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Why will NY Assembly review state sex-assault laws? Cornell case cited

"We want to do everything we can to ensure victims of sexual assault see justice served," Assembly Speaker Carl Heastie, D-Bronx, said.

Emily Barnes, New York State Team

The New York State Assembly is forming a working group to take a closer look at the state's sexual assault statutes in the wake of the recent filing of a civil lawsuit alleging a gang rape took place inside a fraternity house on Cornell University's campus in 2024.

State Assembly Speaker Carl Heastie, D-Bronx, made the announcement on Wednesday, Sept. 30. He said the group will identify issues and develop legislative recommendations, reporting its findings to Heastie and the Assembly Democratic majority conference before the end of the year so they can be considered in the 2027 legislative session.

"The allegations being reported out of Cornell University are truly horrifying," Heastie said. "We want to do everything we can to ensure victims of sexual assault see justice served. This working group includes a broad cross-section of experience and viewpoints, and I am confident they will thoughtfully consider how best to move forward so that New York's laws are as strong as possible."

Here's what to know about the group of legislators taking a closer look at New York's sexual assault laws.

Which lawmakers will be looking at New York's sexual assault laws?

Fourteen Assembly members, including two who represent the Rochester area, are part of the group of legislators tasked with taking a closer look at the state's sexual assault laws. Here's the list.

Assemblymember Harry Bronson, D-RochesterAssemblymember Catalina Cruz, D-QueensAssemblymember Landon Dais, D-BronxAssemblymember Jeffrey Dinowitz, D-BronxAssemblymember Pamela Hunter, D-SyracuseAssemblymember Alicia Hyndman, D-QueensAssemblymember Chantel Jackson, D-BronxAssemblymember Anna Kelles, D-IthacaAssemblymember Charles Lavine, D-Long IslandAssemblymember Jennifer Lunsford, D-East RochesterAssemblymember Karen McMahon, D-AmherstAssemblymember Gabriela Romero, D-AlbanyAssemblymember Jo Anne Simon, D-BrooklynAssemblymember Latrice Walker, D-Brooklyn

Kelles, a Democrat who represents Ithaca and Tompkins County, called the allegations "deeply disturbing" in a written statement on Sept. 28.

"If two men were expelled, then clearly fault was identified," Kelles said. "The other five men remaining on campus without any restrictions was not a safe educational environment for Jane Doe. To feel safe, she left the university while the five men graduated with Cornell degrees."

Kelles also stressed that institutions need to do better in these situations and called on Cornell to be more transparent.

"Cornell may be limited in what it can disclose about individual student records," she said. "However, it can still explain, as fully as the law permits, how it handled evidence, what disciplinary actions were taken, and how and why it reached the decisions it did. The complainant herself deserves information about the outcome of her own university process."

What is known about 2024 fraternity rape allegations?

A lawsuit filed in New York County Supreme Court on Sept. 14 alleges seven members of the Xi Chapter of the Chi Phi fraternity on Cornell's campus sexually assaulted and raped a then 20-year-old woman inside the fraternity house in October 2024. The woman, who is referred to by officials as Jane Doe, reported the incident several weeks after the incident, but no criminal charges were filed.

In a Sept. 28 statement, Tompkins County District Attorney Matthew Van Houten said his office is revisiting that decision after learning about the lawsuit on Sept. 18 and receiving many calls, voicemails and emails in recent weeks.

Jane Doe was a full-time undergraduate student attending Cornell and living at the Alpha Beta Chapter of the Tri-Delta sorority's house on the university's campus at the time of the alleged incident, according to the lawsuit.

The lawsuit alleges that a number of events led to the incident, including:

Her house mother observed her in an intoxicated state and took her to an event at Moonies Bar & Nightclub in downtown Ithaca on Oct. 19, 2024.Moonies employees served her alcohol "to the point of visible intoxication," despite her being underaged.She was supplied alcohol and drugs, including ketamine, to the point of intoxication by Chi Phi members at the Chi Phi house.

The lawsuit alleges multiple Chi Phi members then sexually assaulted and raped the victim for several hours. A Snapchat message discussing the incident was also sent to a Xi Chapter's group chat in the early hours of Oct. 20, 2024, according to the lawsuit.

The incident became public knowledge on Cornell's campus the following day, the lawsuit specifies, and Jane Doe reported it to the Cornell University Police Department on Nov. 8, 2024, the lawsuit notes. The Xi Chapter was placed on temporary suspension as well as the seven members alleged to be involved, "who were afforded the opportunity to mitigate their conduct by submitting essays to Cornell," the lawsuit adds.

Ithaca Police Department in a statement on Monday asserted the 2024 incident "was not reported to the Ithaca Police Department," noting the law enforcement agency was "disturbed" to learn about the allegations recently "through the media."

How Cornell University is responding to the lawsuit

In a statement released by the university on Sept. 28, Cornell University's Vice President for University Relations Kyle Kimball said it conducted a "thorough" Title IX investigation. At its conclusion, the university then had a panel of trained faculty and staff examine the evidence, which "issued a range of sanctions, which included expulsions and suspensions from Cornell."

Kimball stressed nobody was offered to write an essay "as a sole consequence of their involvement," and the Xi Chapter has been barred from campus since 2024.

What to know: NY prosecutor reopens investigation of Cornell 'gang rape' allegations

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"Cornell University supports the decision of the Tompkins County District Attorney to provide an opportunity for the victim's story in the 2024 Chi Phi fraternity sexual assault case to be heard by a criminal grand jury," Kimball's statement says.

"Any suggestion that the university did not impose consequential punishments for those involved is false," Kimball said. "A continuation of the false narrative that there were minimal consequences in this case is irresponsible, will make survivors feel less safe and supported, and will perpetuate the underreporting of sexual assault."

Hochul calls for an independent review into Cornell's response

New York Gov. Kathy Hochul is calling for a "transparent, independent review" of Cornell's response to the incident alleged in the lawsuit "to determine whether Cornell met every obligation to protect its students and pursue justice."

The governor, who says there are "serious questions" about the university's campus culture, added that she supports the Tompkins County district attorney's decision to reopen the criminal investigation in a statement on Tuesday, Sept. 29.

The latest: Hochul calls for review of 'horrifying' rape allegations at Cornell

"The allegations in this case are nothing short of horrifying," Hochul said. "For any student to come forward after an experience like this takes extraordinary courage. No student should ever be left wondering whether the institutions meant to protect them will listen and act."

Emily Barnes covers state government for the USA TODAY Network-New York with a focus on how policy and laws impact New Yorkers' taxes, communities and jobs. Follow her on Instagram or X @byemilybarnes. Get in touch at ebarnes@usatodayco.com.

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