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Statement Regarding Jane Doe vs. University of the Pacific

The University was informed of a lawsuit filed March 18 in the United States District Court in Sacramento by “Jane Doe.” The University attorneys plan promptly and effectively to bring to the attention of the Court the following account of the University’s timely and responsible handling of this incident.

Background Facts

- In May 2008, Ms. Doe, a female student of the University, reported to her friends that she had been sexually assaulted by student acquaintances following an off-campus party. Those friends - not Ms. Doe - reported the assault to campus officials two days later.
- The University promptly issued a campus-wide advisory and also notified Stockton Police, so as to provide them the opportunity to conduct a police investigation. Ms. Doe declined to file a report with police, the University was informed.
- The University officials also gathered its own information about the assault and then promptly moved to convene a University Judicial Review Board to bring sexual misconduct charges against three male students. The Review Board was composed of female and male students, a professor and a staff member. The Judicial Review Board conducted several days of hearings, including witness testimony and evidence for and against the three male students. The Judicial Review Board determined that one student should be expelled and that two other students should be suspended, as well as other disciplinary actions.
- The decision of the University Judicial Review Board was appealed. Jane Doe sought to have them all expelled. An Appeal Committee composed of female and male students, a professor and a staff member reviewed the case. The Appeal Committee upheld the conclusions and sanctions from the original Judicial Review Board.
- All three male students were then barred from the University campus. Two of those students are still barred from the campus, one permanently. The male students were notified verbally and in writing of this restriction, and copies of the notices were provided to Jane Doe. Campus police were instructed not to allow the male students on campus.

University Statement

University of the Pacific strives to conduct its investigations and judicial proceedings according to best-practices in higher education. The University continues to take an aggressive, zero-tolerance stance on sexual assault and harassment. A full listing of the University's sexual assault and awareness policies and programs are online at <http://web.pacific.edu/x24412.xml>. In student-to-student assaults such as this, individuals found responsible are expelled, suspended or sanctioned appropriate to the nature of the violation, in addition to any criminal penalties assigned by the Court. A full judicial policy is available at: <http://web.pacific.edu/x5147.xml>.

The lawsuit filed by Jane Doe gives a substantially inaccurate account of reported sexual assaults on campus in April and May 2008, and leaves out key facts then reported to the University. In addition to inaccuracies in the lawsuit mentioned above, other important inaccuracies will be brought to the attention of the Court by the University's attorneys. These inaccuracies include many quotes attributed to Vice President for Student Life Elizabeth Griego and that there were seven rapes in one year.

The charges of "indifference" by the University are not true. The University, then and now, is not indifferent to Ms. Doe, nor to the problem of sexual harassment and assault in society.

Sexual Assault Reporting

The University is required by federal law to report all calls and complaints of incidents that may be sexual assaults and other crimes. These statistics represent reported incidents—not necessarily the actual number of crimes committed or prosecuted. These reports under the Clery Act are filed with the U.S. Department of Education for each calendar year (Jan. 1 to Dec. 31). See next page for detail.

Yearly summary of occurrence of reports of sexual assaults in all categories:

2005 – 4 reports

2006 – 2 reports

2007 – 5 reports

2008 – 4 reports

2009 (to date) – 1 report

*Note that according to federal reporting guidelines, 2008 and 2009 figures have not yet been reported to the Dept. of Education.

University of the Pacific Clery Act Statistics
Occurrence of Reports of Sexual Assaults: All Categories
(includes Stockton, Sacramento, San Francisco campuses)

Offense Type	Calendar Year	On-Campus	Residential Facilities Subtotal	Non-Campus Buildings	Public Property	Total
Forcible Rape Stranger	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
	2008	1	0	0	0	1
Forcible Rape Acquaintance (e.g. "date rape")	2005	3	3	0	0	3
	2006	1	1	0	0	1
	2007	4	4	0	0	4
	2008	2	2	0	0	2
Forcible Sodomy	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
	2008	0	0	0	0	0
Sexual Assault with an object	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
	2008	0	0	0	0	0
Forcible Fondling	2005	1	0	0	0	1
	2006	1	1	0	0	1
	2007	0	0	0	1	1
	2008	0	0	0	1	1

Further information available from the Dept. of Public Safety: 209.946.2537.

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