

CASE STUDY #1: TODD & AMY

Complainant: Amy Craft – first-year student at Tessera
Tessera Employee: Julia – Professor – Women and Gender Studies
Respondent: Todd Martin – First-year student at Tessera

Part 1

On April 27th, Amy Craft, a first-year student at Tessera, sets up a time to meet with her Women and Gender Studies Professor, Julia, for later that afternoon. Upon arriving for the appointment, Julia can see that Amy is very upset and looks exhausted. Julia asks if everything is ok and Amy asks if she can close the door. Julia gets up, closes the door, sits back down and Amy blurts out, I think I was raped last weekend in my dorm room by another student, a friend of a friend named Todd. Stunned and very concerned, Julia asks what happened. What follows is Amy's account as provided to the faculty member.

STATEMENT OF AMY CRAFT

On Friday, April, 23rd I went to an on-campus party. I was doing a lot of drinking and dancing and getting to know people. I had at least four drinks in the first few hours I was there. Then, I met Todd. I remember that he came up to me on the dance floor, and started to dance with me. He was really good looking, and so was the other guy he was with, Jeff, whom I had met at a different party the week before.

We danced and had a lot of fun, and I remember drinking some more and Todd getting me some Jell-O shots, which were really strong and nasty. I wasn't feeling well and went into the bathroom, feeling like I might throw up. The bathroom was really crowded, and I went outside for some fresh air instead. I sat on the stoop, feeling nauseated. I went over to the bushes and got sick. Todd came over and helped me out. I remember walking home with him, and throwing up some more in my bathroom, but nothing else.

When I woke up the next day, his name and number were scrawled on a pad by my sofa, and there was a used condom in the toilet. I got scared, and called him to find out what had happened. I remembered most of what he said about the party, but when he told me that we came back to my room and had sex, I started to cry. I didn't remember any of it, and was afraid I might be pregnant. Todd assured me he wore a condom, and asked me out again. I hung up and cried. I told everything to my roommate Sarah, who was sitting on the sofa when I called Todd. She suggested I call the campus police, but I felt more comfortable talking to you. Please don't tell anyone...

End Part 1

Part 2 – Todd & Amy

STATEMENT OF TODD MARTIN

On the night of Friday, April 23rd, I went to an on-campus party. There was a band, and a lot of alcohol. I got to the party at about 11:00 pm, and slammed about three beers in the first hour I was there. It was very crowded, and people were dancing. A lot of people already seemed to be drunk. I hung out around the dance floor with my friend Jeff Kwik for a while, until I noticed Amy Craft dancing. She was really cute, and I had noticed her on campus a few times. I went up to her and we started talking. She seemed a little tipsy and in a pretty loose mood. We talked for a while, and I think I got her about two or three beers over the next hour. I didn't have anything more to drink because the three beers I slammed were doing the trick just fine.

Around 1:00 am, somebody started passing out Jell-O shots spiked with grain alcohol. I didn't want to mix beer and liquor, but Amy had a few shots. We danced a lot, and then I got her a few more Jell-O shots. She went off to the bathroom, and after that I couldn't find her, and that really bummed me out. I waited around to see if she would show up again, but she didn't. I took off and started to walk back to my residence hall. As I left the party, I heard someone vomiting. I looked over and saw Amy in the bushes, throwing up. I went over to help her, and she seemed to be in pretty bad shape. I offered to take her home, and she told me her dorm and leaned on my arm.

When we got to her dorm, I helped her inside, and was about to leave, but she asked me to come up to her room, just to make sure she got there. I took her upstairs, opened the door for her, and let her in. She asked me to get her a glass of water, and I did. I started to take off again, but she asked me not to go. When I turned around, she kissed me, hard. We kissed for a while, but she wasn't feeling well, and went into the bathroom again. When she came out, she said she felt better, but tired. She lay down and we kissed some more. I started to massage her back, and she passed out. She came to about 20 minutes later, and started to kiss me, and fondle me. She took off her shirt, and all of my clothes. I started to kiss her all over, and she said she wanted to lay down again. I asked her if she was okay, and she said she was. I asked her if she had a condom, and she said she had one in her purse. I went to get it, and when I got back to the couch, she was out again.

She woke up after about 20 minutes, and I suggested that she just go to sleep. But, she said she felt much better, and started to give me oral sex. After a while, she put the condom on me and we had sex. It was great. She was really wild, and liked to be on top. Afterward, we talked until the early morning, and I gave her my number and left. The next day, she called me to ask me why my name was on the pad by her sofa. I told her about meeting her at the party, and about our evening together. She seemed to get upset, and said she remembered meeting me at the party, but nothing else. I asked if she ever wanted to get together again, and she hung up on me.

CASE STUDY #2: COURTNEY & SHAWN

Victim:	Courtney – Rising Senior on Women’s Soccer Team
Alleged harasser:	Shawn – Rising Senior on Men’s Baseball Team
Witness:	Jenna – A student at Tessera and Courtney’s roommate
First responder:	Women’s Soccer Coach
Investigator:	Deputy Title IX Coordinator

For the last three years, Shawn, a rising senior outfielder on the men’s baseball team, has been dating Courtney, also a rising senior and team captain on the women’s soccer team. Their relationship is quite serious and the two have even discussed marriage, though Courtney is hesitant to commit until Shawn controls his drinking and his behavior when he is drunk. When sober, Shawn is engaging, light-hearted and easy-going, but when he drinks heavily, he becomes aggressive, destructive and prone to yelling at people and getting into fights. His teammates typically keep a close watch on Shawn if he goes out or is at a party and occasionally it takes two or three of them to keep Shawn under control. They know that Shawn cannot afford any other another problems because he was suspended the previous year for his third alcohol and disruptive behavior incident. During his suspension, Shawn received some counseling and it seems to have helped him drink less and make more mature decisions; at least until Friday night.

Three days ago (Friday), Courtney and Shawn got into a very loud and public argument at breakfast in the athletes’ dining hall. At the end of the argument, Courtney told Shawn she was cancelling their plans for that night and that they both needed some time to calm down; Shawn agreed.

That night, Shawn and some of his teammates played X-box in Shawn’s room and began drinking a few beers (Shawn is 22 years old). One of the teammates brought whiskey and Shawn made himself a very strong whiskey and coke. His friends left for a party and Shawn, who told his friends he was just going to bed, continued drinking. As he became very drunk, he began to get worried, frustrated and angry about the state of his relationship with Courtney. He felt he really needed to talk to her.

At about 1:00am, Shawn made his way over to the off-campus apartment Courtney and her roommate were renting nearby, banged on the living room window and yelled that he wanted to talk to Courtney. Courtney refused to let him in because he was both drunk and angry. Shawn threatened to break down the door if she did not let him in. Courtney told him to go home, go to bed and they could talk in the morning. Shawn yelled and cursed, then started to cry saying he couldn’t live without Courtney and he just needed to talk. Courtney still refused to let him into the house and Shawn became very angry, punching a window near the door and breaking it. Courtney told Shawn he was out of control and she was going to call the police.

She pulled out her phone, but before she could dial, Shawn broke the rest of the window near the front door, reached in, unlocked the door, threw it open and charged at Courtney screaming at her to “put the f-ing phone down!” Courtney screamed and ran to her bedroom with Shawn chasing her. Courtney tried to close the door, but Shawn managed to wedge himself between the door and the jam and forced the door back open, calling her a “crazy bitch.” Courtney backed away and they continued to yell at each other. Shawn charged at Courtney, reaching for the phone, but Courtney kept her arm extended and away from him. The two wrestled a bit as Shawn tried to reach the phone and when he couldn’t, Shawn reached for Courtney’s neck, and put his hand around the front of it, still trying to get to the phone. The two hit and toppled onto the bed, with Shawn on top, his hand still on her neck, reaching for the phone with his other hand. Courtney could not breathe well and slapped/punched Shawn’s face and kicked him with her legs, which seemed to bring Shawn back to his senses. He quickly released Courtney, got off the bed and said he was so sorry, that he did not know what came over him. He told her that a phone call to the police would end his baseball career and his time at the school. Courtney, sobbing, screamed at Shawn that he needed help and he could not keep doing this. Shawn, also sobbing, apologized again and left.

Courtney’s roommate, Jenna, who had barricaded herself into her own bedroom when Shawn burst through the door (unfortunately her cell phone was in the kitchen), told Courtney to call the police. Courtney, however, called the person she trusted the most – her soccer coach. Her coach rushed over to the apartment and convinced Courtney that Shawn needed help and Courtney gave the coach permission to call the police.

The police arrived, took statements, photos of the damage to the house, the bruising and marks on Courtney’s body and arrested Shawn. The next day in conversation with the school’s Deputy Title IX Coordinator/Investigator, the soccer coach indicated, to the obvious surprise of the Deputy Coordinator, that this was the third time Shawn has done something like this; the previous two times the coach said she simply “worked the situation out” with an Assistant Coach on the baseball team.

CASE STUDY #3: JANET & ROBERT

Witness: Anonymous Reporter – “Friend” of Janet’s
Alleged Victim: Janet - Victim: Administrative Assistant at Tessera
Alleged Harasser: Robert – Janet’s husband and full-time employee in Facilities Management

Part 1

The Title IX Coordinator receives an anonymous submission from the Harassment Online Reporting Form.

The report starts by saying that the Anonymous Reporter (AR) does not want to get anyone in trouble and that they are only trying to help. The AR reveals that the matter is very sensitive and involves one of her friends who works at the University, Janet Middleton.

The AR says she thinks that Janet is being physically abused by her partner, Robert Middleton, a full-time employee in Facilities Management. The AR indicates that Janet seems noticeably withdrawn lately and that Janet recently came to work late, had red puffy eyes and looked as though she had been crying. The AR reports that Janet said she was ok and that she was just dealing with some personal issues. The AR continues that Janet was walking with a limp last week and, when asked about it, told people she twisted her knee after slipping on some ice in her driveway. Later that same day AR said someone overheard Janet on the phone saying, “but I’m scared of what he would do if I tried to leave him.”

According to the AR, Janet missed a few days of work last month and returned to work wearing a sling. Janet claimed that she sprained her shoulder while working in the yard. Yesterday Janet showed up over an hour late to work and had some swelling around her eye and her bottom lip. When asked, Janet said she got up to the bathroom last night in the dark and walked right into the edge of her open closet door. The report continues indicating that later that day, Robert and Janet got into a loud argument in the parking lot and that Janet was crying in the bathroom afterwards. The AR notes that they have hesitated to raise any concerns or suspicions, but worries that Janet’s situation is escalating and that someone needs to step in.

End Part 1

Part 2 – Janet & Robert

The Title IX Coordinator reaches out to HR and receives access to Janet's personnel file. Janet's file reflects an abnormal number of sick days over the last six weeks (10...more than the previous six months combined), and a low-level Performance Improvement Plan initiated a few weeks prior targeting repeated mistakes and attendance concerns, including showing up very late for work five times in the past month.

After consulting with the Title IX Coordinator, the Deputy Title IX Coordinator (DTC) and Janet's supervisor meet with Janet and indicate the institution received an anonymous report that gives the institution great concern for Janet's well-being. Janet expresses concern that she may lose her job and breaks down crying. The DTC and the supervisor reiterate what had been told Janet previously, that she is not in any trouble, after which Janet relaxes a little, but she still appears very tense. The three talk for some time and Janet begins to open up, indicating that she and her husband are going through some rough patches and that things are really tight financially; she said she needs to keep her job. Janet says that her husband, Robert is under a lot of stress and he tends to get really angry lately and that he doesn't realize what he is doing until it is too late; realizing she has said too much, Janet quickly says, "please don't tell anyone, please; I don't know what would happen. I love my husband and we are going to get through this. Please, forget I said anything." Janet quickly asks to be excused and hurries out the door.

Additional information discovered by the Title IX Coordinator while conducting a preliminary inquiry:

Robert has two rather significant disciplinary notes as part of his personnel file – both the result of Robert losing his temper with work colleagues. In one incident, he was heard to yell at a colleague in the middle of a heated argument, "you don't want to mess with me; people who do end up getting hurt." In the other incident, Robert punched a hole in the wall in frustration for not receiving a promotion.

CASE STUDY #4: IVAN & JUANITA

Complainant: Juanita Morales – Student
Respondent: Ivan Petrovich
Initial Investigator: Officer Michelle Goldberg
Employee: John Wang – Asst. Director of Information Technology
Witness: Allen Davis – Student, President of Ivan's fraternity

Report by Officer Michelle Goldberg

Date: May 15, 2014

Reported by: Juanita Morales

Charges: Harassment, Sexual Harassment, Violation of Computer Acceptable Use Policy

I, Officer Goldberg was dispatched to meet with a female student, Juanita Morales. She was extremely upset. Apparently she had received a picture, via email, which had her face attached to a body with exaggerated breasts. She received the picture via email while studying at her sorority house. A large number of the sorority members also saw the picture. Juanita was very worried that the picture had been distributed campus wide. Ms. Morales stated that she thought another student, Ivan Petrovich, was responsible.

I then contacted John Wang, Assistant Director of Information Technology, to investigate who originated the picture. We supplied Mr. Wang with the IP address from the originating email. Mr. Wang reported that he was able to determine that the picture was sent from the port in the community recreation room from the fraternity house of Lambda, Lambda, Lambda, but that he could not positively identify who actually sent the picture.

Subsequently, statements were collected from Juanita Morales, Ivan Petrovich, Allen Davis (Lambda, Lambda, Lambda - fraternity president), and John Wang, Assistant Director of Information Technology.

It is the determination of this office, at this time, to refer this complaint to the university conduct system for investigation.

Complainant's Statement: Juanita Morales

On September 4, 2011 I was sitting in the common room of the sorority house studying for a quiz with my Big Sis Alice. Another sister came into the room, sat down on the couch and began checking her email on her laptop. All of a sudden she started to yell for all of us to come over to her computer and look at what was sent to her from the fraternity next door, Lambda, Lambda, Lambda. The email said, "Greetings new freshman, meet the girl next door." Everyone in the room walked over to the computer as she opened up the picture. When I looked at the screen, I was horrified! It was a picture of me and I was totally naked. Except it really wasn't me! I mean, it looked like me, it was my face pasted on this body that had these really huge breasts. It was amazing how everyone in the room knew it wasn't me but they were all laughing at the picture. I was so embarrassed that I ran out of the room in tears. All I could think of was that everyone on campus was going to see this picture and think it was really me and that I posed for a picture naked. I called this boy named Ivan, because I just knew that the email came from him. At first he said that it was only a joke, and I couldn't take a joke, and then he said that he didn't send it. The next day, as I walked out the front door on my way to a class, several of the brothers from Tri Lambda were standing outside their house and started pointing at me and laughing. I just started crying and ran back to my room. After that, I contacted the University Police to file this complaint. I am so upset about this whole thing. Last term Ivan asked me out several times, but I didn't want to go out with him. I know that I wasn't very nice calling him a total loser in front of his friends, but he was really annoying and he wouldn't stop bothering me. I never really considered him to be my friend, but I can't imagine why he would hurt me or embarrass me like that when he doesn't even know me that well.

Signed: Juanita Morales '14

Respondent's Statement: Ivan Petrovich

Juanita is totally blowing this out of proportion! I have never harassed her. Last term I asked her out a few times and she told me no. Actually she called me a loser, but hey I was cool with that. I told her that she didn't know what she was missing but as far as I know, that is not harassment. I moved on and left her alone.

I still can't believe that she went to the police with this. When she was at parties at our house and when she was drinking she always used to tell me and everyone in the room that she wanted to get a boob job. I just helped her out a little bit. I had this project to do for my media design class where you had to morph two objects together that did not belong together. I figured that this was the perfect opportunity to give her the boob job she wanted. Besides, she has flashed her boobs in public to many of the brothers when she was drinking. It was only meant to be a joke. I never put her name on it so what's the big deal? This is a work of art that I created for my class, not a porn picture or anything.

I only showed my artwork to a few of my friends, which by the way is protected by my First Amendment Rights. I know my rights very well since I am a criminal justice major, in fact, the first amendment states: *That Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.*

I never sent that picture out to anyone, and I have no idea who did. It wasn't meant to hurt anyone, and besides, it's my property and my artwork.

Signed: Ivan Petrovich

Statement of: John Wang - Assistant Director of Information Technology

Complaint: Harassment of Juanita Morales by Ivan Petrovich

At the request of University Police, I initiated an investigation to determine, if possible, who sent a picture via computer of Juanita Morales, a student at the University, to several members of the Delta Pi Epsilon Sorority. Based upon information given to Public Safety I started the investigation by reviewing the computer use records of Ivan Petrovich. I was able to confirm that someone using the computer port in the common room of Lambda Lambda Lambda (the building is owned by the University and has our computer network in each room) sent the picture to each female in the sorority house. I then contacted the president of the fraternity and told him that I needed to inspect the computer in the common room (the residents of the house typically use the computer for printing to the printer in the common room). I found the picture in question in a file on the desktop. I then contacted Ivan to inform him that I needed to inspect his laptop relative to my investigation. Ivan allowed me to inspect his laptop and I was unable to determine if the picture was sent out via email to anyone. Ivan told me that he created the picture, but never sent it out. He further stated that the picture was supposed to be a joke and part of his media design project and that he didn't understand what all the fuss was about. He told me that he did not send the picture out or allow it to be removed from his laptop. If he does not have his laptop with it, Ivan indicated it is typically locked in his bedroom.

Statement of: Allen Davis - President, Lambda Lambda Lambda Fraternity

Complaint: Harassment of Juanita Morales by Ivan Petrovich

Last semester, a member of our fraternity, Ivan Petrovich, tried to date Juanita Morales, a member of our sister sorority. After she turned him down several times, he stopped asking. Ivan knew Juanita because she has attended most of the parties we've hosted this year. Ivan told me he "liked her style" because she had flashed her breasts a couple of times. What I mean is that she lifted her shirt, showing her breasts like girls do at Mardi Gras. She was showing

everyone. Ivan also told me that she had talked to him about wanting to get breast enlargements. So, after she turned him down, and he had this project due, he thought it would be funny to generate a computer picture with her head on a body with very large breasts. Ivan is pretty good on computers so it didn't take him long. Once the picture was done a lot of the guys in the house looked at it and thought it was pretty funny. Everyone who looked at it knew it was a joke because everyone knows Juanita doesn't look anything like the picture. Actually, the picture is more like an exaggerated caricature. While we were looking at the picture someone, not Ivan but I can't remember who, suggested that he send it to the girls in Juanita's sorority. Since we know all the girls there, it seemed like a funny thing to do – especially since they all know Juanita looks nothing like the picture. But we didn't send it out, we just laughed about it. The day after the picture was sent I got a call from Juanita. She was really angry. She said that she was sure Ivan had done it, and that she was going to get Ivan for doing this. Then Ivan told me he had been charged with harassing Juanita and that I needed to come here and tell people that this was all a joke and that Juanita has blown this all out of perspective. I don't think it's right that she can charge Ivan for what is clearly a mistake and an art project. Especially when she has flashed her breasts at our parties and talked about wanting larger breasts.

CASE STUDY #5: JEREMY & PROFESSOR MEYER

Alleged Victim: Jeremy Cribbs – Senior student at Tessera University
Alleged Harasser: Alexis Meyer - Associate Professor of German at Tessera University
Possible Witness: Samuel Stein – Assistant Professor of German at Tessera University

Background

Jeremy Cribbs is a senior with a dual major – one in Economics, the other in German Studies. He is a very good student, is a member of Model UN and participates in the alternative spring and winter break programs.

For the last 13 months, Jeremy has been in a consensual sexual relationship with Alexis Meyer, an Associate Professor specializing in German Literature.

Professor Alexis Meyer is a 35-year old rising star within the department; her research is stellar and her teaching evaluations are always among the highest in the department.

History of the relationship

Beginning February 2013

Jeremy is struggling with some of the writings of Kafka and seeks out Professor Meyer during her office hours. Jeremy took a previous course from Professor Meyer and performed well, though the current course is more difficult. He really likes Professor Meyer and harbors an attraction to her that is shared by many of his classmates. After guiding Jeremy through his Kafka concerns, Professor Meyer gets up and closes the door to her office. She then sits down next to Jeremy and proceeds to tell him about a special comparative literature project that she would like him to be part of. During their conversation, she compliments his work and places her hand over his, indicating she really hopes he will agree to be part of the project. Pleased and a little excited, he readily agrees. Professor Meyer tells him the project group will be meeting at her house the following evening. She also notes that he should stay after the group leaves so they can discuss his long-term goals of getting into graduate school and how she can be of help in the process.

Jeremy arrives at Professor Meyer's house and the group of four students and the Professor meet for about an hour. Jeremy notices that Professor Meyer makes prolonged eye contact with him, and she goes out of her way to compliment him throughout the evening. As requested by Professor Meyer, Jeremy lingers after everyone else leaves. Once the other group members leave, Professor Meyer draws close to him, tells him that he has remarkable potential and leans in to kiss him. The two ultimately begin a consensual sexual relationship.

Jeremy and Professor Meyer meet a few times a week, typically at her house, and engage in sexual intercourse; occasionally, they engage in sex in her office after hours. They spend a weekend in the Poconos together. With regularity, the two send each other naked pictures of themselves and involve themselves in daily sexting.

The group completes the project in October 2013 and, by December 2013, Jeremy has completed all of his requirements for his German Studies major. While a few of Jeremy's friends know about the relationship, they have maintained his confidence throughout the relationship.

April 2014

An Assistant Professor in Meyer's department, Samuel Stein, strongly suspects something is going on between Jeremy and Professor Meyer. He is inclined to look the other way given Professor Meyer's status in the department and her role on his tenure review committee.

The University receives an anonymous report through the online reporting system that Professor Meyer is sleeping with students and sending them naked pictures of herself.

How do you proceed?

