

Syllabus

SPRING 2019

A CU INDEPENDENT PUBLICATION



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**TITLE IX
IS CHANGING.
THE JURY'S
STILL OUT
ON HOW.**

STUDY DRUGS • DEPORTATION • CONSENT • CAMPUS CONSERVATISM • MEL TUCKER

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For comments, corrections, questions, and submissions, email tips@cuindependent. CU Independent reserves the right to moderate any and all submitted content and responses.

THE RECAP

CU regents charge Presidential Search Committee after adding members

By Lucy Haggard

On Thursday, Nov. 8, the University of Colorado Board of Regents formally began the search to replace President Bruce Benson, but not without first adding two more members to the Presidential Search Committee. The search and changes to the committee were announced soon after the adjournment of the first of a two-day Board of Regents meeting at the Colorado Springs campus. The much-requested additional student representative will be Sierra Brown, an undergraduate at the Colorado Springs campus. She is the university's student

body president and is also chair of the Intercampus Student Forum, a governing body made up of student representatives from all four University of Colorado campuses. Brown previously expressed frustration to the CUI about the initial composition of the board, saying, "it feels as though our opinions as student leaders were disregarded." When the regents released their initial decision regarding the search committee's members on Oct. 24, many students expressed frustration that they weren't

represented adequately. The single student representative seat was given to Alex Holmgren, a graduate student and the associate director of the Center for Western Civilization, Thought and Policy on the Boulder campus. She is also a member of Staff Council and had applied for the staff position, as individuals were allowed to nominate or self-nominate someone in multiple categories. Just over a week later, on Nov. 1, the Legislative Council of CU Student Government unanimously passed "A Resolution to Oppose the Current Makeup of the

Presidential Search Committee." It requested the regents add additional members to the search committee, which is allowed under Regent Policy 3E. Konrad Schreier, senator to the School of Law, said that though he believed Holmgren would "add value" to the committee, her conflict of interest as a titled employee at the university indicated that the regents did not delegate the spot "in good faith." "I think they just viewed it as an easier option," Schreier said. Another member was delegated at the meeting as well. Margaret Bathgate will represent

the University of Colorado Foundation, the philanthropic organization associated with the University of Colorado. She is finishing out a term as chair of the foundation's Board of Directors. She graduated from CU Boulder in 1976. CU Spokesperson Ken McConnellogue said that the regents decided to "make an adjustment" to the committee after hearing requests from both students and the CU Foundation for more representation. Now that the committee is formally charged, he said its makeup is unlikely to change further.

The official charge to the committee includes working with consulting firm Wheless Partners on a search that is "national in scope" to recommend at least five candidates to the regents by April 2019. That way, a president can be appointed by July 1, 2019, when Benson is set to retire. The president oversees a budget of more than \$4.5 billion, over 60,000 students and 30,000 employees, making it one of the largest employers in the state. As the leader of the entire university system, the president's only supervisor is the Board of Regents.

National Sigma Pi headquarters orders Boulder chapter to close down

By Georgia Knoles and Lucy Haggard

The Sigma Pi fraternity's national office has temporarily suspended chapter operations of the Boulder chapter amid assault allegations that occurred at the fraternity the same night that multiple students reported being drugged at parties on The Hill. The national chapter stated "Sigma Pi has a zero-tolerance policy for illegal drug use and any type of assault, and hold members accountable to these policies with measures up to and including expulsion" in a statement released on its website on Nov. 1 2018. According to the released statement, the Boulder chapter of Sigma Pi has been suspended of participating in or hosting "any events, including but not limited to social events, recruitment activities,

chapter meetings, or University or fraternity / sorority events." The Boulder Police Department and the University of Colorado are currently investigating the allegations related to the druggings. According to Jonathan Frost, executive director of the Tennessee-based Sigma Pi headquarters, the national office is conducting an internal investigation. In an email to the Denver Post, he said that the national office is "fully cooperating" with CU officials. CU's spokesman, Ryan Huff, told the Denver Post he was unaware that the fraternity had been shut down. This comes after five students said they were drugged against their will at parties on University

Hill. Two women were hospitalized the night of Oct. 18 and three others have since come forward saying that their drinks were drugged. No arrests have been made yet in conjunction with these incidents. All of the drugging victims had visited multiple parties that night, so police cannot confirm if Sigma Pi members are responsible. The Denver Post reported that they had requested records from Boulder police regarding any calls to the Sigma Pi house over the past year. After a back-and-forth exchange with BPD, they declined to release the records, citing that it would be contrary to the public interest. Boulder PD spokeswoman Shannon Aulabaugh told the Denver Post that Sigma Pi is not currently a suspect.

The chapter of Sigma Pi located in Boulder has not been a member of the Interfraternity Council since 2013, when it was kicked out of the organization for supplying alcohol to new recruits. None of the fraternities in the Interfraternity Council have been associated with the university since the death of Lynn "Gordie" Bailey in 2004, who died from alcohol poisoning during a pledge initiation. In 2017, CU Boulder launched a new university-recognized fraternity council. As of this publication, three new fraternities were brought to Boulder and are associated in this council. Sigma Pi said in their statement online, "We will make decisions about the future of the Chapter once the investigations conclude."

Use of Adderall, Vyvanse, Ritalin as “study drugs” pervasive on campus

By Hannah Metzger

Editor’s note: the names of students have been changed for this story to protect their privacy.

Jay walked into the Norlin Library the first semester of his freshman year, his mind drowning in stress. He’d come to prepare for his first midterm exam with a study group.

His knees began to tremble as he made his way through the library, so crowded it seemed to have just as many people in it as it did books. Struggling to adjust to the fast-paced environment of college, Jay worried he was going to fail his exam. While complaining about the overwhelming workload to his classmates, he was offered a surprising solution: Adderall.

“I had just met them this year and there I was, taking a pill with them to study,” said Jay, who preferred not to use his real name to protect his privacy.

Adderall is a stimulant used to treat attention deficit hyperactivity disorder (ADHD) and narcolepsy. However, Adderall has also become a drug commonly taken by students without a prescription to increase their ability to focus. It is also referred to as a “study drug.” Popular study drugs include Adderall, Vyvanse and Ritalin.

Samantha Randall, program manager of the University of Colorado Boulder’s Collegiate Recovery Center, explained that for someone with a diagnosis of ADHD, a stimulant can help that person get back to a level of normal functioning.

“For someone who does not have ADHD, a stimulant provides what I would call a hyper-focus,” Randall said.

The use of study drugs has become popular

among college students. A review published by the Journal of the American Academy of Child & Adolescent Psychiatry concluded that anywhere from 5 percent to 35 percent of college-age individuals use non-prescribed stimulant ADHD medications. The negative effects of this kind of drug misuse are extensive, including its association with psychosis, myocardial infarction, cardiomyopathy and sudden death. Study drugs also have a high likelihood of dependence and addiction.

The issue appears to be even larger at CU Boulder than it is nationally.

According to the 2017 National College Health Assessment, 14.5 percent of CU Boulder students use prescription stimulants without a prescription. However, a self-reported survey conducted by the Tab in 2016 found that 66.7 percent of students at CU Boulder have taken some kind of study drug during their finals season.

If the Tab’s results held up, this would make the recorded use of study drugs at CU Boulder more prevalent than at any other university in the country. There is a significant disparity between these results due to the difficulty of recording drug use.

“I’m surprised that that number isn’t higher to be completely honest,” Jay said. “Here at Boulder, it’s kind of normalized ... It’s not seen as a bad thing to take Adderall, which is huge.”

Jay, who is now a sophomore sociology major, continued to rely on Adderall throughout the rest of his freshman year. He transitioned to Vyvanse near the end of his second semester.

“I knew a friend with a Vyvanse prescription and those last way longer,” Jay said. “A lot of kids with prescriptions hand out the extras.”

Manuel has been one of those kids since high school.

Manuel is a sophomore civil engineering major at CU Boulder who has requested to keep his identity confidential for legal reasons. He was prescribed Adderall in the 11th grade after a gene test found that he was highly susceptible to ADHD.

“I hopped right on that,” Manuel said with a laugh. “I was like, ‘Yeah, I definitely have ADHD.’ Then I got a prescription.”

Only using the pills a few times a week, Manuel found himself with many left over. He began to sell these leftover pills to his classmates for \$10 per pill. He described the weeks of AP tests and ACTs as “business days” where he would walk down the halls waving his pill bottle and asking, “Who wants one?”. This behavior continued until midway through his freshman year of college.

“Freshman year, my friend was like, ‘Can I buy it off of you?’ and I did because he was my friend,” Manuel said. “He had a panic attack and it fucked him up and that’s why I do not sell Adderall anymore.”

While Manuel has pushed back from being a provider of study drugs, he insists that his former buyers do not have trouble finding the pills without him.

“At Boulder, more kids take it that don’t have it prescribed and the kids that do have it prescribed are



Illustration by Shiyue Zhang

mostly just selling it,” Manuel said.

This trend is also evident on the national level. A study published by the National Center for Biotechnology Information found that the main source of non-prescribed stimulants used to treat ADHD is from friends and relatives, two-thirds of whom had obtained the medication from a physician.

The kind of reaction Manuel’s friend experienced is common for both one-time users and regular users of study drugs.

“What I see with students who are taking stimulants not as prescribed is agitation, an edge,” Randall said, referencing her work within CU’s Collegiate Recovery

Center. “There’s really accelerated speech and thinking. I call it the ‘focus train’ where they’re on this focus and they can’t switch gears easily. And for some students, that can cause great distress.”

Randall sees these kinds of effects on students all the time. She estimates that 20 percent of the students she sees in the recovery center are seeking help for addiction to these kinds of stimulants. However, students often cannot recognize their problem on their own.

“I do think using study drugs has helped me and I don’t think it’s been harmful,” Jay said. “We all need a little help.”

Rise in hate crimes prompts community panel discussion with police

By Heidi Harris

In response to national rises in hate crimes including the Tree of Life synagogue shooting in Pittsburgh on Saturday, Oct. 27, the Boulder Jewish Community Center hosted “Boulder County Responds to Hate” on Monday, Oct. 29. The two-part panel discussion was attended by over 400 Boulder residents, including then Congressional Representative Jared Polis, State Representative Edie Hooton and Chief of the Boulder Police Department Greg Testa.

The event aimed to address how Boulder can better respond to incidents of hate through partnerships between marginalized groups and local police, as well as how education can serve as a preventative measure to reduce future hate incidents. The event also welcomed the introduction of the District Attorney’s new Bias & Hate Crimes Initiative, which aims to improve the collective response to hate incidents.

One of the main concerns expressed by panelists — who voiced the experiences of Jewish, Sikh, African-American, Latinx and LGBTQ communities — was the hesitancy victims of hate crimes have in coming to law enforcement.

“[There is a] difficulty of people of color in coming to law enforcement and seeing law enforcement as an ally,” said Michele Simpson, instructor at the University of Colorado’s Farrand Residential Academic Program. “That’s never going to be, for many people, the first line of defense.”

Simpson stressed the idea that many more hate-related incidents occur than most are aware of because they go unreported. CU Boulder and the surrounding Boulder community, she says,

are not exempt from incidents of hate, despite the sense of exceptionalism that the city promotes.

Regarding how to address this lack of visibility, Nikhil Mankekar, Chairperson of Boulder County’s Human Relations Commission, encouraged audience members to look out for each other, whether as marginalized minorities or as allies.

“One of the main takeaways people can do tonight is to listen to and believe people when they tell you that they experience bias and hate,” Mankekar said.

Jenna Howerton, panelist and youth program coordinator for Out Boulder County, says getting programs like the Anti-Defamation League and anti-bullying curriculums into school districts can help with recognizing biases at a young age, along with encouraging discussion about the experiences of different identities at home.

“I think that having these conversations young [is important]... talking about queer and trans [people], talking about racism, talking about discrimination, talking about these histories in our country and how it’s not new,” Howerton said. “This affects everybody.”

Similar sentiments were shared by audience member Danny Roetzer, community resource advocate at Safehouse Progressive Alliance for Nonviolence.

“One of the things I really hope was conveyed was just the experiences of all the different identities on the panel... what it means for marginalized folks to be existing in their skin in this administration,” Roetzer said.

Roetzer hopes to see more events with dialogue between marginalized community members and the police.

“It can sometimes be a little heartbreaking because I don’t know that a student who is actively using sees it in themselves,” Randall said. “Stimulants are one of the substances where the very stimulant itself tells me that I’m okay when actually I’m not.”

Outside of the direct side effects of stimulant use, using these kinds of drugs often leads to the abuse of other substances. A different study published by the National Center for Biotechnology Information found that users of non-medical prescription stimulants were more likely to use alcohol, cigarettes, marijuana, ecstasy and cocaine. According to Randall, she often sees these substances abused in an attempt to offset the effects of the stimulants; for example, using marijuana to fall asleep.

Jillian, who asked to use a pseudonym for this story, is a former CU Boulder student. She has only ever taken Adderall one time to prepare for a test.

“I took it to study for a math exam and I studied the wrong chapter so then I totally failed my exam,” Jillian said with a laugh. “I wish I didn’t take it so I would’ve studied the right stuff, but I think everyone should give it a try at least once.”

For many students, one time is all it takes to get hooked.

“It’s really hard to stop using it because the focus that it does provide is so compelling that it convinces you that you need to keep taking this in order to do well in school,” Randall said.

Prescription stimulants including Adderall and Ritalin are classified as Schedule II drugs by the U.S. Drug Enforcement Administration (DEA) because of their “high potential for abuse, with use potentially leading to severe psychological or physical dependence.”

After using stimulants to enhance one’s ability to focus, many users find their natural focusing to be worse than it was before they started using.

“If the substance had been kinda doing the work for

me, then suddenly I have to do it all on my own, it’s going to feel more difficult,” Randall said. “But the brain and the nervous system is incredibly resilient. It all starts to come back online and then not only are students able to study again, often they find that they’re better than [they were when on stimulants] because they’re not having all of the other detrimental side effects.”

Nationally, non-medical use of drugs like study drugs are on the rise, especially among college students. This trend could be in part accredited to the cultural acceptance of the practice.

“The way we talk about substances that we use has a big impact,” Randall said. “The fact that it’s even called ‘study drug’ normalizes that. It says that this is a drug that helps me study.”

While the use of study drugs is common in every university setting, CU Boulder is extraordinary in its popularity. Randall believes that CU’s academic rigor could be contributing to the high rates.

“There does seem to be a pretty high intense academic load here and I do think that, in general, the students who come here come from very high performing families,” Randall said. “Combine those two and you’re gonna have students who are under a lot of stress and wanting to do well and wanting to perform.”

When asked what she would say to students considering using study drugs, Randall took a deep breath and after a very long pause answered, “I understand why and I would really want the student to just understand the risk that they’re taking ... and to recognize that they’re okay even if they get a B on that test. They need to explore whether it’s worth it.”

If you or someone you know is struggling with substance abuse, contact the Collegiate Recovery Center by phone at 303-492-9642 or by email at cucrc@colorado.edu.

VISUALIZED



Shai Carter stands in silent protest, showing support for survivors and victims nationwide. Oct. 3, 2018. (Robin Fox/CU Independent)



Top: Junior QB Steven Montez throws the ball during the first quarter of play at Memorial Stadium. Sept. 8, 2018. Photo by Nigel Amstock.
Middle left: Two drag kings embrace one another at the conclusion of their performance. Nov. 3, 2018. Photo by Anna Haynes.
Middle right: Runners dance with their friends before running the Nearly Naked Mile. Sept. 21, 2018. Photo by Lukas Crosby.
Bottom left: Kevin Ray of Walk The Moon at Jeep On The Rocks. Oct. 6, 2018. Photo by Angela Smith.

Artist spotlight: Jake Havoc

“Jake Havoc” is the creation of sophomore Jacob Newman. The comic series, which runs weekly for CUI, pays homage to various American cultural landmarks and serves as commentary on the strange nature of life. Follow him on Instagram @jakehavoc or go to jakehavoc.com.

CUI: What motivated you to start the comics?
Newman: I can’t remember a point in my life when I wasn’t drawing comics. It is a deeply rooted part of who I am, but as I was preparing to move to Boulder, I had so many things that I wanted to express. Comics are a happy medium between writing and drawing, and I love the way that words and pictures interact and contradict each other, how much color an illustration can bring to a paragraph.
CUI: How do you choose what to talk about?
Newman: It totally depends on what is happening in my life, what films I am watching, what music I am listening to at that time. If something really monumental is happening in my life, I usually try to translate it as directly onto the page as I possibly can.
CUI: What direction do you hope to take?
Newman: I would do anything to be able to make Jake Havoc a full time gig, but I don’t know how realistic that is. I will keep working these next few years, continue sending my work to publications, hoping for a break, but nothing will deter me if it doesn’t work out soon. These characters mean the world to me, and regardless of whether it takes five years or fifty to break through with this, I am here for the ride.



“A new level of low”: Changes coming to sexual harassment investigations



Betsy DeVos, the U.S. secretary of education, is spearheading sweeping changes to Title IX, the law that prohibits sex discrimination. The changes won't be voted on by Congress or a legislative body. However, because they are enforceable regulations as opposed to just recommendations, they undergo a 60 day comment period where anyone can submit a comment on the issue. That goes through Jan. 29.

The full impact of the changes remain unclear, as many of them are vague or leave relevant situations undefined. It's also unclear how much leniency schools will have in tailoring the rules to work for their specific campus.

According to spokesperson Ryan Huff, the University of Colorado system recently reviewed their Title IX policies. In October, the system updated its policy with a few minor changes. "We are confident [our policies] are not only serving us well, but align well with the legal framework, providing fair and consistent procedures for all CU students," a statement representing the University of Colorado system said. "However, we will closely review the rules issued to determine whether to provide comment to the Department of Education before the end of the comment period."

Aya Gruber, a professor of law at CU, said that the new rules' leniency with burden of proof may help from a school administration perspective, as it gives more due process to students accused and could limit the number of due process suits. CU has been sued both for violating due process, including two suits filed this past fall, and for not complying with Title IX discrimination protections. However, because the regulations are mandatory, they could cause issues for schools with limited resources.

"DeVos could have left more room for schools to experiment," Gruber said, noting that for some situations, the previous guidance on hearings and investigators was more applicable than the new rules.

One particular class during the fall 2018 semester was devoted to the topic of sexual assault. "Speak Up: #metoo #notallmen," hosted in the Women and Gender Studies department, focused on giving students the tools to mobilize as peer educators and

communicators. Grayson Cunningham, a student in the class, said that the class was helpful in bringing awareness to the issue of harassment at college. He expressed frustration that the Title IX changes remove some accountability from colleges.

"As much as they would like for assault to just not happen, that's not the reality," Cunningham said.

Chloe Sykes, another student in the class, is from the United Kingdom. She noted that though the UK has some stigma and issues around assault as well, it's nowhere near that of the U.S. Sykes said students have a right to know that they would be taken seriously if they were assaulted, and the changes to the Title IX regulations downplay that severity.

"This is a new level of low, and I think it's appalling."

Other students and campus groups agree. Lelani Osmundson is a junior at CU and a member of the "It's on Us" Boulder chapter, which was started last semester. "It's on Us" was founded by Joe Biden and Alyssa Milano, the actress who popularized the #MeToo movement.

Osmundson found the proposed rule that universities only need to address on-campus incidents as specifically interesting in terms of how it would affect CU and Boulder. She referred to CU's tagline, "Be Boulder," as an example of how interconnected CU and the town of Boulder are. She also pointed to University Hill as a location where many students live and engage in activity and thus a reason for schools like CU to address situations that happen off campus.

"For me it's not about the land, it's about the students," Osmundson said.

Osmundson says she can understand why the Department of Education is seeking to redefine sexual assault, saying that there are many different conversations that pertain to assault. However, she believes DeVos' stricter definition "is the wrong way to go," and defining certain categories of sexual assault would be more beneficial.

"It's so frustrating as a student at a university where you feel like your university is trying to protect itself versus its students," Osmundson said. "They need to show that students can come forward without fear and without being publicly persecuted."

Proposed Title IX policy changes

Definition of sexual harassment:

The proposed rules define sexual harassment as “unwelcome conduct on the basis of sex that is so severe, pervasive and objectively offensive that it effectively denies a person equal access to the school’s education program or activity.” This is a more narrow definition than previously, which simply defined harassment as “unwelcome contact of a sexual nature.” Included are also sexual assault as according to the Clery Act, a law mandating universities to publicly report certain crimes, and quid pro quo harassment, where someone bribes a merit or benefit in exchange for participation in sexual behavior of some sort.

Burden of proof:

Schools will be able to choose between using “preponderance of evidence” or “clear and convincing” to adjudicate formal cases. A school can only use the lower standard if they also use it for conduct code violations that could lead to the same degree of punishment. Currently, CU uses the same standard of “preponderance of evidence” for all student conduct matters, according to spokesperson Ryan Huff. For example, an assault investigation with the potential for expulsion can’t use “clear and convincing” as the standard if they use “preponderance of evidence” for plagiarism violations that can result in expulsion.

Jurisdiction:

Currently, schools have to deal with sexual harassment cases that occur between members of their community (students, staff and faculty) whether the harassment occurs on- or off-campus. The new rules propose limiting that jurisdiction to only offenses that occur within the school’s specific oversight. Off-campus activities and locations supervised by the school can be included, but it’s not mandatory for schools to take responsibility for offenses that occur at non-sponsored locations or activities. For CU, this includes the Colorado IFC, where the majority of the fraternities on the Hill are not overseen by the school even though their membership is entirely CU students. The new rules also require offenses to have occurred in the United States, meaning that study abroad programs are not in mandatory jurisdiction for reporting under Title IX. It’s unclear how this would affect something like a Global Seminar, which is overseen by CU faculty and staff, but occurs on international territory.

Reporting:

The new rules require “actual knowledge” of an incident or allegations. Reporting directly to a Title IX coordinator provides that notice, but beyond that, it must go to someone who is “an official with authority to take corrective action.” This language comes directly from a 1998 U.S. Supreme Court case, *Gebser v. Lago Vista Independent School District*, which concluded that for a student to successfully sue for damages under Title IX, the school must both have knowledge of a violation and deliberately not take action to address it. A lack of knowledge, therefore, means a school is not liable. It’s unclear if this means that “mandatory reporting” will still apply to people such as resident advisors and teaching assistants.

Procedure:

Previously, cross-examination and direct mediation between the two sides of a report were advised against. With the new rules, schools have to allow cross-examination of each of the parties in a formal investigation. An accuser won’t be able to directly interrogate the person they’re accusing, and vice versa; rather, an attorney or other advisor will represent each of the students. The new rules also prohibit a “single investigator” model, a change from previous guidance. The Title IX official overseeing interviews with the two parties, cross-examination and other aspects of the investigation procedure cannot make the final decision as to whether the accused student is responsible for the alleged charges; it has to be a different staffer. Both parties will be allowed to appeal, as is the current system. While the student accused can contest the outcome and punishment, the student submitting the report can only contest that the result isn’t enough to ensure a non-discriminatory school experience. The reporting student couldn’t ask for a specific punishment, but they could argue that the punishment given wasn’t enough to protect them from the accused student, therefore still inhibiting access to an education free of harassment.

Religious exemption:

This doesn’t apply to CU, but for schools that have a strong faith basis, they would no longer have to submit a statement to the Department of Education to declare their religious exemption to Title IX.

The timeline of Title IX

Title IX refers to a section of the Higher Education Amendments of 1972. It states, “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” While the rule is often referenced for athletics, it applies broadly to the treatment of any student enrolled in schooling, including post-secondary education. It’s overseen by the U.S. Department of Education’s Office of Civil Rights (OCR).

1972: Congress passes the Higher Education Amendments. It included Title IX to prohibit sex discrimination, which wasn’t prohibited by the Civil Rights Act of 1964.

2001: OCR revises rules and publishes a report clarifying that schools are responsible for off-campus violence and harassment towards students if it’s from faculty, staff or other students.

2011: Obama-era U.S. Dept. of Education publishes “Dear Colleague” letter. It defines sexual harassment as “unwelcome conduct of a sexual nature.” It states that harassment and violence interferes with a student’s right to a discrimination-free education and gives schools protocol to follow to limit their liability. Most schools treat this as mandatory, though it’s not legally binding.

2017: Trump-era Dept. of Education rescinds 2011 “Dear Colleague” letter. It also rescinds gender identity protection for transgender and non-binary students, who had been declared under Obama-era Dept. of Education to be treated according to their gender identity, not biological sex.

“The university had chosen to protect itself”: One student’s experience with Title IX at CU

By Robert Tann
Editor’s Note: The student’s name has been changed to the initials C.W. per the student’s request to remain partially anonymous.

On Oct. 5, 2017, a student at the University of Colorado Boulder who wishes to be referred to by the initials C.W. was sexually assaulted on CU campus. The accused, who assaulted C.W. while walking her from his home to her residence hall, is a former fraternity member and student at CU. After her assault, C.W. pursued a Title IX investigation through CU’s Office of Institutional Equity and Compliance (OEIC) as well as used resources provided by the Office of Victim Assistance (OVA). The student was critical of both departments in handling her case. “My initial assumption was that [OVA] had my best interest in mind,” C.W. said. “OIEC ended up botching some of my reporting procedures and my victim advocate didn’t inform me about a lot of resources that were available.”

The student said that in the month of February following her assault, she was told that the final report regarding her case would be released. Within days of being told, the accused submitted other information that C.W. was unable to access. According to the student, this information was submitted after the deadline for the final report, yet this information was subsequently included in the final report without the student’s knowledge.

When asked if she felt supported by OVA during the Title IX process, C.W. said that the office was limited by the university.

“I think [my advisor] and the office tried their best,” C.W. said. “I think they just don’t necessarily have all the resources and the ability to help as much as they can.”

The student called for more transparency within the process as well as better information on what resources are available for victims. She also pointed to better communication as a way to improve the process. Specifically, the student talked about the conflict between CU Boulder Police Department and

CU within her case.

Both parties, according to C.W., had information that they were withholding from each other, leading to what the student described as a standoff between the two.

According to the student, CUPD had video footage of the outside of the dorm in which the assault had happened. Neither the student nor CU had seen this footage and after CUPD refused to release it for the university to see, CU put the student’s case on hold, saying it needed the footage to make a more complete report. This led CUPD to also hold the case, saying it wanted to hear back from the university about its findings.

When asked if an explanation was given to the student on why CUPD would not release the footage, C.W. said she was told that the department did not want to give over evidence had the case gone forward legally. According to C.W., CUPD did not want the footage to be seen by the accused and thus used in their defense.

“It was just incredibly frustrating,” C.W. said. “It felt like I had started this process and was told that it was about my voice and my cooperation but it was completely out of my control. Anything that I pushed for went unheard.”

Ultimately, the accused was found not responsible by CU of any sexual misconduct. Due to this, CUPD never pushed the case to a trial.

After the final report, a no-contact order was put in place between the victim and the accused, which C.W. says was violated after the accused came to one of her sorority events. The accused was found guilty of violating this order and had to attend a 30-minute seminar about violating no-contact orders.

C.W. said she feels that the CU took details of the case that never should have been considered. C.W. says that on the night of her assault she had been carrying a bundle of clothes from a party she was leaving. According to C.W., the university said she had later set these clothes down and that that was a form of consent. This was one of the reasons as to why the accused was not found guilty.

Currently, United States Secretary of Education Betsy DeVos has proposed major changes to the Title IX process. C.W. used her experience to comment on the harmful effects she believes these changes may have on victims of sexual assault.

One of these changes is a redefinition of sexual assault. Under the Obama administration, sexual assault was defined as “unwelcome conduct of a sexual nature” that includes sexual advances, requests for sexual favors as well as other verbal, nonverbal and physical sexual conduct.

Devos’ definition is much narrower, categorizing sexual assault as “unwelcome conduct on the basis of sex that is so severe, pervasive and objectively offensive that it denies a person access to the school’s education program or activity.”

“I think narrowing that definition is really limiting to a lot of people who have experienced unwelcome sexual misconduct,” C.W. said. “You’re being told that your assault isn’t assault.”

Another proposed change would encourage schools investigating an assault to allow accused students to cross-examine their accusers via representatives.

C.W. believes cross-examination is unfair for those who cannot afford to hire an attorney to defend them.

“In my case, we didn’t have the resources to higher an attorney and the person who assaulted me did,” C.W. said.

C.W. explained that her advisor would have been someone she trusted, like a parent, while the other party’s advisor would have been someone who specialized in sexual assault cases.

“I think that sets a precedent for someone with the legal action to write really pointed, accusing questions and for other parties to not have resources to address them,” C.W. said.

C.W. said she did not understand

the involvement of the other party’s attorney until the release of the final report in which the student discovered the other party had submitted a lie detector test as well as had hired a private investigator. C.W. said that all interviews that benefited the accused were done through this private investigator.

“The testimony was twisted by the narrative they wanted to perpetuate,” C.W. said. “Whereas all of my interviews were done with the university officials.”

C.W. referenced the alleged drugging which took place at a fraternity on University Hill in October as an example of when students evade being held accountable by the university.

Of the 13,000 CU students who took the 2015 Sexual Misconduct Survey, 45 percent reported that their assault had occurred at an “off-campus residence in Boulder.” Under DeVos proposal, CU would not be liable for this 45 percent.

After her experience, C.W. said her relationships with others were greatly changed. She explained how the accused, as well as all of his witnesses, were from the same town in which she had grown up.

“Everyone in our community had an opinion,” C.W. said. “I don’t go home anymore because I don’t have people there.”

C.W. said everyone in her town began to take sides on the matter.

“Either they chose a side, or they took an ignorant bystander stance where they’re like ‘we’re just not going to acknowledge that this happened,’” C.W. said. “That was the biggest backlash for me, was I lost friends from home, I lost respect from home.”

For C.W., this personal impact made her decision to stay at CU hard.

“It felt like the university had chosen to protect itself rather than its students,” C.W. said.



Illustration by Shiyue Zhang

What happens after?

Title IX serves as an alternative to civil or criminal lawsuits for survivors seeking safety and justice.

By Lucy Haggard

For a student who’s experienced sexual misconduct, there are a few options, according to Aya Gruber, professor of law at CU. One is a lawsuit, either criminal or civil. A criminal suit relies on state codes, as well as sometimes federal law, that outline certain actions as illegal. In Colorado, these include sexual assault, unlawful sexual contact, sexual assault on a child and statutory rape, as well as interfering with someone’s ability to consent. Criminal lawsuits require either a “beyond a reasonable doubt” or “clear and convincing” burden of proof, or standard for the prosecutor of a case to prove that the defendant is responsible. These two burdens of proof are the strictest possible.

In some misconduct situations, the actions don’t fit what’s outlined in state or federal law. In these cases, someone can file a civil lawsuit to seek compensation or protection for physical and emotional damage caused by the misconduct. The burden of proof for civil suits is lower, usually at “preponderance of evidence.” This can be easier for sexual misconduct cases, as there’s often not enough evidence to convict the perpetrator of a crime outright.

Gruber noted that for many survivors, they don’t actually want punitive justice; they just want to heal and continue their lives with as little extra trauma as possible. Survivors also often downplay the severity of what happened, which is one reason why reporting rates for sexual misconduct are so low.

“Sex crimes carry a stigma,” Gruber said. “If somebody punches you in the face or somebody penetrates a sex organ, people feel different.”

For a student, who likely doesn’t have much time or money at their disposal, pursuing a lawsuit is not a particularly viable option. That’s where Title IX can come in. In theory, a survivor pursuing a Title IX investigation can receive a satisfactory outcome that gives them safety, security and helps them to heal

and continue their education uninhibited. There’s no statute of limitations for a report, so a student could decide multiple years later that they’re ready to go through the investigation process. Students reporting offenses can also choose not to go through with an investigation, but they want the incident on record for one reason or another, in which case the school directs them to resources such as the Office of Victim Assistance. The school may make adjustments in living arrangements or class schedules to accommodate a student’s request.

At CU Boulder, the Title IX equity officers are part of the Office of Institutional Equity and Compliance. Valerie Simons, the campus Title IX Coordinator, said that there’s been a dramatic increase in reports of sexual misconduct since her department was opened, even though it’s still vastly underreported. The 2015 Sexual Misconduct Survey noted that 92 percent of students that experienced sexual assault did not report it to OIEC or police, with the most commonly cited reason being that students “did not think it was serious enough to report.” For the 2017-2018 school year, 243 reports were filed with OIEC. Of those, 124 were “referred to another office,” meaning that no investigation occurred. 11 were determined to have “no basis to proceed,” 7 were “informational only,” 6 had “no limitation on existing authority,” and 5 were pending.

For students that are interested in pursuing an investigation, there are currently two options. They depend both on what the student wants, as well as the available evidence to make a case. These would change with the proposed new rules, though there are similarities between the current and proposed systems.

One option is informal resolution. This happens when a student, referred to as a “complainant,” doesn’t want a full investigation process, or if Title IX officials determine the incident did not rise to

the level of severity and pervasiveness for a formal investigation. In this option, equity officers have a conversation with the alleged offender, referred to as the “respondent,” to make it clear that what they did was not acceptable. There’s currently no mediation between the two students, though the proposed rules say mediation would be allowed. In the 2017-2018 school year, 55 reports underwent informal resolution.

The other option is formal investigation, an adjudicative process. Equity officers gather evidence and testimony from both sides, then decide if the respondent is responsible for the charges brought against them. If they are responsible, then sanctions of some sort are frequently issued. These could include no-contact orders, suspension, or expulsion. In the 2017-2018 school year, 35 reports went through a formal investigation. Of these, 23 respondents were found to have violated policy and received some sort of sanction: 11 were suspended, six expelled, three given educational sanctions, two placed on probation and one referred to the Office of Student Conduct.

If either party of an investigation is unhappy with the outcome, they’re allowed to appeal within that school year. In the 2017-2018 school year, six of the decisions were appealed, with five upheld in entirety. The sixth case’s decision was upheld, but the sanction was reduced from expulsion to suspension.

Information and results from a Title IX investigation



Illustration by Shiyue Zhang

into misconduct can be used for a criminal or civil lawsuit, but only in specific ways. Catrina Weigel, chief of the Boulder County District Attorney’s sexual assault unit, said if a Title IX investigation occurred prior to a student filing charges, an investigator at the DA’s office can get a search warrant for the Title IX documents. However, because reports of any kind, including police reports, are considered hearsay, they can’t be used directly as evidence.

Instead, witnesses have to come in to testify under oath. A Title IX equity officer could be a witness, but they’re only allowed to talk about what they know firsthand. Testimony from either side of the Title IX complaint would have to come directly from those students, not from the equity officer.

There’s also no jurisdiction overlap between civil or criminal suits and Title IX investigations. Weigel said that the two systems just give more options to survivors, as each person will want a different outcome and path to recover.

Title IX also focuses more specifically on sex discrimination, encompassing actions that aren’t covered by state statute. This allows students to still get reprieve from a situation that’s interfering with their lives but isn’t technically illegal. This is also helped by the lower burden of proof in Title IX as opposed to a criminal case.

“We always want to give the power to the victims to decide how things proceed,” Weigel said.

OUR STANCE:

Let's stop sexual assault before it happens.

Let's talk about sex.

Or rather, let's talk about sex openly and honestly, since we're already talking about it in a roundabout way in so many public spheres. Almost every human will do it at some point in their life. For many of them, their first time will occur in high school or at a university. The beginning of one's sexual life, referred to in a positive context as one's "sexual debut," can be exciting for those interested in pursuing this facet of themselves.

Unfortunately, college is also a complicated time to have sex. New students get a whole new set of peers from which to choose partners, but they also become much more vulnerable to sexual assault. Many experts agree that statistics on the incidences of sexual assault are underreported for a variety of reasons; as far as is known, 20 to 25 percent of undergraduate women and 6 percent of undergraduate men will have experienced sexual assault by the time they finish their undergraduate education. Two-thirds of those who commit assault have done it before or will do it again.

CU Boulder is no exception to the campus assault phenomenon. In 2015, the university took the Sexual Misconduct Survey to understand how students have or haven't experienced sexual misconduct. 13,000 students — over a third of those enrolled — participated.

The survey results were even more severe than national estimates.

Over a quarter of undergraduate women, 28 percent, reported experiencing "assaultive behavior and tactics," as well as six percent of undergraduate men, 10 percent of graduate women and two percent of graduate men. On average, 15 percent of the university's student population had experienced sexual misconduct while attending. These statistics do not include incidents prior to attending CU.

The majority of these incidents occurred off-campus, with some occurring in residence halls. Though the survey did not explicitly offer fraternity houses as a possible location, there's a common understanding in the CU community that they are where many assaults happen. Case in point: the infamous nickname for one fraternity nationwide is "Sexual Assault Expected."

This culture affects those who have never directly experienced assault, too. The term "secondary survivor" refers to someone who has a family member, friend or loved one who was assaulted, and thus has a shared trauma with the survivor. Many women say they only go to social events with other women to protect each other from potentially dangerous situations. Some men say they're scared of malicious false accusations from a consensual situation, though these only occur for about two to 10 percent of accusations brought to authorities.

This editorial represents the opinion of the fall 2018 CU Independent staff.

For someone who was recently assaulted, they often have difficulty validating their experience to others.

Rape examinations are available, if applicable to the situation, but they're often caught up in a system that delays the testing and release of results. When there's no physical evidence of an assault, it becomes a game of conflicting stories. Many survivors don't file reports at all, whether out of shame, fear or downplaying the seriousness of the incident. For those that do report, they're often blamed for wearing revealing clothing, being too inebriated for their own good, "looking like they wanted it" and socially engaging with the perpetrator in some way. If the survivor was inebriated, their account is often disputed. None of these are excuses for someone to be assaulted, yet they're often brought up during investigations. Dr. Christine Blasey Ford, who accused then-U.S. Supreme Court nominee Brett Kavanaugh of sexually assaulting her when they were both in high school, was doubted for being drunk at the time and accused of confusing Kavanaugh with someone else.

CU's methods of dealing with sexual assault are not nearly as helpful as they could be.

The initiation of bystander intervention training beginning in the fall of 2009 had good intentions. However, the result has been an event during which most attendees distract themselves with their phones. While the information presented could potentially be helpful to interrupt a dangerous situation, it lacked discussion on how to make situations less dangerous in the first place for those who were in them. Many freshmen report that it barely touches on cases of questionable sexual consent, instead focusing on situations with the potential for alcohol poisoning, how to help people who are physically injured and other non-sexual contexts.

The school allows for survivors to report on record to start an investigation, or to anonymously report, which doesn't open an investigation. Yet it's still a difficult and exhausting system to go through, and justice isn't always achieved. The CU Independent has heard anecdotally from survivors who have gone through CU's disciplinary procedures to try and get justice for what was done to them, but it's immensely difficult to get someone to go on record due to the shame and fear that often comes with being a survivor. (If you'd like to share your story with us, whether anonymously or on the record, please contact us.)

Regardless of the outcome of an investigation, sexual assault can irreversibly impact someone's life. The survivor bears the brunt of the

repercussions, while the perpetrator tends to have little to no consequences, especially if the incident is not reported. Survivors often struggle with mental and physical issues, especially post-traumatic stress disorder, for years afterwards, and have to take the money and time to go through therapy in order to recover.

In the era of the # MeToo movement, with so many accusations coming from events that happened in a university setting, it’s evident that there’s a pattern here.

Four women accused then-U.S. Supreme Court nominee Brett Kavanaugh of sexual assault after he was nominated, and yet he was confirmed to the bench anyways. Former actor Bill Cosby was just sentenced to three to 10 years in prison following accusations of sexual assault by at least 10 women. The conversation has never been more in the public eye. Institutions like CU can make policies to deal with misconduct that’s already happened, but they’re not addressing the fact that misconduct happens in the first place.

We haven’t even discussed the experiences of the LGBTQ+ community, or communities of color, in dealing with sexual assault. Both communities disproportionately experience violence more than

heterosexual or white communities. About 65 percent of transgender people experience sexual violence. Women of color and immigrants are at a significantly increased risk of being assaulted than white women, with variations depending on ethnicity.

Let’s start to change all of this, going back to the source of the issue, with one simple concept: consent.

To use affirmative consent, also known as “yes means yes” rather than the previous “no means no model,” ask if someone wants to do something. If they say yes — enthusiastically, in an uninhibited state of mind, informed of the context of the situation, without coercion or manipulation — then you have their consent. If they say no, waver, don’t answer the question, are incapable of responding or otherwise indicate anything less than 100 percent interest, DON’T DO IT. Don’t try and force the person to do it, persuade them that they want to do it or threaten them into doing it.

A big part of this is never assuming that someone’s “into it.” Many assaults are committed by repeat offenders, but there are occasionally times when it’s a situation of miscommunication. This doesn’t dismiss the impact of the situation for those that feel violated, but the situation can be avoided with affirmative consent.

Consent in a sexual context focuses on the activity

itself, of course, but it also includes the surrounding situation. The people who are sexually involved have the right to know what, if any, birth control method their partner is going to be using. People have the right to know their partners’ STI status. They should know if their partner(s) is/are on any substances that could affect their ability to communicate or make decisions.

All of these factors allow for someone to decide whether or not they want to begin engaging in a sexual situation with another person in the first place. Do they consent to the birth control method, and its risks, or lack thereof? If someone has tested positive for an STI, what method will be used to minimize the risk of other parties from contracting it? Are all parties aware of the state of mind that everyone else is in, and is everyone sure that everyone else is capable of making decisions?

It seems childish to go step-by-step through what affirmative consent is, yet it’s still not being applied to sexual situations by college students. So much has changed since the 1980s, during which Ford alleged that Kavanaugh assaulted her, and yet college students are still using the same models to have sex. Part of that is entrenched social differences in how genders communicate, while another part comes from the previous “no means no” model, which allowed sexual advances until someone said no. This new “yes means yes” model, in contrast, emphasizes that someone’s silence or lack of resistance does not inherently mean that they consent to what’s happening.

This is where the conversation starts.

We, the editorial staff of the CU Independent, are intent on understanding the many complexities of sexual assault on college campuses. It’s apparent that the general acceptance of sexual assault as inevitable is only the tip of the iceberg. If we can start to challenge that notion, then maybe we can address sexual assault once and for all. Consent is just one facet of this complex issue — there must be change on an institutional and societal level — but it’s an important one nonetheless.

Every 98 seconds, someone is assaulted in the U.S. So many of those occur in college communities, with many in the first few weeks of classes. It’s on all of us — the university, the Greek community, the drinking culture, our maturing generation — to redefine how we think about sex, because no one else is going to do it. The recent re-examination of our society’s relationship with sex should not make us scared to engage in it. In fact, it should make us more eager to change it! We can have more intentional, enthusiastic, healthy sex if we commit to rewriting the script on how to do it.

So let’s talk about sex, for real this time.

*Signed,
The Fall 2018 CU Independent Editorial Staff*

If you or someone you know has been sexually assaulted, there are resources available. The CU Independent does not endorse any of these services specifically.

*On campus:
Counseling and Psychiatric Services (students receive six free sessions a year): (303)492-2277
Office of Victim Assistance (confidential, no requirement to file a report): (303)492-8855
Office of Institutional Equity and Compliance (for filing a complaint to CU Boulder): (303)492-2127*

*Off campus:
Moving to End Sexual Assault (victim advocacy, support groups, bilingual services): (303)443-0400
Colorado Crisis Services (24/7 confidential hotline, multilingual services): 1(844)493-8255 or text “TALK” to 38255
Safehouse Progressive Alliance for Nonviolence (focused on intimate partner and domestic violence): (303)444-2424*

We always want to tell the stories of fellow students. If you want to share yours, email tips@cuindependent.com.

PERSPECTIVE

Why women don't "just leave"

Photo by Robin Fox

By Lauren Arnold

I originally wrote this article in a heat of anger. It was supposed to be a reaction to the Aziz Ansari sexual misconduct incident, but I chose not to publish that version because I didn't think what I had to say mattered all that much. I didn't think that it would help at all, or that it would be worth any discomfort I might feel about having these words online for anyone to read or scrutinize.

But if I could help even one person understand the meaning of consent and why it is important, or to realize that they don't have to downplay an unwanted sexual encounter to just a "bad night," then I think it's worth it.

Several months ago, I read two sets of words that I never thought I'd see together: "Aziz Ansari" and "sexual misconduct." I thought, "Not Aziz, Aziz is our guy. Aziz would never." I read the article written in Vanity Fair and initially thought, "I don't know, what he did doesn't seem that bad." And then I kept reading.

It wasn't until I read the text message the woman had sent him that I believed something was wrong with the situation: "Last night might've been fun for you, but it wasn't for me. When we got back to your place, you ignored clear non-verbal cues; you kept going with advances. You had to have noticed I was uncomfortable."

Then something felt deeply wrong to me. The situation. The article. My initial reaction.

So I went searching.

Immediately, I found an article on Babe that told the full story from the victim's perspective. Grace (the name Babe gave the victim to protect her identity) recounted the night in detail — how Ansari was so eager to make sexual advances; how she was verbally and non-verbally hesitant, how she was ignored, how she then said the word "no" and how she was ignored again. In her experience, I recalled the night my best friend was ignored.

I remember her coming back from watching a movie with a man from class.

I remember he tried to kiss her, and she pushed him away.

I remember he tried unhooking her bra, and she joked with him to stop. I remember he kept trying.

She said, "let's just watch the movie." Like Ansari, he ignored her. This continued for an hour until she finally gathered the strength to leave. I also remember how our other friends and I asked her, "why didn't you just leave in the first place?"

Why didn't you just leave.

Something else I remember? I remember it happening to me and thinking to myself: "You're already at his house. You already let him kiss you. You can't just leave." And after everything he wanted to happen happened — after I finally did leave — I felt the same deep wrongness I would later feel when reading that article. But I thought that surely he had done nothing wrong because I had stayed.

I went over it in my mind and told myself he couldn't have known I was uncomfortable. That I sent mixed signals. I told myself nothing was really wrong with that night — I was just being sensitive. But I remember also how uncomfortable I was. I remember jokingly telling him to stop at first, then giving reasons as to why we couldn't have sex. I remember him escalating things despite many signs that it was unwanted. And then I remember saying "no." Several times. And him bargaining with me, until I finally gave in.

I remember getting that same "I had fun last night" text as Grace and my friend both did.

And at the time, I rationalized to myself that nothing too bad had happened, so it didn't matter. I was not as brave as Grace — I did not tell the man what he had done wrong.

I was embarrassed and ashamed.

And I remember feeling like the only thing I was good for was sex. I thought that's all that the men who talked to me were interested in. And in feeling that way, I felt like what happened between him and me was normal — that this was just how dating worked. I felt that if I really was just an object for sex

in the eyes of men, then I couldn't change it. So I saw him again. And my friend stayed friends with the man who ignored her.

People have asked me why I went back, and it's because I really did feel worthless and really did want to believe that nothing was wrong. People who have been sexually assaulted, coerced or pressured may stay in relationships with the perpetrator. This does not excuse the act.

I must make very clear that these personal instances I've talked about may not be rape. However, these instances are not just "bad sex."

I am ashamed I didn't believe Grace.

I am ashamed I blamed my friend.

I am ashamed I blamed myself.

The problem is not only that many men, if not most, see nothing wrong with Ansari's actions — it's also that women and others don't either.

We have all been conditioned to believe that straight men are supposed to aggressively pursue women. If women are resistant, it's because they're playing "hard to get." We're a society that trains men to be disgustingly persistent and even views it as attractive.

We're a society that trains women to coddle men's egos. We don't want to embarrass ourselves or them by declining their advances. We're taught that men "only want one thing."

We also may start to truly believe that we're only good for it. We are taught to automatically call victims "accusers" despite false accusations only accounting for 2 to 10 percent of all reports.

Women are beaten, brutalized, raped and murdered, because they've said "no."

Women are not believed. Offenders are coddled, while victims are silenced and their words softened when their story is retold.

And on top of it all, men who commit sexual assault are confirmed to the highest positions of power in our justice system with life tenure.

And we wonder why she didn't just leave.

Turning Point USA is emblematic of bigotry in the GOP

By Jay Ghosh

As a former Republican turned Independent, I am deeply saddened by what I've witnessed at the CU Boulder chapter of Turning Point USA.

Turning Point USA claims to champion individual rights and support fiscal conservatism. In reality, though, the issues they focus on are social in nature and are deeply critical of liberal culture without much academic basis. In many ways, Turning Point USA represents the Republican Party under Trump.

Both have become bigoted, anti-intellectual and nationalist, paying no heed to logical or rational debate, instead valuing pathos to influence and grow their membership. They are truly a basket of deplorables.

One of the reasons I was first attracted to the GOP was because they used to be the party of family values and morality. However, since Trump, if someone now talks to me about "family values" and the "Party of Lincoln," I will begin to laugh. Today's Republican party has a critically deep lack of empathy, compassion and comity.

On Oct. 3, before the Campus Clash event with Charlie Kirk, TPUSA founder, and Candace Owens, a conservative commentator, Kirk and CU's TPUSA club gathered outside of the University Memorial Center. Kirk stood debating two protesters

holding up cardboard signs that advocated for believing survivors of sexual assault.

The protesters, whom I was led to believe are survivors of sexual assault themselves, argued that Kavanaugh is guilty until proven innocent while Kirk defended Kavanaugh on the basis of innocent until proven guilty.

Kirk's argument was clearly stronger, but the manner in which he went about espousing his views was in incredibly poor taste. He yelled, screamed, belittled and berated these survivors of sexual assault. At one point, he shouted in their faces, "I am sympathetic towards rape victims. Rapists should be imprisoned, castrated and executed!" Another sexual assault survivor came up and began to debate him, and Kirk's nastiness continued. He even stopped to ask what her IQ was.

Kirk's hyper-aggression displayed an appalling lack of sensitivity towards individuals who have endured and survived sexual assault. Yes, Kavanaugh deserved due process, but so did Christine Blasey Ford. This lack of sympathy and open-mindedness was well-displayed throughout his speech later that evening.

In the current political climate, there is no room for fiscal conservatives or civilized debate about policy. It's a climate of trying to obtain political victories at any cost, purely for the sake of power in and of itself.

For example, wanting to approve U.S. Supreme Court justices who have similar beliefs to you is all fine and well, except for when you hope an existing one dies to ensure that. At one point, Owens suggested that it would be ironic "if Ruth Ginsberg croaked," which felt very in line with the meetings of CU Boulder's TPUSA chapter that I attended.

The conservative movement, exemplified perfectly by TPUSA, has become a cesspool of bigotry. Ashley Mayer, president of CU Boulder's TPUSA chapter, did not respond to multiple requests for comment on this story.

The first TPUSA meeting I attended, on Sept. 26, began uncomfortably with one member's "Dark Jokes of the Week." One was about how orphans were trying to make a website but couldn't find a homepage.

What followed was a pro-Kavanaugh discussion and U.S. history-themed Kahoot game. Some of the Kahoot names included: Michael Obama, HerEmails, Nazi_Jack, JihadMeAtHello, #metoo and WallBuilder69. One of the questions dealt with how Reagan was the first president ever to appoint a woman to the U.S. Supreme Court, to which someone remarked, "HA! Take that, feminists!" After some more questions, the game began to poll the opinion of the room.

A very small minority of the

room, approximately five people, thought that Kavanaugh's confirmation should be delayed. One person claimed that Kavanaugh thinks the president is immune to prosecution. Someone responded by saying, "Yep, nobody is above the law, not even Trump." Another member started to say "Weelllll...", as another loudly muttered about how the Clintons have killed and raped people, without any refutations.

The next meeting I attended, on Oct. 24, was indicative of the anti-intellectualism and blatant racism of the new Republican party.

We played a game where we divided into groups and were instructed to take a topic without context, nuance or specifications, just to make a more persuasive argument about it.

One of the topics was "climate change." I was pleasantly surprised when both groups argued that climate change was real, though I was disheartened upon hearing Mayer say, "Oh you're saying climate change is a thing, and maybe that's why your argument sucks."

Eventually my group got to decide the final topic. We chose the killing of Jamal Khashoggi by the Saudi government, to which Mayer responded, "I don't know what Khashoggi is." I was shocked that a person in charge of a political organization did not know about the top news story during that time.

When it came time to vote on who had the stronger narrative, instead of raising a blue or yellow paper as our ballots, my group

elected to raise a white piece of paper instead as a protest vote.

When we raised our white papers, from the other side of the room, a man yelled, "Oh yes, I love you guys!" He began chants of "White lives matter!" saying that we had "white pride over there."

Neither Mayer, nor anyone else, confronted this person or refuted his statement in any way.



Photo by Robin Fox

The next Turning Point meeting, on Nov. 7, discussed the results of the midterm election. Towards the end of that meeting, the same person who made the "Dark Jokes of the Week" stated, "I'm probably going to get slammed for this, but if there was a bunch of countries all run by women and they all had a problem, they wouldn't talk to each other."

Turning Point USA should not be held accountable for the words of only some of its members. However, it is the responsibility of

Mayer to moderate the discussion to weed out the reprehensible comments that some of the members of her organization have made.

It is incredibly important for conservatives to have groups and representation on college campuses. However, if conservatives want to avoid the stereotype of being racist, sexist, uneducated, bigoted, etc., then they need to moderate their discussions and members, as making racist and sexist remarks is not a good formula for growth. In the wise words of John McCain, these are "people who would rather find scapegoats than solve problems."

Ultimately, if the Turning Point USA Chapter at CU Boulder wanted to avoid that caricature, they failed. It appeared to simply be an in-person meeting of the white nationalist Reddit page, r/The_Donald. TPUSA should try to have more nuance, not noise, in discussions around the issues, to avoid the sort of ideological bubble that it is.

As a former Republican who is now an Independent, it disgusts me to witness the current state of the conservative movement. People used to be able to be friends with members of the opposite party and have reasonable differences of opinion on policy, yet still respect one another. Now, the crux of the issues between Democrats and Republicans have so fundamentally — possibly irreversibly — changed. It's no longer a question of right or left, it's a question of right or wrong.

Ponte Las Pilas: Coping with the effects of deportation

By Jenny Tello

“It won’t happen to my family.” That’s what I’d always tell myself when I’d watch the news and see families being torn apart by deportation. The mother would usually be interviewed crying, begging not to be separated from her young children.

A gut-wrenching pain would boil up inside me, but I always reminded myself: “It’s not going to happen to me.”

In middle school, a boy came to school crying because both of his parents had been deported. I watched his friends try to comfort him, too young to really know how. The predominantly white teachers weren’t much help either. Though we weren’t close, he was the first person I knew whose family was ripped apart by deportation. Once again I assured myself that he had just been unlucky.

“It’s not going to happen to me.”

A few years ago, I got word about the girl who lived two houses down from us, the neighborhood best friend of my younger sisters. Her dad had been deported too.

It never occurred to me how common it was for families to be separated. Was I just playing a waiting game of how soon it would be until it was my family’s turn?

“It’s not going to happen to me.” I was walking to my dorm on

a snowy February night when I received a call from my mom delivering the heartbreaking news. After the phone call, I sat on the snow-covered grass and cried alone on the empty campus as the snow began to fall harder.

My memory of the phone call is a little hazy, as I was overwhelmed with emotions that night. What I do remember was my mom telling me that she was going to pick me up the next morning so I could say goodbye. That was all I had. One day. And then just like that, my uncle was gone.

The following days, I tried acting as if nothing was wrong. I went about my day as if nothing happened, trying to convince myself out of what had just occurred.

For a while I felt alone, like no one could understand what I was feeling, like I was the only one. But I’m not alone. And, if this something that has happened to you too, know that you are not alone either.

It can be hard to talk about going through this experience on a campus like CU Boulder. The predominantly white culture makes it difficult to find support with such issues. No one can prepare you for the deportation of a family member, but there are ways to cope with it and make the process easier.

These steps are a collection of ways I coped, ways I wished I used

to cope, and how you can cope as well when a family member has been deported.

1. Remember that it’s okay to get angry.

It’s okay to feel angry and hate our country and the state it’s in. It’s okay to feel hatred towards other people who will never know what it’s like to feel this way. And it’s okay to envy them at the same time. Let your anger and frustration be known, but only hold on to this feeling temporarily.

I allowed myself to release toxic feelings that spurred in the moment. My anger was the silent type. The kind where I held imaginary arguments in my head and was able to lash out only in front of myself. I decided that staying angry wasn’t going to help me feel any better and that it was time to stop having fake conversations in my head and actually talk to someone about the way I was feeling.

2. Talk to someone about it, even if they might not understand what you’re going through.

The best way to feel better about something is to talk about it with someone you trust. A friend, family member, therapist, or even your pet can make a great listener when no one else is around. What’s important is to let yourself be completely vulnerable to the other person and express your feelings without censorship.

When you speak, listen to

yourself. Think about what you would tell someone if they were going through the same thing. Don’t expect the other person to understand fully what you are going through; chances are they probably don’t, but don’t let this discourage you from confiding in them.

One of the very first people I opened up to was my upper-class white roommate; someone who would never face this experience, but listened attentively anyways. But what about the feelings I wanted to express but didn’t want to share with anyone? For a more private way of expressing myself, I found that journaling is one way I could express the way I was feeling for no one to see.

3. Find a creative outlet.

Whether it be writing, drawing, blogging, crafting, dancing or singing, find a way to express your emotions. Opening up to other people is equally important as opening up to yourself. Use this as a chance to show your creative side, and express thoughts you might not share with someone else.

The easiest thing for me to do was open up a notebook and write down whatever I was thinking about in that moment. I would doodle or make a list of things to accomplish that day. I’d jot down movies I was interested in seeing, books I wanted to read. Or write down quotes or conversation I’d heard before. A good way to distract myself was to get anything on my mind down on paper. From a young age, I’ve always known



Illustration by Shiyue Zhang

that writing makes me feel better, but another creative outlet I have recently found is putting together my outfits for the week. I like mixing and matching my clothing to create new looks, and looking good makes me feel good.

4. Find a support group.

Surround yourself with other Latinx CU students, or other students from your country or culture who have gone through it as well. Don’t be afraid of not finding anyone, because it does occur more often than you think.

Let them share their story with you and share yours back. Call, text, or meet up with them over coffee. Pick a way you are most comfortable with meeting up. Hard experiences are easier to go through when you can relate to someone who’s gone through it as well.

This is a step I wish I would have taken. I think the hurting wouldn’t have lasted as long as it did if I could have found a support group. What helped me get through it was knowing that the hurt was only temporary.

5. Know that you will be reconnected with your loved one.

Having a family member deported does not mean you will never see them again. It may be more difficult to visit them depending on your personal situation, but it won’t be impossible. The best thing you can do is stay optimistic and look forward to reconnecting with your loved one.

I had to constantly remind myself that our goodbye was not forever. Getting better meant knowing that soon I would be able to visit, and then suddenly I didn’t feel as helpless as I did before. The final step of my healing process was acknowledging the light at the end of the tunnel where we would be reconnected.

When dealing with the effects of deportation, the most important thing to know is that you are not alone. When it seems as if the world is against you, take a deep breath and circle back through these five steps again.

Of course, everyone’s healing process will be different. These are just steps that helped me get through it. Go ahead and try any of these and if you find a different method, try that too. I find myself occasionally getting caught in slumps. When this happens, I remind myself of the ways that help me take care of myself.

Deportation is a heartbreaking experience for everyone. The best thing CU students can do is stand shoulder to shoulder during these times of crisis.

GAME TIME

Georgia's Mel Tucker is Buffs' new head football coach

By Scott MacDonald

The Colorado Buffaloes have found their new fearless leader.

University Chancellor Philip DiStefano and athletic director Rick George held a press in late Nov. at the Champions Center on campus to formally introduce Mel Tucker — who has spent the last three seasons as the defensive coordinator for the Georgia Bulldogs — as the Buffaloes' head coach.

“First and foremost, I’m honored, privileged and proud to be here,” Tucker said. “I’ve waited for this opportunity for my entire career.”

Tucker now becomes the 26th head coach in Buffaloes program history.

“It’s a great day for Colorado,” George said in his opening remarks before introducing Tucker. “It’s a great day in our history because we get to introduce the 26th head football coach of this great institution. I said to you all two-and-a-half weeks ago that I thought this is the best job in America – I still believe that today. But what’s most important is I think we hired the best coach in America and I’m really excited about that ... we hired the very best coach that we could for CU.”

Though Tucker stands to be the 26th head coach in Buffaloes program history, it is George’s first football coach he’s appointed in his six-year tenure as athletic director.

“He’s a perfect fit for our program,” George added. “I’m excited about his ability to lead this program to greatness in the days, weeks, months and years to come.”

The 46-year-old brings a wealth of experience to CU’s struggling program. If people truly are products of environment, then the Buffs snagged a pretty good one by signing Tucker, who has spent some time in very prestigious football environments and has studied under some of the game’s brightest minds.

“When I met with Rick [George], there was no doubt in my mind that this was the right fit, the right opportunity, the right time to make a move to become a head coach,” Tucker said. “To go to a place where I know we should win, go to a place where I know we have support, go to a place where I know the expectations are high...we’re in this to be the very best we can be and that’s going to be our goal every single day.”

CU’s Board of Regents approved Tucker’s contract on Dec. 12, offering him a \$14.75 million salary over the next five seasons, bonuses not included. Tucker’s new home here in Colorado marks the 10th coaching destination of his 20-year career.

“I had the chance to talk with coach Tucker earlier this week and realized we have some things in common...we share a passion for the success of our student athletes,” DiStefano said. “I’m pleased to welcome him to our Buff family.”

Though the Buffs have endured some tough times in the last decade or so, this changing of the guard feels like a huge leap for the program and the athletes who will play for the new coach.

“A successful football program benefits the entire university,” DiStefano continued. “With the proven leadership of coach Tucker, we look forward to getting back to consistent winning seasons and major bowl appearances.”

He got his coaching start shortly after graduating from the University of Wisconsin, where he played and lettered all four years as a defensive back and helped the Badgers capture the 1993 Rose Bowl. In 1997, the then-recent grad snagged a job as a graduate assistant at Michigan State, where he served as an understudy to head coach Nick Saban, who many consider to be the greatest college football coach of all time.

That wasn’t his only stint with Saban, however. Tucker followed his teacher to LSU to serve as his defensive backs coach in 2000. The two met again in Alabama in 2015, where he helped win a national championship as the assistant head coach/defensive backs coach.

Saban, head coach of the Alabama Crimson Tide since 2007, praised Tucker.

“I think he will do an outstanding job as the head coach of the Colorado Buffaloes,” Saban said. “They are getting a guy with a great personality, who knows college football, works hard each and every day, and does it with a tremendous amount of enthusiasm and positive energy.”

Between when Tucker began coaching in 1997 and today, he also coached at Miami University, helped Ohio State to a national championship berth in 2002 and spent a few years in the National Football League.

In 2005, Tucker served as the defensive back coach with the Cleveland Browns and earned a promotion to the team’s defensive coordinator in 2008 before leaving for the Jacksonville Jaguars, where he was the defensive coordinator from 2009-11. After the Jaguars fired their head coach, Tucker served as the interim head coach for five games of the 2011 season. He led the Jags to a 2-3 record in what was the only head coaching experience of his career.

He stayed with Jacksonville as the team’s assistant head coach/defensive coordinator before leaving for the Chicago Bears to serve the same role from 2013-14. In ’15, Tucker captured the national championship with coach Saban and Alabama before leaving for his most recent coaching gig with the University of Georgia.

Tucker is leaving a Georgia team that has been one of the best in college football since he’s been there.

Last season, just his second year with the Bulldogs, Tucker’s defense was the sixth-best in the nation in both points and yards allowed en route to his team, finishing with an impressive 13-2 record and a national championship berth.

Georgia ultimately lost to Tucker’s former Alabama team in the championship game, 26-23 in overtime.

This season, Tucker’s defense ranked 13th in yards allowed and 15th in points allowed while finishing 11-2 and No. 5 in the nation.

He was known for being a major face of Georgia’s recruiting operation; 247Sports.com ranked him as the No. 14 recruiter in the nation, based on the strength of Georgia’s 2018 class of recruits.

Tucker brings a wealth of experience to Boulder and should serve as a very good hire in the eyes of Buffs’ admirers, pundits and players — both on the team now and for future recruiting.

“Obviously the expectations are high...we’re here to win championships,” Tucker said. “If there’s one thing I can tell you, there’s no one on this planet that can put more pressure on me than I can put on myself. The expectations that I have for this university and this program are extremely high. We’re going to start working today to get this thing going in the direction that it needs to go.”

Indeed the work starts today, and Tucker will need every single day of the offseason to put together the winning program.

The Buffs open the season against Colorado State on Aug. 30, 2019, giving Tucker and his soon-to-be-assembled coaching staff a little over eight months to prepare for the season. With a new, proven captain steering the ship, the time is now for the Buffaloes program to show the nation they are among college football’s elite.

CULTURED

CU's production of "Hecuba" aptly delivers mesmerizing movements

By Alyssa Branch

The world debut of Diane Rayor's translation of *Hecuba* proves to be an elegant display of agony and retribution through the powerful voices and exquisite movements of the CU Theatre and Dance Department.

Hecuba is the story of a mother's unbearable tragedy and loss, a woman of ultimate power brought down to the depths of slavery while enduring the murder of her children.

"*Hecuba* is an examination of the psychology of the powerful and the powerless in time of conflict," said the director's notes. "*Hecuba*'s world, not so unlike today, is unstable and characterized by sudden changes and violence."

The Greek tragedy was written by Euripides circa 424 B.C., taking place after the fall of Troy while the Greeks still occupied the city. *Hecuba*, once queen of the fallen city, lost her husband and many of her children during the Trojan War. It is the loss of her daughter, Polyxena, and son, Polydorus, that finally drives her to the edge — the catalyst of her transformation from victim to vindicator.

Hecuba's arc isn't an easy one to view, but the individual feelings taken away from the performance reflect on the emotions and process we as individuals go through when faced with trauma.

As *Hecuba* seeks revenge, her murderous streak begins to seem just. Despite the cruel killing of innocents, it isn't difficult to sit back, watch and even side with her and the decisions she makes as the play goes on. *Hecuba* is a very bleak, disheartening experience, yet it is a tremendous and significantly dramatized depiction of what it feels like to be wronged.

Elena Sayeedi portrays *Hecuba* magnificently, donning a still mask and blacked out eyes. She uses her exposed mouth and hands to create narrative body language that almost eliminates the need for words. Aziza Gharib, Ashley Munson and Sean Guderian are just a few of the supporting actors that help construct the framework for *Hecuba*'s tragedy. Alongside Sayeedi, Gharib notably has one of the most powerful voices of the performance and can eloquently carry her voice from shaking wails to flowing harmonies.

The chorus surrounds *Hecuba* with a concerned and caring tone, always laying a hand on one another as they create the atmosphere of the show. The masks of the chorus are the most interpretable. With worried looks transforming to vengefulness, the Trojan women of the chorus echo the emotions of the constantly weeping *Hecuba*.

Jonathan Becker, this year's Roe Green theatre artist in residence,

created original masks for each of the characters in the show. The masks cover all but the mouth of each cast member. With body language and the tones of the moment, the mask is able to seem worried, sad, afraid or vengeful, despite being molded still to the actors' faces.

The CU Theater and Dance Department's adaptation of the play incorporates original art and music that adds elegant details to this already admirable drama. The set was rather simple but thoughtfully put together, with hanging sheets able to represent many settings from the ocean to a tent. Although the use of props were minimal and the costumes were practically rags, the scenes felt full and extravagant due to the mesmerizing movements and voices.

Jesse Manno, music director of the CU Dance Program, created original music for the CU performance of *Hecuba*. Using a lute and recorder among other various instruments, Manno and Egemen Kesikli establish a melancholic, tranquil ambience for the production. The score is subtle, yet flows through the tone of the show, emerging as situations tense. Some moments call for silence, but the transitions back into the music are delicate and rather alluring.

Violinist Chloé Trevor performs mashup of "Four Seasons"

By Isabella Fincher

Chloé Trevor, an esteemed violinist, appeared with the Boulder Chamber Orchestra in a mashup of Antonio Vivaldi's and Astor Piazzolla's "The Four Seasons" on Dec. 1 at the Boulder Seventh-Day Adventist Church.

Led by charismatic conductor Bahman Saleh, the Boulder Chamber Orchestra opened the concert with the 1877 Suite for String Orchestra by Leoš Janáček, a Czech composer.

The suite began with a dark, dramatic melody. Followed by a playfully plucked line on the double basses, the melody on the violins soon became light and airy. The composition was graceful and self-assured, yet it sometimes lacked musical depth. Although beautiful, the piece was mostly predictable, with few unforeseen moments.

Trevor, an acclaimed virtuoso violinist, was featured in the second half of the program. At 31, Trevor has already created an impressive international career. She has performed as a soloist with orchestras around the world, from the Hong Kong Sinfonietta to the Latvian Chamber Orchestra to Brazil's San Paolo Symphony Orchestra.

Trevor began studying violin with her mother, a Dallas Symphony violinist, at the age of 2. A child prodigy, she first began appearing with orchestras in

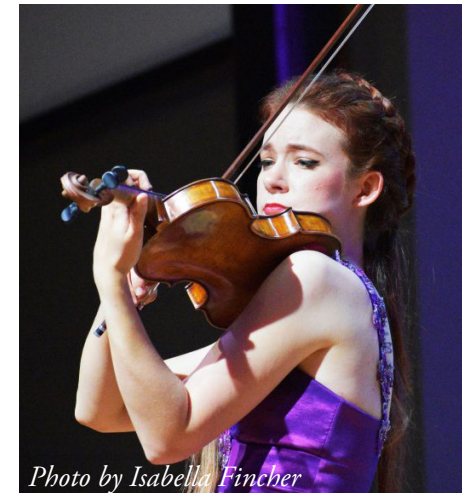


Photo by Isabella Fincher

2000 when she was only 13 years old. She won the grand prize in two renowned competitions, the Lynn Harrell Competition and the Lennox International Competition, while still a teenager.

A 21st-century musical entrepreneur, she has created her own summer music academy for young musicians and has a significant following on social media, including 159,000 followers on Instagram, a large fan base for a classical musician.

The buzz about Trevor is justified. Trevor is an animated, expressive player, at ease in the spotlight and able to draw a multitude of contrasting colors from her 18th-century violin.

In the mash-up, Trevor and the Boulder Chamber Orchestra juxtaposed Vivaldi's "The Four Seasons" with Piazzolla's homage to the former work, "The Four Seasons of Buenos Aires." Written nearly 250 years after Vivaldi's

classic work, Piazzolla's tangos illuminate the vivacious, dynamic culture of Argentina's capital city during the year. The mashup traveled through the four seasons, with one season from Vivaldi and then one season from Piazzolla. Although not a true "mashup" in the contemporary context, the combination allowed the audience to see how more than two centuries had completely transformed the face of the composition.

The quintessential, instantly recognizable spring melody by Vivaldi began the mashup, with Trevor's wonderful vibrato producing a lyrical, deep melodic line alongside the orchestra and the harpsichord. Next to the predictable harmonies and reserve of the 18th century, Piazzolla's work was eccentric and even shocking to hear. Trevor percussively scratched the strings with her bow, her violin squealing at the high points before melting down in a cool glissando, switching instantaneously between a harsh metallic and a velvety seductive tone.

Following a standing ovation and rapturous applause, Trevor played "Scherzo" by Fritz Kreisler. With great elan, she played the fast, fiery piece, her fingers and bow whirring across the strings. When her bow flew off the strings, she quickly bowed and left the stage, the last brilliant notes still ringing in the hushed hall.



Come see us in UMC 1B80 or email jane3083@colorado.edu
for information on how to get involved

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