

8/30/19

The Honorable Assemblymember Gonzalez  
California State Capitol, Room 2114  
Sacramento, CA 95814

RE: SB 493 (Jackson) – SUPPORT

Dear Assemblymember Gonzalez:

Students Against Sexual Assault (SASA) is pleased to support Senate Bill 493 (Jackson), which would ensure that all students of postsecondary institutions, including survivors of sexual violence and sexual harassment, have equal access to education. This measure would ensure equity in education by requiring such institutions to outline, implement, and publish effective procedures to prevent and respond to instances of alleged sex-based discrimination, including sexual violence and sexual harassment.

Students Against Sexual Assault is a nonprofit organization dedicated to the elimination of sexual assault and sexual harassment on the University of California, Santa Barbara and the Santa Barbara City College campuses and their surrounding communities. We are dedicated to the study and exposure of sexual assault and harassment while also recognizing the systemic flaws in the institutions which do not effectively address the needs of survivors.

In a SASA sponsored survey of UCSB students, data collected found that in 162 instances of sexual violence, at least 70% occurred in Isla Vista at a non-recipient associated location. Data from this survey further indicated that 69% of the 259 instances of sexual harassment occurred in Isla Vista at a non-recipient associated location.<sup>1</sup> Instances of sexual violence and sexual harassment may jeopardize the safety and the comfort of the survivor and other students, faculty, and staff affiliated with the recipient, regardless of the locational origin of the offense. In order to ensure equal access to education, recipients must be provided with the authority to pursue instances of sexual violence and sexual harassment that occur beyond recipient-affiliated properties but contribute to a hostile environment on campus for those affiliated with the recipient. The implementation of SB 493 would ensure the recipients this right and further secure a safe and equitable learning environment.

Further findings from the SASA sponsored survey suggest that less than 21% of the 291 UCSB student-respondents felt that they had adequate knowledge of available resources for survivors of

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<sup>1</sup> For more information about this survey, please visit our website:  
<https://www.sasa-ca.org/index.php/projects/#survey>

sexual violence and sexual harassment.<sup>2</sup> After experiencing sexual violence or sexual harassment, a survivor may feel overwhelmed and uncertain of their available options. It is the recipient's responsibility to ensure that each of its students has easily available knowledge of all recipient-sponsored equipped resources. If chaptered, SB 493 would require recipients to publish in a prominent location on its website sexual violence and sexual harassment grievance procedures—ensuring constant and effortless access to this information.

Finally, SB 493 would effectively address the injustices of a *mutual* no-contact order. When survivors seek Title IX support, a no-contact order is often sought. Current *mutual* no-contact orders maintained by some recipients—such as the UC system—threaten the effectiveness of the Title IX office to operate as a successful resource. The purpose of the Title IX office is to objectively evaluate evidence in order to determine whether a violation has occurred. When a *mutual* no-contact procedure is in place, however, respondents are able to use this resource as a means of intimidation—rather than as a protection measure. Survivors of sexual violence are more likely to be assaulted by someone they know. As a consequence, a survivor is likely to share spaces with the person who assaulted them. Under current operations, a no-contact order can be implemented by a respondent for any reason. If put into effect, a survivor would no longer be able to access previously shared spaces: internships, immediate friend groups, classrooms, and so on. In other words, a *mutual* no-contact order can serve as a method of isolation and intimidation. In such situations, a survivor may choose to withdraw their complaint on the basis of fear and loneliness, rather than on the basis of a pure desire to no longer pursue a grievance procedure. This consequence, however, is contradictory to a fundamental purpose of the Title IX office. SB 493 aims to mitigate this threat by instituting a no-contact procedure which would allow a respondent access to this arrangement only when the complainant has harmed or threatened to harm the respondent, or when contact with the respondent would or could interfere with the Title IX investigation.

The passage of SB 493 is necessary in order to ensure survivors of sexual violence and sexual harassment have equal access to education. For these reasons, SASA strongly support the passage SB 493 as it is currently written and respectfully request your “Aye” vote in committee.

Thank you and best regards,  
Students Against Sexual Assault

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<sup>2</sup> For more information about this survey, please visit our website:  
<https://www.sasa-ca.org/index.php/projects/#survey>