To You Reading This:

It is not surprising that this 'public hearing' was scheduled at a date and time where most of us who have been seriously affected by Title IX cannot meaningfully participate in the process, because our educational prospects were ruined and we do not have the luxury of being able to work at a computer to make ends meet.

But, I took the day off to write this email, so you had better take it seriously. Especially after all that I have endured at the hands of Catherine Lhamon.

If you are reading this Ms. Lhamon, I sincerely hope that among other things the combination of the failings of the Dear Colleague Letter demonstrated in public outcry and hundreds of court cases, the (false) accusations that were levelled against your boss - our President, who I voted for because I believe he was innocent - and increasing lack of representation of young men on campus will have the effect of reminding you that you have played an active role in furthering gender inequality. This is a truth that you must confront, and I sincerely hope that the funders and voters that have supported you won't have you turn away from such a truth.

Title IX and its interpretations have ruined the lives of tens of thousands of women, men, and those who identify as both or do not identify as either without question. Hundreds of lawsuits from the accuser and the accused are documented throughout the last decade, where courts have determined time and time again clear and present gender bias. These court records often come at an expense that most college students or recent alumni simply cannot afford - six figures at least - up against the high end lawyers that universities have on retainer to protect themselves.

So, the sample of hundreds of favorable determinations for the falsely accused in the court of law does not even begin to represent the thousands of those who were left too poor or traumatized to pursue legal action after their Title IX experience. I write to you as one of Title IX's victims who was left traumatized, with shattered career prospects at the beginning of my professional life, and without the social support or resources to do and say anything about it until now.

My story is all too common, and frankly cliche. Spiteful exes leverage the victim narrative to gain status in a community at the expense of someone that did not want to continue dating them. The result? My school took their side. My hopes and dreams were taken from me. My friends and the administration distanced themselves from me, as rumors were sanctioned to spread while I was silenced with the threat of retaliation. My truth was not believed even when the material evidence that I presented proved my innocence in my false accusers' own words.

You reading this may already hold a bias in your head one way or another, and that means that you are part of the problem.

I am writing to you because I am terrified, but I'm more brave than I am afraid, because I am not fighting for my rights. I am fighting for the rights of those that may find themselves in the
position I was put in. I do not want to see Title IX create any more victims, and I expect that at least someone in the Department of Education feels the same way.

Collateral damage in pursuit of progress is not justice, it is tyranny. There should be consequences for harassment and assault, physical - emotional - sexual - or otherwise. I believe that there should be equal consequences for those that deceive, distort, or otherwise misappropriate allegations of harm to further their agenda, and restitution for victims of said harm.

And surely, you are wondering 'How can we possibly determine what is a false accusation and what isn't?' Well, if you are adjudicating a Title IX proceeding the answer is, 'I don't actually need to answer that question.'

This is a sensitive issue. Accusations of criminal behavior are being adjudicated in a fake court of law with real immediate and long term consequences. But like most traumatic events, that reality does not resonate until it happens to you.

In my personal experience, and in the experience of thousands of those who have been falsely accused and had their lives turned upside down with a Title IX complaint, the burden of proof is overwhelmingly put on the accused to prove their innocence.

This is fundamentally unfair and goes against the basic constitutional rights that we all, in theory, have.

And, I know that the argument is made time and time again that such rights cannot be afforded to an individual as Title IX tribunals are not adjudicated in a court of law. It's true; schools are not courts. But this is ultimately a semantic argument, because Title IX has created a quasi-judicial system. Worse, a quasi-judicial system which has gone off the rails, as we have seen expressed in the court of law and of public opinion.

These have put schools, and those people that attend and work for them, in an impossible situation.

Put yourself in my position; the position of a falsely accused young man. Overnight, your entire life; past, present, and future - are all taken away from you. If you speak up for yourself, it can be considered retaliatory. If you stay silent and shut down (which is a natural response to trauma) that gets weighed as evidence against #youtoo.

Years after a relationship has ended a story is passed along to an office, where people's primary motivation is to protect 'victims'. This story is all the evidence they need to hear to determine credibility, even if the complainant has never met the people making such a decision or heard the full story from you. From there, expectedly, you as a respondent are disoriented. You're shocked, hurt, angry, afraid and increasingly alienated.

At this first stage in the process of Title IX, the damage that has been done to your identity on the basis of your gender is irreversible, permanent, and compounding with each dirty look you get as you just try to go to class.

It is difficult enough for a complainant to prove that something happened, but it is even harder for a respondent to prove that something did NOT happen. Does that sound fair to you? If you answered 'No', then congratulations - you can actually think in a nuanced way. Title IX makes black and white decisions of 'not responsible', 'responsible' and 'more likely than not responsible'. It has been documented that material evidence is less compelling than initial complaints, which again is fundamentally unfair.

So, why is Title IX involved at all in the first place? Well, it used to exist to promote gender equality in access to education. That all students, regardless of their gender identity will not have their rights to educated infringed upon by any sexual discrimination or violence.
How did it come to be, that the very policy designed to protect students from discrimination and violence become the same policy that can facilitate and reward such behavior? By enforcing a policy where the complainant is treated as a victim and a respondent as an assailant. Title IX is perpetuating a culture on campuses that will inevitably discriminate against the respondent, by providing more resources and support to the accuser than the accused. These respondents are overwhelmingly male. Therefore, Title IX is in violation of Title IX; discrimination based on gender. That must change for the endurance and effectiveness of our laws to administer justice, the integrity of our social institutions, and obviously for the sake of real victims of assault and harassment AND of false accusations. Sexual Violence is not just physical, it can be emotional as well (i.e. reputation destruction). A false accusation of sexual violence IS sexual violence. Destroying someone's reputation is a violent act, and it should carry immense consequences. And yet, those who make a complaint cannot face any penalty from Title IX, even if the accused is found not responsible. That makes just as much sense as an accused individual receiving full immunity as soon as a complaint is filed against them.

As resources are continually expanded to support victims of sexual harassment, assault, and other forms of relationship abuse and violence to scaffold Title IX, in principle the same amount of funding and resources should be made available to those who are falsely accused or otherwise abused, harassed, or vilified for their gender or sexual identity.

While I firmly believe that criminal proceedings have no place being addressed on campus, I doubt that the new resolutions will result in Title IX going extinct. At this point, too many resources have been invested into the staffing and infrastructure of Title IX offices across the nation and the cottage industries that have followed suit. Too many lobbyists exist. Too many organizations, with innumerable staff on payroll. So, here is a list of actual changes that I believe would make Title IX more fair while actually adhering to its initial intentions of gender equality on campus with regards to access to educational opportunities:

1. If Title IX wants to continue on campus to conduct tribunals on criminal behavior that will impact the trajectory of the students and/or faculty implicated - then schools must use the same standards of proof of a criminal court. The presumption of victimhood is currently inferred, but it must be rescinded entirely on paper, but more importantly in principle as it is fundamentally unfair. Presuming victimhood requires that the accused be presumed culpable, and that is antithetical to the principles of Title IX.

2. There needs to be an equal amount of funding and resources should go to staffing and developing the infrastructure that supports the respondent as does the complainant. Just like every school needs to have the means to support victims of sexual violence, every school needs to have the means to support victims of false accusations.

3. Title IX should be responsible for educating all students on preventing false accusations of sexual violence and preventing sexual violence equally.

4. If a respondent is found to have bias or conflicting stories, or it is possible that this is an act of sexual violence or discrimination (i.e. reputation destruction) particularly if the complainant is representative of an ideology that discriminates based on gender (i.e. Feminism), there must be an alternative process presented to the respondent. It stands to reason that someone who has been indoctrinated into a way of viewing the world primarily on the basis of an adversarial relationship between men and women may indicate wanting to advance their status and their gender, and Title IX has a responsibility to actively prevent that to promote and protect gender equity.
5. Building off #4, in such a process, the complainant must prove that they do not have an agenda.

6. Rape Kits should be available to all students on or off campus 24/7, and if someone has been a victim of a crime - they should know that they can come in to get tested and that should automatically be sent to law enforcement.

7. Complaints made over a year after the alleged incident should be handled differently than complaints made within the week of that alleged incident. Within the week, there is a much higher chance that investigators will come to more informed and accurate conclusions.

8. Just as consent is taught to students in a mandatory way, it should also be mandatory for students to be taught that falsely accusing someone of sexual violence is a punishable offence and as morally reprehensible if not more so, than acts of sexual violence. It should be discouraged actively.

9. As it stands, there are no consequences that schools enforce for false accusations because it is not their job to determine if the accusation is false. So, structurally, Title IX would have to change so that determining the truth of each case is the ultimate goal. If you cannot make a determination beyond a reasonable doubt, then you cannot be allowed to enforce consequences that in many ways does carry the same weight as a criminal conviction (destroyed reputation, career prospects, ruined social ties, PTSD etc.)

10. The appeal process often corners the respondent or complainant into a position where they cannot accept an outcome they found to be unfair. At that point more often than not, both parties are beleaguered, possibly in debt, and deeply frustrated. Alternative resolutions should be presented to both parties wherein they can come to agree that the process was flawed, and at that point it should be the school's responsibility to facilitate that.

11. If you still feel like Title IX is appropriate to have on campus, then you might as well just put a camera and microphone in every room on campus and give a tracking bracelet to every student that can immediately alert authorities when sexual violence is taking place. Ultimately, that is the only way you are going to prevent these terrible things from happening while simultaneously protecting those who are falsely accused.

12. Title IX offices must have and enforce a strict no tolerance policy for either the respondent or the complainant to discuss or spread stories about the other party, themselves or with a third party. Malignant narcissists tend to do this as they find it helps them gain attention, sympathy, and credibility - especially when they know that the subject of their attacks will be disadvantaged by that action and not be afforded the opportunity to defend themselves.

If President Biden's accusation truly was false, then your administration has an obligation to wholeheartedly embrace support for the accused. Anything less is a tacit admission that you would not hold President Biden to the same standards, and believe that those who enforce the law are also somehow above it. If the federal government is going to subsidize universities and demand compliance, then the federal government needs to provide federal funding to support the accused. Title IX is one of the largest government overreaches in American history, and today we risk that going even further. Rolling back due process for the accused will create more victims across all genders and identities.

In sum, I am speaking from the perspective of a falsely accused person. I do have sympathy for real victims of sexual violence. The reality is, both victims of false accusations and of sexual violence have a lot more in common than appears. We both are historically marginalized, we suffer PTSD, and we yearn for justice and healing. And we are not going anywhere, anytime soon.
Unfortunately Here,
John Doe