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Sexual harassment cases increasingly prosecuted

By Michael Reagan
Staff Writer

Editor's note: this is the first part of a two-part series

"Sexual harassment isn't about morality and sex, it's about discrimination," said Sue Estler, director of the Equal Opportunity Office.

The University of Maine has a policy prohibiting sexual harassment and there have been increasing numbers of such cases reported since they were first recorded.

Some UMaine officials who deal with cases of sexual harassment believe the increase of reported cases is because of increased awareness of sexual harassment. Cases of sexual harassment also differ in their severity.

The first section of UMaine's sexual harassment policy states that sexual advances and requests for sexual favors are considered sexual harassment when "submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education."

"It's about behavior that deprives somebody of an opportunity that they would otherwise have," Estler said.

She said the nature of sexual harassment has changed and the most obvious form is not very prevalent.

"When it occurs, there's clearly a problem, because most people get it," she said.

At UMaine, cases are handled by the Equal Opportunity Office, the Judicial Affairs Office and the UMaine Department of public safety, depending on the severity of the case or because of a referral.

The office does not have an enforcement role, but an assessing and monitoring role.

"The hope is that it can be dealt with in such a way that it does not have to be a policing action," she said.

The state of Maine also has laws dealing with sexual harassment, according to William Laughlin, investigator for the UMaine De-

partment of Public Safety. No recent cases of sexual harassment at UMaine have gone to court.

There is also third person liability, a technicality under civil law. If a person observes an incident of sexual harassment and does not do anything about it, that person may be found guilty under third person liability, according to Laughlin.

Last semester, however, Laughlin referred several cases of sexual harassment to the Equal Opportunity Office and the Conduct Office.

"I don't see many repeat offenders. It's not tolerated here and it shouldn't be," he said.

"Prior to this, things got pushed under the rug," he said. But recent trends have been "really positive," adding, "we don't see it surface a lot."

Greg Stone, East Campus area director, said his office has dealt with some cases of sexual harassment this year.

Most of the cases involve messages written on students' message boards by them-

selves or others, as well as verbal harassment in hallways, he said.

His office has been focusing over the past several years on the issue of sexual harassment and as a result, "we're dealing with more people telling about them," Stone said.

While he is not sure if the number of cases of sexual harassment has increased on East Campus, he believes more people at UMaine are aware of sexual harassment.

Officer Debbie Mitchell of the UMaine Department of Public Safety, who deals with cases of sexual harassment on campus, dealt with four sexual harassment cases since September 1990.

One case last semester involved a female UMaine student who was restrained against her will by some male friends.

"They just wanted to go party and she didn't want to go with them and they said 'You're going.'"

The student later got away, "but she was very shook up about it," Mitchell said.

"The problem is ignorance," she said.

She said there would be fewer incidents "if they knew what the laws were and would say 'Hey, it's not o.k. to do this.'"

Cultural ignorance has been behind several incidents, she said. Mitchell has worked on several cases where foreign students were acting in ways that are acceptable in their own country, but not in the United States.

Alcohol is involved in 95-98 percent of the cases she has dealt with.

Other cases Mitchell has been involved with involved employees and employers, as well as incidents between students.

Reports of sexual harassment at the Department of Public Safety are sent to Sue Estler in the Equal Opportunity Office and Bill Kennedy, head of judicial affairs.

If an individual accused of sexual harassment is not found in violation of the law, internal action will be taken by the UMaine conduct system, according to Laughlin.

On Monday: the UMaine conduct system and prosecution of sexual harassment