

HB 1391 Talking Points

- This bill is a **Colorado solution** agreed upon by Colorado institutions of higher education, and Colorado victim advocacy groups to address campus sexual misconduct and create clear and consistent policies to support survivors, establish fairness in procedures, and ensure safe and meaningful access to education for all..
- Sexual violence affects **1 in 5 women** and **1 in 16 men** on college campuses. **Only 12% of victims report** the assault. Sexual violence has a profound effect on our communities with **34% of college student survivors experiencing Post Traumatic Stress Disorder, 33% experiencing depression, and 40% abusing drug and alcohol as means to self-medicate.**
- HB18-1391 creates a **clear and consistent** solution for all parties while providing schools with the freedom to craft their own policies and procedures that meet the specific needs of their individually unique campus communities
- HB18-1391 addresses these issues by:
 - Establishing new **transparency** standards by making policies easily accessible to current and prospective students, families, and friends.
 - Utilizing the **equitable** standard of proof which assumes no wrongdoing of either party for investigating cases of sexual misconduct;
 - Prohibiting the use of unrelated sexual history of either party to be considered as facts of the case;
 - **Streamlining** procedures by allowing both the complainant and respondent to submit questions for one another to the individual or individuals participating in investigative process so as to allow both party's **equal right** to be heard and prohibit the harmful practice of direct cross-examination of either party
 - **Eliminating a barrier** to reporting by establishing policies that prevent survivors from being found in violation of the campus code of conduct for behaviors such as underage drinking if/when reporting sexual misconduct to the institution
 - Ensuring:
 - **Timely, concurrent updates** for both parties on the status of an investigation;
 - **Training** of all incoming students and new faculty on sexual misconduct and the policies for reporting and investigating misconduct;
 - Supporting **biannual summits** to bring stakeholders together to share best practices information