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Scarlet Letter for College Assaults

Multiple news outlets have reported on a variety of sexual assault cases on college campuses. A most infamous case in 2006 included the accusation of rape against three Duke lacrosse players, which was ultimately proven false. The resulting media frenzy led to the firing of the lacrosse team coach, the loss of the Duke team's season and tens of thousands of dollars in lawyers' fees. In addition, the local DA resigned after the students were found innocent and the State Attorney General noted the three players, "were victims of a tragic rush to accuse." That



case and others highlight the need to seek due process in any allegation. Apparently new federal regulations are complicating some of the traditional legal "due process" and a new wrinkle has been identified in a May 11th NPR report, where schools are seeking to add a "scarlet letter" (suspended/expelled for sexual misconduct) statement to the transcript of those accused, but not proven in a court of law.

The NPR story relates the case of a female college junior who testified, "She passed out on someone's bed after a party, from a mix of drinks — including one she suspects was spiked. [later] There was a male figure over top of me". She apparently was able to identify and report who assaulted her and the male student was expelled from their school; but the victim in this case was shocked to learn he was able to transfer readily to a local college nearby. The female victim in this case wants to see the "scarlet letter" added to transcripts of those disciplined for sexual misconduct. The story includes no mention of criminal charges being filed in the case.

The link to the Fox News story relates another potentially fabricated case with a similar accusation. In this case, a male Amherst College student was accused by a female classmate of rape 21 months after the event took place. He claims memory of only escorting her home before passing out at her residence, too drunk to go home. The reason for her tardy accusation was unclear, and there was social media evidence of the supposed victim acknowledging she was the aggressor in the encounter. However, the college hearing board found the young man guilty of assault and expelled him. Lawyers are now involved in this case.

There are multiple ethical questions for high school students to consider. In both cases alcohol played a meaningful factor and it is unclear to SEE why alcohol abuse is often overlooked as a trivial "rite of passage" for college students. Question One: Does one's senior year in high school or entrance to college absolve students from responsibility to protect themselves from the harm that can come from binge drinking?

The sexual assault issues are equally troubling. It is suggested as an ethical baseline that students be clear with themselves, meaningful adults and their friends about what their standards are and when, how, and if they would assent to sexual activity. But if boundaries are crossed, question two asks, does fairness and justice demand that due process is followed on campus for victims and the accused? Should a "scarlet letter" be placed on the transcript of those accused but not found guilty in a full criminal or civil trial?

SEE's Youtube abbreviated Fox News story link-- <https://youtu.be/7Jw-L9ZvuIE>

SEE welcomes student comments about this topic on its website at -- <http://ethicsed.org/ethicsblog>

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