

Sexual Crimes & Confidentiality

Sexual assault and rape are too often silent crimes. We as a community bear a responsibility to each other to prevent that silence from endangering our friends and ourselves. Currently, confidentiality protects the identity of individuals separated for sexual crimes, even in the case of that individual returning to campus violating resolutions stating separation. That protection can endanger not only those involved in the trial leading to separation but also other community members.

This resolution seeks to accomplish three ends:

1. to explicitly require that students separated for sexual crimes are without exception prohibited from returning to campus for the duration of their separation, and
2. to allow any community member involved in the trial to permanently break such a separated party's confidentiality should that party return to campus.
3. to allow the confronting party to request that the separated party's confidentiality not be broken, even under the aforementioned circumstances.

Therefore, be it resolved

Under Appendix F: Special Concerns the following subsection should be added:

D. Sexual Crimes

In any case regarding a sexual crime in which a resolution separates the confronted party, the jury must, without exception, include a resolution expressly prohibiting the separated party's return to campus while separated.

In the event that such a separated party returns to campus, thus violating the resolutions of their separation, any community member involved in the trial may permanently break the separated party's confidentiality without penalty.

The confronting party may, however, request a resolution which prohibits, under the aforementioned circumstances, the breaking of the separated party's confidentiality.

Respectfully submitted,

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