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Officers, UA plan sexual assault response

Draft agreement defines alliance

By [Jaime Adame](#)

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FAYETTEVILLE -- A draft agreement spells out ways for city police to work more closely with the University of Arkansas at Fayetteville in responding to sexual assaults.

The proposed memorandum of understanding, which a UA spokesman said was sent Aug. 8 to Fayetteville police officials, does not change the role of university police in investigating on-campus crime, including sexual assaults.

Sgt. Craig Stout, a Fayetteville Police Department spokesman, said the proposal differs from mutual aid agreements calling for police agencies to exchange services or resources.

"The memorandum of understanding is a lot more specific and a lot more narrow," said Stout, adding that police would like to change some "verbiage" in the proposal. He said no timetable has been set for reaching an agreement.

[DOCUMENT: Read the draft agreement between UA and Fayetteville.]

Under the four-page proposal, city police and UA would agree to "communicate regularly during their respective investigations, to the extent permitted by law."

Students report sexual violence not only to university or campus police, but also in reports investigated by a school's Title IX office. Schools must respond to sexual violence and harassment to comply with Title IX, a federal law prohibiting sex-based discrimination at schools receiving federal funding. The response can include campus disciplinary hearings.

UA is among more than 200 schools under federal investigation over the handling of

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student sexual violence complaints. In April, federal authorities asked UA for copies of any memorandums of understanding with police regarding sexual violence.

The university provided a draft memorandum stating a goal to make it "operative prior to the fall 2016 semester." The university released the response under the state's public disclosure law.

UA told investigators that city police already share information with campus police, who then update the university's Title IX office.

University spokesman Mark Rushing, in an email, called the proposal an "attempt to formalize the process and relationship between the university and FPD currently in place."

Upon receiving written consent from a student reporting sexual violence, city police would share the person's name and information about the assault with the university "if necessary to prevent interference with its criminal investigation," the proposal states.

Information would not be shared if police believe doing so might jeopardize an investigation. The proposal defines sexual violence as rape, sodomy and sexual battery.

Students reporting to UA would be informed that, with their written consent, their name and information would be forwarded to police. UA already states that it encourages students to file a police report.

The proposal includes a new training collaboration between Fayetteville police and UA employees, and it includes quarterly meetings.

The White House Task Force to Protect Students from Sexual Assault, formed in 2014, has called for colleges to build stronger partnerships with their local law enforcement agencies.

In 2015, the task force released a sample memorandum of understanding. It includes the sharing of information if the person reporting an assault allows it, including whether a sexual assault suspect is a student. The document specifies that before students agree to share information, they should be told that their names would likely become known to a school's Title IX coordinator.

"From what we hear from campus leaders, institutions very much want to have [memorandums of understanding] with local law enforcement," said Anne Meehan, director of government relations for the American Council on Education, a higher education organization.

Meehan said more schools are looking into whether they can enter such agreements.

"Sometimes they're able to get those in place, and that's a great thing when they can. And other times they try and aren't able to reach an agreement," Meehan said.

The University of Kansas and Lawrence, Kan., police in February 2015 entered into a memorandum of understanding that's almost identical in sections to the UA proposal.

Angela Murphy, a doctoral student at Kansas, co-chaired a task force on sexual assault that last year supported the agreement.

Without the sharing of information, "you are talking about doing multiple interviews with a trauma victim, which is inherently problematic," Murphy said. "You don't want to re-engage the victim or survivor in those situations any more than you have to."

She described the signed agreement as "overly generic," adding that she "hadn't heard of anyone benefiting from it directly."

Asked why UA is seeking a memorandum of understanding, Rushing said the university "regularly reviews federal guidance from entities such as the White House Task Force."

The university did not ask for student input in drafting the proposal, Rushing said.



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"The university relied on guidance provided by the federal government and leading legal experts in the field," Rushing said, adding that UA also examined the White House's sample agreement. "Federal guidance did not include seeking student input, and so the university did not."

Connor Flocks, president of UA's Associated Student Government, said student leaders did not know much about the proposed agreement, but they expect to bring it up to administrators over the coming weeks.

"I think it would be great for the students to be involved in the process," Flocks said.

Rushing said UA "is hopeful that an agreement can be reached during the fall semester."

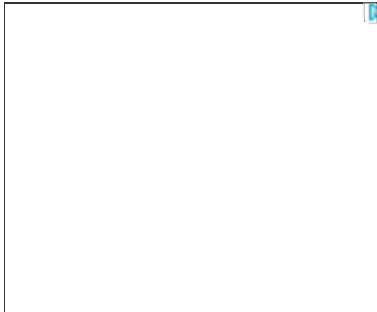
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