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Tuesday, May 1, 2012

Justice Department Announces Investigations of the Handling of Sexual Assault Allegations by the University of Montana, the Missoula, Mont., Police Department and the Missoula County Attorney's Office

In Light of at Least 80 Reported Rapes in Missoula in the Past Three Years, the Justice Department Will Investigate Responses to Sexual Assault Allegations

The Department of Justice today announced a series of investigations stemming from allegations of sexual assault and sexual harassment at the University of Montana and in the greater Missoula, Mont., community. These investigations will seek to determine whether gender discrimination affected the prevention, investigation and prosecution of sexual assaults and sexual harassment in Missoula.

The department has opened a Title IX compliance review and Title IV investigation regarding the University of Montana's response to sexual assaults and sexual harassment of students. Title IX of the Education Amendments of 1972 and Title IV of the Civil Rights Act of 1964 each prohibit sex discrimination, including sexual assault and sexual harassment, in education programs. There have been at least 11 reported sexual assaults involving university students in an 18-month period. The department will also coordinate with the Department of Education on a related sexual harassment complaint received by that department.

The Justice Department also announced today that it has opened a civil pattern or practice investigation into the University of Montana's Office of Public Safety (OPS), the Missoula Police Department (MPD) and the Missoula County Attorney's Office. This investigation will focus on allegations that OPS, MPD and the Missoula County Attorney's Office are failing to adequately investigate and prosecute alleged sexual assaults against women in Missoula, due to gender discrimination in violation of the Violent Crime Control and Law Enforcement Act of 1994 and the anti-discrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968. There



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have been at least 80 alleged rapes in Missoula in the past three years. The investigation will look at assaults against all women in Missoula, not just university students.

Department officials met with city, police and university officials, who pledged their full cooperation with the investigations.

“The allegations that the University of Montana, the local police department and the County Attorney’s Office failed to adequately address sexual assaults are very disturbing,” said Attorney General Eric Holder. “The department’s pattern or practice authority enables us to ensure that law enforcement agencies are doing what is necessary to combat this despicable crime without discrimination, and we take that responsibility seriously.”

“Sexual assault and sexual harassment are intolerable; they undermine women’s basic rights and, when perpetrated against students, can negatively impact their ability to learn and continue their education,” said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. “As we approach the 40th anniversary of Title IX this year, incidents of sexual assault on our college campuses remind us of the continuing critical importance of the law to reduce barriers in education. Our goal is to determine whether there are violations of federal law and if we find a problem, work cooperatively with the University of Montana and local law enforcement to ensure that all students and Missoula residents feel safe in their communities, regardless of sex. We salute President Engstrom’s commitment to address these serious problems.”

“Colleges and universities have an obligation to stop and prevent sexual violence against their students, and law enforcement has a fundamental duty to ensure it is properly investigating and prosecuting crimes of sexual assault, whether they occur at the university or in the wider Missoula community,” said Michael W. Cotter, U.S. Attorney for the District of Montana. “We look forward to working with the University of Montana and local law enforcement to ensure these vital obligations are met.”

The department previously found a pattern or practice of gender discrimination in the New Orleans Police Department. Similarly, the department found problems of significant concern involving the handling of sex crimes in both the Puerto Rico Police Department and the Maricopa County, Ariz., Sheriff’s Office.

Attorneys from the Educational Opportunities Section and the Special Litigation Section of the Department of Justice’s Civil Rights Division and the U.S. Attorney’s Office for the District of Montana are jointly conducting this investigation. People with information related to the sexual assaults or sexual harassment in Missoula are encouraged to contact the Department of Justice at 1-855-307-6103 or at community.missoula@usdoj.gov.

The enforcement of Title IV, Title IX, the Violent Crime Control and Law Enforcement Act and the Safe Streets Act are top priorities of the Justice Department’s Civil Rights Division and U.S. Attorneys’ Offices. Additional information about the Civil Rights Division is available on its website at www.justice.gov/crt. Additional information about the U.S. Attorney’s Office for the

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District of Montana is available on its website at www.justice.gov/usao/mt .

Related Materials:

- Notification Letter - Investigation of the Missoula County Attorney's Office.
- Notification Letter - Investigation of the Missoula Police Department
- Notification Letter - Investigation of University of Montana, Office of Public Safety
- Notification Letter - Investigation of University of Montana

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Civil Rights Division

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