

## **“I’ve Got a Secret” Exercise**

### **Suggested “Secrets”**

#### **No Big Deal—Not “Real” Rape**

**Case Synopsis (to be read to your small group):** I (the prospective juror) am a white woman. This is a nonstranger sexual assault case. The victim and the defendant are both college students, who met at a fraternity party the first week of school. The defendant, a college senior, kept giving the victim, a new college student, alcoholic drinks throughout the evening. After several drinks, the victim began to feel sick. The defendant took her to his room. The victim said the defendant raped her; the defendant claims that they had consensual intercourse.

**Your Secret (to be elicited through questions):** I’ve been to fraternity parties where I got drunk and ended up in bed with someone I barely knew and felt bad about it the next day. It was no big deal. I got over it. I don’t like women who become victims over situations like this.

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#### **Prior Perpetration**

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**Your Secret (to be elicited through questions):** I was a member of a fraternity and there was more than one occasion when I gave a woman a lot of liquor to get what I wanted. So what if she wasn’t into it. She knew what was going on when she came to my room. That’s not rape. That’s seduction.

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#### **Distancing Herself From Her Own Vulnerability**

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to his room. The victim said the defendant raped her; the defendant claims that they had consensual intercourse.

**Your Secret (to be elicited through questions):** A girl who drinks at fraternity parties and then goes to a guy's room and lets him kiss her is asking for it. What did she think was going to happen?

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### **Defendant's Actions Are "Normal"**

**Case Synopsis (to be read to your small group):** I (the prospective juror) am a white man. This is a nonstranger sexual assault case. The victim and the defendant are both college students, who met at a fraternity party the first week of school. The defendant, a college senior, kept giving the victim, a new college student, alcoholic drinks throughout the evening. After several drinks, the victim began to feel sick. The defendant took her to his room. The victim said the defendant raped her; the defendant claims that they had consensual intercourse.

**Your Secret (to be elicited through questions):** A girl who drinks at fraternity parties and then goes to a guy's room and lets him kiss her is asking for it. What did she think was going to happen? If she willingly went to his room, she's saying she's interested in sex. Why else would she go?

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### **Not "Real Rape" Without Resistance**

**Case Synopsis (to be read to your small group):** I (the prospective juror) am an African American woman. This is a nonstranger sexual assault case. The victim and the defendant are both college students, who met at a fraternity party the first week of school. The defendant, a college senior, kept giving the victim, a new college student, alcoholic drinks throughout the evening. After several drinks, the victim began to feel sick. The defendant took her to his room. The victim said the defendant raped her; the defendant claims that they had consensual intercourse.

**Your Secret (to be elicited through questions):** I know that a woman who was really being raped would fight back. She wouldn't just say "no." She'd kick the guy or scratch him and scream and yell for help.

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### **Self-Blaming Victim**

**Case Synopsis (to be read to your small group):** I (the prospective juror) am a Native American woman. This is a nonstranger sexual assault case. The victim and the defendant are both college students, who met at a fraternity party the first week of school. The defendant, a college senior, kept giving the victim, a new college student, alcoholic

drinks throughout the evening. After several drinks, the victim began to feel sick. The defendant took her to his room. The victim said the defendant raped her; the defendant claims that they had consensual intercourse.

**Your Secret (to be elicited through questions):** Something like this happened to me once, but it was my fault because I was drinking and leading the guy on. I kissed him at first, but then told him to stop.

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### **Not Rape if the Two People are Married**

**Case Synopsis (to be read to your small group):** I (the prospective juror) am a Latino man. This is a marital rape case in which the defendant and victim have been married for three years. She alleged that when she told her husband that she wanted a divorce, he raped her.

**Your Secret (to be elicited through questions):** It shouldn't be a crime for a man to have sex with his wife. Women are supposed to have sex with their husbands. Besides, women lie all the time in order to get more favorable divorce settlements.

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### **Racist Assumptions**

**Case Synopsis (to be read to your small group):** I (the prospective juror) am a white man. A 28-year-old African American woman alleges that her 34-year-old African American supervisor raped her. Evidence shows that they frequently had lunch together and he regularly gave her rides to her bus stop, prior to the incident.

**Your Secret (to be elicited through questions):** I think black women are promiscuous. I would be very skeptical of a black woman who was so friendly with her supervisor claiming that he raped her. She probably just didn't get the promotion she thought she deserved.

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### **Victim Blaming—Drunk Victim**

**Case Synopsis (to be read to your small group):** I (the prospective juror) am a white woman. This is a nonstranger sexual assault case. The victim and the defendant are both college students, who met at a fraternity party the first week of school. The defendant, a college senior, kept giving the victim, a new college student, alcoholic drinks throughout the evening. After several drinks, the victim began to feel sick. The defendant took her to his room. The victim said the defendant raped her; the defendant claims that they had consensual intercourse.

**Your Secret (to be elicited through questions):** Everybody knows that it's harder to say "no" if you've been drinking. She could have avoided the whole thing if she'd just not had so much to drink.

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### **Lack of Resistance and Injury**

**Case Synopsis (to be read to your small group):** I (the prospective juror) am an African American man. This is a nonstranger sexual assault case. The victim and the defendant are both college students, who met at a fraternity party the first week of school. The defendant, a college senior, kept giving the victim, a new college student, alcoholic drinks throughout the evening. After several drinks, the victim began to feel sick. The defendant took her to his room. The victim said the defendant raped her; the defendant claims that they had consensual intercourse.

**Your Secret (to be elicited through questions):** I think that any woman who really doesn't want to have sex will fight like crazy—or at least scream for help. If she wasn't injured, she must have consented.

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### **Acquaintances, So It Can't Be Rape**

**Case Synopsis (to be read to your small group):** I (the prospective juror) am an Asian man. This is a nonstranger sexual assault case. The victim and the defendant are both college students, who met at a fraternity party the first week of school. The defendant, a college senior, kept giving the victim, a new college student, alcoholic drinks throughout the evening. After several drinks, the victim began to feel sick. The defendant took her to his room. The victim said the defendant raped her; the defendant claims that they had consensual intercourse.

**Your Secret (to be elicited through questions):** I just don't think it's rape if they knew each other. We all know what rape is—a stranger jumping out of the bushes with a knife.