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Sent: Sun, 6 Jun 2021 00:43:25 +0000 (UTC)
To: T9PublicHearing
Subject: Written Comment: Title IX Public Hearing Due Process

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To whom it concerns,

I am writing you about Title IX and my experience with the process. (b)(6) was accused of sexual misconduct. Before anyone spoke to him, he was asked to move out of his dorm and off campus immediately. The school, (b)(6) gave him 4 hours to do so. They informed him that he would be dropped from all classes in which he was currently registered. He was judged and treated as guilty before ANYONE spoke to him for his side.

After speaking with a School Admin, he was told he could attend school but needed to move his dorm immediately. He also must leave any building or area in which the accuser was in even if he was there prior. He was treated as guilty again and labeled as a high risk sexual misconduct student before a hearing.

His case was also investigated by the state police and the (b)(6) Prosecutor. All charges were dropped when investigated.

However, (b)(6) kept up the attack and published his case and name in the (b)(6). They also refused to release his transcripts. They stated that they would not allow him to attend school on-line or on campus at any university because he was a threat to other students.

This ordeal went on for a year and a half before (b)(6) heard his case, reviewed his lie detector results and reviewed the information. The accuser never showed up to the hearing. She stated that her "start by believing" testimony proved her case, even with all the inconsistencies. Even without her present, (b)(6) had to submit questions ahead of time and was not allowed to have a lawyer represent him.

The universities are making the accused (boys and girls alike) guilty immediately when they hear an accusation. They impact lives of students and faculty for years and even a lifetime. These accusations and actions taken by universities are done without Due Process. The Universities basic rights from these citizens. Due Process is the basis of our law system and is used to determine facts in highly emotional situations. However Title IX feels that college campuses are above due process and should not follow such basic legal processes.

I have met many affected by title IX on both sides of the accusations. Without due process, the accusation of sexual misconduct is cheapened to public or university opinion. Those who have committed or experienced sexual misconduct should have the right to prove beyond a reasonable doubt that the accusation did or did not occur. and actions should then be taken.

thank you

Brian Schwettman

(b)(6)