

What is Your Role? ► Law Enforcement ► Civil Rights Meeting elements of a crime under state law Meeting elements of prohibited conduct under institutional policy Consent may be defined in state law Consent is defined in institutional administrative policy Need probable cause to affect an arrest □ Thorough and equitable inquiry Evidentiary standard for a finding of guilt is "beyond a reasonable doubt" Evidentiary standard is most often "preponderance of the evidence" You can compel people and seize evidence No ability to compel; no ability to seize (ask and receive) Constitutional safeguards in place Process must be fundamentally fair to both parties (afford due process) and include written notice Don't have to tell people you are investigating them

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"A benefit of these final regulations. That they will strengthen the rights of victims of dating violence, domestic violence, sexual assault, and stalking on college campuses."

But what about the rights of the accused?

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"Too many students have lost access *>, their education because their school inadequately responded when a student filed a complaint of sexual harassment or sexual assault this new regulation requires schools to act in meaningful ways to support survivors of sexual misconduct, without sacrificing important safeguards to ensure a fair and transparent process."

- Secretary Betsy DeVos, May 5, 2020

VAWA Training Requirements for "Officials"

No conflict of interest or bias for "officials"

Annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conc., % in investigation and hearing process that protects the safety of the victims and promotes accountability

Should include (at a minimum):

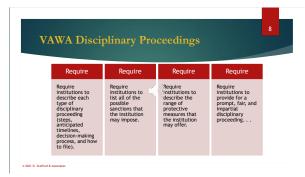
Relevant evidence and how it should be used

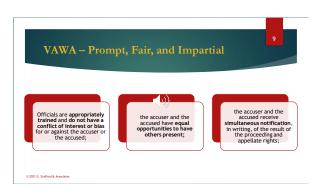
Proper interview techniques

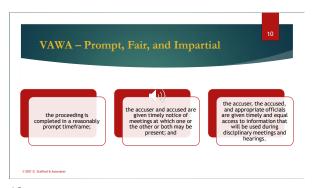
Basic procedural rules for conducting a proceeding

Avoiding actual/perceived conflicts



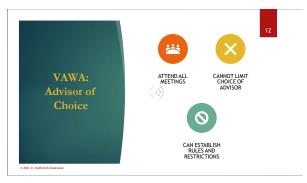






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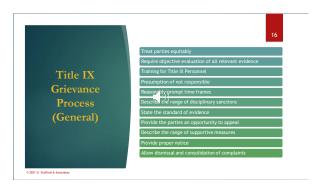


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