

To the senior leadership team at CUNY Law,

The confirmation of Brett Kavanaugh to the Supreme Court has left us collectively reeling. As first year law students, it's hard not to look towards our futures and feel saddened and discouraged. As young women, trans, and non-binary folks the blow is two-fold; we now live and work in a context where it has been legitimized by the U.S. Senate (and by public commenters nationwide) that men can sexually assault women, and the unearthing of this violence will not stop you from achieving a lifetime appointment to the Supreme Court, the ultimate arbitrator of the law. We trust you can imagine our collective anxiety and despair -- you may be feeling it yourself.

For these reasons, we, a group of students who came together after watching Dr. Blasey-Ford's hearing, respectfully ask that senior leadership at CUNY Law release a statement to our campus community that you stand in support of our community members who face sexual violence, and are committed to working towards dismantling a culture of sexual violence within these walls. In short, we ask you to make it clear that here at CUNY Law, we believe survivors.

We understand this is a complicated statement for an institution to make. It has been brought to our attention that it poses questions about due process in the context of investigating Title IX claims, and the fundamental principle of law that everyone is innocent until proven guilty. However, we believe that these two ideals do not stand in conflict with each other. One unfortunate reality of our time is that while the *#MeToo* movement has brought the voices of survivors to the forefront of public consciousness, those voices continue to be dismissed, attacked, and ignored in the courts, on campuses, and in the political sphere. We live in a world where the burden of proof is so extremely bent against survivors that a testimony that an aggressor "does not remember" an attack is considered equivalent to a detailed, emotional, and compelling testimony from the survivor. This is a version of due process that, in our opinion, is not worth protecting. We aspire to promote due process that allows for all voices to seek justice equally, beholden to the same burden of proof, and likewise the same support of the law. That no one person's life, reputation, or ability to complete their education will be valued above another's. This is what believing survivors means to us. It is one of the important tasks of our time to collectively build systems and processes both inside and outside CUNY that actualize these ideals.

We also understand that as administrators of a publicly-funded university, your positions require heightened awareness on how your statements and actions may be scrutinized. To say that "CUNY Law believes survivors" is a weighty statement; this is both a cause to proceed with caution and the exact reason why it needs to be said. Such a stance need not signal a disregard for the support that those accused deserve, nor an increase of punitive measures against those found after investigation to be guilty. Rather, this stance signals an acknowledgment of the unequal footing we are currently resting on, and a good faith that such claims will not be made lightly or irresponsibly by the CUNY Law student body.

We look to you as role models, with respect for your devotion to furthering the school's mission of Law in the Service of Human Needs. It is for this reason that we ask you to stand with us, students and survivors, on this pressing issue. Below we have outlined what we feel would be powerful as students to hear in such a statement. Those of us asking for this statement are prepared to meet and discuss these points further. Thank you for giving this your time and attention. We hope to be able to work together to stand strong at this important moment in time.

What we hope this statement will address:

Accompanying a statement of belief in survivors, we ask that you consider (1) reiterating the processes of coming forward with a claim under Title IX, and the existing commitments CUNY Law has made to take allegations seriously, and (2) highlighting the potential opportunities for collaboration in order to address rape culture and gender-based violence on campus and in the legal profession. We defer to your judgement on how to best craft these ideas. We have included some bullet points of what came out of our meeting with Raquel, Linda, and Liz, as well as the thoughts of some of our fellow students for reference.

- 1.) Existing Commitments: Clarification on the process of coming forward with a claim under Title IX, including:
 - a.) existing resources to discuss incidents of assault or harm in complete confidentiality, such as Linda Penkower and other health services;
 - b.) the survivor-centered approach of the Title IX team to base any action following a claim around what the individual would like (including pursuing an investigation, or providing alternatives that would grant support and justice for those who choose not to);
 - c.) Any other resources that exist.
- 2.) Opportunities for collaboration and education:
 - a.) Our focus here is not to heighten punitive measures for perpetrators. We center our energy instead on the the duty to prevent sexual assault before it happens, a commitment to dismantling sexual and gender-based violence on campus through ongoing education and collaboration, and an opportunity to equip future lawyers with the skills needed to become effective advocates for survivors of gender-based violence and sexual assault.
 - i.) These collaborative educational opportunities are well-aligned with Title IX and student affairs' existing mandates, and may include workshops, salons, speakers, or discussion groups that bring together voices from across the university and beyond.
 - ii.) We know that sexual and gender-based violence impacts us differently depending on our race, class, gender, and ability. As such we believe these spaces must center the experience and perspective of survivors from diverse backgrounds.
 - iii.) As a public interest law school, we have the unique opportunity to work towards dismantling a legal framework that elevates certain voices over others, and building new mechanisms of transformative justice for responding when it does.

Signed,

Nora Howe
 Alex Matak
 Victoria Morrell
 Liora Cohen-Fraade
 Rebecca Horton

Alexandra Reese
 Kenyon Leggett
 B Taylor
 Zeyna Noor Reifenheiser
 Dannelly Rodriguez

Victoria Pilger
 Forrest Sung
 Isadora Jaffee
 Amitoj Bhinder
 Shonna Carlson