

UNIVERSITY *of* MISSOURI
OFFICE FOR CIVIL RIGHTS & TITLE IX

**HEARING PANEL RESOLUTION
INVESTIGATIVE REPORT**

Richards v. Harris

Investigator: Ross Brown
Date of Report: September 4, 2020

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CASE OVERVIEW

PARTY NAMES

1. Complainant: Megan Richards, Student at the University of Missouri
2. Respondent: Jack Harris, Student at the University of Missouri

WITNESS NAME(S)

1. Brittany Smith, MU Student, Friend of Richards
2. Ryan Brown, MU Student, Friend of Richards
3. Emma Williams, MU Student, Friend of Richards
4. Patrick Day, MU Student, Friend of Harris

HISTORY OF THE CASE

On June 2, 2020, Megan Richards made an in-person report to the Office for Civil Rights & Title IX (OCRT9). During our meeting, Richards described alleged behaviors by Jack Harris that may constitute sexual misconduct, in violation of University policy. We discussed her options and she stated that she wanted to move forward with a formal investigation. The same day, I sent Richards the relevant policy documents and formal complaint form via email.

On June 19, 2020, Richards submitted a formal complaint to OCRT9.

On July 3, 2020, I sent Notices of Investigation to Richards and Harris outlining the allegations.

On July 8, 2020, I met with Harris and his advisor to obtain his statement in response to the allegations.

Between July 2020 and August 2020, I interviewed the witnesses regarding their knowledge of the incident. Summaries of my interviews are contained in this report.

RELEVANT DATES

February 8, 2020

- Harris allegedly engaged in nonconsensual sexual intercourse with Richards at [REDACTED].

June 2, 2020

- Richards made an in-person report to OCRT9.

June 17, 2020

- Harris allegedly approached Richards at [REDACTED], stating that he had been going there for weeks, trying to find her.

June 19, 2020

- Richards filed a formal complaint with OCRT9, requesting an investigation into allegations of sexual misconduct.¹

June 22, 2020

- Richards added additional information to her complaint and requested an investigation into allegations of stalking on the basis of sex.²

July 3, 2020

- OCRT9 sent Notices of Investigation³ and No Contact Directives⁴ to Richards and Harris.

August 21, 2020

- Parties were notified of Assistant Vice Chancellor Andy Hayes's determination that there was sufficient basis to proceed to the resolution phase of the Equity Resolution Process.⁵

September 4, 2020

- OCRT9 sent Notices of Hearing⁶ to the parties and granted them access to the Investigative Report and Exhibits.

POTENTIAL POLICY VIOLATIONS

I delivered a Notice of Investigation (NOI) to Jack Harris via University email on July 3, 2020. The NOI informed him that an investigation was being conducted pursuant to the University of Missouri Collected Rules and Regulations (CRR) Chapter 600.030.

The NOI stated that Harris was accused of violating CRR 600.020, the Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy. Specifically, the NOI alleged that the following incidents occurred on February 8, 2020, and on June 17, 2020:

- On February 8, Harris allegedly called Richards and asked her if he could stay overnight in her room in [REDACTED] I because the shuttles to the [REDACTED] apartment complex, where he lives, had stopped running for the day. Richards reported that, during this phone call, she told Harris that she was tired and she did not want to have sex with him.
- When Harris arrived at Hudson Hall, Richards reported that Harris asked [REDACTED] where the free condoms were located in the building. At that point, Richards reportedly reminded him that he did not need condoms, and Harris responded, "Oh yeah, because you're tired."
- Once in Richards's room, Richards and Harris reportedly engaged in consensual kissing, but Richards told him she "wouldn't want to do anything more."
- Next, Richards reported that, as they were kissing, Harris began to tug at her pants in an attempt to pull them down, and she attempted to stop him. Richards alleges that he then asked if he could perform oral sex on her, to which she consented.

¹ Exhibit 1: (Richards Formal Complaint)

² Exhibit 2: (Richards Email: Additional Information for Complaint)

³ Exhibit 3: (Notice of Investigation: Harris)

⁴ Exhibit 4: (No Contact Directive: Harris)

⁵ Exhibit 5: (Harris Email: Matter Moving Forward to Resolution Phase)

⁶ Exhibit 6: (Notice of Hearing: Harris)

- It was reported that, after Harris performed oral sex on Richards, he then inserted his penis into her vagina without her consent.
- Richards reported that, on June 17, 2020, at [REDACTED], Harris approached her and said he had been going to [REDACTED] for weeks, trying to find her.

APPLICABLE POLICY DEFINITIONS

Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy (CRR 600.020) for incidents occurring prior to August 14, 2020:

B. Definitions

3. **Sexual Misconduct.** Sexual misconduct includes: 1) Nonconsensual sexual intercourse; 2) Nonconsensual sexual contact involving the sexual touching of a body part (i.e., the lips, genitals, breast, anus, groin, or buttocks of another person) or the nonconsensual sexual touching of another with one's own genitals whether directly or through the clothing;
4. **Stalking on the Basis of Sex.** Stalking on the basis of sex is following or engaging in a course of conduct on the basis of sex with no legitimate purpose that makes another person reasonably concerned for their safety or would cause a reasonable person under the circumstances to be frightened, intimidated or emotionally distressed.
7. **Consent to Sexual Activity.** Consent to sexual activity is knowing and voluntary. Consent to sexual activity requires of all involved persons a conscious and voluntary agreement to engage in sexual activity. Each person engaged in the sexual activity must have met the legal age of consent. It is the responsibility of each person to ensure they have the consent of all others engaged in the sexual activity. Consent must be obtained at the time of the specific activity and can be withdrawn at any time. Consent, lack of consent or withdrawal of consent may be communicated by words or non-verbal acts.

Someone who is incapacitated cannot consent. Silence or absence of resistance does not establish consent. The existence of a dating relationship or past sexual relations between the Parties involved should never by itself be assumed to be an indicator of consent. Further, consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Coercion and force, or threat of either, invalidates consent.

APPLICABLE PROCEDURE

At all times, this investigation was conducted in accordance with the relevant UM System Collected Rules and Regulations, specifically Chapter 600.030, which describes the Equity Resolution Process for resolving complaints against student respondents for incidents occurring prior to August 14, 2020.

JURISDICTION

At the time of the alleged incidents, both Richards and Harris were enrolled students⁷ at the University of Missouri.

STANDARD OF PROOF

When this matter is reviewed by the decision maker pursuant to the University's Equity Resolution Process, the standard of proof will be "preponderance of the evidence," defined as determining whether evidence shows it is more likely than not that a policy violation occurred.⁸

CREDIBILITY ASSESSMENT

The information provided in the interview summaries was obtained by an interview with the stated person that was free of prompting, coaching, or behavior that could, in any way, compromise the validity of the statements made. At all times, the parties and witnesses were interviewed in a manner free of any coercion or undue intimidation. Both parties were interviewed via Zoom and over the phone; the witnesses were interviewed via telephone. The statements offered by all parties and the witnesses during interviews were in their own words and of their own accord. All parties and witnesses reviewed their interview summary presented within this report, and these individuals affirmed that the details contained within their summary were accurate to the best of their knowledge.

⁷ Meeting the definition as set forth by CRR 600.030(C)(4), "A person having once been admitted to the University who has not completed a course of study and who intends to or does continue a course of study in or through one of the campuses of the University..."

⁸ Per CRR 600.030(N)(1).

PARTY INTERVIEWS

COMPLAINANT: MEGAN RICHARDS, STUDENT

I met with Megan Richards on June 2, 2020, via Zoom. On June 19, 2020, she submitted a formal written complaint. Below is a compiled summary of information from the formal complaint, our meeting on June 2, 2020, and our phone call on August 10, 2020.

Richards explained that she met Harris in October 2019. She told me that, starting then, she and Harris would hang out with each other a couple times per week. She told me that she would typically go over to Harris's apartment at [REDACTED] but that sometimes they would hang out in her room in [REDACTED].

On the night of February 8, 2020, Jack Harris reportedly called her and asked if she wanted to hang out with him. Richards told me she hesitated to answer his question and mentioned she was with her friends, noting that Harris does not like her friends. Richards stated that Harris hung up and then began texting her, telling her that the shuttles to [REDACTED], where Harris lived, were no longer running and he needed a place to stay.

Richards stated that she and Harris then spoke on the phone again. She recalled, "I agreed to him coming over and made sure to tell him that I was tired and did not want to have sex." I asked Richards why she made this statement to Harris, and she replied,

Whenever we hung out, we had sex pretty much every time we hung out. I wanted to say it so he wasn't surprised. I guess, at times, he could be kind of persistent with it, so I wanted to make sure he knew beforehand that I didn't want to have sex.

Richards stated that when Harris arrived at [REDACTED] he was "very drunk." She told me that she had not been drinking that night. Richards stated that she and Harris talked for a moment just inside the exterior door at [REDACTED] before moving into the lobby, where Richards reported that the following events occurred:

This is when he asked me about the free condoms that residence halls provide in certain bathrooms. I told him that we would not need them because I was tired and was not interested in having sex. [REDACTED]

Richards stated that she and Harris entered her room around 1:00am, and she does not have a roommate, so it was just the two of them alone in the room. Richards stated that she remembers more about the circumstances than the exact events that occurred in the room. I asked her why she believed her memory was impaired, and she explained that she believes it was both because of the trauma of the incident and passage of time since then; she said, [REDACTED] "One thing I know for sure is that I never agreed to sexual intercourse."

Richards told me that she and Harris were lying on her bed, watching something on her laptop. Richards explained that she remembers a conversation in which she agreed to kissing, but told Harris she would not want to do anything more than that. Richards said she remembers clearly that, when she and Harris were kissing, he began to tug at her pants.

Richards stated that she stopped him when he was tugging on her pants, because they hadn't agreed to anything more. I asked Richards how she stopped him from tugging on her pants, how she responded to him. She replied, "I don't remember that well exactly what I did, but I know I said something and put my hand on my pants, too, to stop him from tugging on them."

Richards continued,

Then he asked if he could perform oral sex. [REDACTED] I was a little annoyed with him, but I said 'yes.' I don't remember if I took my pants off or if he did and I don't remember what pants I was wearing that night. He went down on me for a second or two before looking at me and coming back up. [REDACTED] As he slid up towards my face, he pushed himself (his penis) inside me (inside Richards's vagina).

Richards stated that she was "shocked" when he inserted his penis, and she didn't react heavily in that moment. When asked about the length and type of contact, Richards told me that Harris kept his penis inserted in her vagina and continued to engage in intercourse for at least 10 minutes; she told me she doesn't recall if Harris touched her anywhere else without her consent. In response to additional follow-up questions, Richards explained,

He wasn't wearing a condom. I don't believe he ejaculated. I remember it ending. I was on my back, but then we were in a position where I was in a doggystyle position. I don't really remember the change from position to position. I know at that point I was kind of out of it, in a sense. I didn't really know how to stop it and just kind of went along with what he was doing. He kind of thrust, and I fell over. It just kind of ended at that.

Richards also explained, "I know I didn't really make any noise [during intercourse], and I didn't look at him. I don't know if this really relates, but when we were intimate before this, we weren't like that (those interactions were different). I just didn't really respond [this time]." [REDACTED]

I asked Richards how and when Harris had got undressed. She told me,

I thought about it recently. I don't remember him being naked beforehand. I think he might have pulled down his pants when he was performing oral sex, but I'm not sure, honestly. I wasn't doing anything sexual to him, so I'm not sure why his pants would be down.

Richards told me, "Jack had always wanted sex when he was with me, but I never thought he would force himself on me like this."

I asked Richards to describe what happened afterward. She said,

He stayed in the room after that. He left sometime in the morning. I don't really remember when he left. I know he didn't stay all day. I blocked him [on social media] after the incident. He tried to call me and left a voicemail once in March. I told my friend Ryan

about the voicemail.⁹ Then, I saw him once at [REDACTED] on March 6, 2020. I saw him there at the bar. He asked why I stopped talking to him. I told him what happened and why I couldn't hang out with him anymore after that. He kind of went back to talking about himself. After that, he wanted to go on a date. I talked to my friends about going on a date with him.¹⁰ I think we went out to eat on April 7, and then those messages on Snapchat were maybe the same night, or maybe a day after that.

Richards provided me with the Snapchat messages¹¹ and text messages¹² sent between her and Harris. Richards told me that the messages and phone calls occurred in this order: the Snapchat messages were sent first, Harris called after the last Snapchat message, and they sent text messages between and after the phone calls. Richards also provided a document detailing her recollection of phone calls she had with Harris on April 7, 2020 and April 8, 2020.¹³

The document provided by Richards contained the following:

What I can remember regarding the content of the phone calls on April 7-8, 2020:
(The entirety of this is not necessarily in chronological order.)

- [REDACTED]
- His first stance on the events: He told me that he wanted me to turn him in and that he deserved to be punished for what he did. He told me that he would cooperate. His second stance on the events: It was his word against mine if I pursued this and his word was more valuable.
- Gradually, Jack began planting seeds of doubt and tried to point out loopholes in my story.
- [REDACTED]
- Jack brought up the fact that I had slept with people. This subject led to a conversation regarding my credibility to possible police or prosecutors. He told me they would look at every aspect of my life and it was implied that he was referencing my sexual history.
- He told me the trial would take a long time and that it would be worse for my reputation than his.

Richards then explained,

The night of the text messages, Snapchats, and calls, I was with my friends and I just kind of left [them]. I was talking to [Harris] and we got off the phone at some point. I went to my room and [texted my friends] something like, 'Jack took advantage of me.' I sent it in a group chat.¹⁴ I only talked to Brittany about what specifically happened in the phone calls [with Harris]. I talked to her the next day, and she actually was the one who took the pictures of the Snapchat messages.

I asked Richards if she had any other interactions with Harris between April 2020 and June 2, when she

⁹ Exhibit 7: (Screenshot of Text Messages about Voicemail Provided by Richards)

¹⁰ Exhibit 8: (Screenshot of Text Messages about Date with Harris Provided by Richards)

¹¹ Exhibit 9: (Screenshots of Snapchat Messages Between Richards and Harris Provided by Richards)

¹² Exhibit 10: (Screenshots of Text Messages Between Richards and Harris Provided by Richards)

¹³ Exhibit 11: (Narrative of Phone Calls April 7-8 Provided by Richards)

¹⁴ Exhibit 12: (Screenshot of April 7, 2020 Group Messages Provided by Richards)

made a report to our Office. Richards explained,

After that, I interacted with him in May for a couple days. I texted him that I missed him. I was intoxicated. [REDACTED].

Richards told me she had no additional interactions with Harris between May 2020 and June 17, 2020.

Richards notified me via email on June 22, 2020, of an incident that occurred at [REDACTED], a bar in downtown [REDACTED] on June 17, 2020. Richards described the incident as follows:

[T]here was an interaction between Jack and I last Thursday that I feel should be noted [REDACTED].

At the beginning of the semester, I went to the bar and saw Jack for the first time since the Spring. At one point, Jack was less than five feet away from me. I ended up flipping him off and he then decided to move away from me.

After seeing him, I was nervous to go back. It should be noted, that while he was quite the drinker when we were hanging out, he very rarely went to [REDACTED] but knew that I went often. I thought it was weird seeing him there and had the feeling of 'I'm seeing this person everywhere I look.' [REDACTED]

Last Thursday, as I was entering the crowd I saw him, seemingly by himself, standing by the wall. [REDACTED]

[REDACTED] Then, he came up to me and asked to talk. I could tell that my friends were scared, but I surprisingly wasn't. The first time I saw him this semester at [REDACTED] I became very upset, but I honestly just felt annoyed by what he was doing. I agreed to see what he had to say, because I knew that there was nothing he could say now to influence me how he had before.

[REDACTED] Jack told me that he had been going to [REDACTED] for weeks to look for me. I asked him straight up if he had been coming here to find me to clarify because I thought that was a troubling statement and he said yes. Though he apologized, it seemed like he was just trying to keep control over the situation. [REDACTED]

I asked Richards about the information provided by Witness Brittany Smith about an incident in March 2020, where Smith reported that Richards and Harris engaged in intercourse in a residence hall bathroom. Richards told me she does know the incident that Smith was referring to, and explained that it occurred in December 2019 or January 2020, not March 2020. Richards told me again that she did not have any contact with Harris after the incident on February 8, 2020, until March 4, 2020 when she saw him at [REDACTED].

RESPONDENT: JACK HARRIS, STUDENT

I met with Jack Harris and his advisor via Zoom on July 8, 2020. I explained the purpose of the meeting was to discuss the Equity Resolution Process and to allow Harris a chance to answer questions and respond to the allegations. Harris and his advisor indicated that, at that time, he would not be responding to the allegations or answering any questions. Harris's advisor indicated that they would follow up via email with a written statement and witness information. They provided the following statement via email on July 15, 2020.

I understand that during your investigation, you offer the respondent the opportunity to make a statement. Mr. Harris, taking my advice, declines to make a statement at this point in the Title IX investigation process other than to deny that he engaged in the conduct as alleged. [REDACTED]

[REDACTED]

WITNESS INTERVIEWS

WITNESS 1: BRITTANY SMITH, FRIEND OF RICHARDS

I met with Brittany Smith via Zoom on July 13, 2020, and spoke with her over the phone on August 28, 2020. Below is a summary of information gathered during those meetings.

Smith stated that she and Megan Richards met in August or September of 2019 and have been roommates since June of 2020. I asked Smith to describe the relationship between Richards and Harris. Smith told me, "They never went on dates. The relationship was strictly friends with benefits. That's how I'd categorize their relationship. I think they started hanging out in October of 2019."

I asked Smith about the incident between Richards and Jack Harris that occurred on February 8, 2020. Smith stated,

I was with [Richards] prior, before it happened. We were [REDACTED]—that's usually where we would be at. [Harris] kept calling her. Eventually she answered, and she went and met up with him. I don't think she said what they were going to do, she just went and met up with him.

I asked Smith if and when Richards told her what happened between Richards and Harris that night, to which she responded,

She did tell me. I think it was sometime before April, but I'm not sure exactly when. Megan told me he was intoxicated, and he was looking for the condom machine and she told him that she didn't want to have sex that night. She told me they were in her room and he kept forcing himself on her, like sexually. I remember she told me that he gave her oral sex, but she didn't agree to have penetrative sex.

Smith continued,

I think it was sometime in March and our friend group met up. I think it was Emma and Ryan. [Richards] was talking to us and was really confused about it all. She didn't know what to do necessarily. I don't think she was talking about what happened in February. Just her relationship with Jack in general.

Smith told me,

I remember seeing the text messages from Jack in April, when he kept saying, 'I hope I don't see you in court.' He was just trying to manipulate her. I remember that I was adamant about saying that he took advantage of her. At the time, she didn't want to do anything about it.

Smith explained,

I told Megan she should report what happened. He seemed like the type of person to do this to other people, and I didn't want him to get away with doing this to other girls. [REDACTED]. Whenever they (Richards and Harris) hung out, it was always just sex. I guess he had it in his mind that whenever he saw her, his mission was to have sex with her.

Speaking about how this incident has affected Richards, Smith stated,

Basically, she's always been fun and outgoing around people, but ever since then, she's kind of hesitant to get in a relationship with a new guy. She's just scared that they're going to think less of her or that they will hurt her. It affects her more than she wants to admit.

When I asked Smith about Harris going to [REDACTED] to look for Richards, Smith responded,

Before, he used to never go there, but since he knows that Megan goes there, he's been going there. Megan said that Jack was there by himself watching her in March sometime, I think. I think the only reason he ever went there was to see Megan.

Smith described another incident that she believes occurred in March 2020. She recalled,

We were all in my friend's dorm room. Jack had come to our dorm. We were in a mutual friend's room and he was looking for Megan. [REDACTED] Half an hour later, she talked to him and I think they ended up having sex in the bathroom because he wouldn't leave until they had sex, or something like that.

Smith also described an event that occurred during the Spring 2020 semester but was unsure of an exact date. Smith told me,

[Harris] asked [Richards] out when they were fighting. She was on the phone and she was out of the room. I remember, she walked back in, and said, "I have a boyfriend now." They only dated for two days. I know they fought a lot, and their personalities didn't mesh either. Megan never really told me why they only dated for two days.

WITNESS 2: RYAN BROWN, FRIEND OF RICHARDS¹⁵

WITNESS 3: EMMA WILLIAMS, FRIEND OF RICHARDS¹⁶

WITNESS 4: PATRICK JONES, FRIEND OF HARRIS

Patrick Jones was provided as a potential witness on August 10, 2020. I spoke with Patrick Jones via phone call on August 13, 2020. Jones told me that he and Harris have been neighbors since the beginning of the Fall 2019 semester and started hanging out with each other then.

Jones explained,

Jack and I went to [REDACTED] several times together. I think Jack and I only ever really went to [REDACTED] together. We didn't go to any other bars. It was really a mutual decision to go together. On Thursday night it's Bottomless Cup so we can get more bang for our buck that way. I think between January and March we went six or seven times together. Then COVID happened and we didn't go. I think it was one of the times we went in January, that we saw her (Richards) there. That was the first time I had heard about Megan from Jack. Jack told me that she was there and asked me to make sure he didn't go over and talk to her. He said they had a bad relationship. We kept our distance from her, because Jack didn't want to start anything, and I didn't either. I could tell that he was worried about her being there. She didn't make any attempts to come over and talk to him either. She seemed as uncomfortable as Jack did.

He did kind of give me more details afterward but that was it. The only thing he told me was that she had put an allegation against him. He told me what the allegation was. I kind of assumed that the Title IX office was involved. I don't remember if he gave me any more details on what their prior relationship had been like. He didn't really seem like he wanted to talk about their relationship.

I asked Jones if Harris told him of any other times where he saw Richards at [REDACTED]. Jones stated that Harris didn't tell him about any times where Harris saw Richards at [REDACTED] or spoke to her.

¹⁵ Content of witness interview was excluded from the mock Investigative Report, for brevity. They provided similar information as witness Smith.

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LIST OF EXHIBITS

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FORMAL COMPLAINT

June 19, 2020

On this date, I am writing to state that I would like to file a complaint against Jack Harris for events that occurred on or around 02/08/2020 which constituted discrimination on the basis of my sex.

On 02/08/2020 the following incidents occurred at [REDACTED]. I was hanging out with a few of my friends when Jack called me asking if I would want to hang out with him that night. I hesitated to answer his question and mentioned that I was with my friends (he didn't like my friends) which caused him to hang up on me. He began texting me and said that the shuttles to [REDACTED] were no longer running and he just needed a place to stay. We spoke on the phone again and I agreed to him coming over and made sure to tell him that I was tired and did not want to have sex.

When Jack arrived at [REDCATED] he was very drunk. Jack drank heavily often so he usually appeared more sober than he was in reality. I had not been drinking on this night. We talked for a moment inside the outside door before moving to the actual lobby. This is when he asked me about the free condoms [REDACTED]. I told that we would not need them, because I was tired and was not interested in having sex. [REDACTED]

When it comes to the period of time between Jack arriving and the incident that occurred in my room, I remember more about the circumstances than exact events. One thing that I know for sure is that I never agreed to sexual intercourse. I believe that we may have watched tv and laid together for a while. I remember a conversation about kissing where I agreed to kissing, but also said that I wouldn't want to do anything more. When it comes to the moments right before the incident, I remember things much more clearly. While we were kissing, he began to tug at my pants and I stopped him, because we hadn't agreed to anything more. Then he asked if he could perform oral sex. I was a little annoyed with him, but I said yes. He went down on me for a second or two before looking at me and coming back up. [REDACTED] As he slid up towards my face, he pushed himself inside me. I was shocked and didn't react heavily to this in the moment and kind of froze. Jack had always wanted sex when he was with me, but I never thought he would force himself on me like this.

I am giving the Office for Civil Rights & Title IX permission to contact witnesses and proceed with an investigation.

Below are some witnesses who might have information about this:

Brittany Smith
Ryan Brown
Emma Williams

Sincerely,

Megan Richards

Exhibit 2

From: Richards, Megan [REDACTED]
Sent: June 22, 2020 4:25 PM
To: Brown, Ross <brownros@missouri.edu>
Subject: Re: Formal Complaint

Hi Ross,

[REDACTED].

Also, there was an interaction between Jack and I last week that I feel should be noted.
[REDACTED]

At the beginning of the semester, I went to the bar and saw Jack for the first time since the Spring. At one point, Jack was less than five feet away from me. I ended up flipping him off and he then decided to move away from me.

After seeing him, I was nervous to go back. It should be noted, that while he was quite the drinker when we were hanging out, he very rarely went to [REDACTED] but knew that I went often. I thought it was weird seeing him there and had the feeling of "I'm seeing this person everywhere I look." [REDACTED].

Then, he came up to me and asked to talk. I could tell that my friends were scared, but I surprisingly wasn't. The first time I saw him this semester at [REDACTED] I became very upset, but I honestly just felt annoyed by what he was doing. I agreed to see what he had to say, because I knew that there was nothing he could say now to influence me how he had before.

Jack told me that he had been going to [REDACTED] for weeks to look for me. I asked him straight up if he had been coming here to find me to clarify because I thought that was a troubling statement and he said yes. Though he apologized it seemed like he was just trying to keep control over the situation. [REDACTED]

UNIVERSITY *of* MISSOURI
OFFICE FOR CIVIL RIGHTS & TITLE IX

July 3, 2020

VIA ELECTRONIC MAIL

Jack Harris
[REDACTED]

RE: Notice of Investigation of Potential Sex Discrimination

Dear Mr. Harris:

Our office has received a complaint containing allegations that you may have engaged in discriminatory behavior, in violation of University Policy. I have been assigned to investigate this matter in a thorough and impartial manner. Please understand, at this point, these are only allegations and you will be given an opportunity to respond to each.

Please read the contents of this letter and associated information carefully.

Section I: Allegations

Section II: Interim Measures

Section III: Equity Resolution Process and Applicable Policies

Section IV: Your Rights in the Process

Non-Retaliation: Retaliating, or taking adverse action, against anyone who participates in the process is strictly prohibited and may result in disciplinary action, up to and including expulsion or termination.

Advisor: You may have an advisor of your choice accompany you throughout the process.

Privacy: In order to protect the integrity of the investigation and to respect all parties involved, please keep this information private, except for discussions with your Advisor.

Disability Accommodation: If you are a person with a disability and believe you may need accommodations for any part of the process, please reach out to me for assistance with your request.

Next Steps: Contact me at brownros@missouri.edu or 555-555-5555 to schedule a meeting. During this meeting, we will review the process and you will have an opportunity to respond to the allegations.

Sincerely,

Ross Brown

Ross Brown
Equity Consultant and Investigator

Enclosures

cc: Andy Hayes, Assistant Vice Chancellor for Civil Rights & Title IX

SECTION I ALLEGATIONS

I will investigate allegations that, on February 8, 2020, you engaged in nonconsensual sexual intercourse with Megan Richards, and then on June 17, 2020, you engaged in stalking behavior toward her, as defined by University policy (cited below) .

Specifically, Richards reported the following with regard to the February 8 incident:

- That evening, you allegedly called Richards, asking if you could stay overnight in her room in [REDACTED] because the shuttles to [REDACTED] where you live, had stopped running for the day. Richards reported that, when you spoke on the phone, she told you she was tired and she did not want to have sex with you.
- When you arrived at [REDACTED], Richards reported that you asked [REDACTED] where the free condoms were located in the building. At that point, Richards reportedly reminded you that you did not need condoms, and you responded, "Oh yeah, because you're tired."
- Once in her room, you and Richards reportedly engaged in consensual kissing, but Richards told you she "wouldn't want to do anything more."
- Next, Richards reported that, as you were kissing, you began to tug at her pants in an attempt to pull them down, and she attempted to stop you. Richards alleges that you then asked if you could perform oral sex on her, to which she consented.
- It was reported that, after you performed oral sex on Richards, you then inserted your penis into her vagina without her consent.

Richards reported that, on June 17, 2020, at [REDACTED] you approached her and said you had been going to [REDACTED] Nighclub for weeks, trying to find her.

**SECTION II
INTERIM
MEASURES**

A 'No Contact Directive' has been issued. Please read it carefully and contact me with any questions. I will inform you of any additional interim measures that may impact you.

**SECTION III
EQUITY RESOLUTION
PROCESS**

I will conduct the investigation pursuant to: Equity Resolution Process for Students ([Section 600.030](#)).

APPLICABLE POLICIES

The alleged conduct may violate policies as outlined below. As the investigation proceeds, I may have cause to change my understanding of the allegations.

[CRR 600.020](#): Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy.

B. Definitions in Section 600.020

- 3. **Sexual Misconduct.** Sexual misconduct includes: 1) Nonconsensual sexual intercourse; 2) Nonconsensual sexual contact involving the sexual touching of a body part (i.e., the lips, genitals, breast, anus, groin, or buttocks of another person) or the nonconsensual sexual touching of another with one's own genitals whether directly or through the clothing;
- 4. **Stalking on the Basis of Sex.** Stalking on the basis of sex is following or engaging in a course of conduct on the basis of sex with no legitimate purpose that makes another person reasonably concerned for their safety or would cause a reasonable person under the circumstances to be frightened, intimidated or emotionally distressed.
- 7. **Consent to Sexual Activity.** Consent to sexual activity is knowing and voluntary. Consent to sexual activity requires of all involved persons a conscious and voluntary agreement to engage in sexual activity. Each person engaged in the sexual activity must have met the legal age of consent. It is the responsibility of each person to ensure they have the consent of all others engaged in the sexual activity. Consent must be obtained at the time of the specific activity and can be withdrawn at any time. Consent, lack of consent or withdrawal of consent may be communicated by words or non-verbal acts.

Someone who is incapacitated cannot consent. Silence or absence of resistance does not establish consent. The existence of a dating relationship or past sexual relations between the Parties involved should never by itself be assumed to be an indicator of consent. Further, consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Coercion and force, or threat of either, invalidates consent.

**SECTION IV:
YOUR RIGHTS IN THE PROCESS**

1. To be treated with respect by University officials.
2. To have access to campus support resources (such as counseling and mental health services and University health services), unless removed from campus pending the completion of the process.
3. To have an Advisor of the Respondent's choice accompany the Respondent to all meetings and proceedings throughout the Equity Resolution Process.
4. To refuse to have an allegation resolved through Conflict Resolution or Administrative Resolution Processes.
5. To have an opportunity to present a list of potential witnesses and provide evidence to the Investigator.
6. To receive notice of the policies alleged to have been violated.
7. To have Complaints heard in substantial accordance with these procedures.
8. To be informed of the finding, rationale and sanctions.
9. To have an opportunity to appeal the findings and sanctions.
10. Additional Rights For Hearing Panel Resolution:
 - a. To receive notice of the hearing.
 - b. To have the names of witnesses that may participate in the hearing and copies of all pertinent documentary evidence and any investigative report at least five (5) business days prior to the hearing. In the event the Hearing Panel becomes aware of additional witnesses or pertinent documentary evidence less than five (5) business days prior to the scheduled hearing date (or continued hearing date), the Complainant shall be provided reasonable notice of such witnesses and reasonable time to review pertinent documentary evidence prior to their introduction.
 - c. To be present at the hearing, which right may be waived by either written notification to the Hearing Panel Chair or by failure to appear.
 - d. To request alternative attendance or questioning mechanisms for the hearing (e.g.: screens, Skype, questions directed through the Chair, etc.).
 - e. To have present an Advisor during the hearing and to consult with such Advisor during the hearing.
 - f. To testify at the hearing or refuse to testify at the hearing.
 - g. To present witnesses and documents deemed relevant by the Chair.
 - h. To question witnesses present and testifying at the hearing. See Section 600.030.N. below for limitations on directly questioning the Complainant.

UNIVERSITY *of* MISSOURI
OFFICE FOR CIVIL RIGHTS & TITLE IX

July 3, 2020

VIA ELECTRONIC AND U.S. MAIL

Jack Harris
[REDACTED]

RE: NO CONTACT DIRECTIVE

Dear Mr. Harris:

I am writing you to inform you that the Office for Civil Rights & Title IX has received a report alleging you engaged in behaviors which may violate Section 600.020 of the University of Missouri Collected Rules and Regulations (CRR), which is the Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy. As an interim measure, you are now being directed to abide by the contact restriction below:

Contact Restriction: This letter serves as an official directive that you have no contact with Megan Richards. Contact with Richards includes, but is not limited to, communication in person, by telephone, email, text message, social media, or other electronic means of communication, or through a third party (other than an attorney) and of course, physical contact. Should you need to contact Richards, you are to do so via this office. She has been notified of this directive and has been asked to follow the same instructions.

Further contact with Richards may result in disciplinary action through the University and the possible involvement of law enforcement officials. It is your responsibility to work with your professors and other University employees to ensure that you do not come into contact with Richards. You are not required to change classes, if you are co-enrolled with her; however, it is your responsibility to ensure that you do not have contact with her during class or class activities. If you need assistance communicating with others regarding this contact restriction, please contact the Office for Civil Rights & Title IX.

Also, please note that *at no time during or after this resolution should you engage in any type of retaliation against the complainant or anyone who participates in the resolution process*. Retaliation is strictly prohibited and would constitute a separate policy violation. Retaliation is any adverse action taken against a person because of that person's participation in protected activity (making a good faith report of discrimination, participating in the investigation, testifying, etc.)

If you have questions about this directive, please contact me immediately at 555-555-5555 or brownros@missouri.edu.

Thank you for your cooperation in this matter.

Sincerely,

Ross Brown

Ross Brown
Equity Consultant and Investigator

Exhibit 5

From: "Brown, Ross" <brownros@missouri.edu>
Sent: August 21, 2020 9:16 AM
To: Harris, Jack (MU-Student)" [REDACTED]
CC: Jones, Bob [REDACTED]
Subject: *Case Update*: Matter Moving Forward

Dear Mr. Harris,

This email is to inform you of the status of my Investigation. Andy Hayes, Assistant Vice Chancellor for Civil Rights & Title IX, has reviewed notes of my interviews, as well as other pertinent documentary evidence obtained during the investigation. Based on that review, Ms. Hayes has determined that there is sufficient information to move the complaint forward to the resolution phase of the Equity Resolution Process.

The complaint will proceed as to the following potential violation(s):

Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy (600.020):

B. Definitions in Section 600.020

3. Sexual Misconduct. Sexual misconduct includes: 1) Nonconsensual sexual intercourse; 2) Nonconsensual sexual contact involving the sexual touching of a body part (i.e., the lips, genitals, breast, anus, groin, or buttocks of another person) or the nonconsensual sexual touching of another with one's own genitals whether directly or through the clothing.

4. Stalking on the Basis of Sex. Stalking on the basis of sex is following or engaging in a course of conduct on the basis of sex with no legitimate purpose that makes another person reasonably concerned for their safety or would cause a reasonable person under the circumstances to be frightened, intimidated or emotionally distressed.

7. Consent to Sexual Activity. Consent to sexual activity is knowing and voluntary. Consent to sexual activity requires of all involved persons a conscious and voluntary agreement to engage in sexual activity. Each person engaged in the sexual activity must have met the legal age of consent. It is the responsibility of each person to ensure they have the consent of all others engaged in the sexual activity. Consent must be obtained at the time of the specific activity and can be withdrawn at any time. Consent, lack of consent or withdrawal of consent may be communicated by words or non-verbal acts.

Someone who is incapacitated cannot consent. Silence or absence of resistance does not establish consent. The existence of a dating relationship or past sexual relations between the Parties involved should never by itself be assumed to be an indicator of consent. Further, consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Coercion and force, or threat of either, invalidates consent.

Next Steps: Please choose how you would like to resolve the complaint and notify me by **Wednesday, August 26, 2020.**

Conflict Resolution: Provides an opportunity for both parties to reach a mutually agreed upon result. Either party may request this option but both parties must agree to participate *and* is subject to approval by the Assistant Vice Chancellor for Civil Rights and Title IX. At any time, either party can stop the Conflict Resolution Process and request to move to either the Administrative Resolution or Hearing Panel process. ([600.030 M](#))

Administrative Resolution: The Assistant Vice Provost for Civil Rights and Title IX Administrator will review the investigative report and meet with relevant parties to render a finding of whether a policy violation occurred and appropriate sanctions, if applicable. ([600.030 N, O](#))

Hearing Panel Resolution: A 3-person Hearing Panel will review the investigative report and conduct a formal hearing where it will hear from both parties as well as any applicable witnesses. Both the complainant and respondent can question each other by directing their questions through the Hearing Panel Chair. The Hearing Panelists will make a finding of responsibility and prepare a written report detailing the findings and sanctions (if applicable), how each member voted, and information cited by the panel in support of its determination. ([600.030 N, P](#))

If you would like to discuss these options or have any other questions, please let me know and we can set up a time to speak further.

Sincerely,

Ross Brown, JD (he/him)
Equity Consultant and Investigator
[Office for Civil Rights and Title IX](#) | University of Missouri
145 Heinkel Building
brownros@missouri.edu
555-555-5555

UNIVERSITY *of* MISSOURI
OFFICE FOR CIVIL RIGHTS & TITLE IX

Exhibit 6

September 4, 2020

VIA ELECTRONIC
MAIL¹

[REDACTED]

RE: Notice of Hearing

Dear Jack Harris:

This letter is to inform you that the University will proceed with Hearing Panel Resolution to address your alleged violations of the University of Missouri Collected Rules and Regulations.

Please read the contents of this letter and associated information carefully.

Section I: Hearing Date and Location

Section II: Hearing Panelist Information

Section III: Investigative Report and Relevant Materials

Section IV: Timeline and Deadlines

Section V: Equity Resolution Process and Applicable Policies

Section VI: Procedural Information

Privacy: In order to protect the integrity of the investigation and to respect all parties involved, please keep this information private, except for discussions with your advisor.

Disability Accommodation: If you are a person with a disability and believe you may need accommodations for any part of the process, please reach out to the investigator of your case for assistance with your request.

Sincerely,



Andy Hayes

Assistant Vice Chancellor & Title IX Administrator

Enclosures

cc: Bob Jones, Advisor
Ross Brown, Equity Consultant & Investigator
Panelist 1, Hearing Panel Chair

**SECTION I
HEARING DATE AND LOCATION**

Date	Start Time	Location
Thursday, September 24, 2020	1:00pm	Zoom

If any party does not appear at the scheduled hearing, **it will be held, as scheduled, in their absence.** For good cause, the Chair of the Hearing Panel may grant requests to reschedule the hearing date.

**SECTION II
HEARING PANELIST INFORMATION**

Panel Members	Alternate Panelists
Panelist 1* Panelist 2 Panelist 3	Panelist 4 Panelist 5

*Panelist 1 has been designated as the Chair of the Hearing Panel, and they may be reached at panelist1@missouri.edu. Those designated as alternates will attend the hearing in the event that one of the panelists is unable to attend.

**SECTION III
INVESTIGATIVE REPORT AND RELEVANT MATERIALS**

All pertinent documentary evidence and the investigative report for the case have been saved in a Box folder. Shortly, you will receive a link from Ross Brown to access the documents. If you do not receive a link within 24 hours or have trouble accessing the folder, please contact Mr. Brown.

**SECTION IV
TIMELINE AND DEADLINES**

Please carefully read the following timeline and make note of the deadlines provided.

PRE-HEARING DEADLINES

- **Additional Evidence or Witnesses.** At this point, both parties have been invited to attend the hearing, and you are each welcome to bring one advisor. If you want any witnesses to also be present to testify at the hearing, you must provide a list of those proposed witnesses to the investigator, who will then notify the other party and the hearing panelists. You may also request that the panel consider additional evidence that has not already been included in the investigation materials. The Chair of the Hearing Panel, in consultation with the parties and investigator(s), may decide in advance of the hearing that certain witnesses do not need to be physically present if their testimony can be adequately summarized by the investigator in the investigation report or during the hearing. All parties will have ample opportunity to present facts and arguments in full

and question all present witnesses during the hearing, though formal cross-examination is not used between the parties.

Deadline: September 15, 2020, at 5:00 p.m. Please submit any proposed additional evidence or witnesses to Investigator, Ross Brown at brownros@missouri.edu.

- **Objection to Panelists.** You must raise such objection(s) in writing to the Hearing Panelist Pool Chair. Hearing Panel members will only be unseated and replaced if the Hearing Panelist Pool Chair concludes that good cause exists for the removal of a panel member. Good cause may include, but is not limited to, bias that would preclude an impartial hearing or circumstances in which the panel member's involvement could impact the Party's work or learning environment due to current or potential interactions with the panel member (e.g., a panel member being in the same department as either Party). Additionally, any panel member or Chair of the Hearing Panel who feels they cannot make an objective determination must recuse themselves from the proceedings in advance of the hearing.

Deadline: September 15, 2020, at 5:00 p.m. Please submit your objection(s) to the Hearing Panelists Pool Chair, Pool Chair 1, at PoolChair1@missouri.edu.

- **Alternate Attendance.** You may request alternative attendance or questioning mechanisms for the hearing (such as screens, Skype, questions directed through the Chair, etc.). The University will make reasonable accommodations for both parties in keeping with the principles of equity and fairness.

Deadline: Tuesday, September 22, 2020 at 5:00 p.m. Please submit your request(s) to Hearing Panel Chair, Panelist 1, at Panelist1@missouri.edu.

POST-HEARING

- **Hearing Panel Report.** The Equity Resolution Hearing Panel Chair will prepare a written panel report and deliver it to the Equity Officer or Title IX Coordinator detailing the finding, how each member voted, the information cited by the panel in support of its determination and any information the Equity Resolution Hearing Panel excluded from its consideration and why. If the Respondent is found responsible, the report should conclude with sanctions. This report will be delivered to you within 10 business days following the end of deliberations.
- **Appeal Rights.** Both parties are allowed to appeal the decision of the Equity Resolution Panel, but appeals are limited to the following reasons:
 1. A procedural error occurred that significantly impacted the outcome of the Administrative or Hearing Panel Resolution Process (e.g., substantiated bias, material deviation from established procedures, etc.).
 2. To consider new evidence, unavailable during the original hearing. Administrative or Hearing Panel Resolution Process or investigation that could substantially impact the original finding or sanction.
 3. The sanctions fall outside the range typically imposed for this offense, or for the cumulative conduct record of the Respondent.

All requests for appeal on these grounds must be submitted in writing to the Equity Resolution Appellate Officer **within three (3) business days** of the delivery of the findings.

**SECTION V
EQUITY RESOLUTION PROCESS
AND APPLICABLE POLICIES**

You have been accused of engaging in behaviors that may violate the following provisions of University policy.

**Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/
Employment Policy
(600.020):**

B. Definitions in Section 600.020

3. **Sexual Misconduct.** Sexual misconduct includes: 1) Nonconsensual sexual intercourse; 2) Nonconsensual sexual contact involving the sexual touching of a body part (i.e., the lips, genitals, breast, anus, groin, or buttocks of another person) or the nonconsensual sexual touching of another with one's own genitals whether directly or through the clothing;

4. **Stalking on the Basis of Sex.** Stalking on the basis of sex is following or engaging in a course of conduct on the basis of sex with no legitimate purpose that makes another person reasonably concerned for their safety or would cause a reasonable

The following definitions from CRR 600.020(B) may also be relevant to the allegations:

7. **Consent to Sexual Activity.** Consent to sexual activity is knowing and voluntary. Consent to sexual activity requires of all involved persons a conscious and voluntary agreement to engage in sexual activity. Each person engaged in the sexual activity must have met the legal age of consent. It is the responsibility of each person to ensure they have the consent of all others engaged in the sexual activity. Consent must be obtained at the time of the specific activity and can be withdrawn at any time. Consent, lack of consent or withdrawal of consent may be communicated by words or non-verbal acts.

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Copies of the applicable anti-discrimination policies and procedures are enclosed for your convenience.

**SECTION VI
PROCEDURAL
INFORMATION**

Please be aware that the following procedural details apply to the Hearing.

Prior sexual history. Questioning or evidence about the Complainant's prior sexual conduct is not permitted, though the Chair may grant a limited exception in regards to the sexual history between the Parties, if deemed relevant. CRR 600.030(N)(3)(a).

Character evidence is not admitted unless deemed relevant by the Chair. CRR 600.030(N)(3)(b).

Method of Questioning. Parties may not directly question each other, unless they both agree to do so. Otherwise, written questions will be directed to the Chair. CRR 600.030(N)(4).

The following is a brief description of the procedure to be used at the upcoming hearing.²

An Equity Resolution Hearing Panel (composed of three faculty, administrators, and/or staff) will assemble at a formal hearing. First, the Investigator will present the written Investigative Report and be subject to questions. Next, the Parties will take turns giving testimony and asking and answering questions—first the Complainant, then the Respondent.

Panel Deliberations. After the hearing concludes, the panel will deliberate with no others present, except a legal advisor, to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. The panel will base its determination on a preponderance of the evidence (i.e., whether it is more likely than not that the Respondent committed each alleged violation).

Sanctions. Potential sanctions made in the determination of responsibility include a written warning; probation; loss of privileges; restitution to compensate the University for loss, damage, or injury; discretionary sanctions such as work assignments, service to the University, or completion of educational programs or counseling; residence hall suspension or expulsion; campus suspension, University dismissal; University suspension; withdrawal of recognition for University organizations; or University expulsion.

Advisor. The procedures provide that you may have an advisor or counselor present during all meetings with the Office for Civil Rights & Title IX and at any hearings, and the Advisor's attendance throughout the resolution process is the responsibility of the respective parties. Please also note that Advisors may not make a presentation or represent the Complainant or the Respondent during the hearing. At the hearing, the parties are expected to ask and respond to questions on their own behalf, without representation by their Advisor. The Advisor may consult with the advisee quietly or in writing, or outside the hearing during breaks, but may not speak on behalf of the advisee to the hearing panelists.

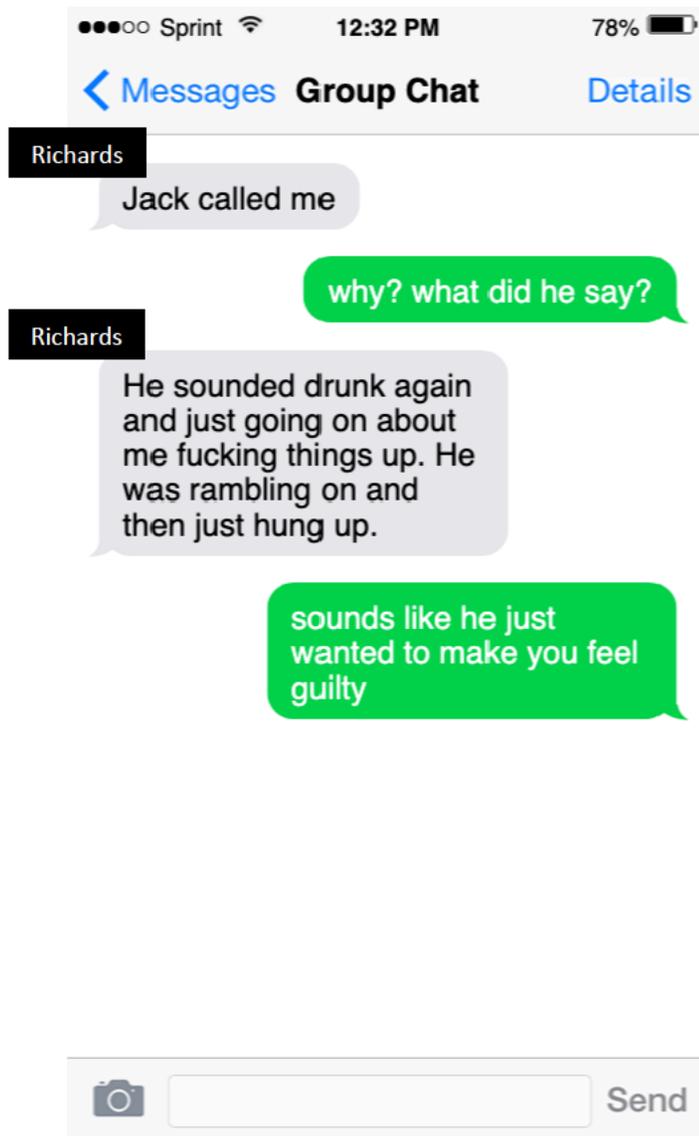
Retaliation. Please be advised that retaliation is any adverse action taken against a person because of that person's participation in protected activity. The University strictly prohibits retaliation against any person for making any good faith report of discrimination, harassment, or sexual misconduct or for filing, testifying, assisting, or participating in any investigation or proceeding involving allegations of discrimination, harassment, or sexual misconduct. This includes, but is not limited to, any hostile actions such as verbal or visible threats to the wellbeing of an individual, any threat to spread false information about a person, or any such action that would deter reasonable people from pursuing their rights.

Any person who engages in such retaliation shall be subject to disciplinary action, up to and including expulsion or termination, in accordance with applicable procedures. Any person who

² For a complete description of the Equity Resolution Process, go to: [CRR 600.030](#): Equity Resolution Process for Resolving Complaints of Discrimination, Harassment, and Sexual Misconduct against a Student or Student Organization

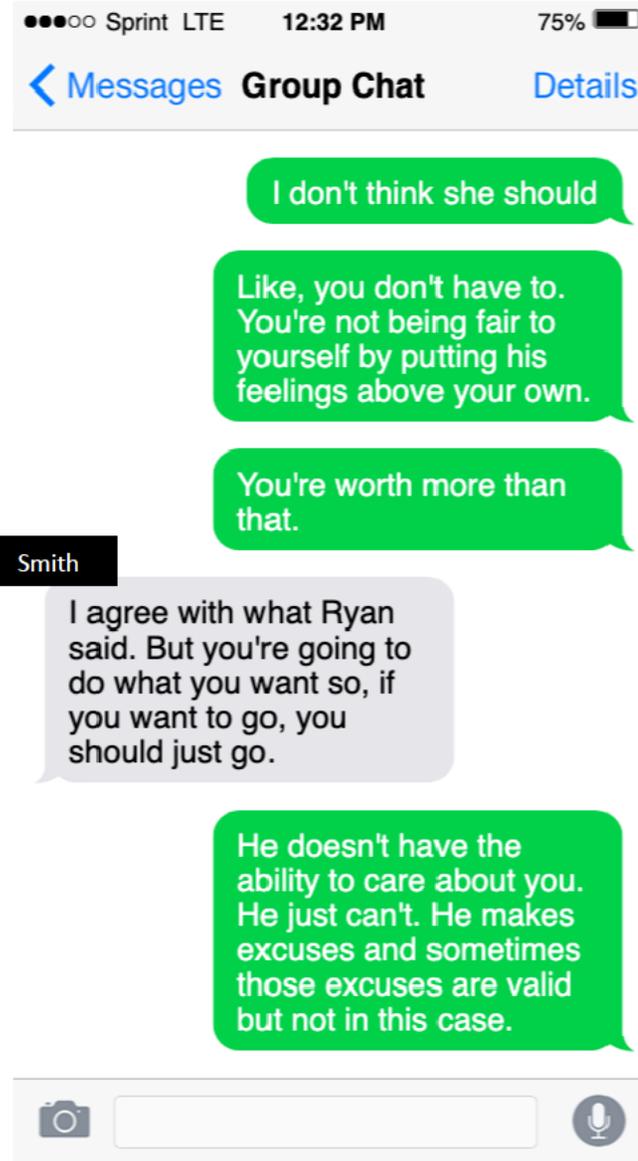
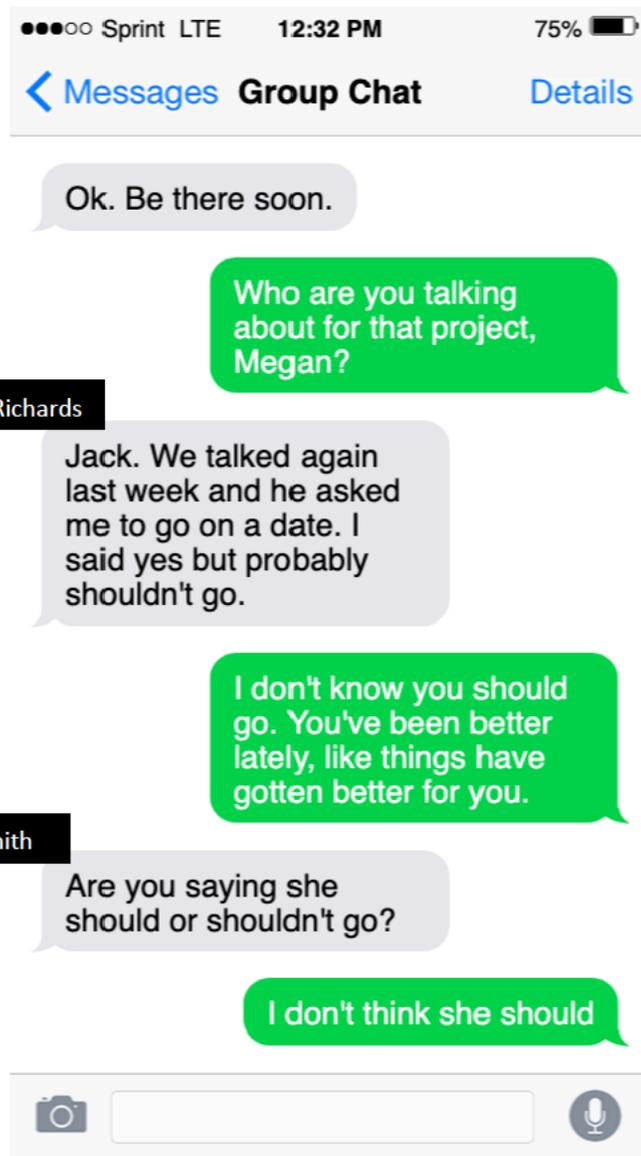
believes they have been subjected to retaliation is encouraged to promptly notify the Equity Officer or Title IX Coordinator. The University will promptly investigate all complaints of retaliation.

Exhibit 7



Green Messages: Ryan Brown

Exhibit 8



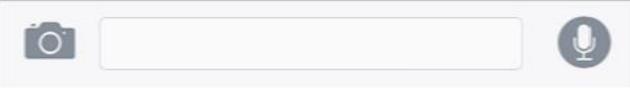
Green Messages: Ryan Brown

I know it sucks. It sucks when a relationship you want to work out, doesn't. You have to trust me when I tell you that the way he acted and treated you isn't it.

I've seen these things before. You have to trust me when I tell you that you shouldn't go. And that one day you will know that was the right decision.

Richards

I know I shouldn't go. It's just a combination of him caring about me, even though I know it's fake. And then the things he says that makes me feel



Green Messages: Ryan Brown

Exhibit 9

Richards

RICHARDS
what are you doing tonight?

ME
homework. i have a bunch of shit to do

RICHARDS
lol. what about tomorrow? what are you doing?

ME
i'm after 3:30

RICHARDS
i'm free then too

ME
cool. wanna hang out around 4?

RICHARDS
ya. we could watch a movie and i can get us food from the dinig hall. ha

ME
sounds good

RICHARDS
how's your period? lol

ME
i'm off my period. lol

RICHARDS

Richards

ME
i'm off my period. lol

RICHARDS
sweet. what movie do you want to watch?

ME
idk. i'll look at netflix again but nothing in mind. you?

RICHARDS
same. i'll think about it.

ME
what if i get horny?

ME
tomorrow?

RICHARDS
yeah. what if i'm horny again tomorrow?

ME
i don't think i'm ready to fuck again

RICHARDS
ptsd?

ME
yeah

RICHARDS
okay, understandable.

ME

Richards

RICHARDS
okay, understandable.

ME
what if it takes a while before i'm ready to have sex again?

RICHARDS
it's okay.

ME
what did i do to you again?

ME
we can talk tomorrow lol. i don't want to get into it all tonight

RICHARDS
okay. i just don't understand after that happened you screwing other guys but okay. that wasn't a slam. if i made you mad, i'm sorry.

ME
You blame yourself a lot and sometimes you feel hurt and sometimes you feel fine. I don't always think about it and when i'm with other guys, it's been fine. But, it happened with you so it makes it different. It just makes it scarier.

RICHARDS
What are you saying? I'm confused

ME
it happened with you so I'm scared I'm going to have flashbacks or you say something and it causes a reaction.

ME
Because I'm then going to remember it

RICHARDS
Remember what? Did I rape you?

ME
You're freaking me out

Richards

Exhibit 10

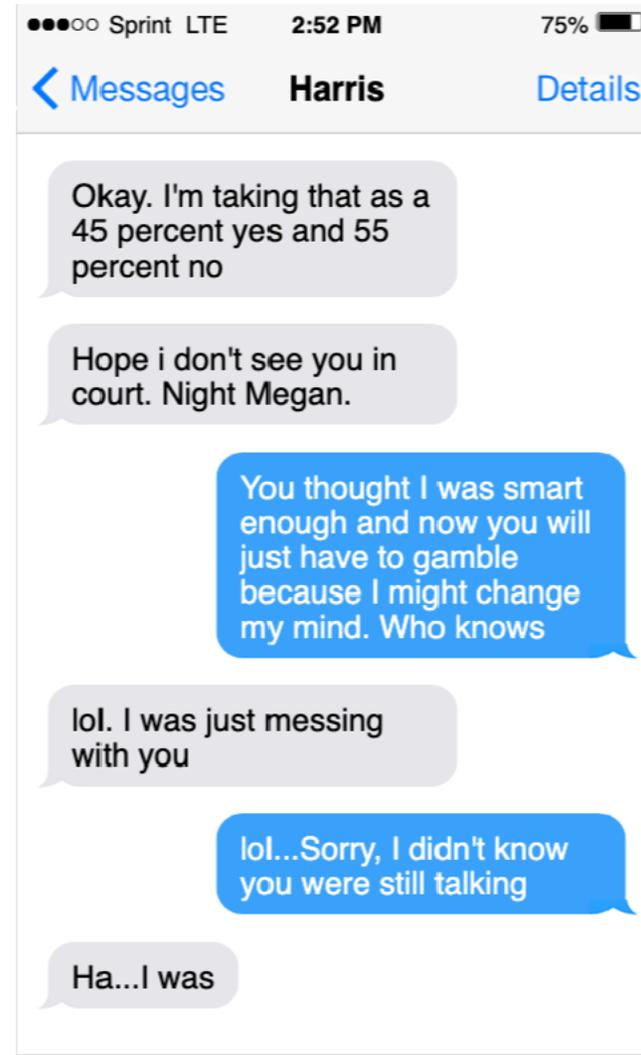
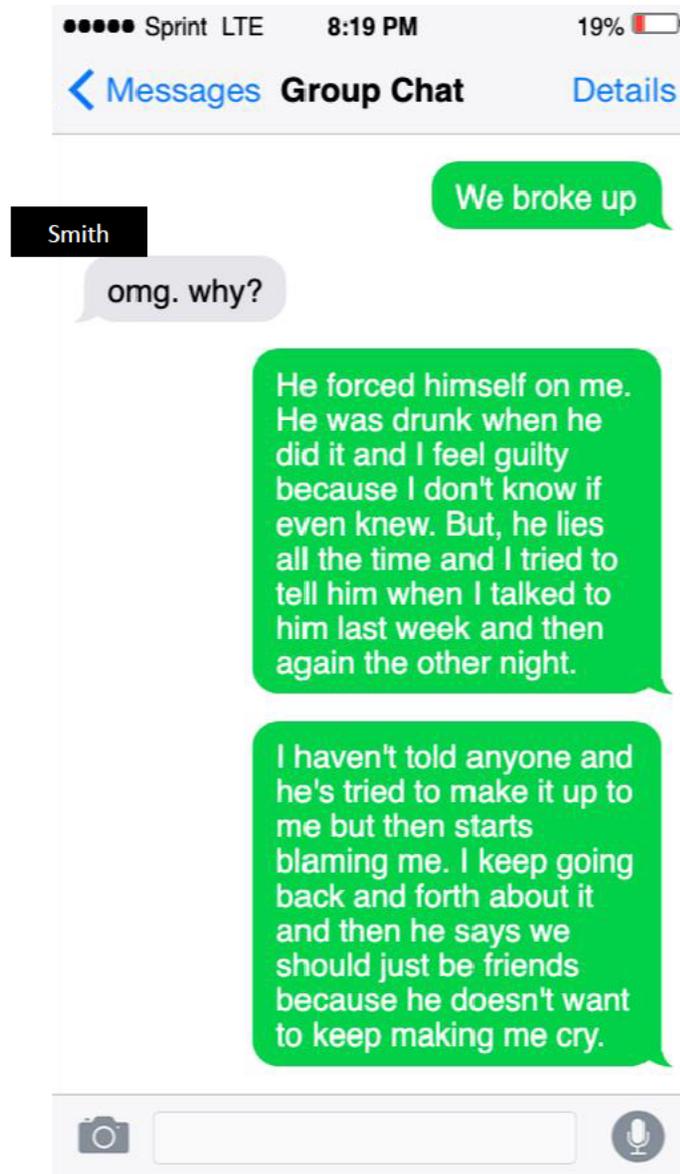


Exhibit 11

What I can remember regarding the content of the phone calls on April 7-8, 2020:
(The entirety of this is not necessarily in chronological order.)

- [REDACTED]
- His first stance on the events: He told me that he wanted me to turn him in and that he deserved to be punished for what he did. He told me that he would cooperate. His second stance on the events: It was his word against mine if I pursued this and his word was more valuable.
- Gradually, Jack began planting seeds of doubt and tried to point out loopholes in my story.
- [REDACTED]
- Jack brought up the fact that I had slept with people. This subject led to a conversation regarding my credibility to possible police or prosecutors. He told me they would look at every aspect of my life and it was implied that he was referencing my sexual history.
- He told me the trial would take a long time and that it would be worse for my reputation than his.

Exhibit 12



Green Messages: Megan Richards