

March 21, 2017

To the Georgia Senate Judiciary Committee,

We write to thank you for your opposition to House Bill 51. Mandatory referral bills like this one may be intuitively appealing, but they ultimately make campus communities less, not more, safe.

Survivors overwhelmingly tell us that, if they knew their school had to forward their sexual assault reports to the police, they would tell no one at all. Many survivors fear skepticism or harassment from the police and retaliatory violence by their perpetrator; many do not want to pursue a long, arduous criminal trial. Many are all too aware that prosecutors rarely press charges against accused rapists, and juries rarely convict. And many, in the wake of a terrible violation of trust and autonomy – sexual assault – see mandatory referral as yet another betrayal.

If victims cannot safely turn to their schools knowing their wishes and privacy will be respected, they lose out on crucial accommodations necessary to secure their civil right to an education free from sex discrimination. Without school assistance like dorm changes, mental health support, and academic help, many survivors drop out of school.

Further, HB 51 would deprive schools of important opportunities to reduce violence. By discouraging survivors from telling anyone, the bill would result in fewer opportunities for administrators to hold wrongdoers accountable and remove those who pose a continuing threat to the campus community.

As organizations dedicated to protecting students' civil rights, we know just how important fair disciplinary procedures are to all students, whether they be survivors or the accused. Civil rights laws and U.S. Department of Education regulations already provide robust protections that ensure both sides are treated fairly and equally. HB 51 will not make schools more just. Instead, the bill would needlessly threaten the educations of students who face gender violence.

Thank you for your leadership,

American Association of University Women of Georgia  
Atlanta Women for Equality  
Champion Women  
Equal Rights Advocates  
Georgia Network to End Sexual Assault  
Harvard Law Gender Violence Policy Workshop  
Know Your IX  
National Alliance to End Sexual Violence  
National Women's Law Center  
SurvJustice  
Victim Rights Law Center