



“Yes Means Yes” Position Statement

Position

The Iowa Youth Congress supports the passage and full implementation of a “Yes Means Yes” bill aimed at reducing incidences of sexual assault on college campuses.

Current Situation

Currently, throughout the nation there are upwards of 60 colleges under investigation by the federal government for failing to comply with Title IX regarding sexual assault. There have been cases upon cases of victims coming out and saying that they were treated like a criminal by their college, that their complaints of sexual assault were brushed off, that they had just made “drunken mistakes” and “weren’t raped”, or that even after it was found they were assaulted they were still forced to go to school with their rapist. California was the first state to pass legislation confronting the issue. On September 28th, 2014, the Governor of California signed Senate Bill 967 into law, giving colleges a standard definition of consent and guidelines for handling sexual assault cases. It was passed with bipartisan support. One in five women will be sexually assaulted in their lifetime, with the majority of those happening before they reach 25. (CDC, 2012)

Rationale

We feel that Iowa is in a great position to be noted as a leader in the nation. As Iowan students getting ready to go off to college, we want to know that if we are assaulted, we will be treated in an appropriate manner. We recognize that we are unable to consent if under the influence of drugs or alcohol and that consent can be taken away at any time. Consent is also not implied in a dating relationship. Consent requires a vocal yes or a head nod; not saying no is not consent. In California, the opponents to the bill said that the state didn’t have the right to define a relationship between two people. We are not trying to define a relationship. We are trying to define rape and consent. Since actions such as sexual assault and rape have such profound effects on its victims that can substantially affect the public sector, it becomes the place of government to address the situation. By setting forth a strong, modern definition of consent and providing penalties for failing to comply with said definitions, we can send a strong message to Iowa’s students and students across the nation that sexual assault is not only a serious problem, but it is one that we can address and ultimately change. Although this is an update to the Iowa code regarding a potentially taboo topic, the time for a progressive change in the law is now. Iowa law does not dictate how college sexual assault cases are to be handled, and the most recent federal law was passed in 1972. Since 1972, colleges and universities have changed. Date rape drugs and alcohol have become significantly more available on college campuses. This has created a culture of denial and non-consent. Students that become unconscious due to the effects of alcohol or drugs are not able to consent, and therefore, are often raped. Because there is not widespread acceptance that consent cannot be implied, the victims are often embarrassed, or even shamed into thinking that they were not raped. Existing social norms only serve to silence

victims' voices, because the next victim has no support group and no place to turn. In this way the epidemic of campus sexual assault has been progressing since 1972. Today, 1 in 5 women will be sexually assaulted, and 79% of those rapes will take place before age 25 (CDC, 2012).

Action Steps

Because of the national epidemic of campus sexual assault, Iowa is poised to lead the nation once again in caring for its students. In order to stop this terrible plague burdening the postsecondary education system, we need to create new definitions of consent to be active, and not implied. These new regulations must be enforced vigorously on college campuses by using the prospect of a denial of educational license to violating institutions. In order to achieve this, the Iowa Youth Congress must wholeheartedly agree with the principles set forth here. Support for this bill is support for students, and as youth advocates, we have a special obligation to raise our voice for those who cannot. This bill needs a sponsor. Prior to 2014, nothing like this had ever been proposed in the United States. However, we plan to target legislators whose constituencies contain large postsecondary institutions. In order to ensure maximum success, we will seek sponsors in both chambers from both parties.

Further Reading

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB967

(California Bill)

<http://www.cdc.gov/violenceprevention/pdf/svdatasheeta.pdf>

<http://www.aauw.org/resource/campussexualassaulttalkingpoints>

Regards,

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Iowa Youth Congress 2014

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