

OCR Docket #05-16-1068

On November 5, 2015 our granddaughter came forward, and told her grandfather and me that she had been raped by two football players from her high school in the laundry room of the subsidized housing unit which is within a short distance from our home. The rape occurred on December 17, 2014. Neither she nor either of the football players lived in the complex. Months after the assault, Sarah told me that one of her assailants texted her and pressured her to hang out with him. She really didn't want to but he told he was all alone and it was his birthday. The other assailant showed up out of the blue, and they convinced her to go into the laundry room to get warm. Then the attack happened, and after the problems began at school.

She came forward because of the urging of another girl that had been raped months previous by one of the two assailants who attacked Sarah. At first Sarah broke down, but with the support of this girl was able to tell us what happened. When she first told us, she only identified the one assailant that had also raped the other girl. Later that evening she told us that two boys had raped her, one being the assailant of the other girl and the other also a football player from the same team. Sarah was a cheerleader for the high school team.

After I was told I immediately went to the high school, where a play was going on, and talked with the principal of the high school, Monty Kirk. He also talked with the superintendent, Dr. Mark Baker, who was also attending the play. I told Monty I expected him to do something about this rapist (only the one boy was in school), and that I was going to keep both of my granddaughters home from school the next day. At that time, I took Sarah down to the local sheriff's office to make a report. The sheriff's deputy that was handling the other girl's rape told us he would come to our house to talk with us and Sarah.

I sent an email November 6, 2015 (enclosed) telling the principal and superintendent that he should be not allowed to play in the football game considering he was a serial rapist. No response.

On November 9, 2015, I took Sarah and her sister Rebekah to school, and Sarah and I sat down with the principal regarding where we would go from here since Sarah had 3 classes with her assailant. The principal told us that we could change Sarah's schedule, but there were some classes that couldn't be switched. Sarah began to almost shake, and I decided to take her out of school. That same day we went to the corporation office to talk to the Superintendent. Sarah told the superintendent that there was no one she could actually go to at school about what had happened because the Dean of Students was the football coach and nobody went to him with problems. I asked him why he played her assailant in the game on Friday, even though I warned him what I was going to do in my email of 11/6/2015. He didn't have an answer. At this meeting I asked for Sarah to be placed on homebound status, since she could not continue to have instruction with her rapist. We went to Sarah's pediatrician to establish necessity, and I have provided a copy of the letter that she wrote to the school corporation and the high school. (Please note that Title IX protects students from having to attend classes with the perpetrator of harassment and sexual violence)

We had been contacted by the sheriff's office, and a case was opened up for Sarah on approximately November 7, 2015. We were told that someone from CPS and the state police would be involved in the case. We were sent to Bloomington Indiana for a rape forensic interview, but no one adequately interviewed Sarah from the three agencies we were told were involved, and the prosecutor's office

refused to meet with us. Within two weeks after the forensic interview, I received a phone call from Jennifer Rehmel at CPS telling us the rape was not substantiated on the two boys who had raped Sarah. To this date I have not heard one thing about the case from the Sullivan County Sheriff's office deputy Carl Melchert, or the Indiana State Police Trooper Polly Blackburn.

I have included a series of emails, where the school essentially said the assailant would not be given any restrictions, and that I had better stop making demands about him. I have included those emails.

I filed a complaint with the Office of Civil Rights with the U S Department of Education on December 1, 2015 because it was apparent no one was advocating for either of the girls who had been raped, nor were they even trying to protect possible previous victims or potential victims. This assailant's life was going along normally while my granddaughter and the other victim were being punished for coming forward.

Sarah said these boys went around and bragged about sleeping with Sarah. She refused to defend herself telling some of her friends, that they should know her better than that, but unfortunately these same friends began to reject her. I asked her why she didn't come forward sooner to us, and she told us she didn't want to disappoint us. I feel so incredibly sad that a 16 year old girl had to handle this because there was no one to turn to. She told a few of her friends, but they really didn't want to hear it.

She said she was constantly being harassed at school, but there wasn't anything or anyone to go to for help. The school adopted the attitude that her assault was no big deal. After she came forward that they supported him and not her, this led to some cyberbullying and people making rude comments about her and the other victim.

While Sarah has received a lot of support from her teachers--and they tell her they support her--she has been failed very miserably by the administration because they turned their back on her because she wasn't their athlete. In fact, some of the attitude of the males at that school resembles a kind of "jock brain gang mentality," and they even convinced some of the girls to hassle and make threats to Sarah and the other rape victim.

We have been told by the school, the police, and by CPS that we shouldn't talk about the rapes because it would hurt the ongoing investigation of our case, and that we and the other rape victim and family should not talk to each other because it would impede the investigation, but it seems that the investigation has languished or has been terminated. We have not heard anything from the sheriff's department as to whether our case was dismissed, closed, etc. It appears that they are ignoring us: they just don't want us to shine the light on this dirty little secret. We know there are more victims, but given the attitude of the school and other students, what person would dare come forward.

Four years ago in January, a 13 year-old girl was sexually assaulted in the hallway of the school by a boy 17 ½ years old, and this was reported to the principal by another student. The principal ignored it, and finally in March a school bus driver went to her mother who was a custodian at the elementary school, and told her what had happened. I was intimately involved in this process, and got the superintendent to tell the mother she wouldn't lose her job if she filed a complaint. She did file a complaint about the principal with CPS, and it was substantiated. The corporation didn't fire the

principal until I threatened to go to the media. The mother who is still a custodian at the high school now has been harassed, bullied, etc. to this day for trying to protect her child. This young woman is a senior this year, and just wants to forget about it, but it shows this problem is systemic. We have had several other sexual oriented cases, but again the way they have been handled is a disgrace. Sarah has more to add, but that is her story.

Leslie L Hawker and Jerry P Hawker, Grandparents