

**UNC**

**Subject:** [REDACTED]  
**From:** Annie Clark [REDACTED]  
**To:** [REDACTED]  
**Date:** Wednesday, May 22, 2013 1:06 PM

Good afternoon, and thank you Gloria. My name is Annie Clark and I am the <sup>legally</sup> head of two federal complaints against The University of North Carolina at Chapel Hill. I am currently a college administrator at the University of Oregon.

I am proud and honored to stand here today alongside survivors and allies from the University of North Carolina at Chapel Hill, Swarthmore College, the University of California at Berkeley, the University of Southern California, Dartmouth College, and Occidental College.

We are the Title IX Network, and we are here to put a face to our national movement and to announce that today, members from several schools - USC, UC Berkeley, Swarthmore College, and Dartmouth College also filed federal complaints against their schools early this morning - Wednesday, May 22, 2013, with the US Department of Education. Following in the footsteps of Yale, UNC and others, as a survivor collective, we have reached a critical mass where we can no longer be ignored or treated as singular issues.

As a current college administrator and a rape survivor, I have an obligation to stand with other survivors to stop this culture of violence from happening to the next generation of students.

When I reported my story of rape to UNC at Chapel Hill in 2007, a university administrator responded to me by saying: "Rape is like football, and if you look back on the game, what would you have done differently in that situation?" The message was loud and clear - I was being blamed for a violent crime committed against me. Rape is the only crime in society where we blame the victim instead of the perpetrator.

Yet this movement is neither about myself nor my individual story.

Since I came forward, I have heard from hundreds of students across the country who have reached out with similar heartbreaking stories of sexualized violence.

Recently a father, whose daughter attended the University of Virginia, reached out to me regarding the grave mishandling of his daughter's sexual assault case by UVA

administrators. He told me that (quote): "We [later] found out that my daughter's rapist's defense attorney was monitoring the school's investigation. We also discovered that the forensic nurse had changed her findings." (endquote).

A student from the University of North Carolina at Greensboro alleged sexual harassment against her professor. The finding of the case was that there was "not enough space" for an incident of sexual harassment to occur. Another top level administrator told a group who asked if the school should intervene in a domestic violence situation. His response: "He's from a wealthy family...and dead girls can't sue."

As a country, we need to have a conversation, and it should not take a group of mostly undergraduate students to hold our rapists, universities, and the U.S. Department of Education accountable for their actions through federal legal action.

This past weekend, 1 in 4 women graduated with both the title of rape survivor and a degree, many of them graduating alongside their rapists.

I do not want my boss's little girls and my niece, 4 young women, to meet the "1 in 4" statistic, if they choose to attend college. Yet unless something nationally changes, at least one of them is likely to experience a sexual assault. Students, parents, universities, and friends: we have a national epidemic on our hands, and we need to address it. When female students are more likely to be raped if they attend college, than if they do not attend college, what message are we sending our students?

As a university administrator, it is my responsibility and obligation to make sure my students are kept safe and have an equal access to education, and I am proud to be part of this new national movement to end sexual violence on campus.

You will now hear in turn these messages from each one of these students and one professor. All will introduce themselves, starting with Andrea Pino, sitting here next to me, who is my co-complainant, ally, and partner in this national movement.

Andrea Pino UNC

Three years ago, I wept tears of joy when I tore the blue seal of the large envelope that held my acceptance letter to the University of North Carolina at Chapel Hill (UNC). I came from a tight-knit, Hispanic family that never had the opportunity to even consider college. Most of my family didn't speak English, but I was graduating summa cum laude, with over a 5.0 GPA, ACT scores around the 30s. I was going to be the first one in my family to "make it."

But, early into my college career, I realized that my biggest challenge in college would occur outside the classroom.

My sophomore year, my head was slammed hard against shiny white tile, the same color as the graduation robe that I wore the day I last walked by my high school. He held my wrist against the walls as his hands slipped with my blood, and my vision blurred with the blood filling my contact lenses from my injuries. I felt his fingernails digging into my head, pulling me in closer to his unzipped black Levis.

I woke up in a pool of blood that dripped over onto the cracks of the wooden floor. I felt dizzy, and I had marks, and blisters that had no story.

I remembered his eyes;  
I felt my throat close up;  
I felt his lips on my neck;  
I felt his teeth on my skin;  
I realized what many fear most: I was raped

I met other survivors and quickly realized that rape "didn't happen at the priceless gem" of UNC, and if I came forward, not only would I not be believed, I would be blamed for a crime committed against me.

Four months ago, when I filed a federal complaint against UNC with Annie Clark, I never imagined I would be standing in a room with survivors from across the nation who have experienced similar violence and institutional betrayal. Annie and I thought we were taking this action alone, but now realize that there are literally millions of women and men in the U.S. who were raped during college who have been suffering in silence.

This silence ends right now, today, as students from the East to West coast join forces to interrupt campus rape culture. Today, student and faculty from Amherst, Swarthmore, Yale, Occidental, USC, UC Berkeley, the University of Virginia, and Dartmouth represent a network of more than 50 schools fighting to make our campuses safer. Thousands of individual stories are too similar to ignore. We are the IX Network, and we are all connected. We have reached a national tipping point and will no longer be ignored.

A year has passed since my rape, and while the physical scars and bruises have faded, the deepest emotional scars of the trauma and the torture of not being believed are still with me. I

feel even less safe today on my campus than I did the night I ran home by myself after that brutal crime was perpetrated by my rapist.

Many wonder why I stay at Carolina and why I don't transfer to any other school, but the reality is, I still love UNC, and every college in the nation has this problem. Students are attending schools in which, even after 40 years of Title IX, a pervasive culture of harassment and assault -- one that accuses survivors of "intimidating" their perpetrators, and "ruining their lives" -- causes hundreds to never graduate, and many to not survive their college years. As students sign up for orientation in the coming weeks, the memories of waitlists blur. Yet, as students enter their first semester, they enter a different waiting list. Thousands of students -- your friends, your siblings, your partners -- will be raped before they finish their college years.

The reality is that there is no safe school, and today, we take the first steps in a national movement to change that.



Hope Brinn, Swarthmore '15

[REDACTED]  
[REDACTED]

My name is Hope Brinn and I'm a rising junior at Swarthmore College. During the fall semester of my sophomore year, I was stalked and sexually harassed by a classmate. He would call me in the middle of the night screaming. He would send me threatening text messages telling me that I "should expect consequences in the coming days." He broke into my room while I was undressed and refused to leave despite repeated requests. I never knew what was coming next and it was terrifying. Harassing emails would hit my inbox while I was sitting in my classes. I was overwhelmed and frightened. So I went to the administrators at my college for support and got just the opposite. Our Title IX Coordinator laughed at me and brushed off the incident because the stalker had been drinking. The crime was misreported and my assailant never received any form of punishment. But I did. I was told by four different administrators that I was dramatic and was exaggerating. They made me feel crazy and alone.

But I am neither crazy nor alone and neither is our college. At Swarthmore, at Dartmouth, at UC Berkeley, at Occidental, at UNC Chapel Hill – these institutions are failing their students. They're not protecting their most vulnerable populations from harassment and abuse. In fact they're actively covering up these crimes. Survivors of sexual assault are left feeling alone, misunderstood, and irrational. This treatment is not only unethical, it is also against the law.

And that's why Mia Ferguson and I have filed a complaint with the Office of Civil Rights. Because we demand better. And our government does too. Swarthmore will no longer be able to get away with keeping known serial rapists on campus. They will have to begin to hold our fraternities to a higher standard. And they will no longer be permitted to silence survivors of sexual assault who are seeking protections for themselves and their communities. But most importantly Swarthmore must hold itself accountable for the damage it has caused to its students and it must become a leader in this civil rights movement.



Mia Ferguson, Swarthmore 2015, miafergusonhopebrinn@gmail.com, @miaferg, 617-921-5692

My name is Mia Ferguson. I am an engineering student in the Class of 2015 at Swarthmore College. I was victim of sexual violence as a freshman. Today, on behalf of ourselves and many other students, alumni, faculty, and staff, we submitted a Title IX Complaint to the Office of Civil Rights.

Despite our filing a Clery Complaint on April 18th, the Swarthmore administration has made no public attempts to reform their policies. The college held emergency meetings with my rapist, and left me in the dark by not telling me. I was frightened that he would retaliate, that he would continue to harass me. We share the same dining hall, we share the same classrooms, as things stand, we will share the same alma mater. The college left me unsafe, unprotected, and enhanced the trauma to which I had already been victim.

Colleges and universities seem to be united behind a veil of support, a veil that is hiding atrocity and violations of federal law. As a student, I have been silenced and traumatized not only by harassers and rapists, but by the staff members there, in theory, to support their learning.

No matter how much we encourage college administrations like Swarthmore to take immediate action to protect us, they remain quiet and stagnant. How can colleges be accountable in the future if they aren't accountable for their past?

Those of us speaking have had the support and space provided for us to come forward. Those in this IX Network encourage students at schools across the country to take a look at to what atrocities they have been victim. If you are a victim of sexual assault, you are not alone. If you are a victim of trauma performed by the college you chose to attend, you are not alone. If you want to seek justice, you are not alone. Contact us for emotional, logistical, or other support.

Students are victim to all sorts of hostility, at Swarthmore, Dartmouth, University of California at Berkeley, and colleges across the country. At a minimum, the IX Network exists so we can direct people somewhere for support, but where is the trustworthy support from our college staff? Where is the college experience I was promised?

We must shed light on these horrific acts so that people know this is a national issue; our friends, our daughters, our brothers, our cousins, our uncles, our mothers, and so many others are victims of sexual violence and they often can't speak about it. We must address this problem nationally so all voices can be heard.

U. S. C

My name is Tucker Reed. My sophomore year at USC, I was raped by a fellow student. When I brought the matter before the women hired by my school to investigate sexual misconduct, I was told that I should not expect them to "punish" my rapist – that their process was "educative", not punitive. But when students are punished for other kinds of violent assaults, or even for simple cheating, why shouldn't they be punished for rape?

Universities are the gateways to every profession. How can women have equal access to positions of power in our society when one in four women will be sexually assaulted before she graduates? One in four. That means, on average, more than 540 USC female undergraduate students are being assaulted every single year. But in the last three years, USC has reported fewer than twenty sexual assaults each year.

While drafting the complaint we filed today, I read story after story of fellow Trojan women who were assaulted by students or staff. Victims are met with ignorance and indifference to the violence and violation they have suffered. Victims who were shamed into silence, condemned to suffering with no hope of "recourse" or "redress."

The overwhelming failure of USC – and all schools – to help these victims in turn perpetuates a culture in which predators can continue to rape with impunity. We hope that our actions today will encourage our university to support reporting of sexual assaults and to punish sexual offenders so that the statistics change. So that the numbers drop, because predators stop thinking rape is an easy crime, a crime with no consequences. Rape is not an educative experience. It is crushing, life-altering, inhuman violence. By filing our complaint with the Department of Education we are asking—demanding—that USC pay attention to the suffering of its students and take a stand to stop the rape.

A.S.C

My name is Alexa Schwartz. I'm a rising senior at USC. My freshman year, I was raped at a party during the first week of school. For two years, I struggled to convince myself that it never happened.

In February of 2013 I reported the rape to USC. I provided the name of the rapist and filled out a form. I heard nothing in response. Two weeks before the end of the semester I went back to the same individual to whom I had made the report to find out the status. I was told that she had forgotten about it. Five days ago my rapist graduated.

Earlier this semester, I discovered my classmate Tucker Reed's blog, which chronicled her struggle to recover from a rape by a fellow student. My heart sank as I recognized parallels between her efforts to cope and my own. I was, and still am, inspired by her bravery in refusing to be silent. Tucker and I connected. Then we connected with other survivors. Then we began an activist group: SCAR -- The Student Coalition Against Rape.

We started protesting, fighting the institutional indifference every way we could think of, and some of my closest friends, who I had never known were survivors, came forward too. It has hurt me so much to know that the pain I feel is not only mine. It is felt by the people I love and by people I don't even know. It was then that we decided to file a complaint with the Office for Civil Rights. Because it's time that our schools--*all* our schools--start paying attention.



Gmail - statement

<https://mail.google.com/mail/u/0/?ui=2&ik=3b42e112f1&view=pt&q=..>**Berkeley  
FINAL  
VERSION**

Sofie Karasek &lt;[REDACTED]&gt;

---

**statement**

---

Sofie Karasek <[REDACTED]>  
To: Sofie Karasek <[REDACTED]>

Wed, May 22, 2013 at 1:25 PM

My name is Sofie Karasek and I am a second-year student at the University of California Berkeley. I was sexually assaulted my freshman year by a student leader who also assaulted four of my peers.

Today on behalf of a coalition of survivors, we filed a complaint against the University of California Berkeley for violating the Jeanne Clery Act on ten counts including (but not limited to): discouraging survivors from reporting to local law enforcement or participating in formal campus disciplinary processes, underreporting sexual assault threats to the campus community, and failing to update survivors of the decisions and outcomes of their cases.

I was not notified until 7 months after I filed a report in May 2012 with the Center for Student Conduct that there had even been an investigation into my assault. I never received confirmation of anyone having read my statement, and I was never called upon to provide more evidence. Last fall, I found out from a friend that my assailant had admitted to sexually assaulting me to leaders of the campus organization that we were in, and that the administrators had found violation of the student code of conduct. I finally received two 3 sentence emails, one of which only said that the case had been solved through an "early resolution process" and the other saying that he had been found in violation of the code of conduct without specifying whether or not any disciplinary action had been taken. I then learned that he was going to graduate semester earlier than I expected - in two weeks from when I received the email. This effectively removed my case from the jurisdiction of the University.

Contrary to its reputation for social justice, UC Berkeley has had a long and documented history of silencing survivors and under-disciplining offenders. This is also not the first time that UC Berkeley has faced federal charges for mishandling sexual assault cases. In 1979, a coalition known as "Women Against Sexual Harassment" filed a complaint in connection with a professor who preyed upon his own students with the Department of Health, Education and Welfare. Now 30 years later, we wrote and passed "A Bill of No Confidence in UC Berkeley's Disciplinary Policies Regarding Sexual Assault" through the Berkeley student government detailing several outdated policies that deny rights to survivors throughout the process of reporting their assault, while suggesting alternatives based on resources modeled after other campuses with more just policies.

We passed this bill to hold the University accountable to seeking justice for survivors. It is unacceptable that under the current system the administration does not believe our stories and warns us of the sanctions of false reporting, that our medical center does not provide rape kits even when the case is reported to the campus police, and that assailants who have been found in violation of the Code of Conduct and even guilty in criminal court are barely held accountable to their actions by the University. This culture is pervasive from the residence halls to the Greek system, from our medical service center to the procedures themselves. The students who are afraid to return to their own homes in fear of sexual harassment and assault deserve to be more than the collateral damage of this broken system.

In response our filing of the student government bill, the authors were publicly ridiculed in front of the student senate, intimidated for creating a (quote) "chilling environment" on campus, and discouraged from continuing their work by the administration. But for women and for fellow survivors, the real "chilling environment" is knowing that our school will not discipline rapists to protect its own reputation.

This story of administrative shaming and neglect is not unique to UC Berkeley, and change on a national scale is beyond due. The IX network provides a space for support, love and assistance, and has given many survivors the courage to speak.

**If you, your friend, your sister or your brother, or your spouse is a survivor, know that we believe you and that you are not alone. As one Berkeley administrator told me, "Although the University's system may have failed you, perhaps you can seek justice on a larger scale."**

(Quoted text hidden)

**URGENT**

I am a Dartmouth senior. When I was admitted to Dartmouth, I was so excited to join the welcoming, supportive community that was promised to me and my peers during our admitted students weekend. I wish I could have attended the Dartmouth that was advertised to me. But because of my sex and my gender presentation, this was not the Dartmouth that I attended. During the last four years, I've worked tirelessly with and for the administration to improve the college I care so deeply about.

On April 19, during our admitted students weekend, 15 student leaders interrupted a student event that we had felt personally deceived by due to its advertisement of Dartmouth as a comfortable, safe, and fun environment for all students. We chanted statistics of campus hate crimes and sexual assault. We chose to protest as a last resort after working for years through the proper, accepted channels and seeing hardly any change, despite the administration's promises and good intentions. Beginning that night, racist, sexist, and homophobic threats and harassment began on anonymous online websites and on our school's newspaper, The Dartmouth.

Students online made specific, targeted threats calling for our lynching, corrective rape, and threatening to kill or rape us in our sleep or if we entered fraternities on campus. We reported these crimes to many administrators and faculty, and documented them publically. High-level administrators met with us the next day, expressed solidarity and support, and promised to address the harassment and explain the situation to our professors, as is their legal obligation under the Clery Act. This follow-up did not happen.

Instead, the harassment continued and intensified. Many marginalized students in general were also threatened and harassed. 5 days later, the administration and faculty cancelled classes. The chair of our Board of Trustees sent out an email equivocating these threats, and our initial protest of sexual assault. The threats and harassment continued, and continue to this day.

I knew that the behavior of my classmates violated our Standards of Community, but I didn't know that both the harassment and Dartmouth's failure to address it were violations of federal law. I didn't know slurs and harassment based on my gender presentation were also in violation of federal law.

This morning, I filed a Clery Complaint with the Department of education along with 37 other testimonies from Dartmouth students and alumni documenting 14 Clery violations related to sexual assault, 11 related to LGBT discrimination and hate crimes, 5 related to racial and religious discrimination and hate crimes, 5 related to bullying and hazing, and 2 additional testimonies. It's heartbreaking to know that these testimonies are just the tip of

Nastassja Schmiedt  
Dartmouth College

It often feels like when Dartmouth accepted my mind they never realized this lesbian, black, female body would come along. During my time at Dartmouth I have been sexually assaulted by a woman, called a fag to my face and online countless times, and experienced pervasive discrimination and racial profiling. Dartmouth has a pervasive culture of silence, the students have so little faith in the reporting process and the judicial process that many of us no longer report them. When people learned that I was sexually assaulted by a woman who was a friend, many did not believe it was possible for a woman to be assaulted by another woman. I was discouraged from reporting it because it would be so much harder to prove with a woman as the perpetrator. My friends said I should be happy it was by someone who cared about me. When I reported to the college that there is pervasive harassment, I was blatantly ignored.

To find a community of likeminded friends, I went through the women's sorority rush process. I wanted to join a house with a community of support that I did not feel I had found in many other places, primarily because of my identity. During this process, I was racially profiled, had a sorority president send an email to other sororities lying about me, and I was harassed online and called a reverse racist and a fag because I am a queer black woman.

I reported this to administrators and the council in charge of the rush process with a witness to corroborate my story, they instead questioned my mental health, and discouraged me from clarifying my story. I was actively discouraged from going through the adjudication process. I was told that very little would be done and that the process would be very triggering. The sanctions they applied to my harassers were light and not mandatory. During this time, I continued to be harassed and was even asked to help facilitate community discussions with my harassers.

On April 19th I protested with 15 other Dartmouth students, including Lea. After the protest I was chastised by a professor and forced to go to class with students who made me deeply uncomfortable due to past harassment, which was the primary trigger which led to me being hospitalized for PTSD. I now have to withdraw from classes, and I will lose the tuition dollars and financial aid from this term.

This college has failed me on so many occasions. All I want is to have a space to be myself, and still be safe. These legal complaints do not only relate to sexual assault, they have to do with our colleges administrations' failure to acknowledge, adequately respond and prevent harassment, assault, and violence. Every single one of my friends has either experienced or has been personally affected through a close friend experiencing assault or harassment. This is an epidemic and college's need to start following the law.



Hello, my name is Anna Genevieve Winham. I'm a junior at Dartmouth College and part of a group of students filing a Clery Act Violation today. Our testimonies emphasise a culture of silence, hatred, and violence approached from a multifaceted perspective. This violence includes sexual assault, hazing, hate speech, racism, classism, ableism, heterosexism, and cis-sexism. All of these systems rush together in each instance of hate and each instance of entitlement. We cannot separate one from another.

In my own sexual assault, for example, my assailant claimed in his defense during our Dartmouth Committee on Standards hearing that he had assumed from my appearance that I was "homosexual, or bisexual at best." His crime, then, became not only gender-based violence but also a hate crime based upon his perception of my sexuality.

My friend, after being sexually assaulted, plunged into a depression and was forced onto medical leave by the college; once on medical leave her insurance through Dartmouth was invalid and because she isn't wealthy she couldn't cover the costs of counseling necessary for her mental health. Her sexual assault was a gender-based crime but also affected her to an even greater extent because of socio-economic issues that Dartmouth refused to take into account.

The rape threats following the recent #Realtalk protests have been directed primarily towards queer people of colour while straight white people have been mostly protected. The campus reaction to these protests against sexual assault, racism, classism, ableism, heterosexism, cis-sexism, and sexism proved that all these issues are intertwined, and that rape on our campus, as in other war zones, is a tool of violence used to keep people in line – especially queers and people of colour.

Because of aspects of my identity, I am protected from much of the violence on campus and feel safer in certain spaces than many of my peers. It's difficult to accept that in many ways I cannot understand the constant hate that my friends receive based upon their race, ethnicity, religion, socioeconomic status, and gender expression. Even with the many privileges that I experience, there are spaces, namely fraternities, at which I feel threatened. Indeed, in these spaces my friends and I have been physically attacked. Dartmouth is not providing a safe environment, despite vigorous complaint and numerous suggestions for solution. We won't put up with this violence any longer, not the racism, not the classism, not the heterosexism, sexism, cis-sexism, ableism, or the sexual assault.

*Occidental*

**Rodriguez, Heriberto**

---

**From:** Danielle Dirks [danille.dirks@gmail.com]  
**Sent:** Wednesday, May 22, 2013 1:23 PM  
**To:** #Shoreham Front Office  
**Subject:** Fwd: Statement for Press Conference

~~Danielle Dirks~~  
~~[Redacted]~~  
~~[Redacted]~~

Begin forwarded message:

~~From: Danielle Dirks [mailto:danielle.dirks@gmail.com]~~  
~~Subject: Statement for Press Conference~~

-----Original Message-----

**From:** Danielle Dirks [mailto:danielle.dirks@gmail.com]  
**Sent:** Wednesday, May 22, 2013 9:50 AM  
**To:** danielle.dirks@gmail.com; Nathan Goldberg; Gloria Allred  
**Subject:** Statement for Press Conference

My name is Danielle Dirks and I am a professor and criminologist at Occidental College in Los Angeles, CA. I stand today with these extraordinary students as they push their institutions to end the deafening silence around rape and gendered violence on their campuses.

Sexual assault was a serious issue for my friends and I when I was in college. It is sickening that so little has changed in the past decade, because of the perverse financial and reputational incentives campuses have hide the ugly realities of college life. It's high time colleges and universities tell the truth about rape so we can truly address this crime epidemic.

There are 5000 colleges and universities in the United States. Every day on these campuses, students face rape, sexual assault, sexual battery and sexual harassment. These behaviors have horrifyingly become a normal part of students' educational experiences. And when the bravely come forward, they are routinely betrayed by their institutions who treat them with indifference.

As a professor, it breaks my heart to see students suffer in the aftermath of rape. Watching the moment they crash and burn in the classroom, to see a brilliant high achiever barely able to complete a semester, terrified that she'll run into her rapist on campus, suffering from debilitating PTSD that unfairly alters her educational and professional life course.

Professors enjoy a privileged position of power in higher education, and with this power comes great responsibility. We have an obligation to ensure that our students receive an equitable education in a place they feel safe. I am calling on professors across the nation to band together with students to end sexual violence on campus. We cannot call ourselves educators if we fail to provide the most basic life lesson that everyone is entitled to safety, equality, and justice. Thank

you.

**Danielle Dirks**  


---

**This message is CONFIDENTIAL and may contain legally privileged information intended only for the addressee. If you are not the addressee you may not use, forward, copy or disclose to anyone any information contained in this message. IF YOU RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY ALLRED, MAROKO & GOLDBERG IMMEDIATELY BY TELEPHONING THE SENDER NAMED ABOVE AT 323-653-6530. Thank you.**

---