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A Top Player Accused, and a Flawed Rape Inquiry

Errors by Police and College in Case of Heisman Winner



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Florida State quarterback Jameis Winston was with Chris Casher, right, on the night Mr. Winston was accused of rape.

By WALT BOGDANICH

EARLY on the morning of Dec. 7, 2012, a freshman at Florida State University reported that she had been raped by a stranger somewhere off campus after a night of drinking at a popular Tallahassee bar called Potbelly's.

As she gave her account to the police, several bruises began to appear, indicating recent trauma. Tests would later find semen on her underwear.

For nearly a year, the events of that evening remained a well-kept secret until the woman's allegations burst into the open, roiling the university

and threatening a prized asset: Jameis Winston, one of the marquee names of college football.

Three weeks after Mr. Winston was publicly identified as the suspect, the storm had passed. The local prosecutor announced that he lacked the evidence to charge Mr. Winston with rape. The quarterback would go on to win the Heisman Trophy and lead Florida State to the national championship.

In his announcement, the prosecutor, William N. Meggs, acknowledged a number of shortcomings in the police investigation. In fact, an examination by The New York Times has



KELLY KLINE/GETTY IMAGES, FOR THE HEISMAN TRUST

Jameis Winston won the Heisman a month after being publicly identified as a suspect in a rape case.

found that there was virtually no investigation at all, either by the police or the university.

The police did not follow the obvious leads that would have quickly identified the suspect as well as witnesses, one of whom videotaped part of the sexual encounter. After the accuser identified Mr. Winston as her assailant, the police did not even attempt to interview him for nearly two weeks and never obtained his DNA.

The detective handling the case waited two months to write his first report and then prematurely suspended his inquiry without informing the accuser. By the time the prosecutor got the case, important evidence had disappeared, including the video of the sexual act.

“They just missed all the basic fundamental stuff that you are supposed to do,” Mr. Meggs said in a recent interview. Even so, he cautioned, a better investigation might have yielded the same result.

The case has unfolded as colleges and universities across the country are facing rising criticism over how they deal with sexual assault, as well as questions about whether athletes sometimes receive preferential treatment. The Times’s examination — based on police and university records, as well as interviews with people close to the case, including lawyers and

sexual assault experts — found that, in the Winston case, Florida State did little to determine what had happened.

University administrators, in apparent violation of federal law, did not promptly investigate either the rape accusation or the witness’s admission that he had videotaped part of the encounter.

Records show that Florida State’s athletic department knew about the rape accusation early on, in January 2013, when the assistant athletic director called the police to inquire about the case. Even so, the university did nothing about it, allowing Mr. Winston to play the full season without having to answer any questions. After the championship game, in January 2014, university officials asked Mr. Winston to discuss the case, but he declined on advice of his lawyer.

When The Times asked Mr. Winston for an interview, an Atlanta lawyer advising his family, David Cornwell, responded, “We don’t need an investigation, thorough or otherwise, to know that Jameis did not sexually assault this young lady.” Mr. Cornwell, who has represented major sports figures and the N.F.L., added, “Jameis has never sexually assaulted anybody.”

Mr. Winston has previously acknowledged having sex with his accuser but said it was consensual. His account has been supported by two



LESLYE DAVIS/THE NEW YORK TIMES



The lead investigator Scott Angulo, above, never interviewed Mr. Winston, whose DNA was not obtained until the prosecutor, William N. Meggs, got the case nearly a year later.

friends from the football team who were with him that night, Chris Casher, who took the video, and Ronald Darby.

A month before the rape accusation became public, the university's victim advocate learned that a second woman had sought counseling after a sexual encounter with Mr. Winston, according to the prosecutor's office. The woman did not call it rape — she did not say “no.” But the encounter, not previously reported, “was of such a nature that she felt violated or felt that she needed to seek some type of counseling for her emotions about the experience,” according to Georgia Cappleman, the chief assistant state attorney, who said she had spoken with the advocate but not with the woman.

The victim advocate was concerned enough about the episode to have alerted Mr. Winston's first accuser.

Ms. Cappleman said that based on what she was told, a crime had not been committed. Nonetheless, Ms. Cappleman said she found the encounter troubling, because it “sheds some light on the way Mr. Winston operates” and on what may be “a recurring problem rather than some type of misunderstanding that occurred in an isolated situation.”

Mr. Cornwell called her comments “out of bounds,” adding, “I’m not interested in a prosecutor expressing an opinion based on a personal moral compass.”

The university, after initially speaking with The Times, recently stopped doing so. A university spokeswoman, Browning Brooks, said she could not discuss specific cases because of privacy laws but issued a statement, saying that the university's “code of conduct process has worked well for the vast majority of sexual assault cases” and has “provided victims with the emotional and procedural help they need.”

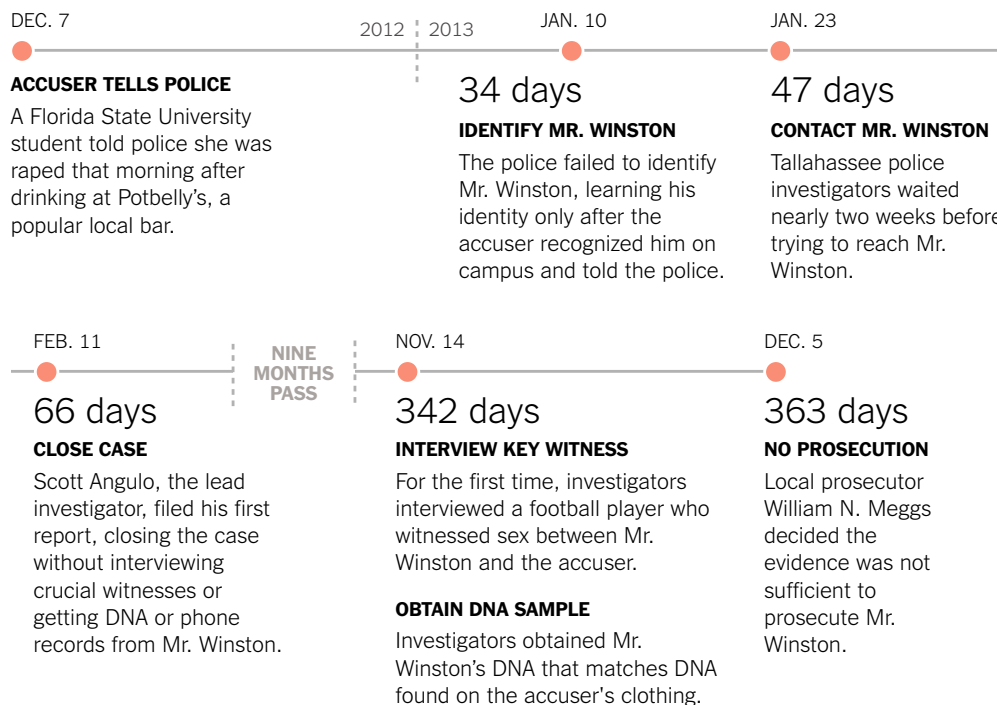
On Feb. 13, before the university stopped granting interviews, Rachel Bukanc, an assistant dean who oversees student conduct issues, said she knew of no student who had secretly videotaped sex. After The Times questioned that response, the university began an inquiry and recently charged Mr. Casher with a student-code violation for taking the video. Mr. Darby has also been cited in connection with the episode.

It would be difficult to overstate the importance of football to Florida State and its hometown. In Tallahassee, rooting for the Seminoles is a matter of identity and economy. The 2013 championship season generated millions of dollars for the athletic department and city businesses, and favorable publicity beyond measure.

Patricia A. Carroll, a lawyer for Mr. Winston's accuser, said the police investigator who handled the case, Scott Angulo, told her that because Tallahassee was a big football town, her client would be “raked over the coals” if she pursued the case.

How Long It Took to Gather Key Evidence

Investigators showed little interest in finding out what happened. They delayed talking to witnesses, interviewing Mr. Winston and collecting his DNA.



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Officer Angulo has done private security work for the Seminole Boosters, a nonprofit organization, with nearly \$150 million in assets, that is the primary financier of Florida State athletics, according to records and a lawyer for the boosters. It also paid roughly a quarter of the \$602,000 salary of the university president, Eric Barron, who was recently named president of Penn State.

The Tallahassee police declined to make Officer Angulo available for an interview, but his report states that he suspended the investigation because the accuser was uncooperative, which she denies.

The department issued a statement, saying that police reports in the Winston case "document that our department took the case seriously, processed evidence and conducted a thorough investigation based on information available when the case was reported."

The case came at a time of turmoil for the Tallahassee police. In March 2013, a grand jury investigating police misconduct in an unrelated matter called police supervision "careless, uncaring, cavalier and incompetent." The grand jury said supervisory deficiencies were so deeply ingrained that the city police, which has more than 350 sworn officers, should merge with the sheriff's department, with the sheriff assuming overall control.

Late last year, Mr. Winston's accuser and another Florida State student filed internal-affairs complaints, charging that Tallahassee police officers had investigated them, rather than the accused, and then prematurely dropped their cases.

"My attorney's repeated calls to Tallahassee Police Department prove that I had not dropped the case," Mr. Winston's accuser wrote in her Dec. 19 complaint.

Two days earlier, the other student had written, "Why did the detective insist my case was closed and refused to answer calls and emails?" She added, "I am SO ANGRY!"

Both complaints were quickly dismissed.

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Purgatory at Potbelly's

Potbelly's is a classic campus bar: big and boisterous, a place to drink, dance and mingle inside or at a tiki bar outside. A Thursday tradition, Purgatory at Potbelly's, allows students to drink all the alcohol they want for \$10 from 9 p.m. to midnight.

On Purgatory Thursday, Dec. 6, 2012, Mr. Winston's accuser, who at 19 could not legally buy alcohol, shared at least five mixed drinks with friends, according to police records. At one point, a man she did not know grabbed her arm, pulled her close and introduced himself as Chris, a football player. He said he was looking for his roommate, and when he requested her phone number, she gave it to him. She did not recall seeing him again that night.

The woman did not appear drunk, her friends said. But after a stranger gave her a drink, she recounted, her memory became hazy and fragmented. Soon, she found herself in a taxi with three unfamiliar men, all of whom turned out to be Florida State football players.

Jameis Winston was one of them. A redshirt freshman quarterback, 6 feet 4 inches and 235 pounds, Mr. Winston had been a prize recruit, well-known in football circles but not yet a widely recognizable name.

Because of the young, combustible clientele, Potbelly's protects itself by operating more than 30 security cameras. If something untoward happens, the cameras are there to record it. They were in position to fill in the blanks from that evening, recording how the woman came to leave without her friends, her general behavior and the face of the man who gave her the final drink.

Taxi records also contained a footprint for investigators to follow: The woman recalled that someone in the car swiped a Florida State student identification card to get a discounted fare.

After partially blacking out, the woman said, she found herself in an apartment with a man on top of her, sexually assaulting her. She said she tried unsuccessfully to push him away, but he pinned down her arms. Meanwhile, according to her account, another man walked in and told her assailant to stop. He did not. Instead, she said, he carried her into the bathroom, locked the door and continued his assault.

Afterward, the woman told investigators, the man put her on a bed, dressed her and drove her on a scooter to an intersection near her dormitory and dropped her off.

Upon returning to her room, she posted a plea online for someone to call her. Two friends did. One was Jenna Weisberg, another Florida State student.

"I was awake and I called her and she was hysterically crying," Ms. Weisberg said. "'I think I just got raped,'" she recalled her saying. Ms. Weisberg drove immediately to the friend's dorm.

Ms. Weisberg said her friend was reluctant to call the police because she did not "want anybody to be mad at her." Eventually she relented, and at 3:22 a.m., Ms. Weisberg called 911.

A campus police officer responded, listened to the accuser's account and then drove her to the hospital for a sexual assault examination.

Because the woman believed the encounter occurred off campus, a city police officer, Clayton Fallis, interviewed her next.

Soon, Officer Angulo, an investigator with the special victims unit who joined the force in 2002, arrived at the hospital and took over the case. Again the woman began to recount what had happened, until the investigator, seeing she was tired, told her to go home and come to Police Headquarters later in the day.

She returned, accompanied by a friend, Monique Kessler, who was with her at Potbelly's, and they recounted what they had seen and heard, including the encounter with Chris, the football player.

Officer Angulo had three solid leads to identify the suspect: the name Chris, the bar's security cameras and the cab where a student identification card had been used.

What the investigator did next — or did not do — would later confound prosecutors and muddled the outcome of the case.

An Inquiry Begins, and Ends

Officer Angulo's investigation was halting at best. His first report, filed more than two months after the encounter, includes no mention of trying to find Chris or looking at Potbelly's videotapes.

Not only would Chris have been easy to find, but the police already had an investigative file that identified Chris Casher as Mr. Winston's roommate. A little more than a week before the sexual encounter, the Tallahassee police had interviewed both men in connection with 13 damaged windows at their off-campus apartment complex, all caused by football players engaging in a long-running BB gun battle. The Florida State athletic department promised that the \$4,000 in damages would be paid, and no charges were filed.

Officer Angulo did contact the cab company, without success. "The GPS units on the vehicles are not precise enough to eliminate enough cabs to focus the search," he wrote.

He then asked the cab company to email all drivers who had worked that night, with "the demographics of the passengers and the pickup location." No one responded, and there is no indication that he attempted to interview drivers.

Officer Angulo, who had told his superiors that he "had no real leads," suddenly got a big

one on Jan. 10, a little more than a month after the encounter. As a new semester was beginning, the accuser called to say she had identified the suspect — Jameis Winston — after seeing him in class and hearing his name called out.

Again, Officer Angulo hesitated. Nearly two weeks passed before his backup investigator contacted Mr. Winston — by telephone, records show.

“Winston stated he had baseball practice but would call back later to set a time,” Officer Angulo wrote. The police did get a response — from Mr. Winston’s lawyer, Timothy Jansen, who said his client would not be speaking to anyone.

With Mr. Winston identified, the next logical step would have been to quickly obtain his DNA. Officer Angulo decided against it. Ms. Carroll, the accuser’s lawyer, said the officer told her that testing Mr. Winston’s DNA might generate publicity. “I specifically asked and he refused,” Ms. Carroll said.

Officer Angulo concluded his six-page report by saying: “This case is being suspended at this time due to a lack of cooperation from the victim. If the victim decides to press charges, the case will be pursued.”

Two parts of that statement struck Ms. Carroll as strange. The officer, she said, never informed her client that he had suspended his investigation, and her client never said she would not cooperate. She said that while her client was indeed concerned about the prospect of pressing her case against a star-in-waiting, “at no time did we call him and tell him we don’t want you to do an investigation.” Her client, she added, simply wanted more information before deciding what to do.

Such reluctance should not keep the police from investigating, according to Ms. Cappleman of the prosecutor’s office.

“It makes the most sense to me, if somebody comes in to report a violent crime, investigate it, and we’ll talk about what to do with it after we’ve collected the evidence and have the most thorough picture,” she said. If an accuser later decides she does not want a trial, Ms. Cappleman added, her office might offer a suspect a better plea deal.

Officer Angulo’s investigation apparently stirred no concern within his department. His superior officer signed off on his work, records show.



PHOTOGRAPHS BY JOE ROBBINS/GETTY IMAGES

Chris Casher, left, and Ronald Darby were with Mr. Winston the night of the encounter and supported his account of consensual sex.

In the weeks that followed, not knowing the investigation had been suspended, Ms. Carroll called the police periodically to see if lab tests had come back. Sometimes, her calls were returned, she said, but not always.

A Deputy's Daughter

Early last October, a 19-year-old Florida State student was studying on a Saturday night while her roommates went drinking. She said they returned drunk, and a roommate’s former boyfriend, also a student, raped her in her room.

The student reported the encounter to the Tallahassee police. The episode had nothing to do with Mr. Winston, but it, too, raised questions about how the city police deal with rape accusations. The police response was so inappropriate, according to the father, that later on, in a complaint filed with the police, he compared it to the Winston inquiry, which had recently drawn criticism in the news media.

The father, a part-time deputy sheriff in another county, said he was away on business when he called his daughter and found her crying and confused. With prodding, she disclosed that she had just spoken to the police about “a situation,” but would say no more. An officer had told her that “it might be better not to inform me,” her father said.

Alarmed, he asked his wife to call. She did, and their daughter said she had been raped. The mother and a family friend, also a law enforcement officer, immediately drove more than two hours to Tallahassee. They found the daughter with what appeared to be choke marks on her neck.

According to the father, a Tallahassee police officer named Christopher Pate characterized

the young woman as confused and having had a hard time communicating. "Why was I not given an advocate to speak with?" his daughter said in a complaint she filed later with the police. "I was raped and was stressed and scared."

In a report, Officer Pate said he had offered the woman "many different avenues of help (victim advocate, female officer etc.). She refused them all."

Rape crisis counselors, while not speaking specifically about this case, say traumatized victims often experience memory problems. "Victims themselves feel like they are losing their minds when they can't remember, when they remember fragments that don't seem to connect up," said Meg Baldwin, executive director of the Tallahassee-based Refuge House, a haven for victims of domestic violence and rape. "The interpretation so often is, well, she's lying, she's in any event an unreliable witness who won't be believed."

Officer Pate's blunt interviewing style did not help, the student said. "The first thing he asked me," she recounted, "was if I was sure this was rape or if I just didn't want a baby or wanted the morning after pill." He also made comments, she said, "like, 'Are you sure you want to file a report? It will be very awkward, especially for a female.'"

In his complaint to the police, the father wrote that Officer Pate had suggested that an investigation "would be futile, as 'this kind of stuff happens all the time here.'" The family also said the police had focused more on the accuser than on the accused.

"From my perspective, T.P.D. demonstrated a poor initial response, poor investigative techniques and perhaps most importantly failed to support the victim of a violent crime," the father said.

Unlike in the Winston case, the police did ask prosecutors to review the evidence, but they declined to bring charges because statements from the roommates conflicted with the accuser's account. After receiving the family's request for an internal affairs investigation, the police found no basis for punishment.

"While no policy violation was identified, Officer Pate was counseled on the public perception of officer actions and speech during investigations," according to police documents. The department declined to make the officer available for an interview.

The woman, an A student, dropped out of school, left the city and underwent therapy for extreme depression, according to the family. "Going to F.S.U. had been a longtime dream for her," her mother said.

The News Breaks

It was Wednesday of homecoming week last year and Florida State, ranked No. 2 in the nation with a 9-0 record, was preparing to play Syracuse. Mr. Winston, described by teammates as both playful and intense, had already thrown 26 touchdown passes, amassing 2,661 passing yards with a completion percentage just south of 70 percent. After his first game, an ESPN draft expert had identified him as a legitimate No. 1 choice in the 2015 N.F.L. draft.

If Florida State was going to ascend to the national championship game on Jan. 6, it would do so on the arm and poise of Jameis Winston. The Heisman voting was but a month away, and his crowning as America's best college football player appeared all but certain.

Then, suddenly, that glorious vision began to go out of focus.

On Nov. 13, the Tallahassee police, responding to a public-records request from The Tampa Bay Times, released documents on the sexual assault case, setting off a frenzied scramble in the news media and prosecutor's office to learn what had happened.

As the news broke, and before investigators could talk to them, Mr. Winston's lawyer had the two witnesses, Mr. Casher and Mr. Darby, submit affidavits attesting to their recollection of that now-distant night. They gave similar accounts: A blond woman who was not intoxicated willingly left the bar with the three football players, they said, and joined Mr. Winston in his room. Because the door was broken and would not close, they looked in and saw the woman giving the quarterback oral sex.

At one point, Mr. Casher said, he entered the room, but the woman told him to leave, got up to turn off the light and then tried to close the door. At no time, both men said, did she appear to be an unwilling participant. (The men did not respond to phone messages, conveyed through university officials, seeking comment.)

Mr. Meggs immediately directed his staff to reinvestigate the case.



PHOTOGRAPHS BY LESLYE DAVIS/THE NEW YORK TIMES

Purgatory at Potbelly's, a popular local bar, is a Thursday tradition where for \$10 patrons receive unlimited drinks from 9 p.m. to midnight. To protect itself the bar has more than 30 security cameras. Local cabs discount fares for users who swipe a Florida State ID card. Mr. Winston's accuser recalled someone in the cab with her swiping such a card.

In the recent interview, Mr. Meggs said he was surprised that the police had not quickly found Mr. Casher. "How long does it take to identify a freshman football player — about 10, 15, 16 seconds?" he asked, adding, "Anybody that looked at this case would say you get a report at 2 in the morning, by noon you could have had the defendant identified and talked to."

Why Officer Angulo had not asked to see the Potbelly's security video is unknown. A Times review of sexual assault complaints handled by the campus police last year found that in one case, officers asked for the Potbelly's video when they were trying to identify a suspected assailant who had been seen at the bar.

As for not finding the taxi driver, "I am convinced that we would have identified the

cabdriver that night and had an interview with him," Mr. Meggs said. "Don't know what we would have learned, but we would have learned the truth. I am also convinced that had it been done properly, we would have had the video from Potbelly's."

By the time the prosecutor asked for that video, the tape had long since been recycled.

Unlike the police, prosecutors said they interviewed every cabdriver they could find who had worked that night, but they turned up no new information. Mr. Meggs said that while his investigators probably spoke to the driver they were seeking, "at 11 months later, maybe he didn't remember, maybe he didn't want to remember."

Mr. Meggs said he was shocked that the police investigator's first attempt to contact Mr.

Winston was by telephone. “He says, ‘I have baseball practice, I’ll get with you later,’” Mr. Meggs said. That call allowed Mr. Winston to hire a lawyer who told him not to talk.

“It’s insane to call a suspect on the phone,” Mr. Meggs said. “First off, you don’t know who you are talking to.” He said he would have gone straight to the baseball field. “If you walked up to Jameis Winston in the middle of baseball practice and said, ‘Come here, son, I need to talk to you,’ he would have said, ‘Yes, sir.’”

Mr. Meggs added: “He’s not in custody, you don’t have to read him his rights. He might have said, ‘I didn’t have sex that night.’”

Only after the prosecutor took over the case did the authorities obtain Mr. Winston’s DNA. It was a match to DNA found on the accuser’s clothing.

Belatedly, Officer Angulo and his backup were asked to conduct a crucial interview — to question Mr. Casher about the events of Dec. 7, 2012.

Mr. Casher made a startling admission: he had secretly videotaped part of the sexual encounter through the partly opened bedroom door, and deleted the video from his phone a couple of days later. Had the police found him quickly, they might have obtained that video.

Mr. Casher had never mentioned the video in the affidavit he submitted with the help of Mr. Winston’s lawyer. Even so, officers did not ask why he had omitted that important fact, why he had deleted the video or whether he had shared it with anyone. And though Mr. Casher said he had a new phone, the officers did not ask what he did with the old one.

Neither the police nor the prosecutor’s office subpoenaed the phone records of Mr. Casher, Mr. Darby or Mr. Winston — even though they investigated all electronic communications to and from the accuser around the time of the sexual encounter.

The failure to seek similar electronic communications from the three football players surprised one former assistant state attorney, who prosecuted a Florida State football player on a rape charge a decade ago. “Why that was done, I don’t really know the answer to that,” said the former prosecutor, Adam Ruiz. “To me, that’s a no-brainer.”

Mr. Ruiz said his children, aged 7 to 21, all had iPhones, and even for something as mundane as rain: “You’re texting 30 people about it. I can’t

imagine there would not have been something coming off that cellphone after the incident.”

Three weeks after it began, with evidence lost and memories faded, the state attorney’s investigation was over.

“I have personal concerns about what happened in that room that night,” Ms. Cappleman said, “but that’s completely separate from whether I’m able to prove a crime occurred.”

The University’s Role

The news that Mr. Winston had been accused of rape moved through campus like an electric charge. On social media, the discussion quickly lost any semblance of civility, prompting one female student to send an email expressing her anger to Mary Coburn, vice president for student affairs.

“All day every day I am bombarded with messages of hatred for the alleged victim,” the woman wrote. “I am sad and ashamed to be part of a student body that is quick to support a man who is accused of sexual assault, simply because he is a good football player, and even quicker to condemn the alleged victim of the crime as a liar.”

Ms. Coburn replied: “I agree with you and have been thinking about how we address the ugliness that has been circulating.” She promised to gather a group of students in January to discuss the problem.

The athletic department had known early on that Mr. Winston had been accused of a serious crime. According to an internal Tallahassee police email on Jan. 23, 2013, one officer wrote that Officer Angulo’s backup on the case “received a call from the Athletic Directors Assistant inquiring about the case.”

This knowledge should have set off an inquiry by the university. According to federal rules, any athletic department official who learns of possible sexual misconduct is required to pass it on to school administrators. Florida State declined to respond when asked if top officials, including the university president, had been informed of the encounter.

“Why did the school not even attempt to investigate the matter until after the football season?” said John Clune, another lawyer for the accuser.

His client filed a complaint with the civil rights office of the federal Department of Edu-



STEVE NESIUS/REUTERS

Patricia A. Carroll, a lawyer for the accuser, said neither she nor her client asked the Tallahassee police to stop investigating the case.

cation, and the agency recently agreed to examine whether Florida State properly responds to sexual violence complaints. The inquiry was first reported by USA Today.

It was not just the Winston case that was causing concern on campus. In January, the mother of a student who said she had been sexually battered at a fraternity the previous April contacted the campus police asking why the university “doesn’t do more to protect women from rape,” records show. The police response was to inform the mother of a self-defense class for students.

That did not satisfy the mother, who told an officer, “The university should take a harder stand on the men who are identified as having committed rapes.” According to the campus police, the student had said she did not want officers to investigate the case.

Determining the extent of the problem is difficult, because so many students are reluctant to report sexual assaults. President Obama, in announcing the creation of a task force earlier this year to protect students from sexual assault, cited surveys showing that one in five women is a victim of “attempted or completed sexual violence” while in college.

Last year, 28 Florida State students received forensic exams after suspected sexual assaults, according to Refuge House, which

is not affiliated with the university. Seven occurred on campus and 17 off campus; in four cases the location was not clear.

“I’d like to see a higher reporting rate so that we can address the problem,” said Ms. Capleman of the state attorney’s office. “A lot of these cases go unreported, so having a higher reporting rate will lead to a higher success rate of prosecution and hopefully a deterring effect.”

If cases are reported, the university is obligated to investigate, regardless of what the police do. According to the federal Education Department’s civil rights office, “a school that knows, or reasonably should know” about sexual harassment, including rape, “must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation.”

Universities must also inform the federal government of reported sexual assaults on their property or in the immediate vicinity.

Florida State has not yet reported its 2013 sexual assault numbers, but in the three previous years it reported four, five and five. Those numbers place Florida State in the lower half nationwide of similar-size public universities, according to federal data analyzed by The Times. The number of reported rapes can be affected by the percentage of students who live off campus.

Ms. Baldwin, the Refuge House director,

said accusers report that the university's internal complaint system tends to bury their experience rather than address it responsibly. "When I compare F.S.U. with other universities within the last five years that have done a great deal to address this issue, I'm not seeing that level of energy here," said Ms. Baldwin, a former Florida State law professor.

In its statement, the university said that, in complying with federal rules, "The need to investigate possible harassment must be balanced against the rights of and consent from the complainant."

Kitty Bennett, Alain Delaqu  rie and Ramsey Merritt contributed research.

A decade before the Winston case, the inspector general found that Florida State had violated its policy when the athletic department failed to inform the campus police of a rape accusation against one of its standout football players. Mr. Ruiz, the former prosecutor who handled the case for the state attorney's office, recalled that the coach at the time, the revered Bobby Bowden, attempted to convince him that a crime had not occurred. A jury eventually acquitted the player.

"I learned quickly what football meant in the South," said Mr. Ruiz, who grew up in New York State. "Clearly, it meant a lot. And with respect to this case I learned that keeping players on the field was a priority." ■