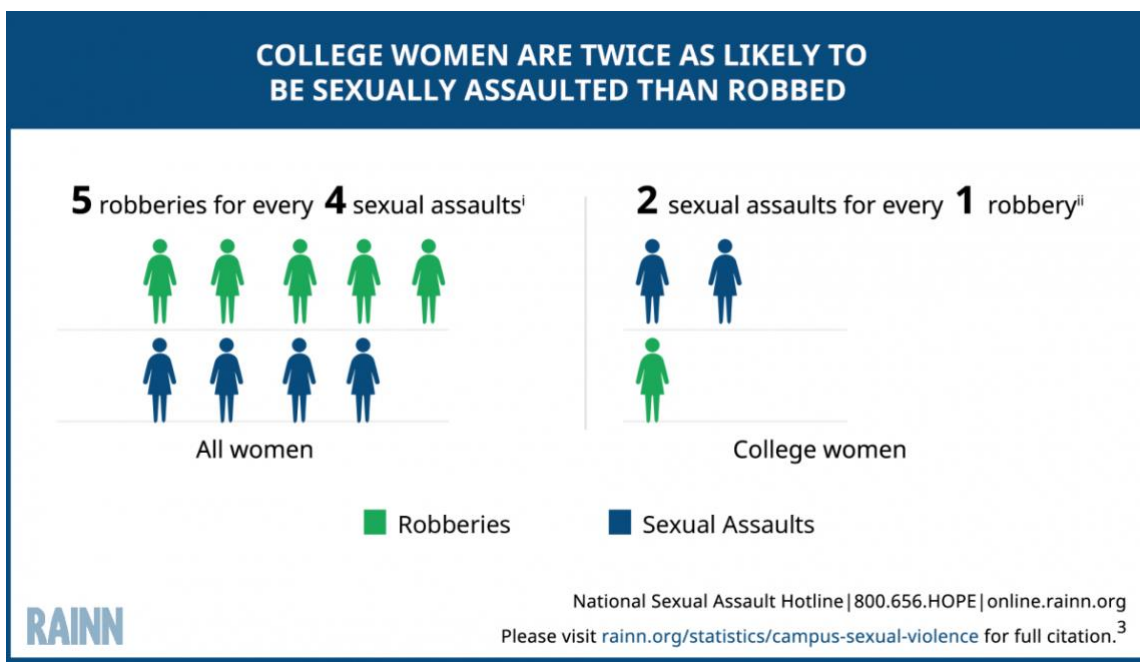
- Approximately 60 percent of students at the University of Hawai'i feel that the issues of sexual assault and sexual harassment are problematic.
- 12.7 percent of students at the University of Hawai'i experienced sexual harassment while at the university according to the 2019 campus climate survey, an increase of 37 percent since 2017.
- 21.3 percent of students at the University of Hawai'i experienced dating or domestic violence while at the university according to the 2019 campus climate survey, an increase of 11.5 percent since 2017.
- 7.2 percent of students at the University of Hawai'i experienced nonconsensual sexual contact while at the university according to the 2019 campus climate survey, an increase of 14 percent since 2017.
- 100 percent of students experiencing sexual harassment, 74 percent of those experiencing stalking, 77 percent of those subjected to stalking, and 59 percent of those subjected to nonconsensual sexual contact reported enduring serious consequences from the incidents, the most common of which were emotional trauma, social consequences, and adverse academic impacts.

Imua Alliance is one of the state's largest victim service providers for survivors of sex trafficking. Over the past 10 years, we have provided comprehensive direct intervention (victim rescue) services to 160 victims, successfully emancipating them from slavery and assisting in their restoration, while providing a range of targeted services to over 1,000 victims and individuals at risk of sexual exploitation. Each of the victims we have assisted has suffered from complex and overlapping trauma, including post-traumatic stress disorder, depression and anxiety, dissociation, parasuicidal behavior, and substance abuse. Trafficking-related trauma can lead to a complete loss of identity. A victim we cared for in 2016, for example, had become so heavily trauma bonded to her pimp that while under his grasp, she couldn't remember her own name.

**Many of the victims with whom we work were first exploited while enrolled at of Hawai'i colleges or after experiencing sexual violence during their college years.** These institutions

provided little information about how to receive help and failed to deliver trauma-informed care, leaving our survivors to fend for themselves after being victimized. While the University of Hawai'i has taken small steps to improve its response to sexual violence in the last few years, its services remain inadequate, information sharing remains spotty (most students do not receive a copy of the Title IX handbook published by the university, for example), and personnel tasked with managing its sexual misconduct protocols remain badly in need of training in trauma-informed care, something that should be required for all staff tasked with handling cases of campus violence. Students at other universities, including Chaminade, BYU-Hawai'i, and Hawai'i Pacific University, deserve the same protections and reporting opportunities (including anonymous campus safety surveys regarding sexual violence), which this measure's revisions to HRS §305J-8 would require to the greatest extent possible.

### **COLLEGE WOMEN MORE LIKELY TO BE SEXUALLY ASSAULTED THAN ROBBED**



Finally, on a personal note I, Kris Coffield, Executive Director of Imua Alliance, am heavily invested in this measure's success. When I was a student at the University of Hawai'i, in early 2008, I was violently, penetratively raped by a professor and three graduate students. It happened during a late-night study session to which I was invited by someone who, at the time, I believed to be an academic mentor. I may have been drugged, given that I couldn't move as it happened, though I

also could have experienced involuntary paralysis, my body reeling from the shock of the assault. During the attack, I was beaten with a belt, held down forcefully by the men involved, called an assortment of vulgar names (the *least* offensive of which were “f\*\*\* whore,” “sex slave,” and “rape slut”), and deliberately misgendered—I was referred to as female throughout the assault in an attempt to further degrade me—as they took turns orally and anally raping me.

I attempted to report the assault to a UH administrator. I was informed at the time, however, that the university wasn't prepared to take action on my case. When I asked why, I was told, "You're a political science major. You should understand that some people have more power than others." Since then, I've struggled with a persistent feeling of powerlessness. I've fought for years to overcome lingering depression and anxiety, along with the fear that my assailants will, at some point, come back to harm me.

To be clear, I don't blame the current UHM administration for what happened to me. In fact, I applaud the university's leadership for taking steps to address sexual assault and sexual harassment on campus, following an audit by the U.S. Department of Education that revealed serious gaps in the school's compliance with Title IX's requirements for handling reports of sexual violence. Additionally, I'm not seeking anything, monetary or otherwise, from UH the university, or anyone involved in the incident.

I simply can no longer be silent. My justice must be obtained by sharing my story, so that other victims may feel less alone. I can be a lamppost in a dark and thorny forest, shining a light that makes trauma a little more bearable and hope a little easier to find for those who, like me, have suffered the pain of sexual violence. But I am no longer a rape victim. **I am a survivor.** I, and my organization, humbly ask you to validate the experiences of survivors by passing this measure and working to end the rape culture that continues to infect our state's college campuses.

**Kris Coffield · Executive Director, Imua Alliance · (808) 679-7454 · [kris@imuaalliance.org](mailto:kris@imuaalliance.org)**



## **HOUSE BILL 691, RELATING TO CAMPUS SAFETY**

FEBRUARY 3, 2021 · HOUSE HIGHER EDUCATION  
AND TECHNOLOGY COMMITTEE · CHAIR REP.  
GREGG TAKAYAMA

**POSITION:** Support.

**RATIONALE:** The Democratic Party of Hawai'i Education Caucus strongly supports HB 691, relating to campus safety, which requires UH to provide training on the impacts of trauma for employees responsible for investigating incidents and assisting victims of sexual and domestic violence; improves access for confidential support services; requires UH to annually distribute information about sexual and domestic violence prevention and disclosure protocols to students and employees; and to the extent possible, requires a private college or university to implement identical campus safety and accountability standards to those applicable to UH.

According to the Rape, Abuse and Incest National Network, the nation's largest anti-sexual violence organization, 11.2 percent of all college students experience rape or sexual assault through physical force, violence, or incapacitation. Among undergraduate students, 23.1 percent of females experience rape or sexual assault through physical force, violence, or incapacitation. This issue is not specific to women, either. Male college-aged students (18-24) are 78 percent more likely than non-students of the same age to be a victim of rape or sexual assault.

Sexual violence is pervasive on college campuses in Hawai'i. According to UH's most recent climate survey, conducted in 2019:

- Approximately 60 percent of students at the University of Hawai'i feel that the issues of sexual assault and sexual harassment are problematic.
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- 100 percent of students experiencing sexual harassment, 74 percent of those experiencing stalking, 77 percent of those subjected to stalking, and 59 percent of those subjected to nonconsensual sexual contact reported enduring serious consequences from the incidents, the most common of which were emotional trauma, social consequences, and adverse academic impacts.

While the University of Hawai'i has taken small steps to improve its response to sexual violence in the last few years, its services remain inadequate, information sharing remains spotty (most students do not receive a copy of the Title IX handbook published by the university, for example), and personnel tasked with managing its sexual misconduct protocols remain badly in need of training in trauma-informed care. Students at other universities, including Chaminade, BYU-Hawai'i, and Hawai'i Pacific University, deserve the same protections and reporting opportunities which this measure's revisions to HRS §305J-8 would require to the greatest extent possible. It's time to uplift the voices of survivors and ensure that our college campuses are no longer tarnished by the sickness of rape culture.

**Kris Coffield · Chairperson, Democratic Party of Hawai'i Education Caucus · (808) 679-7454 · [kriscoffield@gmail.com](mailto:kriscoffield@gmail.com)**



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
House Committee on Higher Education and Technology  
February 3, 2021 at 2:00 p.m.

By  
Jan Gouveia, Vice President for Administration  
University of Hawai'i System

### HB 691 – RELATING TO CAMPUS SAFETY

Chair Takayama, Vice Chair DeCoite, and members of the committee:

Thank you for the opportunity to present testimony on HB 691 – Relating to Campus Safety. The University of Hawai'i ("University") appreciates the intent of this bill, but respectfully provides the following comments to highlight that the requirements of the bill are duplicative and therefore are confusing and an inefficient use of funds. We recommend the measure be deferred so that the University can work with stakeholders to clarify the intent and language.

The University is already engaged in implementing many of the initiatives set forth in the measure. Through its own Office of Institutional Equity, the University currently provides, and is further developing, a curriculum of trauma-informed training to employees assisting victims of the various forms of gender violence discussed here. The training conducted for investigators and other UH employees involved in investigating allegations involving Title IX is supplemented by contractual partnerships with expert third parties in the fields of Title IX and gender violence in higher education, such as ATIXA and must be reviewed to ensure that it is consistent with the recently enacted (August 2020) Title IX regulations which set forth new requirements for training. The new regulations relate that educational institutions, "must ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on . . . how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias." 34 CFR Section 106.45(b)(1)(iii). In discussing this provision, the new regulation's preamble has comments that appear critical of trauma informed training. Thus, trauma informed training may not be permitted under this new regulation.

Currently, on a biannual basis, the University provides all students and employees with a comprehensive guide of resources and information on support services and reporting options following incidents of gender violence, their rights and responsibilities under Title IX, select statistics and background information on stalking, domestic and dating violence, sexual assault, and sexual harassment, and bystander prevention tips for addressing this behavior. The prescriptive nature of the measure imposes more costly requirements without additional benefit. The University is already fulfilling many of the specific mandates of HB691 pertaining to training and the availability of support services and, therefore, this measure is unnecessary.

While the University recognizes that community victim services providers are valuable and has contracted with them to provide advocacy services to the University, the University respectfully requests that it be allowed to continue its process for developing and procuring training. Victim service providers are not subject matter experts on Title IX, VAWA and the

Clery Act. Furthermore, because of the victim service provider's role in advocating for and/or supporting a particular client in a specialized context, their expertise may not be suited for training University employees who serve impartial, investigatory roles and may compromise the University's efforts to provide an impartial investigation. As such, the University respectfully requests that the requirement to enter into and maintain a memorandum of understanding with a victim services provider to provide training be eliminated.

Thank you for the opportunity to testify on HB 691.





February 2, 2021

Members of the House Committee on Higher Education & Technology:

Chair Rep. Gregg Takayama  
Vice Chair Lynn DeCoite  
Rep. Della Au Belatti  
Rep. Sonny Ganaden  
Rep. Cedric Asuega Gates  
Rep. Troy N. Hashimoto  
Rep. Jeanne Kapela  
Rep. Takashi Ohno  
Rep. Sean Quinlan  
Rep. Justin H. Woodson  
Rep. Ryan I. Yamane  
Rep. Val Okimoto

Re: HB691 Relating to Campus Safety

Dear Chair Takayama, Vice Chair DeCoite, and Members of the House Committee on Higher Education and Technology,

The Hawai'i State Coalition Against Domestic Violence (HSCADV) engages communities and organizations to end domestic violence through education, advocacy, and action for social justice. HSCADV is a private, not-for-profit organization and is a statewide partnership of domestic violence programs and shelters.

On behalf of HSCADV and our 23 member programs statewide, I respectfully submit testimony in support of HB691 with recommendations. The current bill would require the University of Hawai'i to:

“Enter into and maintain a memorandum of understanding with a service provider for victims of sexual assault and sexual harassment to assist in developing and implementing the university’s policies, programs, and training regarding sexual harassment, sexual assault, domestic violence, dating violence, stalking, and related issues; provide training on the impacts of trauma for employees responsible for investigating incidents and assisting victims of sexual and domestic violence;”

HSCADV recommends that domestic violence training should be conducted by a domestic violence program.



HAWAI'I STATE  
**COALITION AGAINST  
DOMESTIC VIOLENCE**

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Thank you for the opportunity to testify on this important matter.

Sincerely,

Angelina Mercado  
Executive Director, Hawai'i State Coalition Against Domestic Violence



February 3, 2021

Dear Chair Gregg Takayama, Vice-Chair Lynn Decoite, and honorable members of the House Higher Education and Technology Committee,

As the National Legislative Director of the Every Voice Coalition, I am honored to submit written testimony in full support of **HB691: *An Act Relative to Campus Safety***. The epidemic of campus sexual assault is perhaps the only crime where the victim is shamed into silence and told to move on without justice. But this legislation gives victims the tools they need to take back the agency that this crime deprived them of, by offering greater access to resources at sexual assault resource centers, privileged, confidential resource advising, and a campus community that is trauma-informed. In short, this legislation will help victims in their journey to seek healing and become survivors.

Survivors of sexual assault across campuses in Hawai'i have already demonstrated the need for additional resources through their [latest campus climate survey](#). Students reported a 37% increase in sexual misconduct over the previous year, and out of those who had been victims, 77% reported serious crimes such as domestic and dating violence, and 59% reported nonconsensual sexual contact. This problem is too widespread throughout the University of Hawai'i system to let survivors navigate the aftermath alone.

The emotional trauma caused by sexual assault impacts every part of a survivor's life. From academic performance to interpersonal relationships to finances, survivors often struggle immediately after an assault. Trauma-informed policies for the campus community, especially training for responsible employees, are vital to a survivor's wellbeing. The first encounter that a survivor has with a responsible employee often determines their course of action going forward; an employee that is not trauma-informed can contribute to feelings of isolation and encouraging silence, but an employee with the correct training will be able to establish trust, make the survivor feel heard, and guide them to the right resources.

Healing is not a linear path, and not all survivors seek justice in the same way. Establishing a confidential resource advisor (CRA) is one of the most impactful policies that all of Hawai'i's Institutions of Higher Education can adopt to truly aid and empower survivors. Though measures like the Obama Administration's [2011 Dear Colleague Letter](#) were well-intentioned, it is widely seen as an over-correction, in that it attempts to keep institutions from "sweeping cases under the rug" by making virtually all employees "responsible employees." This had unintended, negative consequences on survivors: for those who don't want to go through the formal reporting system, they were cut off from speaking with many members of the campus community, unable to talk to



trusted professors or advisors. Some even had official investigations opened against their will - another way they experience a lack of agency.

CRA's change that dynamic and give survivors a resource that can navigate them through avenues of remediation that do not focus on the investigatory or criminal justice processes. Many survivors simply need accommodations in their living environment, help changing class or work schedules, or aid in navigating the academic and financial impacts that an assault may have.

CRA's are empowered to take corrective actions on behalf of the survivor with the same privilege of confidentiality that a survivor would find in an attorney or therapist. Seeking guidance from a CRA may even put the survivor on more solid footing, enabling them to make more informed decisions about whether or not to go through the official investigatory process.

Lastly, not every campus is well-equipped to help a survivor deal with the aftermath of an assault, and not every survivor may want to seek resources on the very campus where they were assaulted. Establishing memorandums of understanding with local rape crisis centers and/or domestic violence centers will give survivors access to resources provided by experienced, trauma-informed individuals who are experts in caring for them. Students will now be able to seek medical care, counseling, and legal advice in a safe space away from campus. This provision will also restore something vital that survivors lost during their attack: the ability to have agency and make choices about their healing process.

A vote to move this legislation favorably out of committee is a vote to support the needs of survivors and students across the State of Hawai'i. For too long, the epidemic of campus sexual assault has gone unaddressed. Today, you can change that, and signal to survivors that you are a true partner on their path to justice.

Thank you for the opportunity to submit testimony in support of **HB691**.

Sincerely,

Liana Ascolese  
National Legislative Director  
*The Every Voice Coalition*



February 3, 2021

Dear Chair Gregg Takayama, Vice-Chair Lynn DeCoite, and honorable members of the House Higher Education and Technology Committee,

As the co-National Director of the Every Voice Coalition, I am honored to have the opportunity to submit testimony in support of the totality of **HB691: *An Act Relative to Campus Safety***. This bill establishes necessary resources and supports for survivors: providing trauma-informed training, offering greater access to resources, and ensuring information sharing between the institution and students.

Across the country, 1 in 10 students will experience sexual violence by the time they leave college, with marginalized students facing higher rates and greater roadblocks in the healing process. According to the latest climate survey results at the University of Hawai'i, approximately 60% of students have reported that sexual assault and sexual harassment are problematic. The same survey also reported a 37% increase in students experiencing sexual harassment, and 17% increase in students experiencing sexual assault systemwide. National statistics show us that 90% of survivors do not come forward to report, leaving many survivors without the vital options and resources they deserve.

Not every student will experience sexual assault, but for those who do, the violation is life-altering. The truth is, for some survivors, the very essence and passion that drove them to pursue a degree crumbles before them. According to the recent University of Hawai'i survey, 100% of students who experienced sexual harassment, 74% who experienced stalking, 77% of those who experienced domestic and dating violence, and 59% of those who experienced nonconsensual sexual contact reported enduring serious consequences from the incidents. The most common consequences were noted as emotional trauma, social consequences, and adverse academic impacts. This bill establishes necessary resources for survivors through Confidential Advocates and Memorandums of Understanding with sexual assault resource services.

Adequate resources must be available for survivors whether or not they are reporting. According to Rape, Abuse, Incest National Network, 94% of women who are raped experience symptoms of post-traumatic stress disorder (PTSD) during the two weeks following the rape and 30% of women report symptoms of PTSD 9 months after the rape. Employees and officials responding to a disclosure of sexual violence must respond in a trauma-informed, and urgent manner. Therefore trauma-informed training



for employees responsible for support survivors and the investigatory process is a vital component of this bill.

May you act with the same urgency to codify greater access to resources available regardless of what waivers every four to eight years at the federal level. Students need access to the resources not currently provided at institutions, and with recent Title IX rollbacks that are years away from any change, they are needed now.

I, on behalf of students in Hawai'i, ask for the favorable passage of this legislation through committee: It would mean fewer students will be forced to navigate the silencing, blaming, and traumatizing experience of campus sexual violence that overshadows and sometimes de-rails their time in college.

Thank you for the opportunity to submit testimony in support of HB691.

Sincerely,

Nora Gallo  
*co-National Director*  
*The Every Voice Coalition*

LATE

February 3, 2021

Dear Chair Gregg Takayama, Vice-Chair Lynn DeCoite, and honorable members of the House Higher Education and Technology Committee,

I am grateful for the opportunity to submit testimony in support of HB691 *An Act Relative to Campus Safety*. This bill is crucial for the support of all students and survivors because it offers increased access to resources including partnerships with sexual assault resource centers, confidential support services, and adequate understanding of university policies

HB691 requires that institutions annually provide students and staff with training and education and transparency on the policies that are already in place to help them. Providing this education will prevent underutilization of these services.

By understanding how their school's policies work, both students and employees are able to have access to the support that they deserve. This support needs to be trauma-informed, which is mandated in this bill. Often times, coming forward about your experience with sexual violence is retraumatizing; without trauma-informed trainings for the employees involved, that is often furthered.

According to the U of H 2019 Climate Survey, there has been a 37% increase in students experiencing sexual harassment and 17% increase in students experiencing non-consensual sexual contact since 2017. With increasing rates of sexual violence, trauma-informed training is crucial to providing students with support in their next steps following an assault.

Survivors of sexual violence need to be met with a trauma-informed response when they disclose what happened to them and they deserve to know how to access the services their school provides. This is a matter of safety and is important to the overall health of all students.

Thank you for the opportunity to submit testimony on behalf of HB691.

Sincerely,  
Elizabeth Cook  
*IL State Director*  
*The Every Voice Coalition*