

Victim Fallout Feared in Bryant Case

Some worry that the treatment of his accuser could lead others to opt not to come forward.

By David Kelly, Times Staff Writer

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EAGLE, Colo. — The handling of the rape case against Laker star Kobe Bryant has some sexual assault victims and those who work with them worried that it will make women more reluctant to report attacks.

“I totally understand why [the accuser] didn’t wish to go forward,” said a rape victim from Denver who spoke on condition that her name not be used. “I was worn out by my case. I was worn out by the system, worn out by the process and worn out by the big scary attorney on the other side. I wish for the opposite but I think this will absolutely have an effect on future cases.”

Eagle County District Atty. Mark Hurlbert abruptly dismissed the case Wednesday, three days after jury selection had begun. He said the 20-year-old accuser, whose name and sexual history had been publicized by some media outlets, did not wish to continue. A civil case against Bryant is pending.

Throughout the 14-month case, played out in the small Colorado town of Eagle, victims rights groups tried to shift the focus away from legal maneuvering and onto the plight of the accuser. Now they worry that rape, already believed to be significantly underreported, will be reported even less.

“We have been concerned all along that this case would have a negative impact on women coming forward, but these were also extraordinary circumstances played out in the national spotlight,” said Cynthia Stone, spokeswoman for the Colorado Coalition Against Sexual Assault, who attended nearly all of Bryant’s hearings in Eagle. “We hear anecdotally that people look to what happened to her and are more fearful of coming forward. But we don’t have any reliable measure to know what kind of effect this will have.”

At places like the Rape Assistance and Awareness Program in Denver, therapists say the case, specifically the treatment of Bryant's accuser, has reopened old wounds and uncovered buried memories. The center has seen more women than ever come through its doors seeking help, sometimes years after being sexually assaulted.

"We have seen a 50% increase in clients since last year," said Sheri Vanino, director of victim services at the facility, the biggest rape crisis center in Colorado. "Sexual assault is in the news, it's being talked about at parties and social settings. It's almost impossible to escape the Kobe Bryant discussion. Victims are thinking back to their own trauma."

J. Kevin Higgins, executive director of the center, said he hoped some victims would feel angry or frustrated enough about the case to report their own. The bigger problem is that rape is a crime that usually goes "unaccounted for, unpunished and unquestioned," he said. "The public has a blind spot about this crime until it happens to them."

Another Denver woman said she was just getting comfortable being alone again after being raped two years ago when the Bryant story broke.

"As a victim, it's just been brutal," the 27-year-old woman said, speaking on condition of anonymity. "It's held a mirror up to our culture and showed us what we really think. I'm not surprised to hear people are going back into counseling."

Karen Steinhauser, a law professor and former prosecutor specializing in sexual assault, said the case's dismissal would almost certainly affect victims.

"If I were a sex assault victim and had to decide whether to report to police, and then I saw what this woman went through, would it make me think twice? I think it would," Steinhauser said. "I had hoped if this went to trial, other sex assault victims would have looked at this woman and think if she could do it then they could."

Steinhauser said 16% to 20% of sexual assault cases are reported in Colorado.

Some victim advocates have used the arguments made in the Bryant case as a way to teach the public about the realities of rape.

Ryan Lusk, a community educator with the Rape Assistance and Awareness Program, gives talks on sexual assault at schools around Denver.

"In every presentation it's only a matter of time until [the case] comes up," he said. "I see that as a teachable moment."

"I tell them 1 in 4 women is sexually assaulted and 1 in 16 men," he said. "I talk to them about the women in their lives — their mothers or sisters."

Some observers say that the Bryant case should not be viewed as typical and that rape

victims should not fear they would be scrutinized in the manner the accuser in that case was.

“This case is such an aberration in terms of a regular rape prosecution,” said Lisa Wayne, a Denver defense attorney who had handled many sexual assault cases. “People are convicted of sexual assault every day. My message to women is report it if you are sexually assaulted, tell someone and don’t delay.”

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