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1. NEW NCHERM WEBSITE LIVE

Welcome to the new and vastly improved www.ncher.org –we have been working diligently for six months to redesign our website. In the process of trying to make the content more accessible, we found a talented web designer whose look for the site is as exciting as our updated content. The site features our new logo, and much clearer navigation of our new and expanded content. The free articles and whitepapers list has been expanded, and our range of books and videos for sale is improved. Most importantly, we have for the first time created an extensive "menu" describing the consulting services of NCHERM. It is comprehensive, and we hope you will find topics on the list that will be of use on your campus this year.

2. FALL 2004 SCHEDULE

While it is very early to be sharing fall bookings, I know many of you are interested to know if I am going to be in your area, so here is what Fall 2004 looks like so far. This is very preliminary, and we are filling dates every day. Let us know if you want to get a visit to your campus on our calendar.

June 9th,	NCSS Audioconference
June 10	Rowan University
June 17/18	SUNY JA conference
July 14	Adelphi University (tentative)
July 19	Adelphi University (tentative)
August 3	NCSS Audioconference
August 9	University of Oklahoma Conference
August 13	Warren Wilson College
August 18	Warren Wilson College
August 22	University of Charleston (WV)
August 23	Aurora University (IL)
August 25	Tulane University/Newcomb College

August 27	Loras College
August 28	John Carroll University
August 30	University of San Diego
Sept. 4	Bentley College, Hanover College
Sept. 8/9	Loras College
Sept. 14	Univ. of Louisiana, Monroe (tentative)
Sept. 21	Montclair University
Sept. 26	Clarke College (IA)
Sept. 27	Ball State University (tentative)
Sept. 28	Purdue University
Sept. 29/30	University of Dayton (tentative)
Oct. 4/5	Williams College
Oct. 4	University of Mass. Amherst (tentative)
Oct. 8	Philadelphia Comm. College Seminar
Oct. 12	Georgia State University
Oct. 13	Ohio University
Oct. 18	Caldwell College
Oct. 20/21	National Conference on Sexual Assault
Oct. 29	Concordia University, Irvine Seminar

3. NCHERM IS PLEASED TO BRING YOU THE SERVICES OF DR. ALAN BERKOWITZ, Ph.D.

NCHERM has developed a unique collaboration with Dr. Alan Berkowitz for seminars on campus culture change in 2004. Alan's name may be familiar to many of you for his work in sexual assault prevention, drug prevention, social norms and diversity. We have now created a relationship so that NCHERM can bring you Alan's individually tailored consultations, student lectures and trainings that enhance well-being, promote social justice, and increase program effectiveness. As you know, it is rare for NCHERM to endorse an independent consultant, but Alan is a rare professional, and we are honored to be able to collaborate with him. I have personally enjoyed presenting with Alan, and our seminar collaboration will continue as well. We both have clear ideas for helping colleges to strategize effective culture change, but we come at it from different perspectives. We've found that those perspectives balance and complement each other. Because of the success of these programs we have created a joint consulting package that can bring us to your campus as a team, in addition to the

option of bringing either of us to campus individually. I am including below a short glimpse of Alan's CV, and I encourage you to visit www.nchem.org to read more about Alan, his range of student programs and consulting workshops, and the collaborative programs we are offering together. While I know you are used to getting a free article from me at the end of each of these newsletters, we have chosen to feature a recent article by Alan in this one. We hope it is of use to you. Please contact Cori or me with any inquiries about bringing Alan to your campus.

Alan Berkowitz is an independent consultant who helps colleges, universities, public health agencies and communities design programs that address health and social justice issues. His expert opinion is frequently sought after by the federal government and professional organizations, and he is well-known for scholarship and innovative programs which address issues of substance abuse, sexual assault, gender, and diversity. He is the Editor and founder of *The Report on Social Norms*.

Dr. Berkowitz has over twenty years of experience in higher education as a trainer, psychologist, faculty member, and Counseling Center Director. At Hobart and William Smith Colleges he developed a model rape prevention program for men, was co-director of the college's highly regarded Men and Masculinity Program, and chaired the Prejudice Reduction Task Force. More recently, he has been a central figure in the development of Social Norms Theory and is a leader in research and implementation of the model.

His lecture and workshop topics include: changing campus culture, effective drug and sexual assault prevention strategies, reducing prejudice on campus, racial identity theory, multicultural issues in the classroom, alcohol and sexual assault, men's responsibility for preventing sexual assault, developing alliances across differences, and understanding today's students. His workshops are designed to increase the personal and professional effectiveness of faculty, staff, student leaders, athletes and coaches, health professionals, and community members.

4. FALL 2004 JUDICIAL TRAINING VIDEOSMINAR

Some of you may recall that NCHERM broadcast judicial training seminars via satellite to college campuses all around the country in 2000 and 2001. While our regional judicial trainings have been popular and will continue, many of you have requested that we host another national broadcast event. So, consider this your advance notice that NCHERM will broadcast a judicial training seminar in September 2004 from the University of Dayton campus. We have yet to finalize the week of the 20th or the 27th as the final date, but it will be either the 22nd/23rd or the 29th/30th. Your feedback is welcome on whether a one-day or two-day event is better for you. One idea is to provide several segments that you can tune into and tape as you wish, including basic competencies, intermediate training, best practices, risk management training competencies, and sexual misconduct. In addition to me, look for a slate of well-known and experienced trainers to join me in training a live board while you participate and submit questions via fax and e-mail for interaction with remote sites around the country.

5. NCHERM MOVING TO BIGGER DIGS!

We've outgrown our office (outgrew it last year, in fact). So, we're excited to announce that larger office space is around the corner, about fifteen minutes from our current HQ outside of Philadelphia. Our phone numbers will remain the same, but we will be taking on a new address. After July 16th, 2004, please correspond with us at:

NCHERM
20 Callery Way
Willistown, PA 19355

6. UPDATE ON THE NCHERM "SPECIAL COUNSEL" PROGRAM

We're immensely proud of this program that offers colleges the ability to put NCHERM on annual retainer for student conduct, discrimination and student health and safety issues. While I expected a slow start, in its first year the program has grown to include seven colleges so far, with between three and five more expected to sign-on this summer. Six of the colleges are private. Three are Catholic. Two of the newcomers are public, and I am pleased to see that. Five of the seven have in-house counsel already, and all seven have outside counsel. This tells me that we are offering a cost-effective service that is different from the legal advice colleges are already getting. Our clients tell us that what makes this program worthwhile for them is our specialized knowledge, coupled with our understanding of the goals of student development and the needs of student affairs

professionals. Some lucky colleges have attorneys who “get” student affairs, but very few have advisers dedicated to helping administrators to manage risk and promote healthy, safe campuses. NCHERM fills that gap. More details on this program are available at www.ncher.org

7. NCHERM MODEL CODE AND CONDUCT PROCEDURES

Finally, the NCHERM Model Code and Conduct Procedures are complete. These documents feature state-of-the-art policies, and procedures that include or define best practices for processing campus conduct complaints. To learn more about our educational, developmental models, please contact us. Also, feel free to access the 2004 NCHERM Whitepaper on conduct codes. It is posted at www.ncher.org

8. RAPE AND MOTIVATION TO RAPE: CAN SOMEONE RAPE AND NOT KNOW IT? By: Alan D. Berkowitz

Alan Berkowitz is a nationally recognized expert in the prevention of sexual assault prevention. He has developed innovative programs to foster men's responsibility for preventing sexual assault and written extensively about this subject. His services can be arranged by contacting NCHERM.

The media attention to the Kobe Bryant case has brought renewed attention to the problem of sexual assault. This focus provides us with an excellent opportunity to educate ourselves about this important issue. While the facts of the case are not known, there has been considerable speculation about what may have happened and both sides have presented initial claims. The story provides an interesting challenge because the alleged perpetrator is widely liked and is seen as a person of character and integrity by many, characteristics not consistent with the public's understanding of a perpetrator of sexual assault.

Researchers have long known that there are many motivations for sexual assault and therefore that there are many types of rapists. Rape can be committed out of anger, sadism, and/or a need for power and control in a manner that is intentional, premeditated and coercive. Many perpetrators who intentionally take advantage of someone may claim in self-defense that they had permission, which is what Kobe Bryant claims. However, if the evidence recently brought forward by the prosecution is true, it is likely that Kobe knew that he did not have consent.

What is often overlooked is that it is possible for a perpetrator to rape someone while believing that he had permission to have sex. This is a controversial issue because many perpetrators claim that they had consent when their actions were clearly coercive and not consistent with consent. Even though the facts presented so far may rule out this possibility, it is important as part of our education about sexual assault to

understand the ramifications of a perpetrator thinking that he had permission when he didn't.

Sexual intimacy must be consensual at all times and this consent should be affirmative and clear. Thus, it is the responsibility of anyone desiring sexual intimacy with another person to make sure that consent is present. Anyone who proceeds with sexual intimacy with another person without their affirmative consent is wrong and has committed sexual assault regardless of motivation. Thus, if a man falsely believes that he has consent and goes ahead with sexual activity, he is responsible for committing a sexual assault even though he may not realize it. He may think of himself as someone who would never perpetrate sexual assault. As a result, if he is accused he will feel upset and experience a range of emotions, including shock, surprise, indignation, and incredulity. In short, he will feel falsely accused. Because he really believes that he had permission, he will be sincere and convincing in his denial. As a result, the person(s) investigating the incident may feel sympathetic to the accused perpetrator and assume that his emotional reaction means that he could not have been guilty. When such sincere denial is combined with a reputation for being a good person, it is likely that the victim will be blamed instead. All of our myths and misunderstandings about what rapists are like and all of the myths that serve to blame victims for their victimization will come into play, as they already have in this case.

Affirmative consent requires that both people are equally free to act, that both people are positive and sincere in their desires, that they are fully conscious, and that they have clearly communicated their intent. When these conditions are not present one cannot assume that consent has been given. Thus, they can be used as guidelines for assessing whether consent has been present in a given situation. In the Kobe Bryant case, he is claiming that there was affirmative consent. Whether he really believes that he had permission is a question that we may never know the answer to. But we can evaluate his actions against a standard for consent that will allow us to determine if his actions and their effects were compatible with consent. (Note: The March/April 2002 issue of CSSD Volume 4(3): 49-50 has a more extensive presentation of these guidelines)

I believe that male professional athletes may be at risk of committing sexual assault - unintentional or intentional - for a number of reasons. They live in a culture that expresses and promotes traditional models of masculinity that are often associated with belief in myths about when sex is justifiable. In addition, male professional athletes may be often exposed to female fans who are very willing to have consensual sex. As a result, they can become careless about ascertaining consent. Athletes can confuse fans who are impressed, awed, and flattered with fans who want to have sex. Differences in power, status, and age can further exacerbate these situations and lead athletes to confuse passivity with consent. As a result, athletes may in some cases engage in mutually consenting sex, but in other cases they may intentionally take advantage of the situation or think that they have consent when they don't.

In my work training men to provide leadership in preventing sexual assault we work hard to fully understand the conditions of affirmative consent and apply it to different scenarios. In this context it is common for individuals to realize that they may have assaulted someone in the past. Unlike intentional perpetrators, these men experience remorse and guilt and are willing to channel these feelings into actions to end violence against women.

At present we do not know what happened between Kobe Bryant and his alleged victim. I believe that the possibility of unintentional perpetration should be part of our understanding of the issue, whether or not it is applicable in this case. While allowing for this possibility, we must also be clear that lack of intent to rape should in no way be construed as lack of responsibility for raping. If consent was not freely and clearly given then an accused perpetrator had no justification for sexual intimacy.

One of the important educational tasks in our efforts to end sexual assault is to teach men about the conditions of consent and the possibility of unintentional perpetration. However large or small their numbers, these men are excellent candidates for rape prevention education because they do not want to rape.

Note: An earlier version of this article was published September, 2003 Men Can Stop Rape (MCSR) monthly e- newsletter (www.mencanstoprape.org)

The NCHERM Newsletter is published quarterly. Previous issues are archived and available at www.ncher.org. NCHERM clients and those who request subscription receive this newsletter electronically. If you would like to have your name added to or removed from the subscription list, please contact us via e-mail. Please forward this Newsletter to colleagues who may be interested in its contents.

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