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The Campus Rape Frenzy: The Attack On Due Process At America's Universities

The CAMPUS RAPE FRENZY

THE ATTACK ON DUE PROCESS
AT AMERICA'S UNIVERSITIES

KC JOHNSON & STUART TAYLOR JR.



Synopsis

In recent years, politicians led by President Obama and prominent senators and governors have teamed with extremists on campus to portray our nation's campuses as awash in a violent crime wave; and to suggest (preposterously) that university leaders, professors, and students are indifferent to female sexual assault victims in their midst. Neither of these claims has any bearing in reality. But they have achieved widespread acceptance, thanks in part to misleading alarms from the Obama administration and biased media coverage led by the New York Times. The frenzy about campus rape has helped stimulate; and has been fanned by; ideologically skewed campus sexual assault policies and lawless commands issued by federal bureaucrats to force the nation's all-too-compliant colleges and universities essentially to presume the guilt of accused students. The result has been a widespread disregard of such bedrock American principles as the presumption of innocence and the need for fair play. This book uses hard facts to set the record straight. It explores, among other things, about two dozen of the many cases since 2010 in which innocent or probably innocent students have been branded as sex criminals and expelled or otherwise punished by their colleges. And it shows why all students; and, eventually, society as a whole; are harmed when our nation's universities abandon pursuit of truth and seek instead to accommodate the passions of the mob.

Book Information

File Size: 1936 KB

Print Length: 380 pages

Publisher: Encounter Books (January 24, 2017)

Publication Date: January 24, 2017

Sold by: Â Digital Services LLC

Language: English

ASIN: B01N1XNTYI

Text-to-Speech: Enabled

X-Ray: Not Enabled

Word Wise: Enabled

Lending: Not Enabled

Screen Reader: Supported

Enhanced Typesetting: Enabled

Best Sellers Rank: #319,183 Paid in Kindle Store (See Top 100 Paid in Kindle Store) #11

inÂ Kindle Store > Kindle eBooks > Education & Teaching > Teacher Resources > Education Theory > School Safety & Violence #25 inÂ Kindle Store > Kindle eBooks > Law > Specialties > Educational Law & Legislation #31 inÂ Books > Education & Teaching > Schools & Teaching > Education Theory > Reform & Policy > Federal Legislation

Customer Reviews

An absolutely phenomenal book that discusses what so few people are willing to talk about - the biased investigations of campus disciplinary committees. This book should be required reading for all college students and parents of college students, male or female. Well written, well researched, and extraordinarily well documented, this balanced book shines a bright (and frankly, quite frightening) light on the anti-male culture that is alive and well in university Title IX departments. Page 150 gives an especially eye-opening example of how these so-called investigators are trained. Due process and the presumption of innocence no longer exist for young men on our campuses. In some cases, school administrators are intentionally ruining the lives of innocent students by ignoring important facts. It's high time that campus kangaroo courts come to an end - this book may very well help make that happen. Potentially life-changing, "The Campus Rape Frenzy: The Attack on Due Process at America's Universities" should be your go-to graduation gift for every graduating senior, as well as their parents.

The issue of campus rape has become so highly politicized that people on both sides seem to feel that, to paraphrase the late and great Daniel Patrick Moynihan, they are entitled not only to their own views, but also to their own facts. Johnson and Taylor take great care to make sure that their facts are correct and are supported by the evidence. They have detected a frenzy out there. As a lawyer whose law practice in large part deals with cases such as are reported by these authors, I can verify that there is indeed a frenzy, and facts are not as highly valued as they should be. Johnson and Taylor are reliable, a trait much to be valued in these fractious times. I know that they are dedicated to factual and legal accuracy, because I know that they fact-checked their assertions with people in the field, including me. They did not guess. Harvey Silverglate Cambridge & Boston, MA, lawyer & writer

There are two sides to every story. Two sides to every accusation. As I read this book it reminded me why I really need to listen to both sides, and why evidence and facts are so important to both sides. Much is written in the media about girls on campus and their accusations. That's one side.

This book focuses on the other side, and that's the guys who are getting accused at college. I read many stories in this book of guys who should never have been accused in the first place. And in reading their stories I see how the guy is the victim, and how he became a victim because he was wrongly accused and didn't have any rights. The guys in this book are really suffering and going through a lot of emotional breakdowns because they aren't given the opportunity during their accusation hearings to defend their innocence. This book shines a light on this campus travesty of justice. And really, this injustice needs to stop immediately. We all expect our constitutional rights, but apparently at colleges guys don't get these rights. How can this be? Well this book does an excellent job in laying out the policy groundwork that has been going on since the 1980's and shows how we got to this place. After reading this book, I will always pay attention to both sides of the story and focus on the facts.

This explains the last 15 months of our family's life so well! We've seen FIRST HAND how the lack of due process for the accused can RUIN lives. Thank god this was written and timely, to get people's attention. It won't help our family unfortunately, but such a great, REAL LIFE read. My wish is every mother and father of an incoming college freshman male, reads this book! It actually should be required reading for the incoming freshman class. Can't wait to give it to my friends and family! Enjoy!

Awaiting my copy from , I write on the basis of *Advance uncorrected page proofs* provided by Lauren Miklos of Encounter Books. I wanted to review this book because I so much admired UNTIL PROVEN INNOCENT by Johnson and Taylor which I called in my review *more terrifying than any thriller you will read this year* (that is, 2007). THE CAMPUS RAPE FRENZY is not a relentless horrific narrative like the 2007 book, but ultimately it is more terrifying because a whole generation of young men has been targeted, not three lacrosse players, and more heartbreakingly depressing because seemingly well-meaning professors, bureaucrats, and politicians have systematically trashed centuries of English common law and the American Constitution. A decade after UNTIL PROVEN INNOCENT, much has changed, for the worse. Before the publication of this book, great praise has gone to Jon Krakauer's MISSOULA (a 4-stars book on). After reading THE CAMPUS RAPE FRENZY it seems to me that Krakauer undercuts his book with this passage on 345-346: *The oft-repeated claim that university adjudications categorically deny the constitutional right of due process to perpetrators is specious. Campus disciplinary proceedings cannot, and should not, be held to the same restrictive standards as*

criminal proceedings, because they don't result in incarceration or require the rapist to register as a sex offender. University officials, like high school officials, must be allowed to expel students who pose a threat to other students, without waiting many months, or even years, for the criminal justice system to run its course—a course that all too often fails to convict individuals who are guilty of rape, or even charge them with a crime. These passionate words gloss over the seriousness of denying the constitutional right of due process to anyone accused of a crime, and the use of the word "perpetrators" shows that Krakauer is prejudging, just as Richard Brodhead, President of Duke University, and Michael Nifong, District Attorney of Durham County, did in 2006. Krakauer here is ignoring the suffering that has already been inflicted on many young men who have been falsely accused of sexual misconduct and expelled—something that inflicts great pain to them and their families, makes it very hard to gain admission to another college, and reduces their prospects for supporting themselves in the following years. Of course when the criminal justice system fails to charge a man with a crime it may very well be because he never committed one.

In *THE CAMPUS RAPE FRENZY* Johnson and Taylor identify themselves as having voted for Obama, but blame his administration for the present situation. They focus on the April 4, 2011 letter to universities from the Office of Civil Rights requiring them to adopt federally specified procedures to investigate and adjudicate sexual assault accusations. The letter ordered universities to use no higher standard of proof than a bare preponderance of the evidence to find students guilty of sexual assault. The letter all but forbade direct cross-examination of accusers. The writers conclude: "For accused college students and only them, the federal government, joined by virtually all college and universities, has mounted a systematic attack on bedrock American principles including the presumption of innocence, access to exculpatory evidence, the right to cross-examine one's accuser, and due process" (10). Now it is clear that universities should have kept hands off allegations of sexual assault and turned them over to the local police department.

In Chapter 2, "Misleading through Statistics" the authors show that the common claim that one in five female college students will be sexually assaulted is based on a discredited paper. Yet this claim persists, trumpeted by Joe Biden, even misled by phony statistics but a man I voted for multiple times for two high offices and congratulated, in the Wilmington Amtrak station, on his looking so hearty after aneurysm surgery! A later chapter deals with "The Realities of Rape Culture," in which it is assumed that women almost never lie when they report a sex crime, and to doubt them is to perpetuate rape culture. (67) The writers on p. 80 quote a high-ranking Duke bureaucrat.

as declaring "that all students accused of sexual misconduct are guilty. Period." Throughout this book, Johnson and Taylor quote academic officials and politicians, including U. S. Senators, who blandly dismiss the idea that expulsion from a university could cause much stress to an innocent man (if there were such a one) and should cause great distress to the many "perpetrators" (which means anyone accused). The animus against young men is pervasive in our universities. Some of the most disheartening pages show that few learned anything from the exposure of the false accusations against Duke lacrosse players in 2006. When Michael Nifong indicted the first two of three lacrosse players, Richard Brodhead gave Nifong "an assist" by "verbally attacking the two sophomores, who were now facing decades in prison." (73). Brodhead said, "If our students did what is alleged, it is appalling to the worst degree. . . . If they didn't do it, whatever they did is bad enough." (74). Not one of the Duke professors who denounced the innocent lacrosse students was punished. Some were promoted, some went to prestigious jobs elsewhere. Brodhead himself, who had fanned "the flames of hatred that threatened to consume the lacrosse players" (74), "was rewarded with two new five-year terms as president." Johnson and Taylor are outraged at how Brodhead skated: "Beyond Duke, his star rose in the national hierarchy of academic prestige. In 2011, he was named co-chair of an American Academy of Arts and Sciences commission to bolster teaching and research in the humanities and social sciences. In 2013, the Carnegie Corporation gave him an Academic Leadership Award and called him one of the "exceptional leaders in higher education." "When I see Brodhead's declaration that what the falsely accused lacrosse players had done was "bad enough" I cringe: I know something of being falsely accused by Brodhead. In 1996 the great scholar Harrison Hayford announced that with the first volume of my biography I had become "the most important Melville scholar of all time." In 2002, reviewing my second volume in the New York Times, Brodhead initiated what looks like a cabal to discredit me by declaring me a fantasist biographer. Brodhead sneered about my discussing a book Melville finished in 1860 and called POEMS. It was a book no one else had heard of it, Brodhead said, one found in "a black hole" Parker alone has the instruments to detect. "Indeed I had discussed POEMS, which every scholar had known about since 1922: Brodhead is a critic, not a scholar. In October 2002, Andrew Delbanco echoed Brodhead but went further and declared that because I had invented POEMS and another book, the 1853 THE ISLE OF THE CROSS, I was not to be trusted anywhere in either volume. (In his 2005 critical biography of Melville he blandly discussed these books as real.) With such false accusations Brodhead and other critics did horrific damage to my

reputation and my health. The relevance in this review is that I KNOW how painful it is in old age to have your life's work trashed, your reputation shredded. Now, just think about all the young men who have been falsely accused of rape in the last few years and expelled from college and find themselves emotionally and financially destroyed, their ability to provide for themselves precarious at best. Johnson and Taylor quote many professors and bureaucrats and politicians and journalists on how insignificant are the sufferings of men accused to rape (all of whom by definition are all but certainly guilty of rape). I tell you from experience with false accusations by Brodhead and others: no one recovers from false accusations, especially not in the New York Times. Ask the parents of the falsely accused lacrosse players, or look at the lamentations of parents of falsely accused students quoted in *THE CAMPUS RAPE FRENZY*. The New York Times figures in this book in the pages on the Duke rape hoax for clinging to the presumption of guilt into which both its news and opinion pieces had settled. As the evidence of innocence mounted higher, the integrity of the paper's coverage sank lower (75). The Times has not done better since 2006, say the authors (117): "With the Times setting the tone, the mainstream media have presented a misleading picture of almost every aspect of the campus sexual assault problem. By always believing the survivor; by accepting the false statistic that 20% of five female college students are sexually assaulted while enrolled; and by failing to report the actual star chamber procedures that colleges employ in sexual assault cases" (118). The readers on who praise Krakauer's *MISSOULA* finish the book thinking, "Hurrah, bad rapists are being punished at last! Justice is being done!" Readers who follow Johnson and Taylor's revelations finish the book thinking, "Oh, this is heartbreaking! The lives of many, many innocent young men have been destroyed by changes to Title IX, where the mere allegation of an attempt to kiss a woman or brush against her can lead to expulsion for college and the denial of a degree already earned." In the attempt to punish real rapists the Office of Civil Rights created a system which became a "Witch Hunt," as Johnson and Taylor say, where unfounded allegations are channeled by universities into condemnation without recourse to a lawyer, without confrontation with accusers, and without a chance for self-defense. What has happened and is happening is all but unbelievable, but true, as Johnson and Taylor document in this profoundly disturbing book. It is not fun to read, but if you are a parent or grandparent of young men you owe it to yourself and them to read it, and take what measures you can to teach them to protect themselves while they are in college, which is no longer a safe place for a young man to be.

My opinion is only verified with this book and the author is informing us how the government influences citizens thought process to meet the governments ideas.

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