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Federal Review Sought In Miami University of Ohio's Handling Of Sexual Assaults

Oxford, Ohio-A national campus safety watchdog organization, Security On Campus, Inc., announced Thursday that they are calling for a federal review of how Miami University of Ohio handles campus sexual assault cases. The complaint, filed on behalf of a former student who was sexually assaulted on-campus in October of 2003 charges that the school has improperly withheld from sexual assault victims the written final results of disciplinary action taken against their alleged assailants. According to the complaint this violates both the federal Jeanne Clery Act, a campus crime reporting and victims' rights law, and an agreement the school entered into after having been found to have violated the same requirement in 1997.

The complaint, lodged with the U.S. Department of Education, comes in the wake of revelations that the student found responsible both by Miami and in criminal court for the October 2003 assault was allowed to enroll at Miami again in August of 2004, a full year before Miami officials had orally told the victim he would be able to, and that he has since been indicted for the brutal rape of another female student at his off-campus apartment.

"To me, being suspended for that short amount of time was not an appropriate consequence," said the victim in the fall 2003 assault, who has since transferred to another school. "Had I received a copy of the final determination that the suspension was actually intended to be only until the fall of 2004, I would have certainly recognized the discrepancy in dates. My parents and I would have expressed our displeasure with Miami officials."

"It has become clear to me that the Office of Judicial Affairs of Miami University failed to follow appropriate policies and procedures concerning my sexual assault case," she added. "My goal in filing a Clery Act complaint against Miami University is to ensure that victims of sexual assault are treated with the utmost care and that the letter of the law is followed correctly."

"Victims need this information to make decisions about their own safety and well being, as well as to heal and move on with their lives as survivors," said S. Daniel Carter, Senior Vice President of the watchdog group. "Written notification is critical to ensure that there is no miscommunication to the victim, and that they receive notice of any changes to the outcome that may come about as the result of an appeal. Depriving them of it can have a significant negative impact on them, and on the wider issue of student safety in general. They may be denied information that would prompt them to file an appeal or to warn their fellow students that a potential threat to their safety has been allowed to remain on or return to the campus, both rights guaranteed by federal law."

"Had the Clery Act been followed in this case a great deal of pain could have likely been avoided by at least two young women," added Carter. "This law must be taken seriously, and for this reason we are asking the Education Department to consider imposing fines of up to \$27,500 for each failure to notify a victim that their review uncovers."

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