Sexual Misconduct Case Management & Investigation Training

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August/September 2020



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Agenda

1. Introduction
2. Triage & Case Management
   - Emergency Removals
   - Formal Complaint Dismissals
   - Informal Resolutions
3. Conducting an Investigation
4. Interview Approaches
   - General Cases
   - Non-Stranger Sexual Assault Cases
   - IPV & Stalking Cases
5. Closing Steps
   - Issues of Relevance
   - Investigation Reports



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Introduction



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Definition of "Sexual Harassment" under Title IX

Conduct on the basis of sex that satisfies one or more of the following:

1. An **employee** of the institution conditioning the provision of an aid, benefit, or service of the institution on an individual's participation in unwelcome sexual conduct (Quid Pro Quo);
2. Unwelcome conduct determined by a reasonable person to be **so severe, pervasive, and objectively offensive** that it effectively denies a person equal access to the institution's education program or activity; or
3. "**Sexual assault**," "**dating violence**," "**domestic violence**," or "**stalking**" as defined under Clery/VAWA.

Source: Title IX Regulations (2020)

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"Education program or activity" under Title IX

Includes locations, events, or circumstances over which the institution exercises **substantial control** over both the respondent and the context in which the alleged sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the institution.

- **Example** of a "building owned or controlled by a student organization": **Fraternity or sorority house** that is occupied by students of the organization, and the student organization is a recognized organization with the institution.



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Source: Title IX Regulations (2020)

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Definition of "Other Inappropriate Sexual Conduct"

Conduct on the basis of sex that does not meet the definition of "sexual harassment" (under the Model Policy), but is

1. If **verbal conduct** (including through electronic means), **unwanted statements of a sexual nature** intentionally stated to a person or group of people, that are objectively offensive to a reasonable person and also so severe **or** pervasive that they created a Hostile Environment, as defined in the Model Policy.



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Source: UT System Model Policy for Sexual Misconduct (2020)

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Definition of "Other Inappropriate Sexual Conduct" (Cont.)

1. (Cont.) The type of **verbal conduct** (if all other elements are met) may include:
   - Unwelcome sexual advances (including explicit or implicit proposition(s) of sexual contact or activity);
   - Requests for sexual favors (including overt or subtle pressure);
   - Gratuitous comments about an individual's sexual activities or speculation about an individual's sexual experiences;
   - Gratuitous comments, jokes, questions, anecdotes or remarks of a sexual nature about clothing or bodies;
   - Persistent, unwanted sexual or romantic attention;
   - Exposure to sexually suggestive visual displays such as photographs, graffiti, posters, calendars or other materials; or
   - Deliberate, repeated humiliation or intimidation.

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Source: UT System Model Policy for Sexual Misconduct (2020)

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Definition of "Other Inappropriate Sexual Conduct" (Cont.)

2. If **physical conduct**, either:
   - Sexual exploitation, as defined in the Model Policy;
   - Unwelcome intentional touching of a sexual nature;
   - Deliberate physical interference with or restriction of movement; or
   - Sexual violence, as defined in the Model Policy.

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Source: UT System Model Policy for Sexual Misconduct (2020)

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Key Pillars: Title IX Processes

Title IX processes should focus on
impartiality, **respect**, **fairness,** & **equity**
for all of the participants:

Complainants
Respondents
Witnesses
Third-party Reporters

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Serving Impartially in Your Role

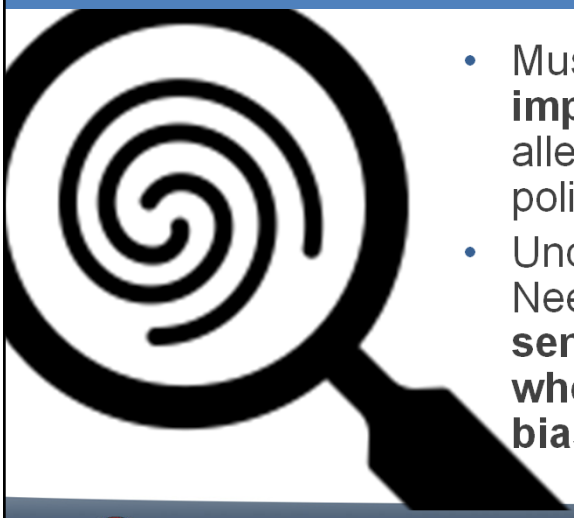
- Must avoid **prejudgment** of the facts at issue
- Must avoid **conflicts of interest**
- Must avoid **bias**



Source: Title IX Regulations (2020)

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Principles for Fact-Finders



- Must maintain **complete neutrality & impartiality at all times** in investigating alleged conduct violations of institutional policies.
- Understanding bias & whether it exists: Need to take an **"objective, common sense approach to evaluating whether a person serving in a role is biased."** (*Title IX Preamble (2020)*)…

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Avoiding Bias

- Must **not** treat a party differently:
  - On the basis of the person's **sex**;
  - On **stereotypes** about how men or women behave with respect to sexual violence; and/or
  - On the basis of the person's **protected characteristics**: sex, race, ethnicity, sexual orientation, gender identity, disability, immigration status, financial ability, socioeconomic status, or other characteristic.

Source: Title IX Preamble (2020)

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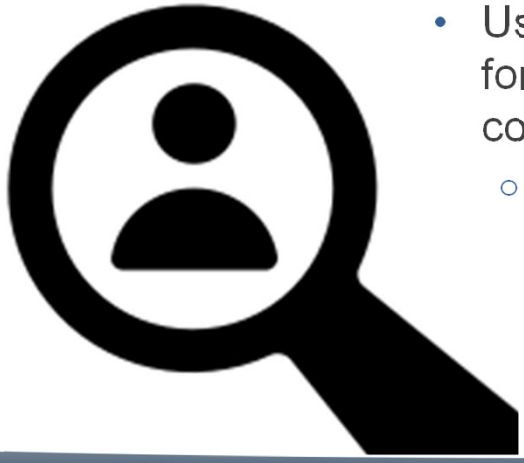
Principles for Fact-Finders (Cont.)



- Must consider **all of the relevant evidence**, including all possible **inculpatory** & **exculpatory** evidence obtained in the investigation
  - **Exculpatory**: Evidence tending to excuse, justify, or absolve the person of the alleged conduct.
  - **Inculpatory**: Evidence that places responsibility on the person of the alleged conduct.

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Principles for Fact-Finders (Cont.)



- Use a **"reasonable person"** standard for weighing all of the evidence in the context of an investigation
  - An objective test to denote a hypothetical person who exercises average care, skill, and judgment in conduct under similar circumstances as a comparative standard.

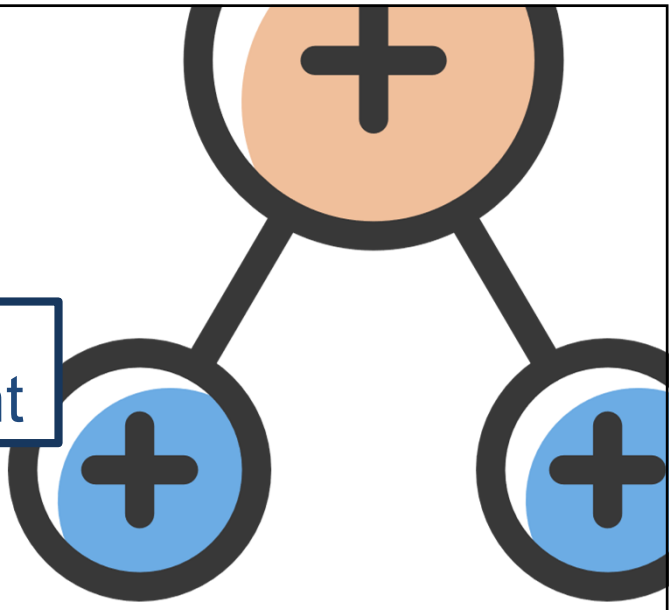
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Other Components of this Training

- Conducting an **investigation**
- Understanding **issues of relevance** to create an investigation report that fairly summarizes relevant evidence of questions posed and evidence obtained

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Triage & Case Management



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Resolution Flowchart

A Report to TIXC

*Can be submitted by **anyone**: Complainant, witness, third-party, employee, etc.*

Supportive Measures to CP

Formal Complaint

*Submitted/Signed by **CP*** | *Submitted/Signed by **TIXC***

Written Notice of Formal Complaint

Supportive Measures | Rights & Options | Notice of Grievance Process

Resolution Options

Formal Grievance Process | Informal Resolution | Formal Complaint Dismissal

Emergency Removal or Administrative Leave

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A Report to the Title IX Coordinator (TIXC)

TIXC must promptly contact the **complainant** to discuss the availability of supportive measures (with or without a formal complaint), consider the wishes of the complainant, and explain the process for filing a formal complaint.



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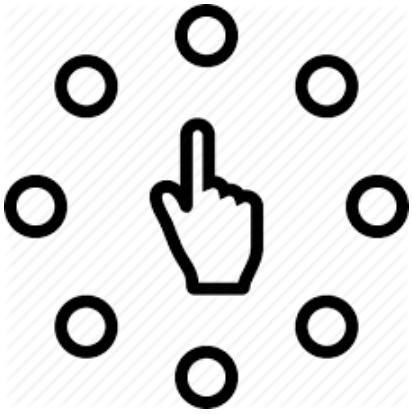
Other Required Action

Type of Concern	Action
Non-emergency behavioral or wellness issues(s)	Refer to Behavior Intervention Team (BIT) or campus equivalent
Immediate safety concerns (emergencies) or welfare check required	Report immediately to 911
Clery reportable crimes that meet Clery geography requirements and/or timely warning requirements	Timely Warnings: Report immediately to campus law enforcement Clery Crime Reporting: Report to the campus Clery Manager
Alleged abuse and/or neglect of minors	Report immediately to Dept. of Family & Protective Services (DFPS): 800-252-5400
Alleged conduct could violate other institutional policies	Refer to the appropriate office(s) who oversees the applicable policies

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TIXC: Options for Next Steps

- Supportive Measures for the CP
- CP's right to file a formal complaint
- TIXC files a formal complaint, in lieu of a Reluctant Complainant & compelling reasons to investigate further…

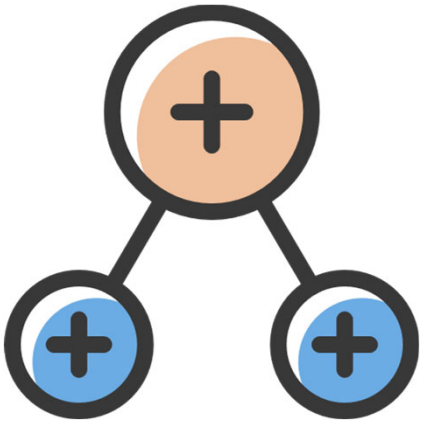


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TIXC: File a Formal Complaint?

Consider if there are compelling reasons:

1. The **nature**, **circumstances,** & **seriousness** of the alleged conduct;
2. The **safety** & **risk of harm** to others;
3. Any **pattern evidence**, other similar conduct or allegations of the **RP**;
4. **RP's affiliation** with the institution & **applicable options** for institutional action; and/or
5. Other relevant factors in the specific matter?



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Resolution Options

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Supportive Measures to CP

Emergency Removal or Administrative Leave

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Written Notice of Formal Complaint

Upon receipt of a formal complaint, promptly send written notice to CP & RP:

- Notice of the grievance process under the policy;
- Notice of the allegations that potentially constitute prohibited conduct under the policy, sufficient details about the alleged conduct: Date(s), time(s), and location(s);
- A statement that the potential policy violations are being investigated;

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Written Notice (Continued)

- A statement that the RP is presumed not responsible for the alleged conduct and that the determination regarding responsibility will be made at the conclusion of the grievance process;
- Both parties may have an advisor of choice, who may be, but is not required to be, an attorney, and may inspect and review all evidence;
- A statement that the parties may review evidence gathered as part of the any investigation;

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Written Notice (Continued)

- A provision of the policy that knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and subject to disciplinary action;
- Any other relevant information for the written notice; and
- A statement that retaliation is prohibited under the policy. (recommended)

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Other **resources** to include with the written notice:

1. **Supportive measures** available for both parties
2. **Campus & local** resources or services
3. **Rights & options** of both parties
4. A copy of the **grievance process** & **policy**
5. Title IX Coordinator & Investigator(s) **contact information**



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Party's Rights

A **Complainant** and **Respondent** have the following rights during a grievance process:

- To be informed of and have access to counseling, medical, academic, and other applicable **support services**, including **confidential resources**.
- To be informed of the importance of a victim going to a **hospital for treatment** and the **preservation of evidence**, if applicable, as soon as practicable after an alleged incident.
- To be informed of a **notice of formal complaint** to the University, whether filed by a CP or the TIXC.
- To receive a **prompt, fair, equitable,** and **impartial grievance process**.
- To receive information and ask questions about the **formal** and **informal processes**.



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Party's Rights (Cont.)

- To be given **equal chance** to participate in a grievance process, including the opportunity to identify witnesses and other relevant evidence.
- To choose **not** to actively participate in the grievance process, if desired.
- To have an **advisor of choice** present during all meetings and grievance proceedings.
- To have an **advisor provided** for a party at a **hearing** under the Title IX/SH grievance process, if an advisor of choice is not present.



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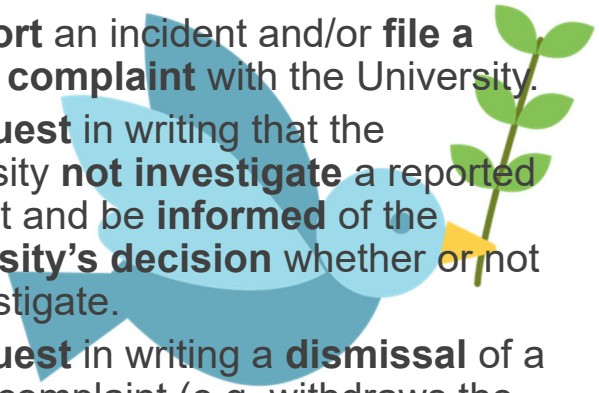
Party's Rights (Cont.)



- To have access and equal opportunity to **inspect** and **review any evidence obtained** as part of the investigation, and to receive a copy of the completed investigation report.
- To be **equally informed** of any **determinations** regarding responsibility, dismissals of formal complaints, and/or a party's filing of an appeal.
- To **appeal** a determination regarding responsibility and/or dismissals of formal complaints.
- To file a report with **local** and/or **campus law enforcement** authorities.

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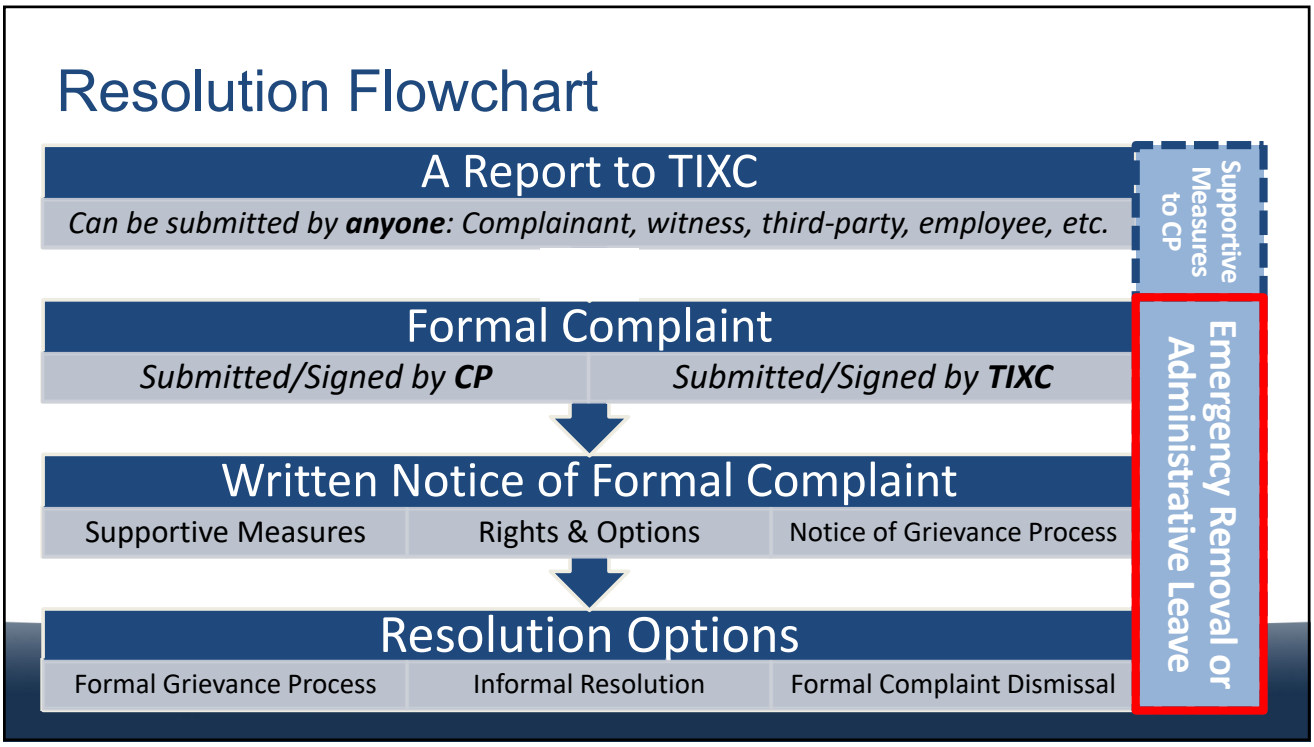
Complainant's Rights



- To **report** an incident and/or **file a formal complaint** with the University.
- To **request** in writing that the University **not investigate** a reported incident and be **informed** of the **University's decision** whether or not to investigate.
- To **request** in writing a **dismissal** of a formal complaint (e.g. withdraws the formal complaint or any allegations therein).

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Resolution Flowchart



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Emergency Removals

1. **Individualized safety & risk analysis**: Determines that immediate threat to the physical health & safety of any student or other individual arising from the allegations justifies the respondent's removal from the education program or activity.
   - Notice & opportunity to challenge the decision immediately following the removal.
   - Rights under **ADA & Section 504** still apply.
2. Doesn't preclude an institution from placing non-student employee respondents on **administrative leave** during the pendency of the grievance process.

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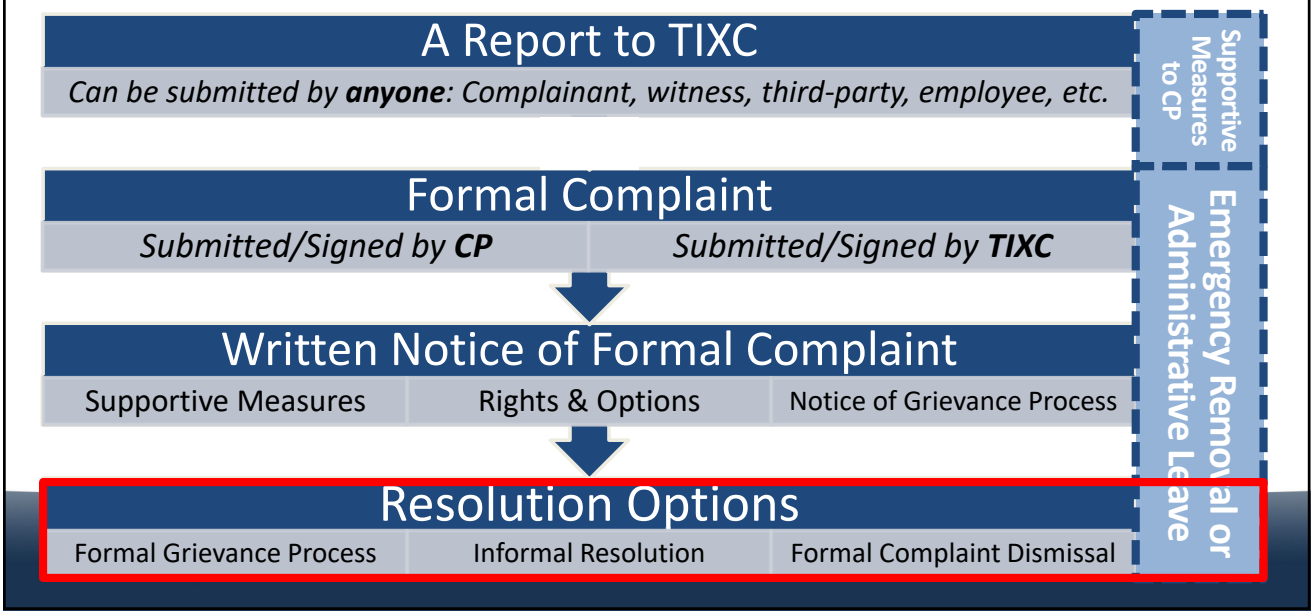
Most Critical Warning Signs

1. Direct communicated threat.
2. Plans, tools, weapons, and/or materials to carry out physical harm.
3. Harbors violence fantasies.
4. A timeframe or action plan created.
5. Fixations and/or focused on a specific target.
6. Grudges or resentments.
7. The specific target has been described negatively in writing by the person of concern.
8. "Leakage" concerning a potential action plan.
9. Current suicidal thoughts, ideations, and/or plan to die.
10. Talks about being persecuted or treated unjustly.
11. Engaged in "last acts" behaviors.
12. Confused, odd, or troubling thoughts; may hear voices or see things that are not there.

Source: SIVRA-35, NaBITA

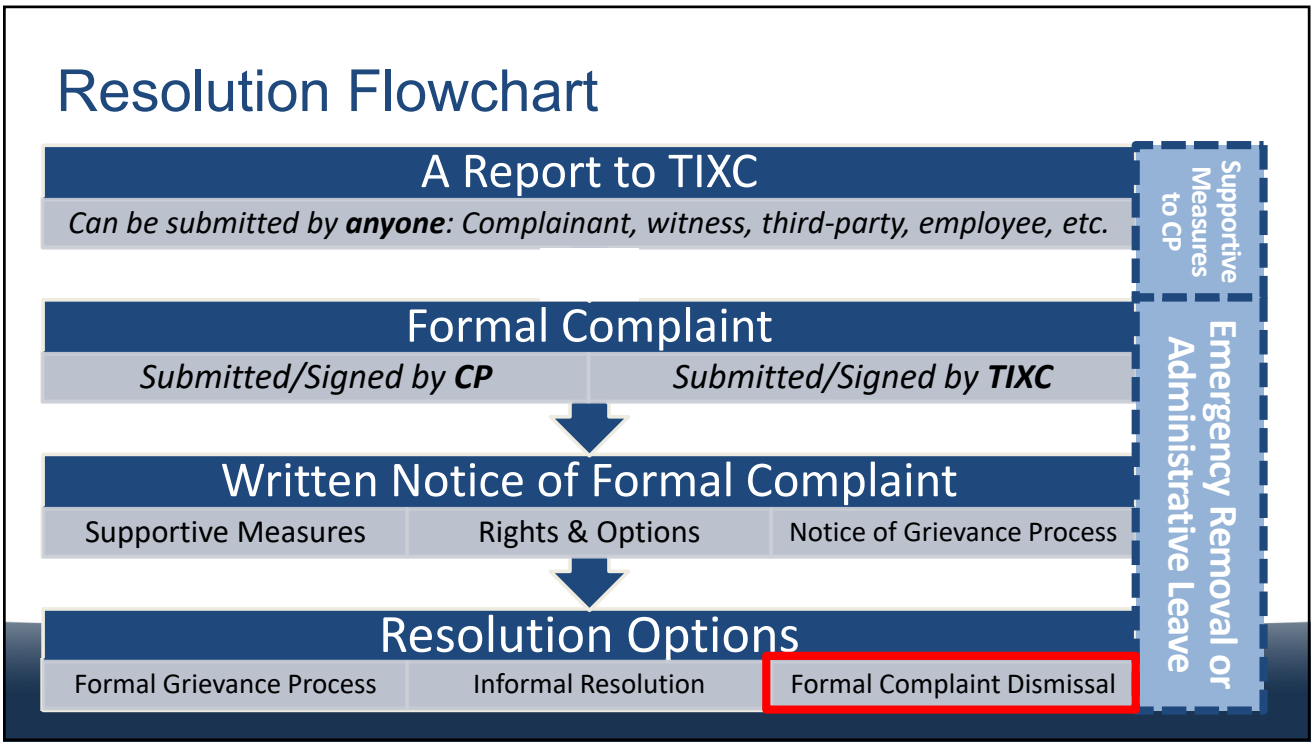
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Resolution Flowchart



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Resolution Flowchart



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Mandatory Formal Complaint Dismissals under Title IX

Mandatory Dismissals are required when the **definitional** or any element of the **jurisdictional** framework under Title IX is not met:

- Conduct alleged constitutes **"sexual harassment"** under the regulations;
- Conduct alleged occurs in the institution's **"education program or activity"**;
- Conduct alleged occurs against a person **"in the United States"**; or
- Complainant is **participating in** or **attempting to** participate in the "education program or activity" of the institution.

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If **Mandatory Dismissal** is required, then are additional **discretionary reasons** for a dismissal applicable to the specific circumstances?

- CP expressly prefers to dismiss the formal complaint or requests to not investigate the matter.
- RP was an employee and is no longer employed by the institution at the time the formal complaint is filed.
- Any specific circumstances that prevent the institution from gathering evidence sufficient to reach a determination as to the formal complaint or allegations.
- The conduct alleged does not meet the definition of any prohibited conduct under the institution's Sexual Misconduct Policy.

Additional Considerations

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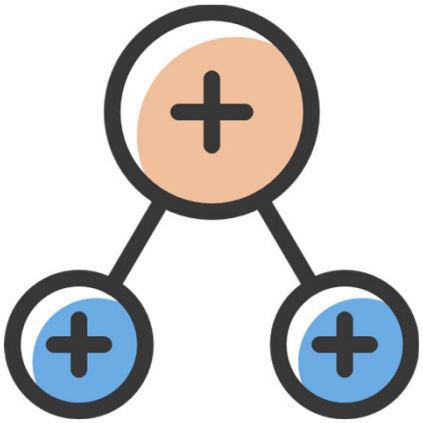
Dismissing a Formal Complaint under Title IX doesn't preclude an institution from addressing conduct prohibited under an institution's policy through a fair and equitable grievance process…

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Triage Again

Consider compelling reasons for continuing a grievance process:

1. The **nature**, **circumstances,** & **seriousness** of the alleged conduct;
2. The **safety** & **risk of harm** to others;
3. Any **pattern evidence**, other similar conduct or allegations of the **RP**;
4. **RP's affiliation** with the institution & **applicable options** for institutional action; and/or
5. Other relevant factors in the specific matter?



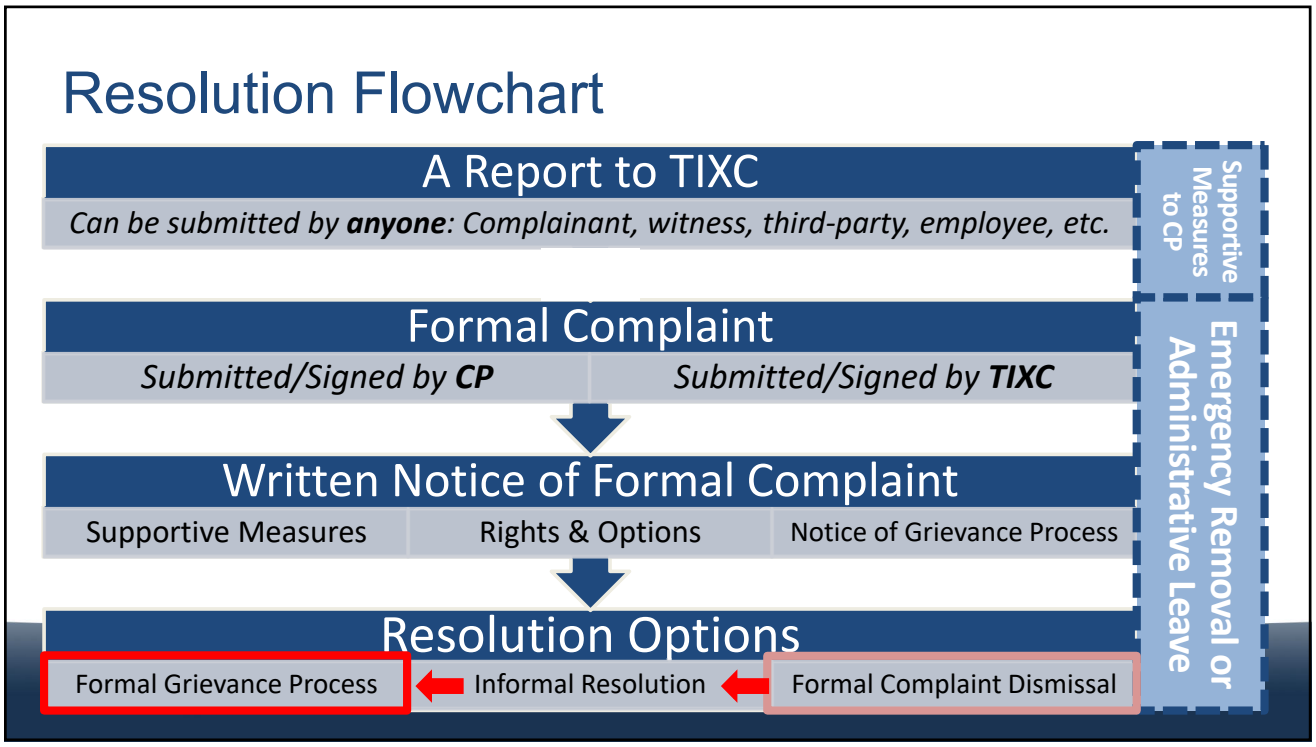
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Notice of Formal Complaint Dismissal

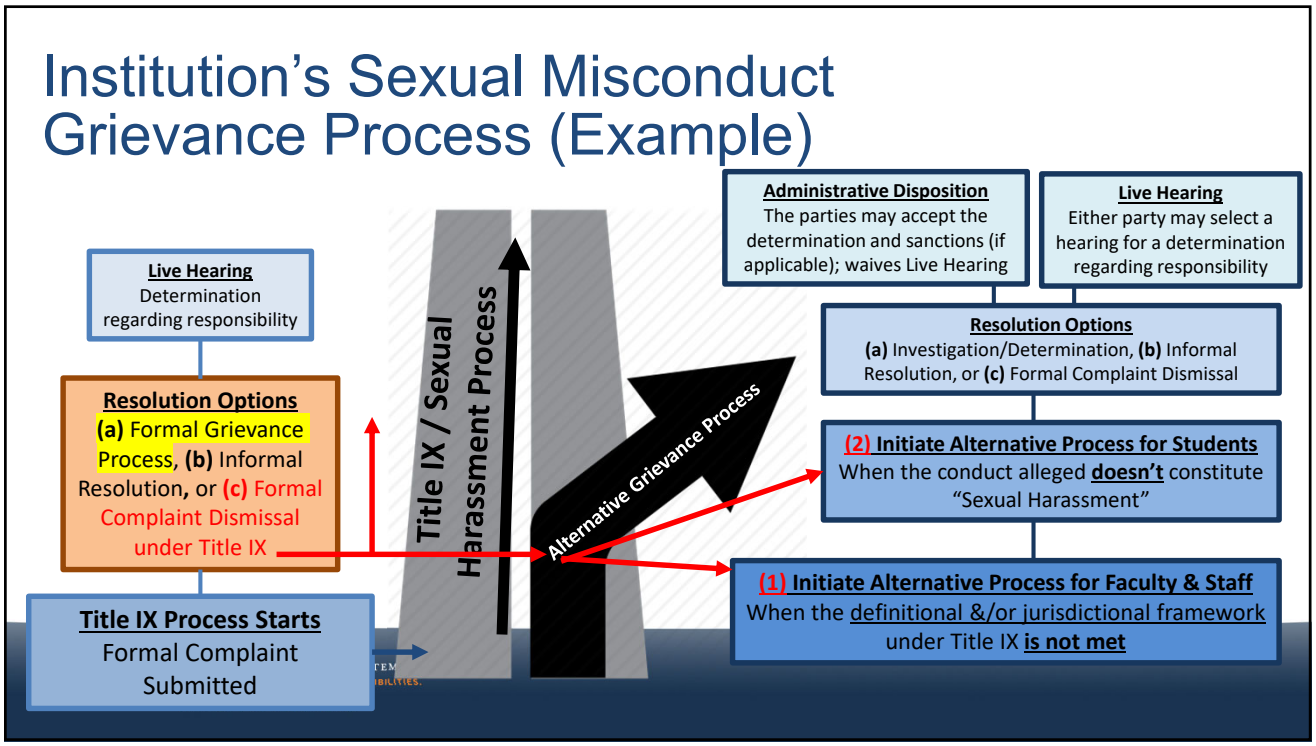
1. Note the reasons for the mandatory dismissal under Title IX (if applicable).
2. Explain the rationale for the following:
   - Additional discretionary reason(s) for dismissing the formal complaint under the institution's policy and closing the case; **or**
   - Additional compelling reason(s) for continuing a grievance process under the institution's policy (e.g. the allegations still apply to the policy).
3. Option to Appeal the F.C. Dismissal
4. Outline next steps in the process (if applicable) **or** note the conclusion/end of the process with this formal complaint dismissal.



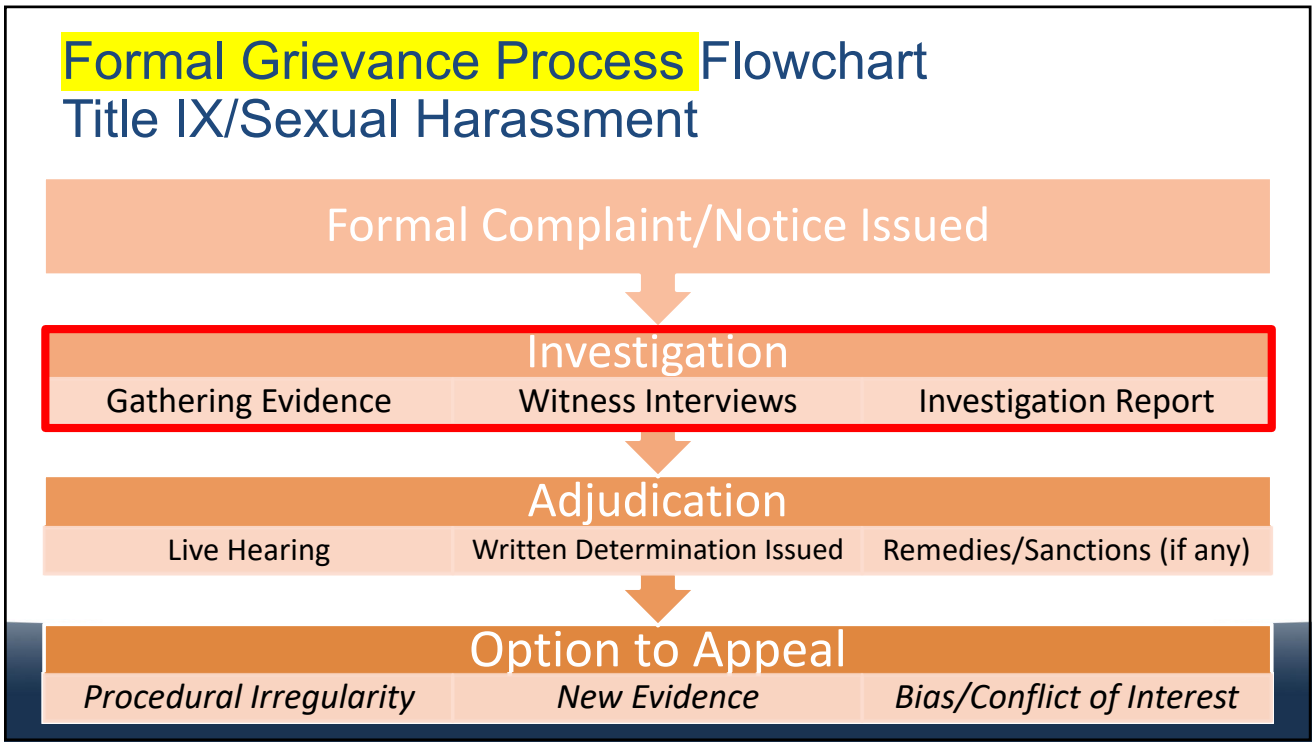
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Resolution Flowchart
A Report to TIXC
Can be submitted by anyone: Complainant, witness, third-party, employee, etc.
Supportive Measures to CP
Formal Complaint
Submitted/Signed by CP
Submitted/Signed by TIXC
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Supportive Measures
Rights & Options
Notice of Grievance Process
Resolution Options
Formal Grievance Process
Informal Resolution
Formal Complaint Dismissal
Emergency Removal or Administrative Leave

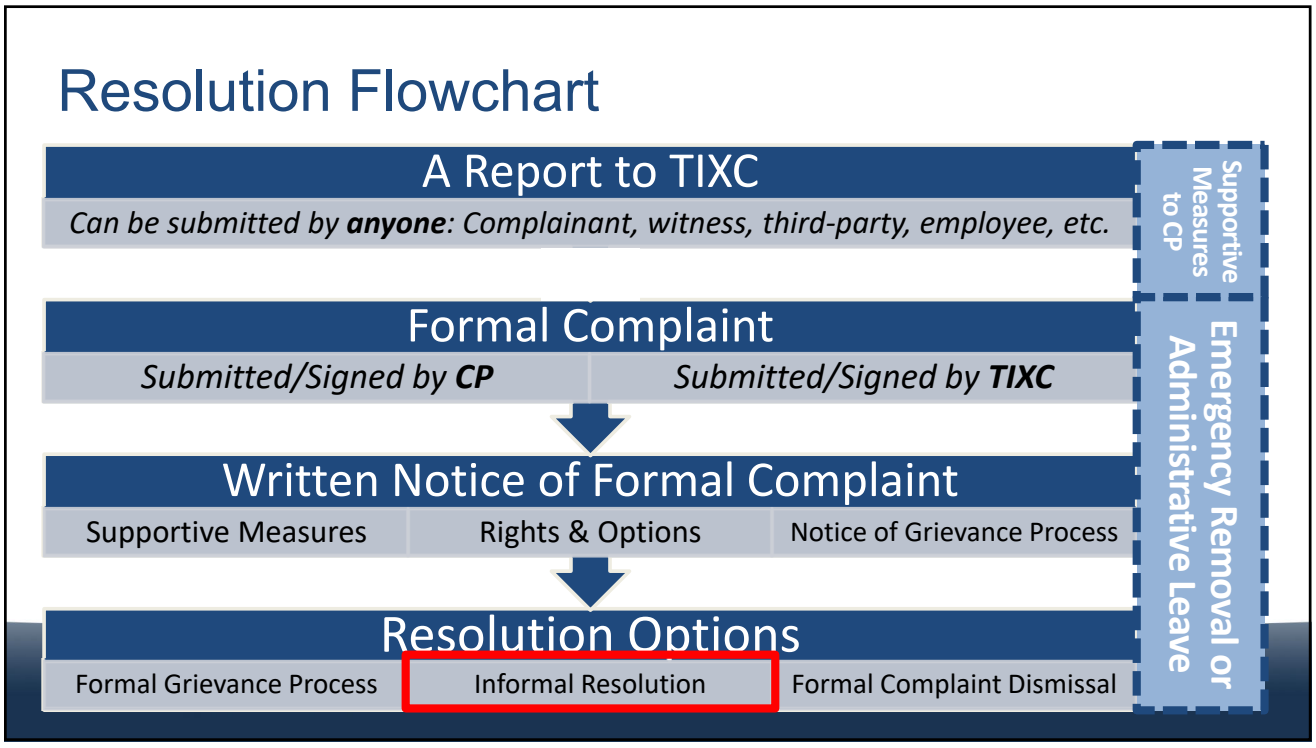
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Institution's Sexual Misconduct Grievance Process (Example)
Live Hearing
Determination regarding responsibility
Resolution Options
(a) Formal Grievance Process, (b) Informal Resolution, or (c) Formal Complaint Dismissal under Title IX
Title IX Process Starts
Formal Complaint Submitted
Title IX / Sexual Harassment Process
Alternative Grievance Process
Administrative Disposition
The parties may accept the determination and sanctions (if applicable); waives Live Hearing
Live Hearing
Either party may select a hearing for a determination regarding responsibility
Resolution Options
(a) Investigation/Determination, (b) Informal Resolution, or (c) Formal Complaint Dismissal
(2) Initiate Alternative Process for Students
When the conduct alleged doesn't constitute "Sexual Harassment"
(1) Initiate Alternative Process for Faculty & Staff
When the definitional &/or jurisdictional framework under Title IX is not met

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Formal Grievance Process Flowchart
Title IX/Sexual Harassment
Formal Complaint/Notice Issued
Investigation
Gathering Evidence
Witness Interviews
Investigation Report
Adjudication
Live Hearing
Written Determination Issued
Remedies/Sanctions (if any)
Option to Appeal
Procedural Irregularity
New Evidence
Bias/Conflict of Interest

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Resolution Options
Formal Grievance Process
Informal Resolution
Formal Complaint Dismissal
Emergency Removal or Administrative Leave

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Informal Resolutions

1. **It's an alternative resolution option** once a formal complaint is filed.
   - Available as an option at any time prior to reaching a determination regarding responsibility.
   - Doesn't involve a full investigation & adjudication.
   - May be facilitated through **mediation** (as an example).
   - Informal Resolution Process must include: (a) Written notice of allegations, (b) Requirements of the informal process, & (c) Any consequences resulting from participating in an informal process (e.g. record keeping).

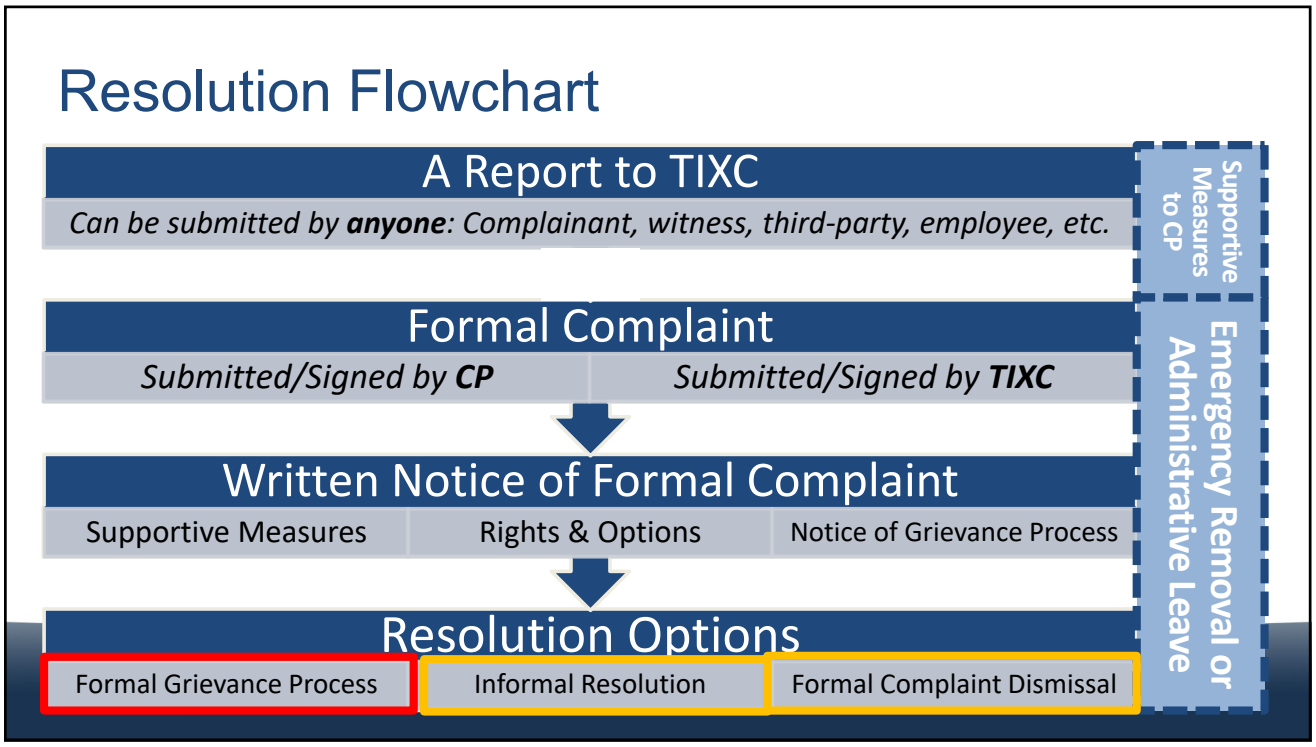
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Informal Resolutions (Cont.)

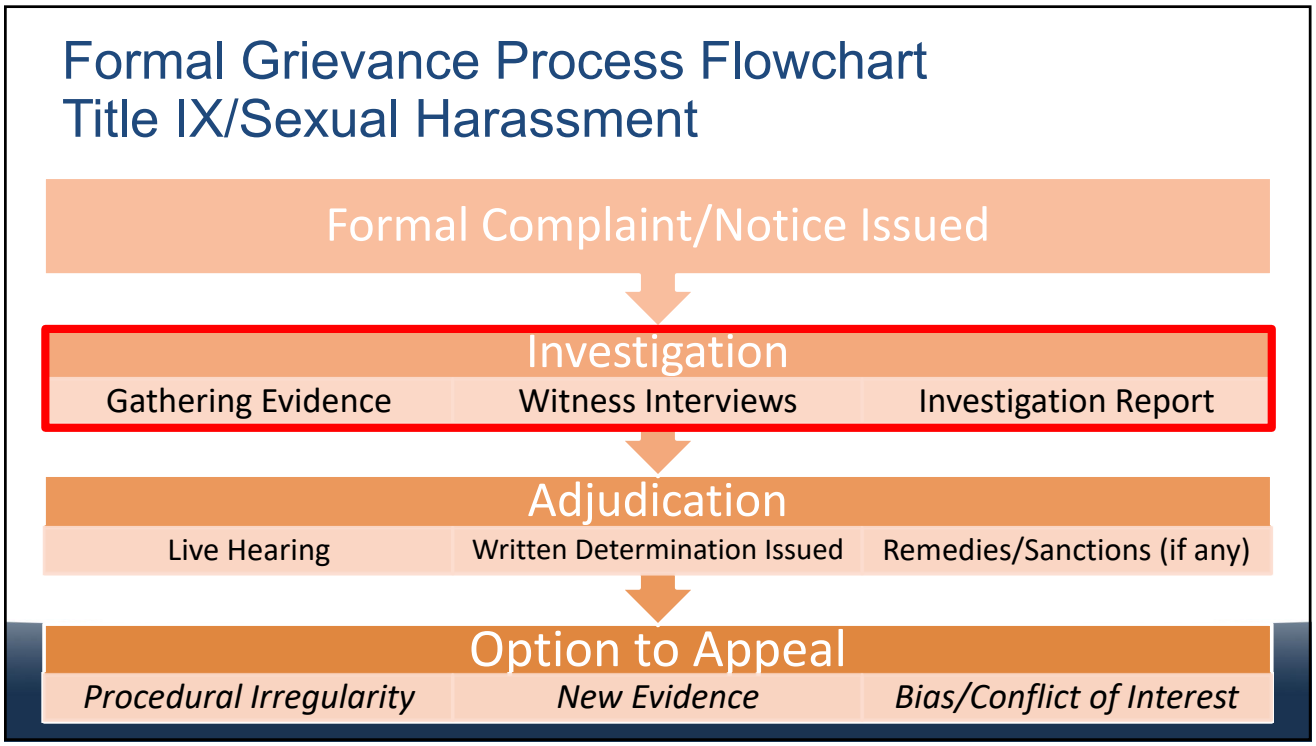
2. Not permitted as a resolution option "under Title IX" when an **employee respondent** is alleged of "sexual harassment" by a **student complainant**.
3. Examples of other non-applicable reasons* due to seriousness and/or pattern of allegations:
   - Sexual Harassment cases
   - Sexual Violence cases
   - Dating or Domestic Violence cases
   - Stalking cases
   - The same respondent has previous informal resolution agreements

** Check the institution's Sexual Misconduct Policy for specific provisions*

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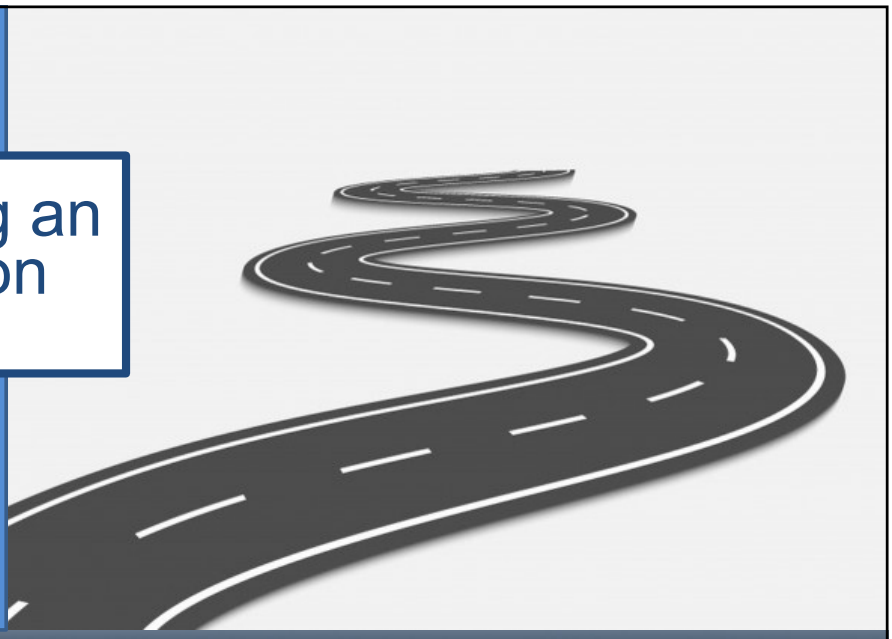

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Formal Grievance Process Flowchart
Title IX/Sexual Harassment
Formal Complaint/Notice Issued
Investigation
Gathering Evidence
Witness Interviews
Investigation Report
Adjudication
Live Hearing
Written Determination Issued
Remedies/Sanctions (if any)
Option to Appeal
Procedural Irregularity
New Evidence
Bias/Conflict of Interest

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Conducting an Investigation (Cont.)



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Investigation Plan: The Foundation

Basis for the investigation?

- Alleged **incident** of prohibited conduct
- Alleged **pattern** of prohibited conduct
- Alleged **climate issue(s)** in an area or department



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Investigation Plan (Continued)



Criteria	Outline the behavioral criteria of what constitutes the prohibited conduct & develop strategies for how to gather relevant evidence
Witnesses	Identify relevant witnesses & determine order of interviews
Evidence	Identify other sources of possible evidence & determine how the evidence will be obtained
Contact Info	Confirm contact information for CP & RP; and communicate regularly with CP & RP throughout the process

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Investigation Plan (Continued)



Partnerships	Establish communication with other relevant partners, as appropriate (e.g. BIT's, law enforcement, case managers)
Flexibility	Be flexible & revise the plan, as necessary
Timeline	Keep a working timeline of the investigation, as well as a timeline of the alleged incident

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Interview Approaches



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Key Pillars (Revisited)

- **Impartiality**
- **Respect**
- **Fairness**
- **Equity**

For all of the participants in the process:

Complainants
Respondents
Witnesses
Third-party Reporters

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Basis for a "Trauma-Informed" Approach

A. *Encourages all participants to share what they are able to recall about their experience without demanding chronological recall; and*
B. *Facilitates the gathering of information in a balanced manner from all individuals*

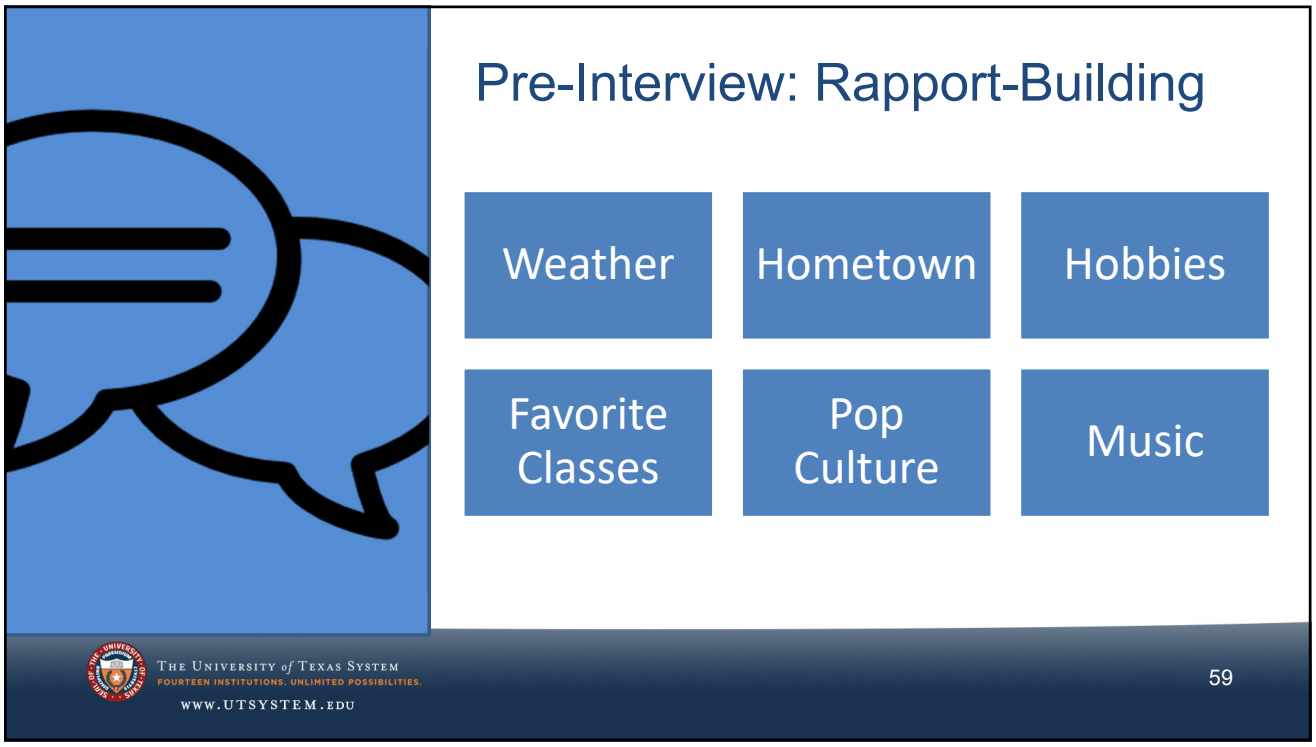
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Before an Interview

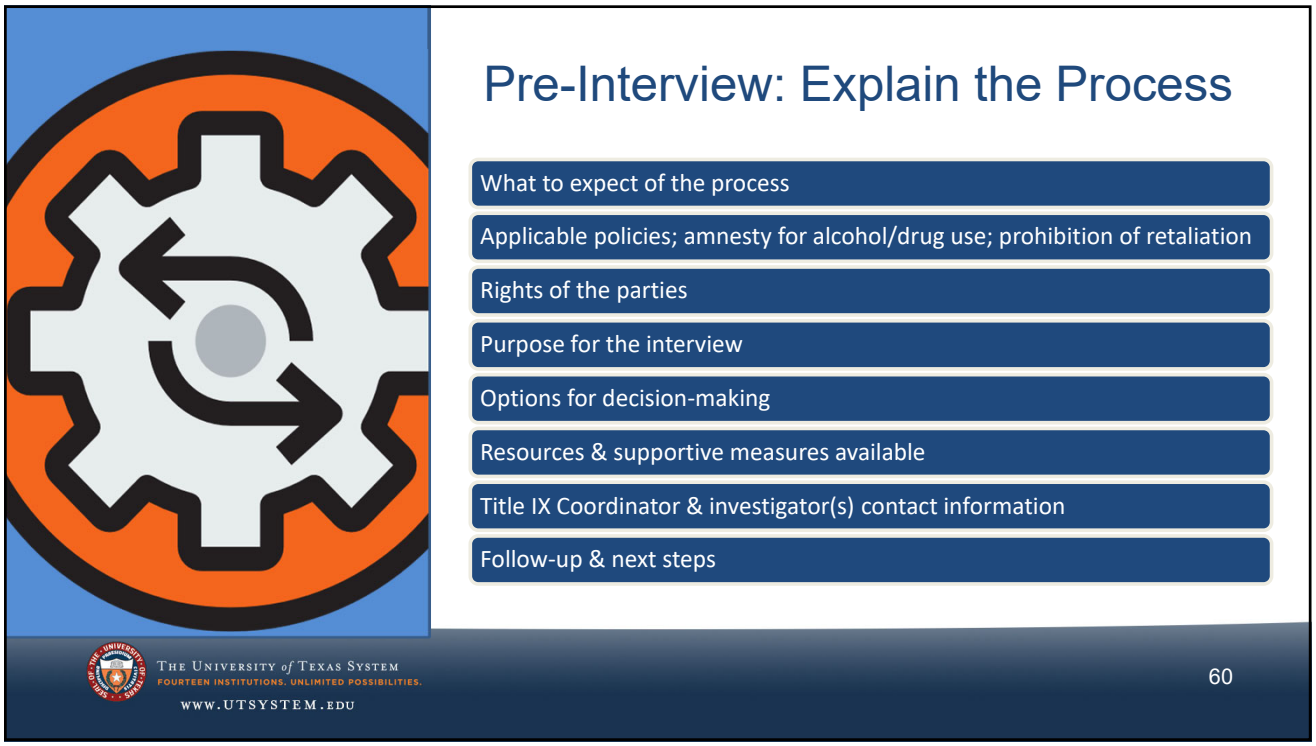
- Develop a **safe space** for a person's physical & emotional well-being
- Have **handouts** & **resources** readily available



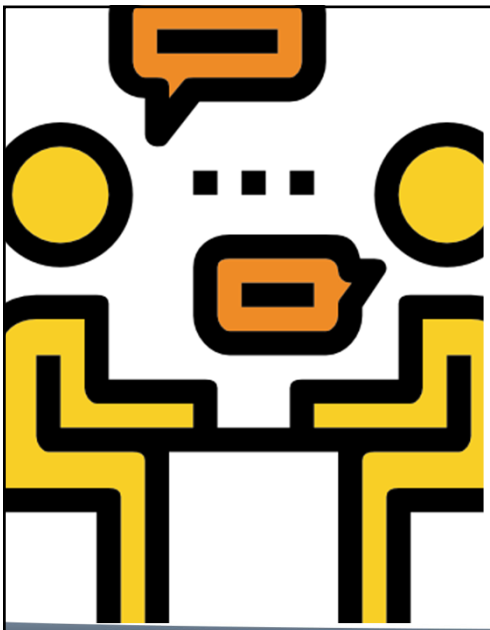
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Pre-Interview: Rapport-Building
Weather
Hometown
Hobbies
Favorite Classes
Pop Culture
Music
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Pre-Interview: Explain the Process
What to expect of the process
Applicable policies; amnesty for alcohol/drug use; prohibition of retaliation
Rights of the parties
Purpose for the interview
Options for decision-making
Resources & supportive measures available
Title IX Coordinator & investigator(s) contact information
Follow-up & next steps
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Interview Start

- Allow the person to provide their account of the incident **in their own words** & **at their own pace**:
  - *"What are you able to tell me about your experience?"*
  - Allow time for the person to respond
  - Do **not** ask a lot of questions at first
- Be patient & respectful
- Be comfortable with silence
- Ask questions in a gentle manner

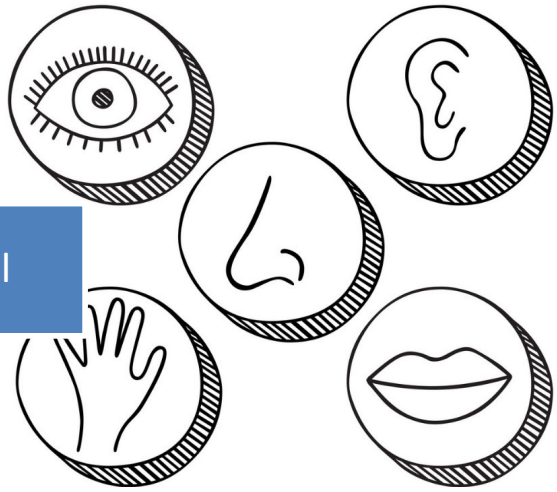
Interview Prompts



- Seek clarify with ***"Tell me more about that…"*** *or* ***"Help me understand…"***
  - Attempt to clarify inconsistencies from **all** parties.
- *"What was your thought process…*
  - ***…During** the experience?"*
  - ***…Before** the experience?"*
  - ***…After** the experience?"*

Interview Prompts (Cont.)

Sensory recall: *"What are you able to remember about…"*

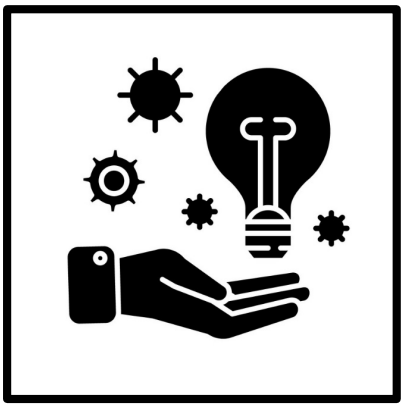


- Taste
- Smell
- Feel
- Hear
- See

Source: Forensic Experimental Trauma Interview (FETI)

Interview Prompts (Cont.)

- *"What were your **reactions** to…?"*
  - *Emotional* response?
  - *Physical* response?
- *"What was the **most difficult** part of this experience for you?"*
- *"What, if anything, **can't you forget** about your experience?"*



Source: Forensic Experimental Trauma Interview (FETI)



Interview Documentation

Document the **psychological & physical responses** of the experience (if applicable):

- Nausea
- Flashbacks
- Trembling
- Muscle Rigidity
- Terror
- Memory Gaps
- Sensory Recall

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Interview Documentation (Cont.)

Document **elements** of force, threat, coercion, intimidation, or fear (if applicable):

Note: These elements may not be based on weapon use or actual physical threat for it to be perceived as real

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Interview Documentation (Cont.)



Document **defensive strategies** (if applicable):

- Forceful Physical Resistance (Fight)
- Attempt to Get Away (Flight)
- Bargain (Appease)
- Tonic Immobility (Freeze)

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Interview Wrap-Up

Explain the following:

- Revisit what to expect for next steps of the process, person's rights, person's options, resources available, and applicable remedies
- Decision options (and timelines or deadlines, if applicable)
- Ways to provide evidence, witnesses, or respond to other party's statements
- Contact information for the investigator and/or TIXC/Deputy



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Non-Stranger Sexual Assault Cases

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First…Establishing Consent

Consent is not effective if:

- Physical force;
- Threat of physical force;
- Intimidation;
- Coercion; or
- Incapacitation



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Consent Questions

- Refer to the definition of "consent" based on the **institution's policy.**
- What was the nature, timing, & scope of the **relationship** btwn the parties?
- What were each party's **expectations** (e.g. perceived, communicated), about the **nature of the contact** on the date of the alleged incident?
- What was the manner of communication **before, during, & after** the alleged incident (e.g. words & actions) btwn the parties?
- What were the circumstances of the **CP's disclosure** & the **RP's reaction** to the disclosure?
- What was the **impact** of alcohol or other drug use in relation to the **ability to give consent**?
- Are there any reported or demonstrated **predatory behaviors?**

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Intoxication:

- Slurred speech
- Weaving or stumbling while walking
- Exaggerated emotions

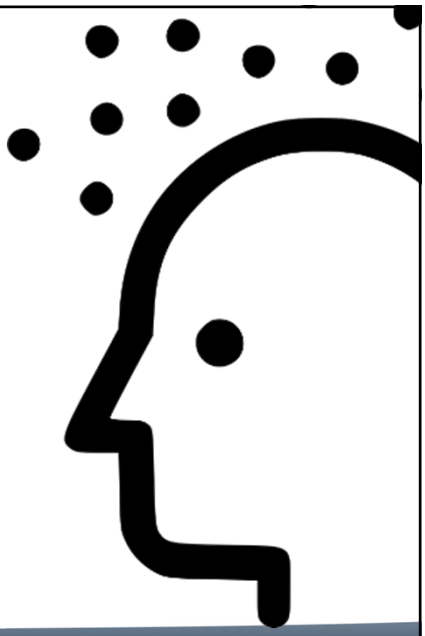
Incapacitation*:

- Mentally or physically helpless
- Unconscious
- Asleep
- Unable to speak coherently or walk unassisted
- Unaware of the sexual activity occurring
- Unaware of time, place, or how they became engaged in a sexual act
- A state beyond drunkenness or intoxication

* *UT uses a "reasonable person" standard*

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Incapacitation Questions



- What were each person's **pre-incident** behavior?
- **Quantity and quality** of alcohol & other drug use:
  - What was the nature of the **event & setting**?
  - Was there any respective **power or control** of either party?
  - Who **supplied** the alcohol or other drug(s) to either party?
- What were each person's **expectations** & **mindset?**
- How did each person **reasonably know** the level of intoxication of the other party?
- Is there any information from **witnesses**, **video footage**, etc. as to the level of incapacitation?
- What were each person's **post-incident** behavior?

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IPV & Stalking Cases

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Determining Predominant Aggressors

Common Considerations:

- Presence or threat of a **weapon**
- **History** of dating or domestic violence
- Pre-existing **protective orders** or **"no contact" directives**
- Comparative extent of **injury** (if both are injured)
- Indicators of **power & control**



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Has the RP:

- Prevented you from talking to others such as family or friends?
- Listened to your private phone calls or read your email?
- Acted jealous?
- Humiliated you at home or in public?
- Broken your personal belongings?
- Behaved violently or aggressively in public?
- Been arrested in the past for violence?

Assessing **Danger** (Example Questions for CP)



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Assessing **Lethality** (Example Questions for CP)

Has the RP:

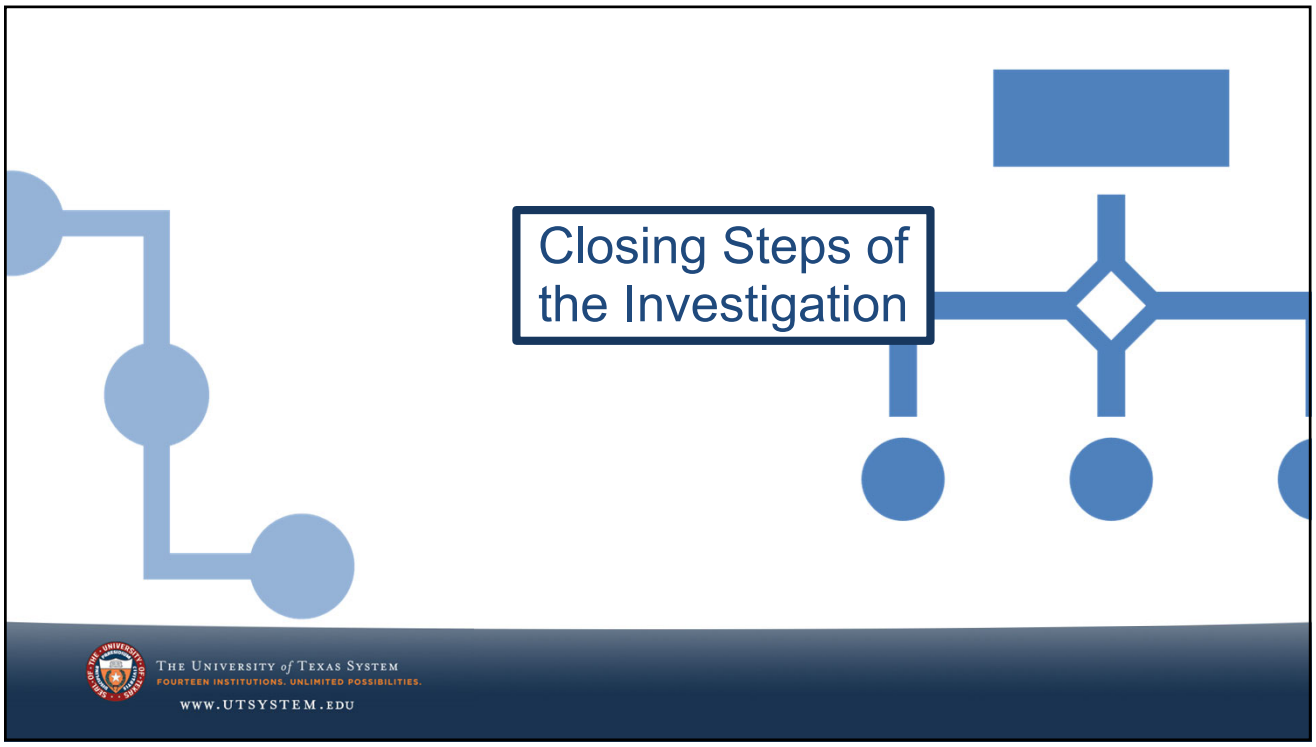
- Have access to a weapon, and/or threatened to use a weapon?
- Threatened to harm or kidnap your children?
- Threatened to kill you, themselves, or others?
- Harmed your pet(s)?
- Been abusing alcohol or drugs?
- Stalked or followed you?
- Forced you or your children to flee in the past?

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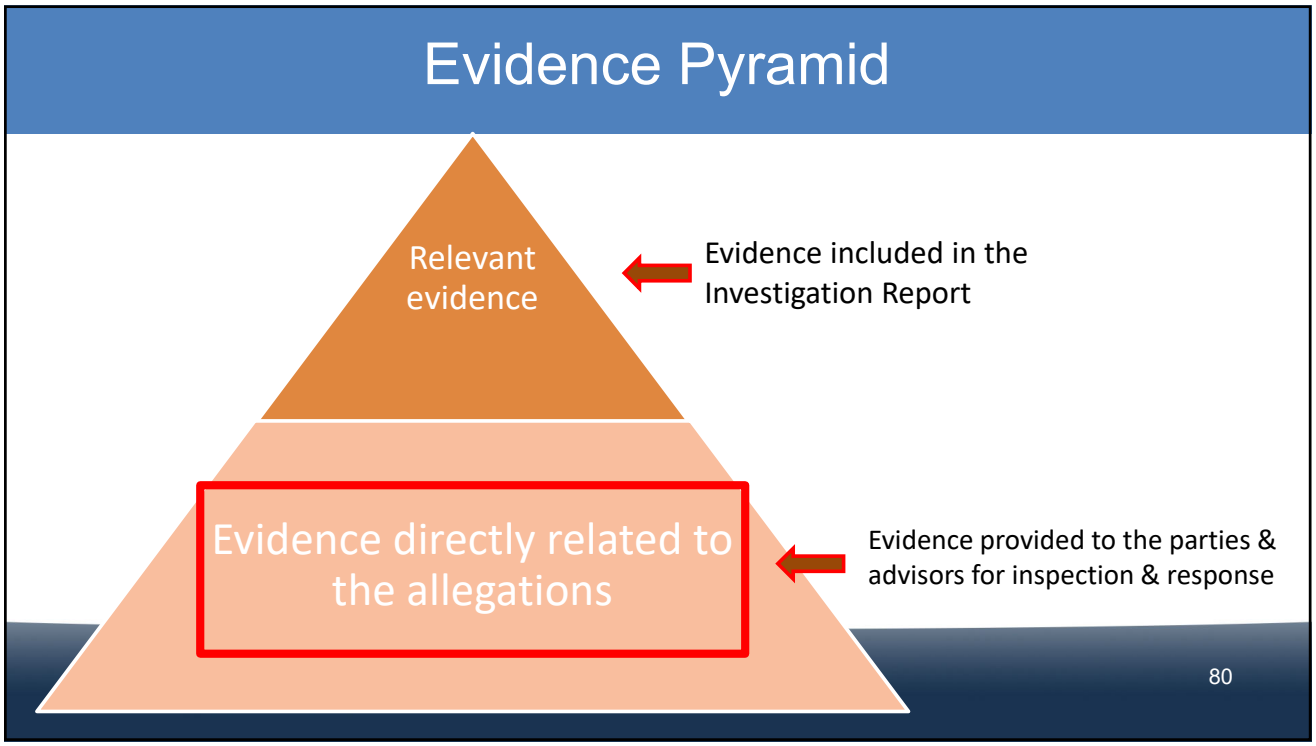


Remember the Investigation Plan?

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Closing Steps of the Investigation
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Evidence Pyramid
Relevant evidence
Evidence included in the Investigation Report
Evidence directly related to the allegations
Evidence provided to the parties & advisors for inspection & response
80

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Access to Evidence

Equal opportunity to both parties (& the advisors) to **inspect** & **review any evidence obtained** that is directly related to the allegations in the formal complaint.



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Access to Evidence: Why?

So that each party can **meaningfully respond** to the evidence prior to the conclusion of the investigation.



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Access to Evidence (Cont.)

Send each party (& the advisors*) the applicable evidence:

- In hard copy or electronic format
- At least 10 days to inspect, review, & respond to the evidence
- All responses to the evidence must be submitted in writing to the investigator(s)

** Advisor of choice; or the provided advisor by the institution (If applicable)*

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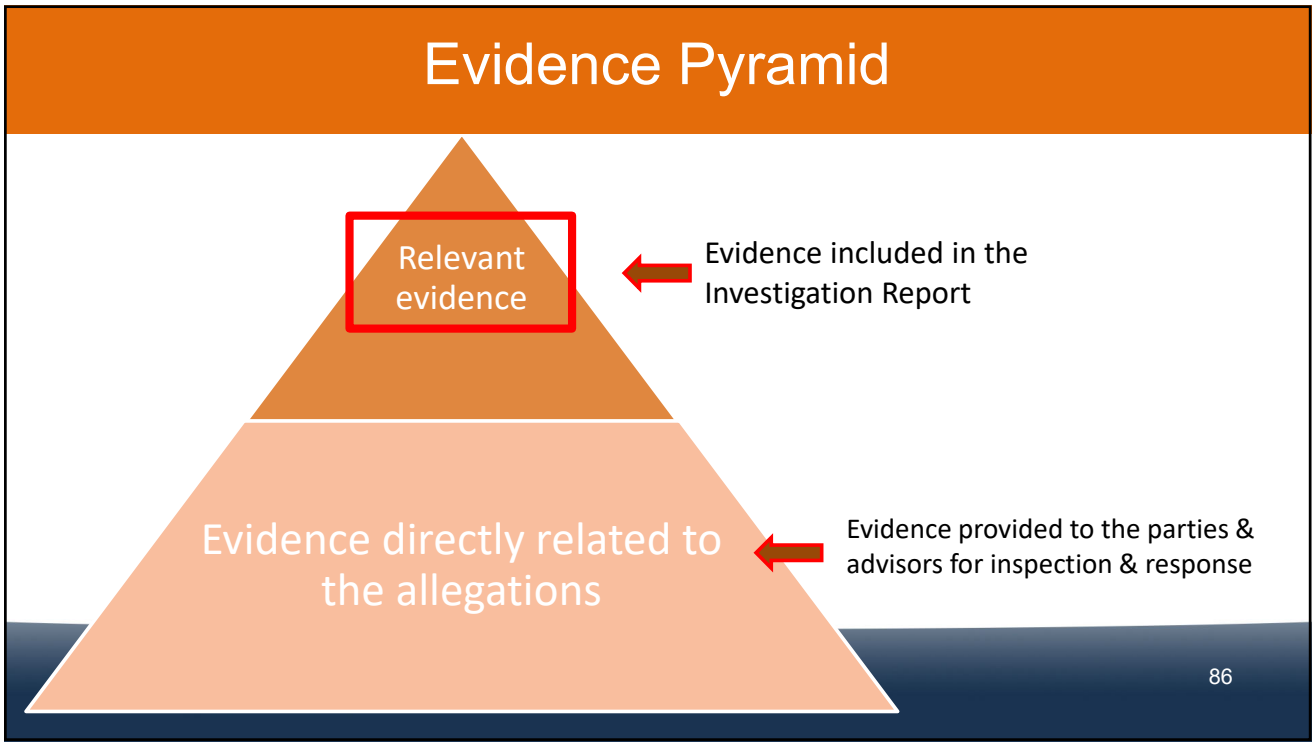
Access to Evidence (Cont.)

The investigators will consider all timely responses submitted by the parties **prior** to completing the investigation report.

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Issues of Relevance
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Evidence Pyramid
Relevant evidence
Evidence included in the Investigation Report
Evidence directly related to the allegations
Evidence provided to the parties & advisors for inspection & response
86

86

Relevant Evidence



Evidence is **relevant** if:

- The evidence has any tendency to make a **fact** more or less probable than it would be without the evidence; **and**
- The **fact** is of consequence in determining the action.

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Relevant Evidence

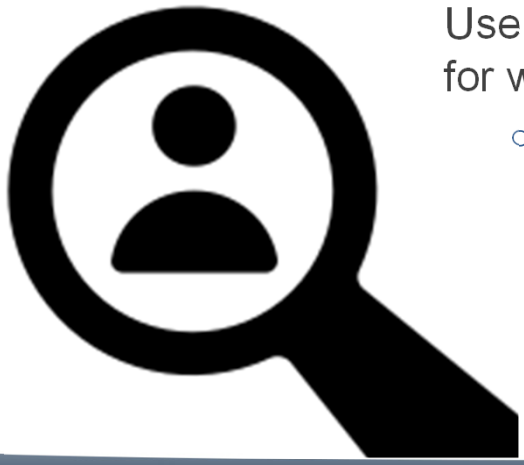


Another way to frame it:

- **Exculpatory evidence**: Evidence tending to excuse, justify, or absolve the person of the alleged conduct.
- **Inculpatory evidence**: Evidence that places responsibility on the person of the alleged conduct.

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"Reasonable Person" Standard

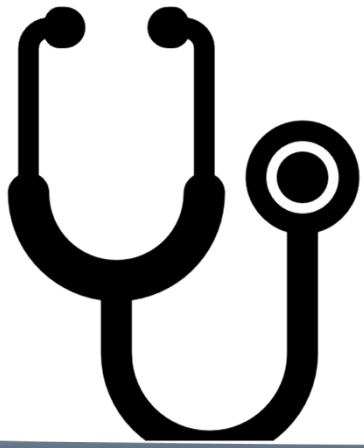


Use a **"reasonable person"** standard for weighing all of the evidence:

- An objective test to denote a hypothetical person who exercises average care, skill, and judgment in conduct under similar circumstances as a comparative standard.

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Medical Records Evidence



Cannot access, consider, disclose, or use a party's **medical** or **mental health records** as evidence unless the party provides voluntary, written consent to the institution for the grievance process.

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Completed Investigation Report: **Sexual Harassment Cases**

1. Outline each of the **allegations** that potentially constitutes prohibited conduct under the Policy.
2. Provide a **timeline** (e.g. procedural steps) of the investigation. (recommended)



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Sexual Harassment: Completed Investigation Report (Cont.)

3. **Fairly summarize** relevant evidence, participate statements, and responses to questions.
   - **Exculpatory**: Evidence tending to excuse, justify, or absolve the person of the alleged conduct.
   - **Inculpatory**: Evidence that places responsibility on the person of the alleged conduct.

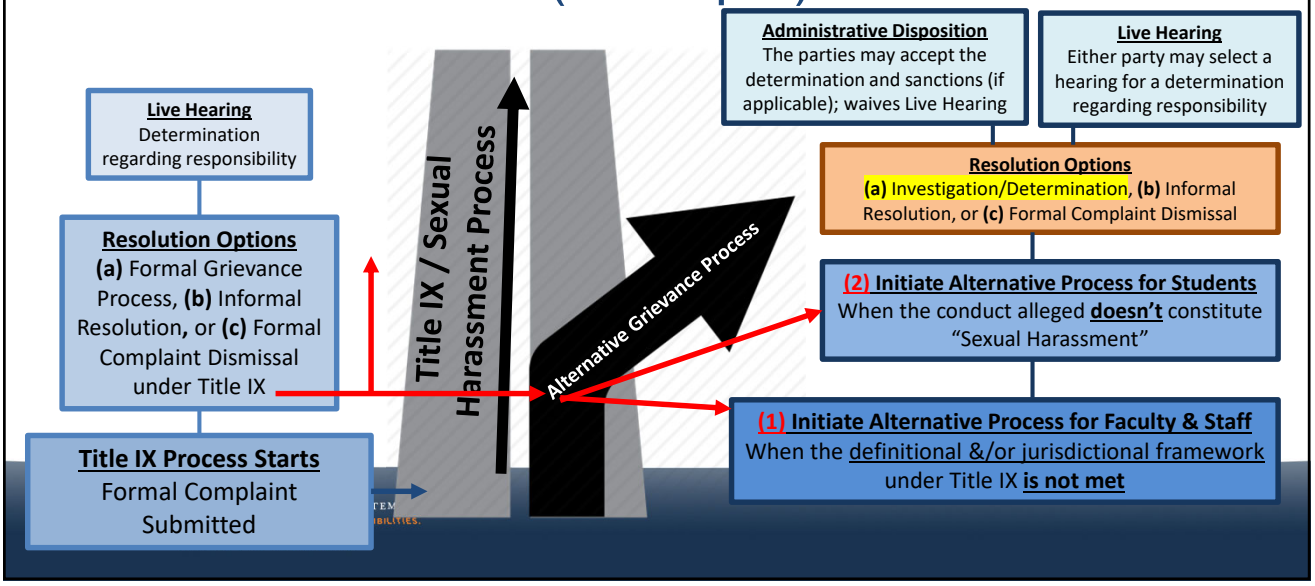
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Non-Sexual Harassment: Investigation Report

1. Outline allegations related to the Policy
2. Timeline of the investigation
3. Fairly summarize relevant evidence
4. Credibility assessments*
5. Evidence analysis & rationale*
6. Preliminary determination regarding responsibility*

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Institution's Sexual Misconduct Grievance Process (Example)



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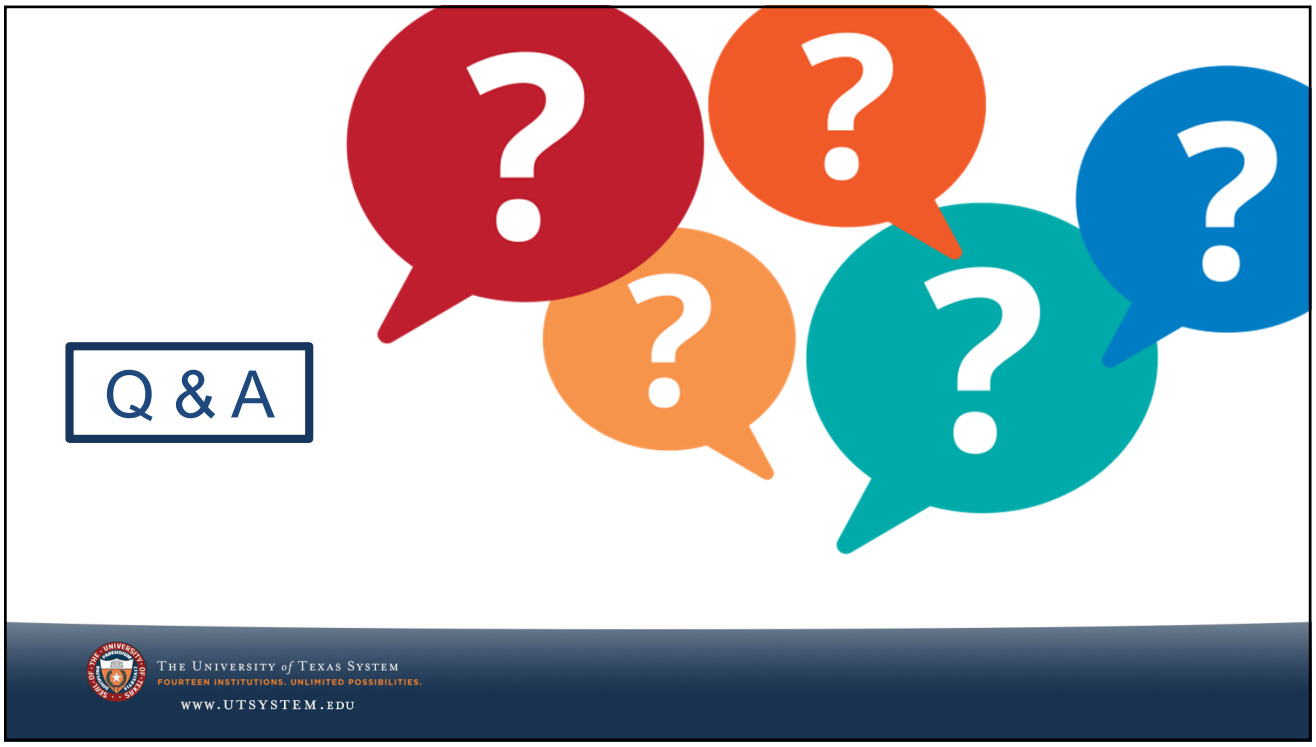
Access to the Completed Investigation Report

Send each party (& the advisors*) the completed investigation report:

- At least 10 days prior to the scheduled hearing
  - Why? Opportunity for the parties to inspect, review, & respond to the investigation report (at the hearing)
- A copy of the investigation report to the TIXC and hearing officer assigned.

** Advisor of choice; or the provided advisor by the institution (If applicable)*

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Contact Information

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