

Amanda Brown Sexual Assault Complaint Complaint Summary

On or about Dec. 15, 2011, both the Complaining Witness, Amanda Brown, and the Defendant, Michael Cates, who are members of their school's drama club, were at a rehearsal. The rehearsal ended at about 10:30pm. Cates, who was friendly with Ms. Brown, offered to drive her home. He said that it would be safer than taking public transportation. Amanda Brown accepted the ride. She had known Michael Cates for about a year. He was a polite, well-mannered young man. She had a little crush on him. Amanda Brown got into Cates' car. Cates looked at the dashboard and said he needed to get gas. He then said he needed to get his gas card from his room. He asked her to come up to his dorm room, and she agreed to do so.

Once inside Cates' dorm room, Cates took off his coat and asked Ms. Brown to do the same. She thought this was odd, but did not want to be rude. Ms. Brown took off her coat. She said that she needed to get home or her parents would worry. Then Cates offered her an alcoholic beverage, rum and coke. They both drank. Ms. Brown mentioned leaving again, but Cates assured her that they would leave in a minute. She eventually drank two rum and cokes. Both Amanda Brown and Cates smoked a joint. Ms. Brown had smoked pot on two prior occasions. Ms. Brown and Cates were sitting on the bed in his dorm room. They began kissing. Cates put his hands on Amanda's breasts and tried to unclasp her bra. Ms. Brown told Cates to stop. She struggled with Cates. Cates said, "You know you want it, that's why you're here." He pulled her sweater over her head. Cates pushed Amanda Brown down onto the bed and got on top of her. She repeatedly told him to stop and said, "Why are you doing this? I want you to stop. I am serious, stop." As Ms. Brown struggled with Cates, she broke a fingernail to the quick. Amanda Brown then noticed that Cates' demeanor changed. He looked angry and she thought he would explode with rage. Cates pushed up her skirt and removed her underwear. As he pulled down her underwear, the watch that he wore dragged across Ms. Brown's upper thigh and caused an abrasion. He held her arms above her head and put his knees between her legs, forcing them apart. He touched her vagina. He then inserted his penis into her vagina. Amanda Brown cried.

When Cates was finished he got off of Ms. Brown. He got dressed. Ms. Brown put her clothes on. She did not say anything. He then drove her home.

The next day, when Amanda Brown finally woke up, she was bewildered and angry about what Michael Cates had done to her. She called his home to confront him. A woman answered the telephone. She told Ms. Brown that Cates was not home, but she would take a message. Ms. Brown left her name and phone number.

Ten days after the incident, Amanda Brown went to her own doctor, who has known her all of her life. She wanted to make sure that Cates did not give her any STDs. Ms. Brown did not tell the doctor that she was raped. The doctor found no physical injury or disease, but noted that Ms. Brown's depressed demeanor was very different from prior visits when she was lively and engaged.

Over the next few months, Amanda Brown experienced depression, lack of interest in life and mood swings. She slept for long periods of time, seldom left her room, missed classes and dropped out of the drama club. Her grades slipped, and she gained weight.

About two months after the incident, Amanda Brown had an argument with a close friend who was attempting to get her to come out of her room and attend a concert. During the argument, Ms. Brown blurted out that she'd been raped by Michael Cates, and that was why did not want to go out. The friend urged Ms. Brown to report the incident. Ms. Brown called the police and a uniformed officer took the initial report from her. Amanda Brown then spoke with a Special Victims Unit Detective.

Amanda Brown is a 19-year old college sophomore. She won an academic scholarship to the university she and the defendant attended. Before the rape she maintained a 4.0 GPA. She and the defendant were both members of the drama club. Ms. Brown is 5'1" tall and weighed 105 pounds at the time of the attack.

Ms. Brown is a first generation American; both of her parents emigrated from Jamaica. The Browns do not believe in bringing heir "troubles" to government agencies. They tend to be mistrustful of the police and the criminal justice system. The Browns are strict Catholics and brought up Amanda and their other children in the Church. Amanda herself is a very devout Catholic.

Michael Cates is a 20-year old white college junior. He is from a middle class working family. They own a one-family suburban home. He is an average student. The defendant is 6'2", muscular and weighs 195 pounds.

Amanda Brown Sexual Assault Complaint Dynamics Exercise I

You have had an opportunity to read the Amanda Brown – Michael Cates complaint. Consider what you have learned about victims, offenders, and the circumstances of sexual assault when answering the following questions.

1. Would your law enforcement agency refer this case to a detective for follow-up investigation?

Why or why not?

2. What particular vulnerabilities, existing or created, does Amanda Brown have at the time of the assault?
3. How would you characterize Michael Cates?

Amanda Brown Complaint

Victim Interviewing Exercise II

Please identify the credibility issues that will likely surface in the Brown complaint and what you would do to overcome them.

Credibility Challenge	Overcome Challenge

Amanda Brown Sexual Assault Complaint Law Enforcement Response Exercise III

1. What type of assault is the Brown complaint?

2. What type of defense would you anticipate in this case?

3. What facts, behaviors or information would you seek to corroborate via witness interviews?

4. In addition to a suspect interview, what investigative strategy might you use to illicit provable lies, implausible accounts of the incident, or partial admissions from the suspect?

Amanda Brown Sexual Assault Complaint Evidence Collection and Use Exercise IV

1. What type of evidence would you seek to collect in this case?
2. If you were able to collect all of the evidence that you were looking for, how would you use it to corroborate the victim's account?