

NATE PARKER

This ordeal began when ██████ made her first phone call to me on October 12, 1999.

In that phone call I was amazed to hear ██████ call me out of the blue ██████ called me at home. As I understand it ██████ made her first report to Officer Weaver the very next day, October 13, 1999.

In that phone call ██████ said "I'm late". I said, "what are you saying, I used protection?" ██████ said, "not in the morning." I told her "that's true I didn't think about that." "She got mad at me and started yelling- who else was in the room?" I said, "you know darn well who was in the room." ██████ said, "no I don't-I was too drunk to remember." I told ██████, "to call me back when you are ready to talk to me like an adult."

I began to get worried about what was happening to me. I had no idea what ██████ was trying to pull on me. The fact that pregnancy tests are so accurate today scared me. Why was ██████, some 50 days later, now claiming to be late?

I started to think with my roommate Jean who could give us some advice about ██████ surprise. We thought of two names, Brian Favors, (our mentor) and Kerry McCoy (our volunteer wrestling coach).

I called Kerry McCoy almost as soon as I got off the phone with ██████ on October 12, 1999. My recollection of my phone call to Kerry is that I told him that something kind of serious has happened. A girl Jean and I had sex with a very long time ago before classes started in August, called. In this call she said that she may be pregnant and for some reason says that she doesn't remember the evening. I then told Kerry that she knew everything that went on that night.

Kerry McCoy advised me to be very nice to her when she called again. I should try to find out just what she wanted from me. Kerry also said that these things come up

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from time to time with girls who feel guilty about what they did before, or may even find themselves pregnant with a multiracial child and rejected by their parents.

Jean first talked to Brian Favors. I talked to Brian after Jean did. As I recall the conversation with Brian he asked me if I was OK. Brian seemed to have been "filled in" by Jean, but told me to pray for this girl and pray about the situation. Brian also wanted me (us) to try to find this girl to find what she wanted and to treat her nicely.

The next event that happened was the tape recorded phone call on October 17, 1999. This phone call lasted between 30 minutes and 1 hour. I followed the advice I got and was very nice on the phone with [REDACTED]

One of the first things that we discussed was her pregnancy. She said something in response to my question of are you sure you're pregnant - I'm never late. This struck me as strange that with the modern pregnancy tests she would not be sure after a test! But I kept my cool and told her that I would do anything to help her.

[REDACTED] kept saying that she was drunk and couldn't remember anything. I told [REDACTED] that she didn't drink around me and sure didn't seem drunk that night. Does she remember the sex next morning? Are you saying that you were still drunk then? [REDACTED] answered that she was still groggy in the morning.

[REDACTED] then told me that she wanted to get Jean to apologize to her so that she "could move on." I told [REDACTED] that Jean wouldn't apologize because he hadn't done anything wrong.

[REDACTED] told me that Jean didn't wear a condom the night in question so that he should at least apologize for not wearing a condom.

I had to argue with Jean to take the phone from me. I heard Jean's side of this conversation. Jean told [REDACTED] he had done nothing wrong to apologize for. [REDACTED] must have been asking Jean if he carried her down the hall from the elevator because she is claiming to have been drunk. I heard Jean tell [REDACTED] that no one carried her because she

wasn't drunk. She must have an imaginary friend who carried her because Jean saw her walk calmly down the hall.

I also saw [REDACTED] walk calmly down my hall by herself from the elevator.

The next morning I got a 7am call from officer Weaver who informed me that he had a few questions to ask me about [REDACTED] and he had talked to [REDACTED] and knew that there were two sides to every story.

I went and found Jean in therapy and told him that Officer Weaver wanted to see us about [REDACTED]

We went down to the municipal building and waited together what seemed like an hour.

Officer Weaver talked to Jean first for about two hours. Jean then told me he was taken out the back door by Officer Weaver.

My interview with Weaver started nicely as he explained my Miranda rights form to me. Officer Weaver said it wasn't important, but standard procedure "you understand it - you've seen it on TV."

Officer Weaver started talking slowly and kept getting louder and louder. He told me that he heard a story from [REDACTED] and he just wanted to get my side.

I said fine, I have nothing to hide. I'll tell you anything you want to know. I told him that all sex between [REDACTED] Jean and I was consensual and that she was sober and fully aware of everything.

Officer Weaver then got mad and started yelling. I asked him if he believed anything I was saying. Officer Weaver just kept yelling.

He went into a rage and said "You wrestlers rape this town." He started telling me about the Hughes brothers (wrestlers) he had arrested.

Officer Weaver then yelled that he had been a college athlete himself and although tempted, had never had sex with a "sports groupie."

Officer Weaver yelled at sometime that "You wrestlers for the past ten years have raped and battered this whole town. I'm going to get you!"

At this time Officer Weaver had me write a statement stating what had happened. My hand was shaking when I wrote my statement and Officer Weaver kept entering the room questioning my statement. My statement was full of question marks because I couldn't remember exact times and I was being forced to remember details that never happened.

There are several reasons that you may agree to criticize [REDACTED] statement. [REDACTED] in the preliminary hearing notes of testimony, states she has to get to campus to guide a tour at 9 a.m. on the morning of August 21, 1999. (N.T. pp 31-32) [REDACTED] was in a taxi en route to her dorm at 7:50 and arrived at 7:58, she claims at the preliminary hearing to still be drunk. (N.T. p 33)

Why is she credible when she claims to have conducted a Penn State tour at 9 a.m., just one hour later? (N.T. p 41)

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STATEMENT OF JEAN CELESTIN

On October 12, 1999, I first became aware of a "problem" that supposedly arose on August 21, 1999. On 10/12/99 while I was in my apartment with my roommate, Nate Parker, the phone rang on two separate occasions. Both times the phone was answered by Nate and both times the caller(s) hung up. Nate and I had just returned from fall break. That evening the phone rang a third time. Nate answered and spoke to the caller. Nate told me the caller was [REDACTED] and that she said that she "was late" and that she asked who else had been in the room with her and Nate on an evening some 50 days earlier. I was concerned and surprised. I knew that this phone call had to do with a sexual encounter that had occurred almost two months earlier. I knew that I had done nothing wrong but the mere fact that [REDACTED] seemed to be suggesting she didn't even know my name or recall what had happened scared me. These things scared me because [REDACTED] and I had spoken. She had asked me: "So, your Jean, the roommate I've been hearing about?" We had talked several times that night. We had sex together that night. I knew [REDACTED] hadn't been drunk. She never did or said anything that would ever lead me to believe that she had been drinking. I never even smelled alcohol on her breath.

Because of this phone call on 10/12/99 and the strange things that [REDACTED] was saying I immediately felt I had to confide in someone at the University. That same night I called our volunteer coach, Kerry McCoy and told him what had just occurred. I told him that I had done nothing wrong but couldn't imagine what [REDACTED] was now, almost two months later, complaining about. Mr. McCoy listened to me and, as best I recall, advised me that being a black athlete such allegations were not unusual. He said that if she called me I should act appropriately and find out what she wanted. He told Nate and I not to worry.

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The very next day, 10/13/99, I went to my mentor, Brian Favors, and told him what had happened the night before. I assured him that I had done nothing wrong but was certainly concerned about being falsely accused. At this point I guess I hadn't really been accused of anything but I could not understand why [REDACTED] was saying the things she said to Nate. I was scared and I was frustrated. I knew I hadn't done anything wrong. Mr. Favors listened to me and told me, as best I recall, that "this is serious." He told me that I should find out why [REDACTED] was apparently making these allegations. We prayed together.

A few days later, on 10/17/99, [REDACTED] called our apartment again. She spoke with Nate for a period of time and Nate told me that she wanted me to apologize to her. Now I really was confused. I had no idea why she wanted me to apologize. She was fully aware of what had occurred in our apartment back in September and she had never complained and gave every indication of enjoying and in actively participating in sexual activity. I got on the phone with [REDACTED] and told her I wasn't sure what it was she wanted me to apologize for but told her if I did anything to upset her I was sorry. She said she wanted me to apologize because I hadn't used a condom. Our conversation was very short.

The next day, 10/18/99, I was on campus getting physical therapy for shoulder tears when Nate came in and told me that an Officer Weaver wanted to talk to us right away. At first I didn't believe him, but he assured me this was not a joke and it had to do with [REDACTED]. Because I knew I had done nothing wrong and had nothing to hide, I went to the police station and met with Officer Weaver. I wanted to be certain he knew that I had done nothing wrong.

Officer Weaver told me that he was investigating claims that [REDACTED] had made. He said I had Miranda rights but that they weren't really important and that I should just sign a form and he could talk to me. I had never had an encounter like this before and relied on Officer Weaver's guidance. I signed whatever form the Officer gave me. I told the

Officer, as best as I could recall, everything that happened with [REDACTED] Officer Weaver kept raising his voice and told me that what I had done was "unnatural." I told Officer Weaver that having unprotected sex with [REDACTED] was wrong and I was sorry for that. I also told Officer Weaver that [REDACTED] was not drunk and anything that we shared together was consensual. Weaver interrogated me for approximately one hour. He never asked me to provide him with a taped statement. He did request that I give him a written statement and I did. I tried to be as specific as possible but put question marks next to details that I was unsure of. When he told me I could go, Weaver suggested I tell my wrestling coach that I had a serious personal problem that was ongoing. However, Weaver also ordered me not to discuss the matter directly with anyone.

Because of what Weaver told me I immediately went to see head coach Troy Sunderland and told him I couldn't be at practice that day. The following day, 10/20/99, I spoke with the Asst. Athletic Director, Bob Krimmell, and told him what was going on. As best I recall he told me that he appreciated me coming to him and suggested I get an attorney. Mr. Sunderland was present.

On a Friday night in August, 1999, shortly after I had returned to begin my Junior year at Penn State, I met [REDACTED] for the first time. I was with Nate and a friend, Tam Kangas. Tam and Nate and I drove to the Silver Screen Bar & Grille. We were in Tam's car. We were only there for a short period of time when we met Rugigana Kavanananga, his roommates and [REDACTED]. This was the first time I had ever met [REDACTED] and I spoke only briefly. She was nicely dressed and did not appear to be drunk. I never saw [REDACTED] drinking.

Rug invited us to his apartment. [REDACTED] rode with Rug and two or three of his roommates. Tam, Nate and I followed them in Tam's car. We were at Rug's for approximately one hour. I saw [REDACTED] sitting on Nate's lap. They were kissing. I remember that the two of them were sitting on a beanbag chair. At the apartment I never saw [REDACTED] drinking. I did not see Nate drinking either. We were playing music and there

must have been a complaint about the noise. A police officer came to Rug's door and asked us to turn the stereo down. The officer came into the apartment briefly and was in the same room as Rug, Nate, [REDACTED] and myself. We turned down the music and the Officer left.

A short time after that Tam, Nate and I decided we were going home. [REDACTED] said she would like to go with us. The four of us got in Tam's car and drove to our apartment. I had spoken with [REDACTED] a few times at Rug's house and in the car. She never gave any indication that she had been drinking at all. The way she spoke and the way she handled herself appeared to be normal.

After the four of us arrived at my apartment we all got out of the car together, walked to the elevators and rode to the third floor. The apartment Nate and I live in is number 302. It is at the end of a very long hall. [REDACTED] was speaking with all of us in the elevator and while we walked down the hall. She never stumbled. She never required any assistance. She never acted inappropriately.

After we got to the apartment [REDACTED] commented how nice it was. She commented on paintings that are in our apartment. She even came into my room and sat on the bed and commented on how comfortable it was. Then [REDACTED] went into Nate's room, which is right next to mine. When I walked by the door was open. I saw Nate and [REDACTED] kissing and making out. I went into the kitchen area for a few minutes. At that time I said good night to Tam and walked back towards my room. I'm not sure whether Tam left then or later. When I passed by Nate's door I saw [REDACTED] undressed and all over Nate. I walked into the room and [REDACTED] looked up at me. She reached for my penis and pulled me over to the bed. At that time she was having sex with Nate. [REDACTED] pulled on my penis and stroked it. She pulled me into her mouth and used both her hand and her mouth to stroke my penis. This went on for a few minutes. [REDACTED] was conscious and awake the entire time I was with her. She never complained and actively participated in our sexual activity. At one point Nate and I switched positions. [REDACTED] continued to actively



participate and never expressed even the slightest discomfort. I estimate that I was in Nate's room for approximately 15 to 30 minutes.

I went into the kitchen. After about 20 minutes passed Nate came out of his room and told me that [REDACTED] wanted a cigarette. I wasn't sure where we were going to find cigarettes but Nate and I went down to the lobby of our apartment and saw another resident smoking on his balcony. We spoke to him briefly and he tossed down a cigarette. Nate and I returned to the apartment and I went to bed. The next morning Nate told me that [REDACTED] had left early because she had to lead a freshman tour on campus. Nate said he had called her a cab and given her some money for the cab fare. He also said he asked her to call him when she got home so he would know she arrived okay. He told me that she had called.

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