

## **Tessa Tasker – Mock Hearing Notes**

Note: Tessa Tasker is an entirely fictitious character created for training purposes only.

### Discussions about Sexual Boundaries

- You are adamant that you told Michael that you would not have sexual intercourse prior to marriage—not even if you were engaged.
- You are also adamant that you broke up with Michael because he kept pushing you to have sex with him, and you weren't interested. Michael kept coming over while you were studying and tried to distract you and seduce you. He needed to give you some space at the time. You got back together with him when Michael apologized and said he would be more respectful of your boundaries. **CLEARLY NOT.**

### Pizza with Sarah

- You had two beers while you ate pizza with Sarah. You are absolutely sure of it. They were Yuenglings that a friend had left in the refrigerator from an early social event, and you wanted to finish them up because you were tired of looking at them.
- You describe the glass of white wine as a “college pour,” nearly full to the top. The wine wasn't very good, and you probably had 2/3 of the glass but didn't finish it.

### Arrival at Party #1

- You arrived at the party with the specific intention of playing pool, because Joe had just gotten the table and had been encouraging them to come try it. When you were in high school, you learned how to do a trick shot where you could make the cue ball jump over another ball and then knock a third ball into the pocket. When you tried to do it for Sarah to record a video, you failed miserably. You laughed it off. That was your first clue that you were getting tipsy.
- The Fireball Whiskey was disgusting, but Joe loves it. He often has it when they come over. Joe is a foodie, so his food is usually really good at parties, but he has terrible taste in alcohol.
- You only took one shot of Fireball Whiskey. You don't remember going through the kitchen a second time. You think that you went through the dining room to get to the back door, because you remember seeing Michael there talking with Joe.
- When you texted with Angela, you knew that you would be meeting up with her at Caleb's later, but you wanted her to know she was welcome at Joe's too. Angela loves to dance and takes any opportunity she can to do so.
- You were in the living room getting your jacket and purse when Sarah came back from getting her shawl and clutch in the kitchen. Sarah told you that she had run into Michael and told him that you were going to Caleb's house, so you left without texting Michael.

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### Arrival at Party #2

- You recall having three glasses of punch at the party, plus a shot of tequila. Michael gave you one of the glasses of punch.
- You spent most of the night dancing with Angela and Sarah. There were about fifteen other people on the dance floor. Most were friends with Angela, who is younger. You did not know them.
- When you went back to the campfire, you nearly fell sitting down on the bench and you nearly fell again when you got up. The bench was wobbly, but you felt really “out of it” also, due to the alcohol. You recall feeling not quite dizzy, but definitely unbalanced when you walked to the campfire. When you walked back to the patio to dance, you were distracted so you don’t recall exactly how you felt.

### Falling

- The song playing when you fell was “Party in the USA” by Miley Cyrus. You were definitely “moving your hips like yeah” at the point when you fell.
- You absolutely think alcohol was the key reason you fell. The patio stones were wobbly, but they weren’t that wobbly. You fell hard on your butt and twisted your ankle. You may have also hit the back of your head on the ground, but you aren’t sure. You told Sarah, “I guess I shouldn’t have any more punch,” while you were still laying on the ground.
- When you got up, you felt “dazed.” You remember being on the back porch steps, and then being on the front porch steps, but you don’t remember how you got to either of them. You do remember putting your leg in Sarah’s lap and putting ice on your ankle, and you remember taking a shot of tequila but don’t recall where it came from. You also remember lying flat on your back on the porch and feeling uncomfortable.
- You remember hitting your ankle on the inside of Michael’s car when you got into the front seat. You remember leaning the seat back for the drive home and putting your foot on the dashboard. When you go to your residence hall, you remember having significant difficulty navigating the stairs up to your apartment. You don’t remember why you were taking the stairs, as the elevator is more convenient.

### Sexual Activity

- You remember Michael taking your clothes off. This was not done seductively. He was trying to help you get your pajamas on. He turned around politely when you took off your bra and put on your nightgown (a long black t-shirt).
- You remember telling Michael you didn’t feel good.
- You remember laying on your back and the room spinning. You remember rolling onto your right side, which helped with the dizziness.
- You remember at some point laying on your back with your knees pointed up and Michael on top of you, but he was not putting any significant weight on you. His

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hands were on either side of your torso. You were not wearing underwear, but you were still wearing your nightgown. Michael said, “this might hurt,” and then penetrated you with his penis. You remember that it in fact hurt, and that you cried out. You don’t remember anything further about the encounter.

- When you woke up the next morning, you realized you had had sex when you went to the bathroom and found that you were bleeding and sore.
- You have no memory about asking Michael to have sex with you or consenting to have sex with Michael.

### Conversation with Michael afterwards

- You faceted Michael at around 12:30, which is after church. You already knew that you had had sex, but you asked Michael if you had because you wanted to hear it from him. Michael said that you had asked him for sex and that you had told him that you were “finally ready” and that it was because you “could see in his heart through his gentleness that he was the one for forever.” This does not sound like something you would say, and you are adamant that you would not have ever asked for sex under any circumstances.

### **Instructions for playing Tessa**

- Put yourself in her shoes. If they ask you something you don’t know the answer to, make up something reasonable that seems like what she would do.
- It is absolutely critical that you get across to the decision-makers that you do not believe you would have suggested having sex under any circumstances, nor would you ever consent to sex. While everyone seems to think this is an incapacitation case, you should remind them that this is a lack of consent case (from your perspective, at least).
- If something you say based on this sheet contradicts what the investigative report says, the investigator must have interpreted it incorrectly.

### **Don’t Reveal This Unless You Are Directly Questioned On It:**

- At some point in your bedroom at the end of the night, Michael left the room. You took two sleeping pills in the hopes that it would help you sleep despite the pain in your ankle and your head.