

Mock trial shows complexity of rape

by Lora Woodrum
Clarion Editor-in-Chief

On Feb. 15 at 7 p.m., Brevard College witnessed a Mock Rape Trial in Dunham Auditorium. Derrick Briggs played the role of Mark Garrison who was accused of raping Jennifer Edwards, played by Beth Winters.

Real-life legal personnel played key roles in the trial. The prosecuting attorney was played by William J. Cathey III, the assistant DA for the 29th Judicial District; the lawyer for the defense was played by Brevard attorney William R. White; and the judge was played by the Hon. Robert S. Cilley.

According to Director of Student Activities Jeff Battle, the main purpose of the trial was to portray an actual rape trial. Brevard College students saw first-hand the difficulties experienced by the prosecutor in convincing a jury that the rape occurred against the victim's will.

The Mock Rape Trial dramatized a common dilemma on college campuses: in many cases of rape that occur in the college setting, the victim is frequently blamed for the crime. The defense will focus the attention on the victim, leading the jury to believe that she was guilty for the crime.

College settings, such as parties and dance clubs, often lead students to perhaps dress differently, act differently and drink alcohol. All of these tend to make the rape victim appear as though she actually asked to be raped.

In this particular trial, the fate of the defendant was left to 12 people who were randomly chosen from the audience. The jury included: Lisa Macaulay, Wade Gilliam, Alex Mistri, Susanne Lombard, Jamie Cousin, John Hackworth, John Turner, Maxine Turner, Christy Scott, Jessica Miller, Lynn Heater and Eric Schmit.

When the jury was chosen the audience clapped for them and were at



The jury listens intently during the testimony given in Mock Rape Trial held Feb. 15 at BC.

ease. Then, just as in a real trial, the judge spoke to the jury about how the defendant is innocent until proven guilty. The bailiff (played by BC's Greg Dill) swore in each witness who took the stand. The jurors' backs seemed to stiffen as the witnesses showed their emotions on the stand. Then a sweep of tension and nervousness came over the crowd.

The trial commenced when the first witness, Dr. Clark, played by John Kanipe, was called to the stand to testify. Other witnesses were, Michelle McCarthy, played by Heather Gleason; Rhonda Fleming, played by Lin Redmond; Det. Carol Williams, played by Angela Williams; Tim Van Pelt, played by Danny Miller; Heather Linden, played by Connie Davis; Pastor Olson, played by Jonathan Pierce; and Jason Kline, played by Jeff Yellen.

As the trial unfolded, the stories of both the defendant and the plaintiff became known. Apparently, the two were acquainted before the night the alleged rape took place. They were both students at Mankato State University.

After they and other friends had socialized at the same club, the Albatross, the group proceeded to the defendant's house where a party was to take place.

The victim was under the influence of alcohol by the time she had reached the party and continued to consume alcohol at the defendant's home. The defendant made advances toward the plaintiff during the party. According to the plaintiff, she went upstairs to the bathroom after beer had been spilled on her skirt. After she cleaned the skirt, she said she began to feel sick due to the alcohol. She went to the nearby bedroom. Unfortunately, this happened to be the defendant's bedroom. She claimed Garrison then entered the room and allegedly raped her.

Garrison countered with his charge that Jenny had been teasing him all night long, especially with the way she was dressed.

A main factor in the trial's outcome: Garrison stated that he asked Jenny to

go upstairs with him, but that she refused. Then, when she went there to wash off her skirt, he assumed she was taking him up on his offer.

The jury heard this story in full detail and then were told to make a decision. The result was a hung jury. Seven jurors found the defendant to be guilty. Two were undecided, and three found the defendant not guilty. Since an abstaining vote counts as not guilty, the final tally was 7-5. Since a unanimous vote was not arrived at, the evening ended with a mistrial.

Apparently, the audience agreed. In an informal vote taken before the jury's verdict, with a show of hands BC students voted about 50-50 also.

After the trial, students were asked to comment. Tim Jackson said, "I don't believe that by the information given that there could have been a final verdict because of the lack of evidence."

Jury member John Turner reflected, "Being on the jury, I really got to see how a real court experience was."



The accused, Mark Garrison (played by Derrick Briggs) ponders his defense, while his attorney, William R. White, listens.



The DA (William Cathey) gently questions a tearful Jenny Edwards (Beth Winters) about the evidence. (Clarion photos by Jock Lauterer)