

Politics and Economics

Safety becomes focus for local women

by Suzan Erem

When Robin Kuzu, 35, goes for a walk near her home in Tofrees, she automatically runs a series of calculations without thinking about them:

It's day time. There are no woods along this trail. It's only a mile from home. She has her cell phone. Her husband is home.

Lydia, name changed to protect her privacy, is a soft-spoken, bright 22 year old who attended high school in Centre County. Her parents are professionals who often talked about how to be safe in downtown State College. Her first summer at Penn State, a friend of a friend invited her to his apartment one Saturday afternoon. She ran the calculations too: It was the middle of the day, and the two of them shared the same circle of friends. He wouldn't do anything bad to her.

He made two margaritas. She drank the one he offered her. She can't remember what he did with the other—or anything else after that. She woke up on the couch at noon the next day. Her pants were off. Her panties

were around her ankles. He was behind a closed door talking to his roommate. She was ashamed and angry and just wanted to get out. She dressed but had to ask him for a ride to her apartment, which was too far for her to walk. She couldn't look him in the eye. She was furious. Feeling stupid and helpless, she never reported it. She never even told her parents. No one would know until a year later when she herself landed in the criminal justice system because of the assault.

Racheal Lynn Perryman, 21, of Port Matilda, decided to risk it all and take her rape case to trial. Weeks before the trial was to begin she was shot in the chest and killed while hunting in Black Moshannon State Game Lands.

Compared to larger metropolitan areas, Centre County is safe; yet, multiple news reports of sexual assaults and rapes this school year have some residents raising concerns about trends of increasing violence.

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Photo by Ellen Slingerland
Local residents study the messages on T-shirts hung at an October Centre County Women's Resource Center rally in Bellefonte to commemorate victims of domestic violence.

Report calls for repeal of drug-free school zone law

by Dorian Randall

The Pennsylvania Commission on Sentencing recommended in October a repeal of the drug-free school zone statute in a report submitted to the Pennsylvania House of Representatives.

The mandate "was irregularly applied and overbroad geographically," according to Mark H. Bergstrom, executive director of the commission. The report recommended that the law be repealed or at least that drug-free school zones be decreased from 1,000 feet to 250 feet and universities and colleges be removed from the definition, Bergstrom said.

Voices reported in May 2009 that mandatory minimum sentences for selling as little as an ounce of marijuana on the Penn State campus is regularly used by the local district attorney's office to pressure students into setting up other students as drug dealers. Students would do so with the promise

of a lighter sentence worked out through a plea agreement.

The original school zone mandatory minimum required anyone caught selling drugs within 1,000 feet of a school zone be sentenced to two years in a federal prison. This mandate was instituted to discourage drug dealing at elementary schools but many students were unaware that all Penn State property is a drug-free school zone.

The repeal may lower zoning perimeters and seek sentencing enhancement, but offenders will still face current drug statutes.

"If repealed, offenders would still be subject to existing drug statutes (possession, possession with intent to deliver) as well as drug trafficking mandates," Bergstrom said via e-mail.

The report, commissioned in 2007 under House Resolution 12, also recommends sentencing courts be allowed to use current sentencing options such as state

Intermediate Punishment to cover lower-level drug-trafficking sentencing. This brings the power shift back to the presiding judge from the prosecution in such cases.

The report also found mandatory minimum sentences are costlier because they result in longer sentences, increase the prison population and increase recidivism.

Local defense attorney Andrew Shubin sees this as part of the problem, saying mandatory minimum sentences have become "politically a red meat issue" that is actually a moral and ethical issue.

He said the mandates are a way to hang a sentence over local college students heads and "categorizes them as snitches." He also believes the mandatory minimum sentences are a breach of fiduciary trust to the public because of the increasing costs.

"School zone mandates don't work at all," he said.

Shubin said that there are a number of objections to the law, but one is the logic of

the distances called for in it.

"One of the major criticisms is the statute says 1,000 feet from the school or 250 feet from a daycare and you wouldn't be covered under the school zone law if you're 251 feet from a daycare," he explained. "But you could be 999 feet from the 18th hole of the Penn State golf course and you'd still be in a school zone."

Minimum mandatory sentences should be used primarily for the most "paramount" issues, such as a drug dealer attempting to sell to children in a school playground. Two college students dealing to each other is different from someone trying to sell drugs to children at a daycare, Shubin said. He said mandatory minimum sentencing have been ineffective because the snitch industry is actually creating more drug activity.

"It's doing exactly the opposite of what is needed," Shubin said. "You can't deny the facts."

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The numbers can be confounding and open to conflicting interpretations:

—Sex offense arrests countywide are down in the last three years, from 36 in 2006 to 10 so far in 2009. (Rape arrests are up slightly, from six in 2006 to nine so far in 2009.)

—Penn State reported to the federal Uniform Crime Reporting system in October that no “rapes by force” or “attempted rapes” occurred on a campus of 42,000 students in all of 2008. (Penn State did report 22 sexual assaults excluding rape.) Yet the university also reported, under another system, the Jeanne Clery Act, 20 “forcible sex offenses,” all or some of which could have been rape.

—The Centre County Women’s Resource Center staff, who serve victims of domestic violence and sexual assault, say their numbers are down dramatically.

Good news? Not exactly.

“I have absolutely no reason to believe there is less domestic violence in Centre County than last year,” said Women’s Resource Center Director Anne Ard. “There is just no reason to believe that.”

So, are men committing fewer sex offenses and less domestic violence? Or are fewer women reporting such crimes?

Years of experience tell the staff at the Women’s Resource Center that the economy plays a major role in domestic violence. National reports show that job loss and domestic violence are related. Advocates are quick to warn that unemployment, like alcohol, does not cause an otherwise non-abusive spouse to begin abusing; it simply gives an abuser more time at home with nothing to do. But the bad economy also makes it more difficult for women to leave.

“Part of what’s happening is because the economy is so bad and people know there are cuts in services and few jobs out there, women are not even contemplating leaving abusive situations,” explained Ard. “We know one of the barriers to leaving is economic, so if women look around and the economy sucks, then they say, ‘I can’t risk not being able to take care of my kids or feed myself.’”

Ard said another reason is the lack of affordable housing in Centre County and the center’s outspoken advocacy on that issue. She said women thinking about leaving their husbands believe they have no place to go.

Between 10 and 12 percent of women students experienced a sexual assault while at Penn State, according to 2002 and 2004 random sample surveys conducted by Penn State Student Affairs and published in the Penn State Pulse.

Pennsylvania has no domestic violence law; so, numbers of incidents are even more difficult to determine than for sex offenses and rape. They are hidden in the aggravated or non-aggravated assault categories, which cover a wide range of offenses.

And State College Police are still getting called at times of crisis. Det. Deirdri Fishel told Voices that domestic violence calls are up, surpassing the total for 2008 by the first week of October, 2009.

Rape unreported

Rape is almost as invisible as domestic violence, but years of surveys and studies have helped experts get a handle on more accurate instances.

Lydia’s case is typical of more than 90 percent of all rapes and sexual assaults. Experts estimate that as few as one in 20 sexual assaults and rapes are reported to police, with the most conservative estimates only as low as one in 10. That means that to get an accurate estimate of actual incidents, one must multiply reports by at least 10 and maybe as much as 20.

Rape reporting among college students is even worse. One large-scale study reported by the Department of Justice estimates that 3.5 percent of all women college students are victims of either completed or attempted rape.

But the numbers at Penn State are significantly worse. Between 10 and 12 percent of women students experienced a sexual assault while at Penn State, according to 2002 and 2004 random sample surveys conducted by Penn State Student Affairs and published in the Penn State Pulse. On a campus of 40,000 students, approximately half of whom are women, that would put the estimated number of sexual assaults at 2,000, or 100 times what is being reported to police.

This year, leaders of the University Park Undergraduate Association gained media attention with their marches on campus to raise awareness of the problem.

“We’re seeing a comparable number of assaults as other years,” said Peggy Lorah,

director of the Center for Women Students at Penn State. “What’s different is that we’re seeing some student activism, and that’s a hopeful sign.”

From domestic violence to the more than 100 registered sex offenders living and working in Centre County to the more visible violence in downtown State College and on the Penn State campus, many women have learned to cope with, and often accept, a particular level of fear.

Kuzu, who is careful walking in Toftrees, said the University of Maryland, College Park, where she did her undergraduate work, instilled in her a healthy sense of safety. Women were encouraged to walk with a


buddy at night, know the location of the “blue phones” to call police and use the university’s escort service if alone at night on campus.

“That was something that was greatly impressed upon me and really changed the way I moved about the campus,” said Kuzu, who works with international students at Penn State. She added that she impresses the same safety precautions on the students she works with.

Such warnings had a lifelong impact on Kuzu, but Lorah sounded exasperated when describing her efforts at Penn State.


“We do so much education at the beginning of the school year,” she said, listing a litany of facts students receive: “Here’s what you need to do to be as safe as possible. What’s true is most of the assaults happen with acquaintances, with alcohol being involved in 85 percent of the cases. Eighty-

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five percent of the time the victim knows the assailant," she said they tell students. But other messages are stronger. "The misinformation is just rampant," she said.

Lorah is fighting an uphill battle. In 2007, Penn State canceled the required 40-minute session dedicated to sexual assault and safety in every full-day freshman orientation. Despite the student uproar over the move, no new program was put in place until this summer when Lorah and other staff developed an interactive Web-based program on the issue. Almost every incoming Penn State student attends freshman orientation, but only 1,400 students in the entire Penn State system had used the Web-based program by the beginning of the fall, Lorah said, and many of those were from the Altoona campus.

Since the administration canceled the sexual assault orientation program in 2007, use of Penn State's escort service available for women walking alone on campus at night has dropped dramatically. According to university police, the service was used 368 times in 2007, less than half of that in 2008, and only 124 times as of Oct. 9, 2009.

"I attribute drop-offs to a few things," said University Police auxiliary coordinator Joshua Hockenberry in an e-mail. "Cell phones, public transportation terminals, lighting, and better awareness are all factors that factor into lower usage." Lorah agreed that it's not much of a measure, saying in her experience, staff use the service much more than students anyway.

Around the county, women seem aware of the dangers of attacks by strangers and stick to more traditional wisdom when it comes to

"In this county we've had some pretty ugly court cases that painted the victim horrifically in the media. I think this has a huge significance on students wanting to report this."

--Stephanie Brooks, University Police

staying safe.

"I'm from New York City," said Merrill David, 48, a Park Forest resident. "And I feel safer in New York. It's more populated. I wouldn't walk down a deserted street."

Some women do walk down deserted streets to get home alone, but they don't do it casually.

Betty Kirchner, 81, has lived in State College for 45 years. She said in the past she has walked home late but only in the middle of the street with her flashlight on, wary of nearby Holmes-Foster Park where women have been raped.

"I know what it's like to be afraid," said Kirchner.

The same goes for Michelle Marino, 52, who has lived in Stormstown for five years.

"I've been downtown at night and not thought twice about safety," she said. "But I don't think I'd walk across campus at night."

But rape by a stranger on a dark, deserted street is the least of the safety concerns local women should have, according to national and local statistics. It's the men that so many women like Lydia choose to have a drink with, study with, stay at work late with or simply meet at a party and talk to whom they should fear most. Nine times out of 10 it is such men who sexually assault women.

Figuring out the numbers

Rape and sexual assault statistics are best described by their relativity to each other. The largest set is all incidents in Centre County, a large majority of which are Penn State students. Nine out of 10 of these go unreported, because women are fearful of the backlash caused by such a report; so, the next subset is the one-tenth of all cases, the ones reported to police. Then in yet a smaller set is the number of arrests initiated by those reports. Among these is a smaller set of victims who are unwilling to suffer the indignities of cross-examination and risk losing the case so they accept plea bargains. Finally in the tiniest set are jury convictions.

Violence against women can also include stalking, relationship and domestic violence. Nearly 10 percent of women Penn State students reported being stalked and nearly 9 percent reported relationship violence in the 2004 random sample survey.

Domestic violence, largely perpetrated by men against women and their children, is also an issue in Centre County. Last year the Women's Resource Center provided domestic violence services to 1,066 people. Women in rural areas are particularly vulnerable, staff said, because they are isolated and their abusers may be well-integrated into the smaller community.

The center commemorated victims of domestic violence at a rally in Bellefonte in

Registered Sex Offenders in Centre County

Aaronsburg	3
Bellefonte*	23
Centre Hall	6
Clarence	1
Fleming	1
Howard	7
Julian	3
Karthus	1
Milesburg	1
Millheim	1
Osceola Mills	2
Pa. Furnace	1
Philipsburg	10
Pleasant Gap	4
Port Matilda	3
Rebersburg	1
Spring Mills	2
State College	40
Tyrone	1

*Not including an estimated 93 more housed at SCI Rockview.

Source: The U.S. Dept. of Justice
Sex Offender Registry at
www.nsopw.gov

October, designated Domestic Violence Awareness Month. Scores of local residents and students participated in the center's Steps2Safety fundraiser Oct. 25 as well.

Propelling these statistics are drug and

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alcohol abuse and the current shape of the economy, all ultimately affecting women disproportionately. Government officials and advocates look to social science researchers to find the true magnitude of the problems.

Police numbers simply don't tell the story. The university's official report offers two sets of statistics: those provided by all law enforcement authorities in the area on and around campus under the Clery Act, and those reported by Penn State to the Uniform Crime Reporting System of incidents on campus. As stated above, in 2008 these range from zero rapes to 22 sex offenses that could include rape.

Yet during the same time, 54 Penn State students sought sexual assault services from the Women's Resource Center alone according to the center's records. Still more may have sought help from friends or at Mt. Nittany Hospital, student health services or a private doctor. Penn State's own survey of women students shows that Penn State is not immune to those statistics.

Can justice be done?

Advocates who connect with these women by phone, at the hospital or in a counseling center know that one of the last places they go is to the police.

"There's a gap, and that's pretty widely known," explained Women's Resource Center counselor Corey Cook, "Sex assault is not a crime prosecuted successfully in a vast amount of cases, so we see a lot of victims who never see justice."

Officer Stephanie Brooks of the university police agreed.

"There's so many myths about sexual assaults, and victims are concerned about parents and the media finding out, worried we're going to talk to everyone, their friends, or drag the perpetrator out of class," she said.

Exacerbating the fear are the stories women hear and read of those who *have* reported.

"In this county we've had some pretty ugly court cases that painted the victim horrifically in the media," Brooks said. "I think this has a huge significance on students wanting to report this."

Most recently, former Penn State football player Austin Scott, who had been charged with rape, filed suit against the Centre County District Attorney's office and others for ruining his chances at a career in the National Football League according to Associated Press reports. The court had ruled the jury could hear testimony that the woman charging him had been involved in a similar case four years earlier which had ended in acquittal. That was enough for the district attorney to drop the case.

These women echo what experts say are the factors involved in underreporting, including the presence of alcohol, the fear of being labeled or of retaliation, whether the woman knew the man who assaulted her, a desire to deny what happened or not let one's parents find out and the sense that prosecution comes at a high personal price with no guarantees.

"I just didn't feel like going through the process of convincing a judge of what I know happened," explained Lydia. "The punishment you want for that person is not

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Photo by Suzan Erem

Runners take off in a 5K race to raise funds for the Centre County Women's Resource Center Oct. 25. The center offers support and services to victims of domestic violence and sexual assault.

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guaranteed. He can get off scot free for all you know, and you just went through the process for nothing.”

Lydia's decision was confirmed to her when she went to court for driving under the influence and saw the man who raped her. He was working at the courthouse as a student intern in the criminal justice system.

Distrust of the effectiveness of the legal system is well-grounded as the statistics bear out. Pennsylvania citizens reported 3,440 cases of forcible rape in 2008; yet, police made only 1,186 arrests. A rapist has a 16 percent chance of going to prison—for a sentence of, on average, just 128 days—according to a study by the International Center for Policy Analysis.

In Centre County in 2008, there were 106 sexual assaults (up from 83 in 2004) reported to police, though the women's resource

center served nearly twice that many residents for sexual assault. Of those 106, there were 37 arrests, according to the Uniform Crime Reporting system. So far in 2009, there have been 16 arrests for rape and sexual assault; yet, the women's resource center has already served 86 victims of sexual assault.

Victimized thrice

Advocates often refer to a victim having to testify against her assailant as the second victimization. Her integrity and character are challenged. She has to relive the event in court and in the press, and ultimately a jury may not believe her word against her assailant's. Defense attorneys milk the misperception that rape cannot occur between people who know each other, that nice men dressed in suits for court are incapable of rape, or that women who dress provocative and get drunk are “asking for it.”

So women don't report. They repress and

then they end up in the criminal justice system themselves.

“For every defendant I have who is charged with a sex offense, I certainly have a lot more defendants I represent who were victims of sexual assault,” explained local defense attorney Matt McClenahen. “Women's prisons are filled with women who've been sexually assaulted.”

McClenahen was a public defender in York County before he moved to Centre County in 2007 to set up in private practice. He promotes himself as a defense attorney for accused rapists, as well as for people charged with driving while under the influence, drug possession, underage drinking and other offenses common among Penn State students.

He told Voices he defends many women who land in the justice system because they are using drugs or alcohol “to deaden the pain of sexual assault.”

That is Lydia's story.

“I immediately decided to just tune it out,” she said of the rape she knows occurred while she was passed out on the couch. “I was in denial. I didn't want my parents to know. That turned out to be the dumbest decision I ever made.”

Within a year, the usually law-abiding, focused student was drinking heavily and behaving badly.

“I just went into a downward spiral,” she said. “I started drinking and partying way too much, and I started getting in trouble, because when I'd drink, I'd start getting really angry. People were calling me Dr. Jekyll and Mr. Hyde. I would just get really aggressive, belligerent and not myself.”

She sank deeper into depression. Her grades crashed. Her parents suspected some-

thing was wrong and helped her find a counselor. But counseling takes time. She stopped caring about anything, including her own safety.

Soon she got picked up for driving while under the influence. Judge Thomas Kistler sent her to the Accelerated Rehabilitation Program for counseling and classes. Penn State's Judicial Affairs brought her up on charges as well, putting her student status at risk. It was there she first opened up to one of the advisers who gave her information about free services and a victim support group on campus. But within a month she was in front of the same judge for her second DUI and more charges, including disorderly conduct.

Lydia decided to let her attorney know what she had eventually figured out through counseling and over time: She was trying to drink her anger and pain away. Her counselor suspected post-traumatic stress disorder, and she had all the symptoms.

Seeking alternative solutions

For decades, Penn State and local allies have thrown education at the problem of sexual assault, but the numbers, at least some numbers, keep going up. Local experts continue to look for new ways to approach the problem.

“The trouble is the system as a whole and the kind of dents we can make in it even when we have really good people working in it,” said Officer Brooks. “There's a lot of trust and support within that system. Having said that, we all get really frustrated, because with all of that, we don't see a diminishing of

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the crimes.” Brooks added that more forceful prosecution would not trickle down because people “don’t think it can happen to them.”

The Department of Justice report suggests any education or orientation should happen before the school year begins.

“College students are the most vulnerable to rape during the first few weeks of the freshman and sophomore years,” Sampson wrote in the report. “In fact, the first few days of the freshman year are the riskiest, limiting the value of any rape prevention programs that begin after that.”

With more than 85 percent of the sexual assaults involving alcohol, one place to look is curtailing alcohol use, a goal that has eluded local authorities and university administrators. University spokeswoman Lisa Powers admitted as much in a recent Centre Daily Times report when she said, “We just don’t know how to solve this problem.”

Applying the rules

Yet the university goes to some lengths to appear to have a system in place for dealing with it. Penn State’s “Policies, Safety & U” report issued in October states that the university has “zero tolerance” for underage drinking, for example; yet, the student code of conduct calls it a “moderate violation,” which results in penalties ranging from suspension to expulsion. Last year, 150 students were charged with underage drinking on campus, according to the university’s own report, but no one interviewed for this story who works with Judicial Affairs could fathom Penn State suspending the 150 students

for that.

“They’re normally not going to get suspension for public drunkenness unless they’ve had a number of violations before,” explained McClenahan, who represents students in front of Judicial Affairs. “You’re not going to get thrown out of school for being drunk in public. If they did that ... I mean everyone in this school drinks heavily in public. For a first offense, that wouldn’t fly.”

“So, were 150 people suspended last year? I would doubt it,” agreed Officer Brooks. “To be honest, Judicial Affairs does not disclose dispositions to us. The only one who can answer that is Judicial Affairs, but in my opinion, 150 for public drunkenness ... I sincerely doubt it.”

Judicial Affairs Interim Co-director Bill Huston did not respond to requests for comment or confirmation and Co-Director Feldbaum told Voices she doesn’t keep track of numbers, referring a reporter to university police and the unavailable Huston.

Prosecution in the courts also doesn’t match the severity of the crime, some say.

“I think, frankly, the kind of plea agreements that have been made in the last several years are problematic, They send the wrong message to the community,” said Ard, of the Women’s Resource Center. “The message when sexual assault cases don’t go to trial is that they’re not winnable, and since they’re not winnable we’re going to plead them out, and any kind of consequence is better than taking the risk you’re not going to get any kind of jail time. But the perception then becomes that how we as a community respond to sexual assault is a slap on the wrist. These are not assaults that the community takes very seriously.”

Supporting the Clean Energy Act



Photo by Suzan Erem

The National Wildlife Federation held a press conference at Schlow Centre Region Library in early October to pressure Sen. Arlen Specter and Sen. Bob Casey to take the lead in supporting the Clean Energy Jobs and American Power Act of 2009, currently facing debate in the U.S. Senate. In late October, Casey and Specter built protections for the coal industry into the bill. Above, Ed Perry, outreach coordinator, tells the local press that Americans need to “transition very slowly away from fossil fuels. Our future is renewable energy and energy efficiency.”

Ard said each approach—education, enforcement and prosecution—needs to be strengthened.

“Probably the answer is somewhere

see Safety, pg. 9

by Jacci Kaschak, artist and Matthew Karasek, writer



Centre County witnesses the G-20



Photos by Luis Caza

Centre County residents and students were part of thousands of people who protested the G-20 meetings in Pittsburgh. The G-20 are the 20 industrialized nations that make up 80 percent of the global economy; yet, the meetings are not open and officials who make decisions that affect the world's population are not elected. Pictured above, peaceful marchers seldom seen on the news. Below are police in full riot gear. Police used tear gas and shot beanbag bullets at some protestors.

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between enforcement and education and support for folks wanting to address it individually. The conversations I've been a part of are conversations where people have been looking pretty consistently for what's going to work here. This isn't working so what's going to work?"

People on the frontlines say it's going to

"College students are the most vulnerable to rape during the first few weeks of the freshman and sophomore years. In fact, the first few days of the freshman year are the riskiest."

--Dept. of Justice Report

require a complete change in cultural norms, something that will take generations to move in a new direction.

"Most people think sexual assault is bad sex," said Women's Resource Center Counselor Cook. "It's not bad sex. It's a crime that's often committed to show that somebody has power over somebody else. It's about hurting someone, about debasing them, humiliating them." She said teaching young boys respect for girls and women is the beginning of the solution.

In the meantime, many more women are sure to get raped and assaulted, in Centre County and around the country. Lydia learned after her assault that she was not the first, and she is certain she will not be the last. She has learned since that event that the man who lured her to his apartment and slipped something into her drink brags that

his father is a doctor and he has unlimited access to such drugs.

The experience has had a lasting impact on Lydia, but she has been able to turn it from destructive behavior to a new future. After changing her major a number of times, she has finally settled on her field of study: counseling and social work.

"I decided this is the field that's best for me," she said, "because I have experiences that'll help me help others."

If you need help

Victims of sexual assault and domestic violence can get free advice, counseling and other support from these agencies and organizations:

All residents: Emergency: Dial 911

Centre County Women's Resource Center (877) 234-5050 (24-hour confidential hotline)

Mount Nittany Medical Center, 1800 East Park Ave., State College, Emergency Department: 234-6110

Penn State students: Counseling and Psychological Services (CAPS) Sexual Assault Services, 501 Student Health Center 863-0395

Women's Health Department at University Health Services, 863-2633



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