

## Exam for Subcommittee on Sexual Misconduct

*The following exam is utilized by the Office for Student Conflict Resolution to assess to the effectiveness of the training provided to members on the Subcommittee on Sexual Misconduct. Please answer the questions below to the best of your ability. You may use your notes, PowerPoint, student code, and OSCR website to assist you.*

### **Short answer responses.**

1. What are the due process rights afforded to a student charged with allegedly violating the student code of conduct at the University of Illinois at Urbana-Champaign?
2. What are at least 3 differences between the student conduct process and the criminal process?
3. What are the two types of evidence?
4. What is the standard of evidence used by the University of Illinois' disciplinary process?
5. What are the three main questions you should answer when you are assessing consent?
6. What 5 goals should you consider when you are sanctioning a student?
7. Name three things that you would look for in assessing if an individual is incapacitated?

## Exam for Subcommittee on Sexual Misconduct

**Please read the statement and identify the appropriate charge from the student code.**

*For Example: Ivan was found in possession of a beer at Red Lion. Answer: 1.307.a.1*

1. Every day for the past two weeks, Randall has waited in the lobby of Rudy's Residence Hall to see if they could be more than just friends. Rudy has told Randall that they are not interested in being friends and asked them to stop coming to their building. Randall continues to show up to Rudy's building.
2. Scott was arrested for punching his girlfriend, Susan.
3. Mark filmed his roommate having sex with another individual without their knowledge. Mark posted the video online.
4. William asked Diana to help him study for the Econ class. During the study session, William pulls out his penis and asks Diana to suck it. Diana declined and went home. Every time William sees Diana in class, he grabs his crotch and says suck it. Diana has asked to be switch to a different session.
5. Mary and Michael are roommates who have hooked up (had sex) a few times in the past year. This past weekend Mary hit Michael with a broom during an argument.
6. John was reported for grabbing Anna's butt while they were waiting in line to get into a bar.
7. Megan, Brad, Julian, and Matthew are all team members in a group project. Megan reported to the university she was sexually assaulted by Brad. Matthew and Julian confronted Megan about her report and asked her not to ruin Brad's life. Matthew and Julian turned in their final project and deliberately removed Megan's name.





1 Date of Report: November 20, 2016  
 2 Primary Investigator: January Boten  
 3 Secondary Investigators: Rony Die  
 4 Respondent(s): Aaron Lashua  
 5 Incident No(s): 00010-002-2016  
 6

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22  
 23 **SUMMARY OF INVESTIGATION**

24  
 25 **Involved Parties**

26 Complainant: **Sarah Ascher**

- 27     • October 4, 2016: Met with investigators
- 28     • October 8, 2016: Emailed statement for review, no response
- 29     • October 25, 2016 Emailed initial report ready for review
- 30     • October 28, 2016: Reviewed initial report
- 31     • October 31, 2016: Submitted response to initial report
- 32     • November 11, 2016: Invited to review revised report
- 33     • November 13, 2016: Reviewed revised report
- 34     • November 15, 2016: Submitted final response
- 35     • November 25, 2016: Notified of hearing date

36  
 37 Respondent: **Aaron Lashua**

- 38     • October 10, 2016: Emailed charge notice
- 39     • October 15, 2016: Met with investigators; emailed statement for review, replied
- 40         same day saying the report was accurate
- 41     • October 25, 2016: Emailed initial report ready for review

- 1 • October 27, 2016: Reviewed initial report and gave no response
- 2 • November 11, 2016: Invited to review revised report
- 3 • November 12, 2016: Reviewed revised report
- 4 • November 15, 2016: Submitted final response
- 5 • November 25, 2016: Notified of hearing date

6  
7 **Witnesses: Kelly Lin**

- 8 • October 8, 2016: Called to request participation as a witness, agreed, emailed  
9 confirmation the same day
- 10 • October 12, 2016: Met with investigators; emailed statement for review
- 11 • October 13, 2016: Replied to statement review

12  
13 **Tunde Ola**

- 14 • October 8, 2016: Emailed witness request
- 15 • October 11, 2016: Met with investigators; emailed statement for review, replied the  
16 same day

17  
18  
19 **Date of Reported Incident**

20 September 10, 2016

21  
22 **Reports Received From**

23 Complainant

24  
25 **History of Investigation**

26  
27 On October 4, 2016, Sarah Ascher spoke with Dean Die and Dean Boten over the phone to report an  
28 alleged violation of the Student Code against Aaron Lashua, where Sarah Ascher was the complainant.  
29 Kelly Lin was named as a witness and the first person who spoke to Sarah Ascher after the incident took  
30 place. We discussed role of investigators. We asked if an advisor was present with Sarah Ascher and she  
31 said that Pat Morey from the Women’s Resources Center was also on the line. We talked about her right  
32 to report the incident and to choose her level of participation as well as the right to not say anything.  
33 We explained the expectation of honesty and the retaliation policy. We also referred her to the  
34 resources on WeCare website. We talked about the difference in this process from the criminal process.  
35 We discussed why questions about alcohol are asked if it is applicable to the situation. We talked about  
36 the right to bring witnesses and supporting information. We shared that the information in file is  
37 private. We talked about the steps after the interview: that she would review notes, we would interview  
38 respondent and any witnesses, and put together an investigative report for both to review, give  
39 feedback, and right to review all reports and the right to appeal.

40  
41 Sarah Ascher was emailed her statement for review on October 8, 2016. Sarah Ascher replied to Dean  
42 Boten on October 10, 2016.

43  
44 Aaron Lashua was sent a charge notice with a no contact directive on October 10, 2016. Sarah Lashua  
45 was notified via email when the notice was sent.

46

1 On October 15, 2016, Aaron Lashua met with the investigators. Dean Danielle Die served as the  
 2 secondary investigator. We discussed role of investigators. Kenny Importante served as an advisor. We  
 3 explained the expectation of honesty and the retaliation policy. We talked about the difference from the  
 4 criminal process. We discussed why questions about alcohol are asked if it is applicable to the situation.  
 5 We talked about the right to bring witnesses and supporting information. Tunde Ola was named as a  
 6 witness to the incident. We shared that the information in file is private. We talked about the steps  
 7 after interview: that put together an investigative report for both to review, give feedback, and right to  
 8 review all reports and the right to appeal.

9  
 10 Aaron Lashua was emailed his statement for review on October 15, 2016. Aaron Lashua replied on the  
 11 same day.

12  
 13 On October 28, 2016, Investigators Die and Boten completed their initial investigative report and  
 14 contacted the complainant and respondent to inform them of this fact and give them until November 7,  
 15 2016 to review and respond to that report. A list of members of the Subcommittee on Sexual  
 16 Misconduct is included on top of the initial investigative report, giving the respondent and complainant  
 17 the opportunity to challenge the objectivity of anyone on that list based on the existence of a prior  
 18 relationship that could result in substantial bias.

19  
 20 Sarah Ascher reviewed the initial report on October 28, 2016 and submitted a response on October 31,  
 21 2016. Aaron Lashua reviewed the initial report on October 27, 2016 and submitted a response on  
 22 November 7, 2016.

23  
 24 On November 11, 2016, Dean Die and Dean Boten completed a revised investigative report and  
 25 contacted the complainant and respondent to inform them of this fact and to give them until November  
 26 20, 2016 to review and respond to that report. Sarah Ascher reviewed the revised report on November  
 27 13, 2016 and submitted a response on November 15, 2016. Aaron Lashua reviewed the revised report  
 28 on November 12, 2016 and submitted a response on November 15, 2016.

29  
 30 Dean Boten completed the final investigative report with the assistance of the secondary investigator  
 31 Dean Die; the report included the proposed statement of fact, proposed responsibility determinations,  
 32 and a written rationale for both. A panel of three members of the Subcommittee on Sexual Misconduct  
 33 was assembled, Dean Brown was named as the advisor, and the final investigative report was  
 34 distributed to this panel. Dean Boten emailed the parties on November 25, 2016 to notify them that  
 35 December 5, 2016 would be the date of the hearing.

36  
 37  
 38 **Alleged Violations**

39  
 40 ***For Aaron Lashua***

41 *Violation charge statement from original charge letter:* It is alleged that you raped another student on  
 42 September 10, 2016.

43  
 44 The investigation looked into possible violations of the following provisions of the Student Code:

- 45  
 46 1-302(b) Conduct that violates the University’s sexual misconduct policy, including:  
 47 (1) Sexual assault, as defined by § 1-111(c) (2) of the Student Code

1                    *[§ 1-111(c)(2) Sexual assault is any sexual activity that does not involve the knowing*  
 2                    *consent of each person, including (A) any form of sexual penetration without consent;*  
 3                    *and (B) any intentional or knowing touching or fondling by either person, directly or*  
 4                    *through clothing, of the sex organs, buttocks, or breasts of either person for the purpose*  
 5                    *of sexual gratification or arousal of either person without consent.]*  
 6

7                    *[§ 1-111(c)(3) Consent is informed, freely and actively given, mutually understandable*  
 8                    *words or actions that indicate a willingness to participate in mutually agreed upon*  
 9                    *sexual activity. A person can withdraw consent at any time. There is no consent when*  
 10                   *there is force, threats, intimidation, or duress. A person’s lack of verbal or physical*  
 11                   *resistance does not constitute consent. Consent to past sexual activity with another*  
 12                   *person does not constitute consent to future sexual activity with that person. Consent to*  
 13                   *engage in sexual activity with one person does not constitute consent to engage in*  
 14                   *sexual activity with another person. A person cannot consent to sexual activity if such*  
 15                   *person is unable to understand the nature, fact, or extent of the activity or give knowing*  
 16                   *consent due to circumstances including without limitation the following: (A) the person is*  
 17                   *incapacitated due to the use or influence of alcohol or drugs; (B) the person is asleep or*  
 18                   *unconscious; (C) the person is under the legal age to provide consent; or (D) the person*  
 19                   *has a disability that prevents such person from having the ability or capacity to give*  
 20                   *consent.]*  
 21

22                    **Standard of Proof**

23  
 24                    In order to determine that a student has violated the Student Code, the standard of proof required is a  
 25                    preponderance of the information, i.e., the information demonstrates that it is more likely than not that  
 26                    the conduct occurred.  
 27

28                    **INCIDENT NARRATIVE**

29  
 30                    Sarah Ascher and her roommates, Kelly Lin, Becky McCaughey, Yulisa Shipley and Carmen Trad had a  
 31                    party at their house on September 10, 2016 to celebrate a home football game weekend. The five  
 32                    women started the day with a Champagne and Pancakes breakfast around 8am. Ascher consumed  
 33                    about three champagne glasses of champagne and ate two large pancakes. (Appendix B)  
 34

35                    Friends started to trickle in to the house throughout the morning. (Appendix B)  
 36

37                    A friend of Lin’s, Joe Englehart, was stationed at the door starting around 10am collecting money and  
 38                    handing out solo cups for beer. Englehart sent a text to several friends around 11am saying they should  
 39                    come to the party. This text was sent to Aaron Lashua. (Appendices B and C)  
 40

41                    Lashua arrived at the party around noon. Lashua had brought with him a flask filled with Jack Daniels  
 42                    whiskey and he alternated between drinks from the flask and beer. (Appendix C)  
 43

44                    Starting around 2pm a group had formed in the living room dancing and singing. Both Lashua and  
 45                    Ascher were in this group. Lashua and Ascher did not previously know each other but were laughing  
 46                    and singing near each other in the living room. (Appendices B, C and E)  
 47

1 Around 3pm Ascher went into her bedroom to take a nap. Ascher had drank one or two cups of beer  
2 throughout the afternoon. She said she was buzzed but not drunk when she went to take a nap. The  
3 party was still going on, but there were less people there at that time because the football game was  
4 starting at 3:30pm and some people at the party left to go to the game. (Appendix B)

5  
6 Ascher said that sometime between 4pm and 8pm she woke up and there was a guy on top of her  
7 having sex with her. She recognized the man as the same man she was dancing and singing with earlier  
8 in the afternoon. Ascher said she told him to stop when she realized what was happening and at first he  
9 did not stop. Ascher said that she became louder in telling him to stop and at one point he looked at her  
10 and she got away and ran out of her room wearing only an oversized t-shirt. Ascher said that while she  
11 was trying to tell her roommates what had happened the man left the house out a back door. (Appendix  
12 B)

13  
14 Aaron Lashua said that he drank the entire flask of Jack Daniels Whiskey and 5 or 6 glasses of beer  
15 throughout the afternoon. He described himself as about a "7" on a 1-10 scale with 1 being totally  
16 sober and 10 being very drunk. (Appendix C)

17  
18 Lashua said that he continued dancing in the living room for most of the afternoon but he felt a strong  
19 connection with Sarah Ascher and started to ask friends about her when he noticed she was gone.  
20 Specifically, Lashua talked to Tunde Ola who was playing the music. Ola told Lashua that Ascher lived in  
21 the house. (Appendices C and E)

22  
23 Lashua said that once he found out that she lived there, he walked through the house looking for  
24 Ascher. When he opened the door to Ascher's room and saw her sleeping there, he said he laid down  
25 next to her and was playing with her hair and then he said he kissed her. (Appendix C)

26  
27 Lashua said even though he can't remember if she opened her eyes he does remember that she kissed  
28 him back. Lashua said that they started making out more and eventually had sex. Lashua said that  
29 Ascher was participating in the sex by holding on to him. Lashua said that in the middle of this Ascher  
30 changed and told him to stop. At that point Lashua felt like Ascher was mad and even though Lashua  
31 didn't understand why Ascher was mad he liked her and didn't want to make her more upset so he left  
32 and went back to his room in Wassaja Hall. (Appendix C)

33

1 **Appendix A: Incident Description/Summary of Champaign Police Department Report**

2

3 IR#: 00010-002-2016

4 Date/Time of Incident: September 10, 2016 between 4:00pm and 8:00pm

5 Location of Incident: 512 First Street Champaign, Illinois 61820

6 Additional Info:

7 Students Involved: Aaron Lashua

8 Victims/Complainants: Sarah Ascher

9 Other Witness(es): Kelly Lin, Tunde Ola

10 Police Report #:

11

12 **Incident Description**

13

14 Sarah Ascher spoke with investigators Boten and Die on October 4, 2016 over the phone to report that she was sexually penetrated without consent by Aaron Lashua at her apartment on September 10, 2016.

15 The investigators reviewed her options, verified that she did not speak with the police about the  
16 incident, and as such, there was no accompanying police report, and that she did wish to participate in  
17 an investigation with the university. Her statement is included in Appendix B: Complainant Interview.

18 Ascher did not want a no contact directive at this time.  
19

1 **Appendix B: Complainant Interview: Sarah Ascher**  
2

3 Meeting Date: October 4, 2016  
4 Primary Investigator: January Boten  
5 Secondary Investigator: Rony Die  
6 Complainant Advisor: Pat Morey  
7

8 **DISCLAIMER:** These notes are not verbatim and should not be read as a transcript of the interview. They  
9 constitute our best effort to capture all of the information discussed.  
10

11 [Discussed role of investigators, asked about advisor, right to report incident and choose level of  
12 participation, right to not say anything, expectation of honesty, retaliation policy, resources on WeCare  
13 website, difference from criminal process, why questions about alcohol are asked if it is applicable, right  
14 to bring witnesses and supporting information, FERPA, information in file private, steps after interview  
15 (review notes), interview respondent and any witnesses, and put together an investigative report for  
16 both to review, give feedback, and right to review all reports and appeal.]  
17

18 **Dean Boten: Please tell us why you are here today.**

19 Sarah Ascher: I am here because I was sexually assaulted. I figured out by talking to my friends that the  
20 guy that did it is Aaron Lashua, but I didn't even know that at the time.

21 **Dean Boten: Will you describe what happened that day?**

22 Sarah Ascher: It was a game weekend so my roommates, Kelly Lin, Becky McCaughey, Yulisa Shipley and  
23 Carmen Trad and our friends had champagne and pancakes pretty early. We were excited because it  
24 was a game day. We always were really into game days even though we don't have tickets or anything.  
25 Anyway, we were having fun with our friends that morning. Our neighbors had a party the night before,  
26 so they brought over the rest of their barrel and once the champagne was gone people started drinking  
27 that.

28 At first it was just our friends there but then there were a few people I didn't know, but they seemed  
29 cool so it was fine at that point. Everyone was just having a good time drinking and listening to music.

30 I had been up late the night before over at my neighbor's so I was pretty tired and decided to take a nap  
31 so I could still go out that night. I went into my room and fell asleep pretty quick so I really must have  
32 been tired.

33 All of a sudden I woke up and there was this guy on top of me, you know, having sex with me. I didn't  
34 know what his name was at that point. I told him to stop and he just kept going so I said it louder and  
35 then suddenly he looked at me like he was surprised. I took that as my chance to squirm away and I ran  
36 out into my living room. I only had on my ex boyfriend's big t-shirt when I ran out of my room, but I  
37 didn't care. I just wanted to be away from him.

38 When my friends went back to look for him he wasn't in my room anymore. He must have left out the  
39 back door.

40 **Dean Boten: You said that you didn't know his name at that point. Do you know his name now?**

1 Sarah Ascher: I did figure out his name. My roommate Kelly's friend Joe had invited him. Joe said his  
2 name was Aaron Lashua and they were in a group for AG ED 260 together and he thought it would be  
3 cool just to invite the group over since they had just gotten done with a big project that week.

4 **Dean Boten: How did you figure out that Aaron was the guy who was in your bed?**

5 Sarah Ascher: Well, right before I went to take a nap there was a whole group of us dancing in the living  
6 room and Aaron was there and I noticed he had on a green Red Sox hat. I thought that was weird so I  
7 remembered it. So I when I told my roommates that it was that guy they figured out his name for me  
8 pretty fast.

9 **Dean Boten: You mentioned that you were drinking that day. What did you drink and how much?**

10 Sarah Ascher: Umm, I had 3 glasses of Champagne with the two pancakes I had for breakfast. Then I just  
11 had 2 cups of beer that I drank pretty slowly before I went to go take a nap. I was a little buzzed but I  
12 for sure was not drunk when I went to bed, just really tired.

13 **Dean Boten: Is there anything else you would like to tell us?**

14 Sarah Ascher: I don't think so.

15 Explained next steps, asked if she was ok receiving summary of notes, she said yes, went over the next  
16 steps of the process with speaking to others, preparing an initial report, and that he and she would be  
17 able to respond to it, and would be notified when they were ready and participation was her choice.  
18 The final report would go to a committee who would make the decision. Full procedures listed in  
19 Appendix D on our website, the link was in the attachment to the original email. Stated that we would  
20 send her the decision letter with information to appeal when the decision was made.

1 **Appendix C: Respondent Interview: Aaron Lashua**  
 2

3 Meeting Date: October 15, 2016  
 4 Primary Investigator: January Boten  
 5 Secondary Investigator: Rony Die  
 6 Respondent Advisor: Kenny Importante  
 7

8 **DISCLAIMER:** These notes are not verbatim and should not be read as a transcript of the interview. They  
 9 constitute our best effort to capture all of the information discussed.  
 10

11 **[Discussed role of investigators, asked about advisor, right to report incident and choose level of**  
 12 **participation, right to not say anything, expectation of honesty, retaliation policy, asked about no**  
 13 **contact (did not want one at this time), difference from criminal process, why questions about alcohol**  
 14 **are asked if it is applicable, right to bring witnesses and supporting information, FERPA, information in**  
 15 **file private, steps after interview (review notes), interview respondent and any witnesses, and put**  
 16 **together an investigative report for both to review, give feedback, and right to review all reports and**  
 17 **appeal.]**  
 18

19 **Dean Boten: Please tell me what happened on September 10, 2016 from your point of view?**  
 20

21 Aaron Lashua: I was eating brunch in the Ike and I got a text from my buddy Joe to head over to this  
 22 party. Joe and I were in a group together for AG ED 260 and we had just finished a big project this week.  
 23 I stopped back in my room and then headed over there. I got there around noon.  
 24

25 I didn't really know anyone other than Joe there so I went in the living room where they were playing  
 26 music. I ended up dancing with that Sarah girl. She was singing the songs and looking right at me. I  
 27 thought we were cool.<sup>1</sup> I left to go to the bathroom and when I came back she was gone.  
 28

29 So I started asking around about where she went and someone told me that she lived in the house. I  
 30 found her room right away. I was kind of tired too so I laid down next to her. She was actually really  
 31 cute so I played with her hair for a little bit and then kissed her. She totally kissed me back, so then we  
 32 were making out and before I knew it we were you know, having sex. I didn't expect that to happen at  
 33 all that day. I know she was into it though because she was kind of hugging me during it.  
 34

35 Anyway, all of a sudden she just totally got weird. She said to stop, so I did. She looked really mad all of  
 36 a sudden. She ran out of her room. Since she was mad, I decided to just leave. I didn't want any  
 37 problems.  
 38

39 **Dean Boten: When you started kissing Sarah was she awake?**  
 40

41 Aaron Lashua: I mean I guess she was asleep at first but then she was for sure kissing me back. I don't  
 42 know if she opened her eyes at all or not.  
 43

44 **Dean Boten: When you had sex with Sarah how did she communicate with you that she wanted to be**  
 45 **having sex?**

---

<sup>1</sup> Sarah Ascher's response to the report notes that she did not feel a connection with Aaron Lashua and has no idea why he would think that they had a connection since they never spoke to each other.

1  
2 Aaron Lashua: I could just tell while we were kissing that is what she wanted. And she was holding on to  
3 me, like hugging me, so it really felt like she was into it.

4  
5 **Dean Boten: Was there a point when Sarah communicated to you that she did not want to be**  
6 **engaging in the sex or the kissing?**

7  
8 Aaron Lashua: Like I said before, she changed in the middle and said to stop and I stopped right away. I  
9 feel like I listened to her as soon as she told me to stop.

10  
11 **Dean Boten: How much did you have to drink that day?**

12  
13 Aaron Lashua: Well, I brought a flask with me with Jack Daniels and I drank that and probably 5 or 6  
14 beers.

15  
16 **Dean Boten: How intoxicated would you say you were on a 1-10 scale with 1 being totally sober and**  
17 **10 being very drunk?**

18  
19 Aaron Lashua: I guess I was like a 7.

20  
21 **Dean Boten: Tell me more about when you left. Why did you leave the way that you did?**

22  
23 Aaron Lashua: I mean I just felt like she was suddenly mad. It was her house. I liked her. I didn't want  
24 any problems with anyone and I saw the door down the hall and just left. I mean, I didn't think she  
25 wanted me there anymore. Honestly I felt kind of dumb that she was reacting that way and didn't want  
26 to talk to anyone else about it.

27  
28 **Dean Boten: Is there anything else that you want to make sure is noted in the report?**

29  
30 Aaron Lashua: I just feel like this whole thing is being blown out of proportion. I didn't hurt her. I just  
31 thought she was pretty and she seemed like she liked me when we were dancing in the living room.  
32 Seriously, I feel like I listened to her when she said to stop. I don't know why this has turned into this  
33 huge thing.

34  
35 **Dean Boten: Is there anything else?**

36  
37 Aaron Lashua: No. I am done.

38  
39 **Explained next steps of the process with speaking to others, preparing an initial report, and that she**  
40 **and she would be able to respond to it, and would be notified when they were ready. The final report**  
41 **would go to a committee who would make the decision. Full procedures listed in Appendix D on our**  
42 **website, the link was in the attachment to the original email. Stated that we would send him the**  
43 **decision letter with information to appeal when the decision was made.**

1 **Appendix D: Witness Interview: Kelly Lin**

2

3 Meeting Date: October 8, 2016

4 Primary Investigator: January Boten

5 Secondary Investigator: Rony Die

6

7 **DISCLAIMER:** These notes are not verbatim and should not be read as a transcript of the interview. They  
8 constitute our best effort to capture all of the information discussed.

9

10 **Dean Boten: You are here as a witness to an incident that took place on September 10, 2016 at your**  
11 **house involving your roommate Sarah Ascher. Please tell me what you know about this incident.**

12

13 Kelly Lin: We had a few people over because it was a game day. Mostly it was all our friends or at least  
14 friends of friends. Generally, everyone was having a good time until Sarah came running out of her  
15 room kind of hysterical.

16

17 She only had on this big tshirt and people were still there partying. I went in her room with her and she  
18 put on some pants. She didn't want to be in her room though, so we went out on the porch to talk.

19

20 She told me that she had been raped. She said she went in her room to take a nap and woke up with  
21 some guy on top of her. She said she recognized him from the party, but she didn't know him at all. She  
22 said that when she realized what was happening she freaked out and told him to get off of her and she  
23 slid out from under him and that is when she ran out into the living room.

24

25 He must have left out of the back door because when we went back to her room, which was pretty  
26 quick, there was no sign of anyone.

27

28 She was crying and I really didn't know what to do. I remember in FYCARE they told us to say, I believe  
29 you, so I just kept saying that. It was really hard to hear her be so upset.

30

31 **Dean Boten: Did you know the guy she said did this?**

32

33 Kelly Lin: I don't know him, but Sarah said he had on a green Red Sox hat and I told my friend Joe who  
34 had been at the door selling cups that day that we were trying to figure out who the guy was wearing  
35 that hat and he knew his name. He said it was Aaron Lashua. He said he didn't know him all that well  
36 either, but he had invited him because they had a class together or something. I don't know. I just can't  
37 believe this happened in our house.

38

39 **Dean Boten: Is there anything else that you think it would be helpful for me to know?**

40

41 Kelly Lin: Not really. It just was bad. It is still kind of bad at our house. That is all really though.

42

43 **Dean Boten: What do you mean when you say it is bad?**

44

45 Kelly Lin: I guess I just mean that she cries a lot and she sleeps on the couch because she doesn't want to  
46 be in her room.

47

48

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**Appendix E: Witness Interview: Tunde Ola**

Meeting Date: October 8, 2016  
Primary Investigator: January Boten  
Secondary Investigator: Rony Die

DISCLAIMER: These notes are not verbatim and should not be read as a transcript of the interview. They constitute our best effort to capture all of the information discussed.

**Dean Boten: You are here today to serve as a witness to an incident that took place on September 10, 2016 between Aaron Lashua and Sarah Ascher. Tell me about what happened.**

Tunde Ola: I don't know a lot. I am friends with the girls but I also kind of know Aaron and he told me he wanted me to come here and talk to you. He is actually a pretty good guy. I was in the living room running the playlist that people were dancing to. Aaron wanted me to tell you that I saw him dancing with Sarah and they both looked like they were having a good time.

At some point, I am not sure when, Sarah was gone. Aaron came up to me and was like, where did that girl go I was dancing with and I was like oh, that's Sarah. She lives here. He didn't say much else to me and just walked off.

Next thing I knew about any of it, Sarah comes running into the living room looking for Kelly just wearing this huge shirt and looking really shaken up. That's really all I know about it.

**Dean Boten: You said that Aaron asked you to talk to me. Did he tell you about what happened at all?**

Tunde Ola: Um, he just said that Sarah was saying stuff happened that didn't happen and he needed someone to have his back. I don't really know him like that to have his back but I can't see him doing anything bad.

**Dean Boten: Is there anything else I should know for my report?**

Tunde Ola: I don't think I know anything else helpful.

1 **Appendix F: Complainant Response to Initial Report**

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3 Received on: October 31, 2016

4 Dear Dean Boten,

5 I would like to respond to Aaron’s interview. I have no idea what he is talking about regarding this  
6 connection he felt like we had with each other. He was a total stranger to me that day. We did not have  
7 a conversation. We happened to know some of the same lyrics to songs but most people in the room  
8 did. He is imagining that I did something to make him feel like we were “cool.” I assure you we were  
9 not and certainly are not now.

10 Even if I did know him, I certainly did not consent to have him violate me while I was sleeping.

11 Thank you for your help,

12 Sarah

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1 **Appendix G: Complainant Final Response**

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3 Received on: November 15, 2016

4 Dear Dean Boten,

5 I would like the committee to know that this incident absolutely violates the student code. I want to  
6 highlight to areas of his interview that support this.

7 The first is that he never had any indication I was awake while he was kissing me or when he chose to  
8 violate me completely. He said starting on page 9, line 41, "I mean I guess she was asleep at first but  
9 then she was for sure kissing me back. I don't know if she opened her eyes at all or not." What kind of  
10 person crawls into bed with a STRANGER and then starts kissing them when they are not awake? This  
11 makes no sense at all.

12 Secondly, he knew I was mad when I woke up. On page 10, line 23 he said, "I mean I just felt like she  
13 was suddenly mad." Of course I was mad! I don't know why he doesn't admit that what he did was  
14 wrong and he should have never come in my room.

15 Thank you for looking at my case carefully.

16 Respectfully,

17 Sarah Ascher

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1 **Appendix H: Respondent Final Response**  
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3 Received on: November 15, 2016

4 Dear Dean Boten,

5 I just have a few things I want the committee to know. First of all, I am a good person. I volunteer on  
6 the weekends. I have a younger brother that looks up to me. I am not a rapist.

7 I study all the time. I barely go out. This event was one of the few times all semester where I let myself  
8 have a good time.

9 I met a girl. I liked her. She was pretty. I didn't mean to hurt her. I thought she liked me. I do not think  
10 I did anything that doesn't happen all the time. I am in college. People drink. People hook up.

11 I hate it that Sarah even thinks of me like this. I feel like it was all just a huge misunderstanding. I think  
12 if she really got to know me she would think of this all much differently.

13 I hope the committee can see that this was not as big of a deal as this is all turning into.

14 Sincerely,

15 Aaron Lashua

16 Junior  
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