

WOMEN'S HEALTH

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Jaclyn Chai
Rachel Gordon
Paula A. Johnson

Steubenville, Ohio: A Community's Reckoning of Responsibility

Steubenville, Ohio and the Big Red^a

Steubenville, Ohio was an industrial city located in the U.S. along the Ohio River; its population in August 2012 was 18,429.¹ The city's economy had long supported a robust manufacturing sector based in steel production and coal mining, but in the past few decades these industries had collapsed, resulting in an exodus from the city along with rising unemployment. Between 1970 and 2000, Steubenville's population had declined faster than any other metropolitan area in the state of Ohio.² No new industries had moved in to replace the jobs lost and employment opportunities remained scarce. The median income was a third lower than the national average, more than one-quarter of the residents lived below the poverty line, and the city had a growing drug problem.³

One bright spot for many city residents was the Big Red, Steubenville High School's football team, which played a central role in the community. One news story described Steubenville, as the "town that practically shuts down each Friday for the high school game."⁴ One resident told a newspaper reporter that, "Everybody around here goes to games on Friday nights, and I mean everybody — people come for miles... People live and die based on Big Red because they usually win and it makes everybody feel good about themselves when times are tough."⁵ The high school football stadium, Harding Stadium, with a seating capacity of more than 10,000, could hold over half of the town's population at a single game. Home games consistently sold out. A well-known local sculpture in the stadium, a rearing red stallion called Man o' War, shot a six-foot flame from its mouth each time Big Red scored.^{6,7} Community events were sometimes postponed so as to not interfere with the football schedule; one year even the local Halloween festivities were rescheduled to avoid conflicting with a game night.⁸

^a Note: Due to the nature of the incidents described, this case contains graphic language and sexual imagery.

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The Events of August 11, 2012

On August 11, 2012, close to 50 high school students from Steubenville and surrounding towns arrived at a local home for the start of an evening of party hopping.^{9,10} Many of the party's attendees were high school athletes.¹¹ Alcohol flowed freely; there were cases of beer and a makeshift bar with vodka, rum, and whiskey.¹² One of the partygoers was a 16-year-old-girl from a middle-class neighborhood across the river in the state of West Virginia.^{13,14} According to reports the girl began drinking early in the night and by 10:30 PM was clearly drunk.¹⁵ Witnesses also observed that she needed help walking, that she was "sleeping," and that she was carried out of the house.¹⁶

Despite her clearly incapacitated state, several members of the Big Red football team transported the girl to three different parties over the course of the night.^{17,18} Two of these players were star quarterback Trent Mays and wide receiver Ma'lik Richmond, both 16 years old.¹⁹ One witness recalled seeing the girl alone with her top off and vomiting in the street²⁰; another witness said that Mays and Richmond held the girl's hair back as she vomited.²¹ Later, while driving with Mays and the girl to the final party at a fellow team member's home, the driver stated that he videotaped Mays flashing the girl's breasts and penetrating her with his fingers.^{b,22,23} After showing the video to at least one person, the teammate deleted the recording.^{24,25} Several witnesses also said that Mays tried to coerce the girl into giving him oral sex, but the girl was unresponsive.²⁶ As she lay naked on the ground, Richmond was behind her with his hands between her legs penetrating her with his fingers.²⁷ One athlete allegedly took a video of what Mays and Richmond were doing to the girl, shared it with at least one individual, and then deleted it.^{28,29} The girl spent the rest of the night on a couch in the basement with Mays present.^{30,31}

The next morning, the girl awoke naked and confused, with little memory of the previous night's events.³² She learned of the details through word of mouth and social media.³³ Three days after the party, the girl's parents reported the suspected rape to police and turned in images from the web as evidence.³⁴ Richmond and Mays were arrested on August 22, 2012 on charges of rape and kidnapping in the middle of the night.³⁵ Since 11 days had lapsed since the party, collecting physical evidence (i.e. body fluids especially semen and drug test results) was not possible. As such, no toxicology tests could be used to determine if she had been drugged, nor were DNA tests performed.^{36,37}

Social Media, Goddard and Anonymous

Almost immediately after the party, photos, tweets, and text messages began to show up online describing the night's events. Photos on Instagram showed the girl passed out. A YouTube video surfaced of a former Steubenville High student talking about the victim being raped.^{38,39} On Twitter, tweets appeared like, "Song of the night is definitely Rape Me by Nirvana," and, "Some people deserve to be peed on."^{40,41} Each tweet, post, video, and photo came together like a "graphic, public diary of the night."⁴² (See **Exhibit 1** for an example of one of the images circulated online via social media.)

As news of the crime and its possible ramifications spread, many of the online posts were deleted. However, Alexandria Goddard, a former Steubenville resident and crime blogger, heard the news of the boys' arrest and immediately started copying screenshots of Twitter posts and chronicling all the pictures and videos she could gather on public forums.^{43,44} She found videos and tweets that described the assault and then re-posted the screen images on her website.⁴⁵ (See **Exhibit 2**.) Goddard followed the case for months and communicated with news and opinion sites such as Jezebel.com, a popular blog media site that focuses primarily on issues that affect women.⁴⁶

While Goddard was filing her reports, another group, "Anonymous," an association of computer hackers also began to publicize details about the night's event and its aftermath. The group was dissatisfied with the local response and concerned that the boys would not receive appropriate punishment.⁴⁷ The group accessed private files of people who they believed were involved in the crime or who had committed actions they deemed to be a cover-up of the crime. They then posted the incriminating material online and helped organize at least one live protest demanding that the

^b Under Ohio law, sexual conduct refers to vaginal intercourse between a male and female, anal intercourse, fellatio, and cunnilingus between persons regardless of sex; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal opening of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse. (<http://codes.ohio.gov/orc/2907.01>)

football Coach Saccoccia lose his job.⁴⁸ The group feared that the town's residents would feel such a strong allegiance to the football team that people would help cover up the crime.⁴⁹ The "hacktivists" pursued their trademark brand of vigilante justice⁵⁰ by exposing potential judicial conflicts of interest. For example, Anonymous revealed that Steubenville's popular football coach of 30 years, Reno Saccoccia, regularly breakfasted with the town sheriff.⁵¹ The county prosecutor's son was a Big Red player and personally knew Richmond and Mays.^{52,53} The granddaughter of the judge initially appointed to the case had dated one of the accused players.⁵⁴ As a result of the group's efforts and mounting public pressure, both the judge and the county prosecutor eventually recused themselves from the case because of their ties to the football team.⁵⁵

Responses

School Officials

School officials claimed that the incident fell into the category of a team discipline problem and that the responsibility of talking to team members rested with Saccoccia, the players' coach.⁵⁶ In an interview the superintendent indicated that he would "address the current allegations and the way the students responded only 'if it interfere[d] with the learning process.'"⁵⁷ As a result, neither the school principal nor the school's superintendent ever questioned any member on the team.⁵⁸ Saccoccia maintained that he did not take immediate disciplinary action because he did not hear about the accusations right away.⁵⁹ He claimed that he "didn't do internet" and had not seen the web evidence.⁶⁰ Yet according to news reports, Mays had texted a fellow football player on August 13, 2012, the day after the incidents occurred, instructing him to "Delete that off You-tube. Coach Sac knows about it. Seriously delete it."⁶¹ Mays also had texted the alleged victim that, "Reno just called my house and said I raped you," then texted an unnamed friend, "I got Reno. He took care of it and s--t ain't gonna happen, even if they did take it to court. Like he was joking about it so I'm not worried."⁶² Saccoccia eventually talked with Mays and Richmond but told the principal and school superintendent that they had said they did not think they had done anything wrong.⁶³ As such Saccoccia claimed he "had no basis for benching those players."⁶⁴ However, as the official police investigation continued, more evidence was gathered and the case attracted publicity partially due to the efforts of Goddard and Anonymous. Two games before the end of the season, the accused athletes were suspended from the team.⁶⁵

Law Enforcement

The criminal investigation sought testimony from 56 people, including the school principal, superintendent, and 27 football coaches. The city's police chief begged witnesses and anyone with information to come forward but received little response.^{66,67} Sixteen potential interviewees refused to cooperate.⁶⁸ Some witnesses were offered immunity from prosecution in exchange for testimony.⁶⁹

In Court

Separate trials for Mays and Richmond began in February 2013 under intense public scrutiny and were accompanied by a silent protest from Anonymous. Mays and Richmond were charged with sexual assault; a charge of kidnapping had been dropped. Mays was tried for the additional charge of illegal use of a minor in nudity-oriented material. The defendants' attorneys entered "not guilty" pleas. They argued that because the girl was in and out of consciousness, she could have consented to sex and then forgotten she had done so.⁷⁰ The boys' lawyers also presented as evidence provocative comments and photographs on the plaintiff's Twitter page that they claimed showed that the girl was "clearly engaged in at-risk behavior."⁷¹

The plaintiff testified in court that she did not remember being transported, assaulted, or photographed on the night in question.^{72,73} Her text messages to a friend the day following the assault stated that she did not consent to sexual activity.⁷⁴ She acknowledged being "embarrassed and scared" after she saw evidence of what had happened to her on August 11.^{75,76} Later, she recalled Mays pleading with her through text messages not to press charges as he feared he would be kicked off the football team.⁷⁷ In their exchange, Mays also admitted to taking a naked picture of her with his semen on top of her, but claimed he did not know how the photograph had been uploaded to the internet.⁷⁸ During testimony, the victim disclosed she that had hesitated about whether to press charges against Mays, as he had told her, "Well I'll just never do anything nice for you again."⁷⁹

Social Media Sites

Social media sites served as both discussion platforms and legal evidence throughout the trial. Some of the discussions held online centered on encouraging teenagers to show caution in what they uploaded to the internet; others hosted debates on impropriety, personal responsibility, and criminal behavior. Abusive comments were directed at the victim as well as the perpetrators. One student who had been vilified in the comments section of Goddard's website sued her for defamation.⁸⁰ Although he and Goodard settled the case before the case went to trial, he did publicly apologize to the plaintiff for his comments.⁸¹

Verdict and Reactions

On March 17, 2013, Mays and Richmond were found delinquent^c of sexual assault. Richmond received a minimum sentence of one year in juvenile detention and Mays received a minimum of two years because of his additional conviction for disseminating a nude photo of a minor. However, the State Department of Youth Services has the power to extend their incarcerations until they reach the age of 21.⁸²

Major news outlets reported the verdict but lamented the loss of athletic prowess and academic potential of the defendants. A CNN reporter remarked during the coverage of the trial, "It was incredibly emotional—incredibly difficult even for an outsider like me to watch what happened as these two young men that had such promising futures, star football players, very good students, literally watched as they believe their lives fell apart."⁸³ Public outcry over social media emerged once again. Posts and hash tags demanded that the athletes' actions be treated as a crime rather than a bad career move.⁸⁴ Immediately after the delinquent verdict, Mays apologized for taking and sending the pictures but remained silent about his physical interactions with the girl and his verbal threats of intimidation.⁸⁵ In June 2013, Mays was classified as a Tier II^d sex offender and Richmond received the same classification in August 2013.⁸⁶

Aftermath

On the same day that the boys were convicted the Attorney General created a grand jury to continue ongoing investigations about the assault. Although little of the grand jury's findings had been made public, on October 7, 2013 the jury indicted the Steubenville High School information technology director for obstruction of justice and perjury.⁸⁷ Exact details of why the arrest had been made were not forthcoming as the grand jury investigation was ongoing.⁸⁸

^c Delinquent is the juvenile equivalent of "guilty."

^d As Tier II sex offenders both Richmond and Mays are legally required to report to their local sheriff's offices every six months for the next 20 years. [<http://www.cnn.com/2013/08/16/justice/ohio-steubenville-sex-offender> accessed October 2013.]

EXHIBIT 1: Social Media Image

Image posted by Cody Saltzman on Instagram of the alleged victim being carried.

Source: <http://www.theatlanticwire.com/national/2013/01/steubenville-high-football-rape-crew/60554/> accessed October 2013.

EXHIBIT 2: Examples of Online Tweets Captured in a Screen Grab by Alexandria Goddard

Some of the online tweets captured in a screen grab by Alexandria Goddard

Source: Source: <http://prinniefied.com/wp/steubenville-big-red-rape-accusations-the-other-perpetrators/?COLLCC=2571791266&COLLCC=22402456&COLLCC=2271331825> accessed October 2013.

Endnotes

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