

Chapter 1

Campus Rape and the Soul of College: A Personal Journey

How does a fifty-year-old economist and public policy analyst, new to a faculty position at a top research university, become passionate about college campus sexual assault? It started with a broken heart in November 2012. That's when I heard my first survivor story as an adult, over tea, in the heart of Tallahassee's student corridor linking Florida State University, Florida A&M University, and Tallahassee Community College.

The statistics were no longer abstract as I sat across from the ambitious, driven woman whom I had gotten to know outside the classroom through local volunteer work. She had transferred to my university four years earlier after she had descended into an emotional tailspin stemming from her rape at a fraternity party during her first semester at a small, Midwestern liberal-arts college. Shunned by her friends and feeling ignored by the administration, she dropped out of college at the cost of thousands of dollars in athletic scholarships. She tried to re-engage her academic career through a local community college

but failed. She decided her best alternative was to transfer to a bigger university nine hundred miles south.

Here, she rebuilt her life—her friendships, her academics, her world—achieving at levels outside the classroom that inspired faculty such as myself. Nevertheless, as she told me her story nearly four years after her move to the South, her rape still dogged her personally. She continued to struggle for her own identity, and her personal relationships suffered as a result.

The injustice was heart-wrenching. Although I did not know it at the time, those moments over tea were the starting point for my journey. Her story opened a window into a world I had left nearly thirty years earlier as an undergraduate, and it left my view of campus life much dimmer than when I had so optimistically accepted my job at FSU months earlier.

One story of rape and healing, however, is still just one case, hardly enough to kick-start a professional journey, let alone a commitment to surveying research outside my own area of professional expertise. I had written extensively on crime and urban policy. However, human sexuality, rape, sexual assault, and the social psychology of the modern campus were well outside this purview—except as a father of college-aged children.

My journey truly began when it became clear to me that her story was not an isolated incident. As I worked with young men and women through volunteer self-defense training on campus, I began to hear their stories. I began to talk about the issue with my colleagues. As awareness of my interest broadened among my students, I heard even more personal stories and testimonies. I began to dive into the academic research and tried to understand best practices. At first, this was an attempt to educate myself, with the thought I could better support the healing journeys of students and friends, as well as improve my effectiveness as a self-defense coach. At the same time, campus sexual assault was

gaining national prominence as allegations of rape were leveled at FSU's star quarterback during what would become the school's championship run. This was not just a local problem or an issue unique to my university. I began to cast a wider net and to think more broadly.

Defining Sexual Assault

What is sexual assault? Most people, including many college students, think of it as rape. But sexual assault is defined more broadly to include more than sex without consent.

- **Sexual assault** is unwanted sexual contact, including rape, groping, kissing, fondling, and other forms of touching. In some states, sexual assault is the same as **sexual battery**.
- **Rape** is unwanted penetration or oral touching of another person's genitals.

Implicit in each of these definitions is the concept of consent—the idea that both parties have to agree to the sexual contact. Consent cannot be given if someone does not have the capacity to give it (e.g., they are under the influence of alcohol or drugs), or are coerced through the threat or actual imposition of physical or emotional harm.

The Quixotic Search for Solutions

Most of the policy responses to college sexual assault proffered by sports commentators and pundits during this period seemed short-sighted. The trauma of sexual assault, and rape in particular, was recognized, but the recommendations and calls to action were all too simplistic. They did not square with the stories I heard, the lifestyles I witnessed while living in a student apartment complex during my first year in Tallahassee, or the frustrations of the professionals, unacknowledged by the press, who had grappled with this issue on a regular basis. The solutions almost never addressed the practical realities of trying to hold offending students accountable for their actions when the circumstances and evidence fell short of criminal conviction in a U.S. courtroom, or when both parties had some degree of culpability in the outcome. Nor did the solutions offered forthrightly recognize the practical problem of addressing human trauma in the absence of definitive evidence. The magic bullet to stopping sexual assault is illusive in the real world, but critics and advocates seem to behave as if one exists. The solutions, as this short book shows in the final chapters, are multilayered and nuanced. They are not easy to capture in a headline even if the personal trauma can be.

I now believe sexual assault and rape are different from other crimes. Rape is not just a physical assault, an attack on the body. It often becomes a soul-tearing event that fundamentally reshapes a victim's world-view and sends them into a spiral of emotional agony. Case histories reveal that some rape survivors envy those who have been murdered; at least those victims do not have to live with the emptiness and shame—yes, shame, even when they are the victims—that inevitably follows. The effects are

compounded by a society that has failed to come to grips with effective ways to address the trauma associated with sexual assault, both in terms of its prevention and in facilitating personal healing.

While most victims do not report their rape or sexual assault—a startling statistic I explore in Chapter 4—this should not be taken as evidence that the event is not important or defining. It is a sign of both the complexity of the problem and the psychological challenges victims face. Crafting solutions is even more difficult when victims do not want to be identified or the scope of anti-sexual assault programs is too broad and unfocused. But the trauma is real, and the scope of the problem begs for solutions.

As an undergraduate student in the early 1980s, sexual assault and rape were not a direct or known part of my experience. Remaining in committed, monogamous relationships substantially reduced the risk of being exposed to assault even though we had our version of today's hook-up culture in one-night stands. My college was small enough that many of these hook-ups would be classified in today's nomenclature as "friends with benefits." My friends and I did see sexual harassment—catcalling, sexually charged language, off color jokes about sex and members of sororities—but rape was largely a statistic, an abstraction gleaned through reams of paper and research for class assignments. Even later, in my professional work as a public policy analyst, sexual assault was a vague term which was hard to make tangible or specific, let alone measure.

In my role as a fraternity president, I experienced the dynamics and benefits of male camaraderie, but I did not fully understand its potential downsides or the negative consequences on personal relationships until much later. If my friends had been assaulted or raped, it was not an experience they shared with me.

This is not an unusual experience among men, even now. Numerous reports, including the *Report on the AAU Campus Climate Survey on Sexual Assault and Sexual Misconduct* prepared for the Association of American Universities, show that college men are statistically less likely to be victimized and less likely to be confidants of women (and others) victimized by assault. Thus, exposure is much lower, personally and through second-hand knowledge gleaned from friends. Moreover, campus surveys show men are more likely than women to see “blurred lines” when they interact with women. Later in life, I knew women in my martial-arts classes had experienced rape—they bravely made public their motivations for taking the class—but for family and professional reasons, I had not developed close relationships with them to understand their stories fully.

I was similar to the majority of my peers, professional and personal: my lack of knowledge or understanding of sexual assault was not because I lacked empathy or simply did not care. As a friend and parent, I cared deeply about my relationships. I have written two novels—*A Warrior’s Soul* and *Renegade*—that feature self-defense and martial arts as a way to address a bystander culture that permits sexual assault and interpersonal violence (bullying) to persist in our schools. Indeed, an attempted rape triggers the climactic scene in *Renegade*, because, as an author, I wanted an event that would threaten the very soul and sense of being for the female protagonist. Nevertheless, these stories are pure fiction, a far cry from the real world.

My worldview, like others, was fundamentally altered when I was privileged with the knowledge of personal stories of rape survivors such as the one introduced at the beginning of this book. These stories were unsolicited, an organic outcome of developing personal relationships with young adults in and out

of the classroom and of coaching small groups in self-defense techniques or strategies.

Understanding sexual assault on today's college campus requires going beyond the classroom and attempting to understand fully the social psychology of modern campus life and young-adult behavior. Otherwise, we underestimate both the magnitude of the trauma that accompanies rape—for men and women—and fundamentally misunderstand the nature of the problem on college campuses. Much of what we know about college sexual assault and rape is speculative and extrapolated from statistically problematic sources, including surveys based on self-reports from college students and case studies. These charges are leveled at some of the most prominent studies and reports on campus sexual assault, including the widely cited *AAU Campus Sexual Assault Study* and *the National Intimate Partner and Sexual Violence Survey*.

Though the data fall far short of what is needed for a proper, “evidence-based” approach to anti-sexual assault programming, it is the best we have. Like most public policy problems, the real world is rife with policy-crafting that lacks the information, databases, or analyses academics often require to pass muster in their professional world. Regardless, I think we know enough that we can restructure our programs in a way that is both healthier and more effective than conventional law enforcement approaches. This evidence forms the core of my multilayered path forward beginning in Chapter 7.

Who is sexually assaulted on U.S. college campuses?

One of the more frustrating aspects of addressing sexual assault on college campuses is the lack of definitive data on the scope of the problem. Nevertheless, a 2015 study commissioned by the Association of American Universities surveyed 27 campuses and 553,136 undergraduate students. Their results from Table 3.1 found:

	Penetration	Sexual touching
Total	7.0%	11.5%
Female	11.4%	18.4%
Male	2.3%	4.4%
TGDN	16.0%	21.2%
Declined	5.3%	10.3%

These results are for the students that said they experienced nonconsensual sexual contact involving physical force, incapacitation, coercion, or absence of affirmative consent since enrolling at their university or college.

Notably, among undergraduate women, rape through physical force and incapacitation (e.g., through drugs or alcohol) are equally likely to be reported. For sexual touching (sexual battery), students report physical force is about two times more likely to be used than incapacitation. These results support previous studies that show the gay, homosexual, and transgender (TGQN, or transgender, queer or nonconforming) students experience higher rates of sexual assault.

The Labyrinth of Sexual Assault Policy

The four pillars of a comprehensive approach to sexual assault I outline in Chapter 8 are rooted in what I call a personal trauma-centered approach and will go a long way toward giving our students and college administrators the tools they need to become effective at reducing and avoiding the life-changing damage created by sexual assault and rape. The analysis and information should also help inform parents and other adults about the tradeoffs, pressures, dilemmas, and challenges to good decision making that are inherent in modern college social life. Through this broader understanding, my hope is we can build a civil society on college campuses that is more robust, more sustainable, and more supportive of the kind of individual and interpersonal behavior that forges the trust and cooperation that is essential to leading a rewarding and fulfilling personal and professional life.

The solutions I propose are not magic bullets or even silver bullets. This problem will not be solved by finding one evildoer and putting them behind bars. To borrow from popular culture and the *Star Wars* “universe,” there isn’t a single Darth Vader, Sith Lord, Emperor Palpatine, or Supreme Leader Snoke to slay. Rather, it is a layered problem that involves modern campus culture shaped by a dynamic mix of young adult behavior, shifts in contemporary sexual attitudes and values, uneasy relationships between administrators and student quests for independence, the criminal justice system, and significant uncertainty about the scope and nature of the problem.

A better analogy for shaping strategy—which millennials know intimately and maps onto the approach I suggest—might be borrowed from J.K. Rowling and the *Harry Potter* book series.

The tale follows the epic struggle between the forces of Good, led by Harry Potter, and the forces of Evil, in the person of Lord Voldemort. Unlike *Star Wars*, Harry Potter never is able to slay the demon Voldemort in one climactic fight or duel. Harry nibbles away at the evil power by finding “horcruxes,” parts of Voldemort’s soul that have been separated and cast into physical objects to allow him to survive in a weaker state. Harry cannot destroy Voldemort and restore balance and order to the world until he finds and destroys all the horcruxes.

The demon of sexual assault is irredeemable and unsalvageable, much like Voldemort. The demon inhabits many people and subcultures that can be saved or redeemed, much like Harry’s school boy nemesis Draco Malfoy or even Dark Arts professor Severus Snape. Here again, the soul of the demon is split into horcruxes, using vessels that disguise its evil in the trappings of normal social behavior. A house party, organized by friends, becomes an opportunity for a rapist with a date-rape drug. A night out at a well-known bar provides the cover for a predatory rapist looking for a target inadvertently separated from his or her group.

The solution is not to ban bars or parties. No one goes to a fraternity party, or a bar, or a friend’s house, or out on a date, or to study late at night at the library with the expectation of being sexually assaulted or raped. Some of these rapists are classic predators and sociopaths, but a surprisingly large number—perhaps the majority—are not. Many, perhaps even a majority on college campuses, may be what I have termed “Negligent Rapists.” A Negligent Rapist is someone who commits rape, but the rape is unintentional, perhaps the result of miscommunication, a failure to understand the meaning of consent, or a misunderstanding of how their position or role creates a coercive environment.

Just as in cases of assault and homicide, however, negligence should not be an excuse to escape responsibility. These offenders should not be allowed to escape the consequences of this negligence, much like those convicted of negligent homicide are not allowed to escape without punishment. Their actions created personal trauma, and they must be held accountable for the consequences of their negligence, either through the criminal justice system or outside of it, using more creative programs and strategies. Only by using a strategy that searches and destroys each horcrux—each piece of the demon’s soul, whether as predator or a negligent actor—can the plague of sexual assault be destroyed. This requires a nuanced approach to the problem on college campuses.

Thus, the proposals at the end of this book are grounded in the reality of the existence of an evil but recognizing that the evil itself is not always perpetrated by devils. This is what makes addressing sexual assault on college campuses so difficult, frustrating, and exasperating to survivors, friends and family, peers, college administrators, and law enforcement. The good news is there is a way out. I scope out a three-level framework that includes four pillars of a comprehensive strategy for implementing programs addressing sexual assault. These are all pinned to the most destructive consequence of sexual assault: the emotional trauma created by rape and its aftermath. The program combines risk reduction, prevention, and post-event accountability, and may or may not include the criminal justice system. This framework and its combined strategies reposition human dignity as the center of campus efforts, recognize the role civil society plays in keeping perpetrators at bay, and more effectively holds offenders accountable for the effects of their actions, whether intentional or accidental.

The following chapters lay the groundwork for understanding this path, as well as outlining the steps we need to take once we embark. This personal trauma-centered approach will not be a quick fix or for the faint of heart. Tremendous damage has been done to victims of sexual assault, and rape in particular. Giving survivors the tools they need to heal, and designing the appropriate consequences for offenders, will not be easy even if the path is well lit.