



FOIA Request - 5 ILCS 140/1

Michael Ayele <waac13@gmail.com>
To: agarcia@norridge80.net

Wed, Sep 2, 2026 at 7:21 AM

W (AACL)
Michael A. Ayele
P.O.Box 20438
Addis Ababa, Ethiopia
E-mail: waac13@gmail.com ; waac1313@gmail.com ; waac142913@gmail.com

Date: Wednesday, September 2, 2026

Freedom of Information Act (FOIA) Request

Hello,

This is Michael A. Ayele sending this message though I now go by W. I am writing this letter for the purpose of filing a request for records with your office. The bases for this non-commercial FOIA request are [1] the 90-day prison incarceration of Brock Allen Turner between June 2, 2016 and September 2, 2016 for the January 18, 2015 rape of Chanel Miller;^[i] [2] the provisions of the Sex Offender Registration and Notification Act (SORNA).^[ii]

I) Requested Records

What I am requesting for prompt disclosure are records in your possession detailing your discussions about [1] the legal obligations of your school district with regards to the Sex Offender Registration and Notification Act (SORNA); [2] Inside Edition as an American news media outlet which had in the month of September 2016 broadcast two videos depicting how Brock Allen Turner (i) was released from the Santa Clara County jail (in California) after serving 90 days for the January 18, 2015 rape of Chanel Miller; (ii) registered as a Tier III sex offender in Dayton, Ohio; [3] Michael A. Ayele (a.k.a.) W as a Black Bachelor of Arts (B.A.) Degree graduate of Westminster College (Fulton, Missouri) and a former Missouri state government employee who (i) was 25 (twenty-five) years of age when he first watched the September 2016 video broadcast of Inside Edition pertaining to Brock Allen Turner; (ii) is thoroughly convinced that Brock Allen Turner served a very lenient 90-day prison sentence at the Santa Clara County jail because of the circumstances that led up to the enactment of the Jeanne Clery Act; (iii) was subjected to frenzy on internet search engines (ISE) such as AOL, Bing/MSN, Google and Yahoo following his decision to publish his correspondence with the U.S. government on the matter involving *The People of the State of California v. Brock Turner (Docket No. B1577162)*; [4] Chanel Miller as a University of California, Santa Barbara (UCSB) graduate who had on (or around) June 2, 2016 informed the judicial branch of the United States (U.S.) government that (i) she has witnessed double standards in the manner in which incidents of sexual violence are processed by American college and university campuses; (ii) Brock Allen Turner's sentence for raping and sexually harassing women needs to be as harsh as any other Black / African American undergraduate student convicted of raping and sexually harassing women on an American college and/or university campus; (iii) any sentence which fails to take into account the many aggravating circumstances in the lead-up to what Brock Allen Turner did on (or around) January 18, 2015 would be improper; (iv) even though Brock Allen Turner is a "lifetime sex registrant," what he did to her "doesn't expire" and "doesn't go away after a set number of years."

II) Request for a Fee Waiver and Expedited Processing

Expedited Processing for this request is justified because:

- 1) Prior to being criminally charged for the January 18, 2015 rape of Chanel Miller, Brock Allen Turner was sexually inappropriate with many female undergraduate students attending Stanford University. ^[iii]
- 2) On (or around) March 30, 2016, Brock Allen Turner was convicted of 3 (three) felony counts: (i) assault with intent to commit rape of an intoxicated or unconscious person, (ii) sexual penetration of an intoxicated person and (iii) sexual penetration of an unconscious person. ^[iv]
- 3) The "judge" (i.e., Aaron Persky) overseeing the matter involving *The People of the State of California v. Brock Allen Turner (Docket No. B1577162)* ended up being recalled from his position (as "judge") because of (i) many poor decisions he made during the trial which were motivated by racism and sexism; (ii) his deliberate efforts to minimize the racism and sexism experienced by women of color (similarly situated to Chanel Miller); (iii) his sentencing patterns which harshly penalized Black / African American men who commit violence against women while at the same time giving slap-on-the-wrist penalties to white men who commit violence against women. ^[v]
- 4) The requested records will raise awareness about the justifications used by "judges" to explain their very gross mishandling of sexual misconduct complaints.
- 5) The requested records will raise awareness about the circumstances that led the State of California to enact into law Assembly Bill 2888 (AB 2888).
- 6) The requested records will raise awareness about the circumstances that led the State of California to enact into law Assembly Bill 701 (AB 701). ^[vi]
- 7) The preamble of the Illinois FOIA decrees as follows: "*Pursuant to the fundamental philosophy of the American constitutional form of government, it is declared to be the public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees consistent with the terms of this Act. Such access is necessary to enable the people to fulfill their duties of discussing public issues fully and freely, making informed political judgments and monitoring government to ensure that it is being conducted in the public interest. The General Assembly hereby declares that it is the public policy of the State of Illinois that access by all persons to public records promotes the transparency and accountability of public bodies at all levels of government. It is a fundamental obligation of government to operate openly and provide public records as expediently and efficiently as possible in compliance with this Act.*" ^[vii]

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The public has a compelling and legitimate interest in this information because:

- 1) The requested records will enable the public to ascertain if your school district has held conversations about the provisions of the Sex Offender Registration and Notification Act (SORNA).
- 2) The requested records will enable the public to ascertain if your school district has held conversations about the matter involving *The People of the State of California v. Brock Allen Turner (Docket No. B1577162)*.
- 3) The requested records will enable the public to ascertain if your school district has held conversations about Chanel Miller's June 2, 2016 victim impact statement wherein she informed the judicial branch of the U.S. government that (i) she has witnessed double standards in the way in which incidents of sexual violence are processed by American college and university campuses; (ii) Brock Allen Turner's sentence for raping and sexually harassing women needs to be as harsh as any other Black / African American undergraduate student convicted of raping and sexually harassing women on American college and university campuses; (iii) any sentence which fails to take into account the many aggravating circumstances in the lead-up to what Brock Allen Turner did on (or around) January 18, 2015 would be improper; (iv) even though Brock Allen Turner is a "lifetime sex registrant," what he did to her "doesn't expire" and "doesn't go away after a set number of years." ^[viii]
- 4) The requested records will raise awareness about the "college speaking tour" that had been organized by friends and family of Brock Allen Turner so that he would be able to lecture high

school students on matters pertaining to sexual violence committed against women (following his 90-day prison incarceration at the Santa Clara County Jail).^[ix]

5) Brock Turner's reported "college speaking tour" proves that his friends and family had approached high school campuses in Calendar Year 2016 to have him speak to students on matters pertaining to sexual violence committed against girls/women.

6) Brock Turner's reported "college speaking tour" proves that there were high school campuses in America which very seriously considered the outrageous prospect of having him speak to their students on matters pertaining to sexual violence committed against girls/women.

7) The State of Illinois had on (or around) February 14, 2011 instructed school districts to "adopt and implement a policy addressing sexual abuse of children that may include age-appropriate curriculum for students in pre-K through the 5th grade; training for school personnel on child sexual abuse; educational information to parents or guardians provided in the school handbook on the warning signs of a child being abused, along with any needed assistance, referral, or resource information; available counseling and resources for students affected by sexual abuse; and emotional and educational support for a child of abuse to continue to be successful in school. Any policy adopted may address without limitation (i) methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse; (ii) actions that a child who is a victim of sexual abuse should take to obtain assistance and intervention and (iii) available counseling options for students affected by sexual abuse."^[x]

8) The State of Illinois had on (or around) August 20, 2021 enacted into law Section 27-1010 of the Illinois code: a statute which enabled school districts to "provide age and developmentally appropriate consent education in kindergarten through the 12th grade. In kindergarten through the 5th grade, instruction and materials include age and developmentally appropriate instruction on consent and how to give and receive consent, including a discussion that includes, but is not limited to setting appropriate physical boundaries with others, the right to refuse to engage in behaviors or activities that are uncomfortable or unsafe. In the 6th through 12th grade, instruction and materials include age and developmentally appropriate instruction on consent and how to give and receive consent, including a discussion that includes, but is not limited to that consent (i) is a freely given agreement to sexual activity; (ii) to one particular sexual activity does not constitute consent to other types of sexual activities."^[xi]

9) On (or around) January 30, 2018, the National Council on Disability (NCD) had published a report wherein they recognized that (i) "affirmative and effective consent" is being taught to (domestic and international) college and university students of the United States of America (U.S.A.) during the course of their freshmen year; (ii) college and university students in America (whether domestic or international) are informed about "healthy sexual relationships" during the course of their first year of post-secondary academic education; (iii) 20% of women were sexually assaulted in a college or university setting (of the U.S.A) by the time they reached their senior year in Calendar Year 2005; (iv) 32% of women with a disability were sexually assaulted during Calendar Years 2014 and 2015 in a college or university setting (of the U.S.A.); (v) sexual assault "is a public health and public safety concern with far-reaching implications;" (vi) sexual assault is a "deeply personal violation," which "leaves physical and emotional impacts that change the lives of victims;" (vii) sexual assault causes "long-term physical, psychological, and emotional effects, including depression, post-traumatic stress, thoughts of suicide, flashbacks, and sleep disorders." The NCD have also noted that their January 30, 2018 report sought to "raise awareness of sexual assault (...) on college campuses by examining college policies and practices." Furthermore, they write that "Title IX of the Education Amendments Act of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex in any education program or activity that receives federal funding. Under Title IX, discrimination on the basis of sex can include sexual harassment, rape and sexual assault. A college or university that receives federal funds may be held legally responsible when it knows about and ignores sexual harassment or assault in its programs or activities. As of September 22, 2017, colleges can adopt various standards of proof in sexual assault cases, from the lowest standard of proof (preponderance of evidence) to a higher standard of proof (clear and convincing evidence). Title IX, like the Clery Act, also requires college employers that address sexual assault to have proper training and to train the campus community in its policies and procedures regarding sexual assault."^[xii]

- 10) Michael A. Ayele (a.k.a.) W is a Black Bachelor of Arts (B.A.) Degree graduate of Westminster College (Fulton, Missouri) and a former Missouri state government employee who went to America on an F-1 visa in the month of December 2009 (when he was eighteen years of age).
- 11) Michael A. Ayele (a.k.a.) W was a full-time international student at Westminster College (Fulton, Missouri) when he was (for the very first time of his life) informed what constitutes "*affirmative and effective consent*" in healthy sexual relationships.
- 12) Michael A. Ayele (a.k.a.) W was a full-time international student at Westminster College (Fulton, Missouri) when he was informed of the April 5, 1986 rape and murder of Jeanne Ann Clery prior to being told what constitutes "*affirmative and effective consent*" in healthy sexual relationships.
- 13) In Calendar Year 2013, Michael A. Ayele (a.k.a.) W became a public employee of the Missouri state government. ^[xiii]
- 14) Between July 8, 2013 and August 16, 2013, Michael A. Ayele (a.k.a.) W underwent a 6-week training program with the Missouri state government.
- 15) During the 6-week training program that took place between July 8, 2013 and August 16, 2013, Michael A. Ayele was briefed and quizzed on several aspects of the Missouri Department of Mental Health's Sex Offender Rehabilitation and Treatment Services (SORTS). ^[xiv]
- 16) On (or around) August 16, 2013, following his successful completion of the 6-week training program, Michael A. Ayele (a.k.a.) W was verbally told that he was henceforth a "*covered entity*" of the Missouri Department of Mental Health (MODMH) Fulton State Hospital (FSH).
- 17) Between June 2, 2016 and December 31, 2016, Michael A. Ayele (a.k.a.) W learned about several aspects of the matter involving *The People of the State of California v. Brock Allen Turner* (Docket No. B1577162).
- 18) On (or around) December 31, 2016, Michael A. Ayele (a.k.a.) W graduated with a B.A. Degree in Political Science and Economics from Westminster College (Fulton, Missouri).
- 19) Following his December 31, 2016 graduation from Westminster College (Fulton, Missouri), Michael A. Ayele (a.k.a.) W began to witness racist frauds broaching (in several legal filings) the issue of "*consent*" before linking it to his name, his image and his likeness.
- 20) Following his December 31, 2016 graduation from Westminster College (Fulton, Missouri), Michael A. Ayele (a.k.a.) W has expressed written objections to the legal filings of racist frauds who have broached the issue of "*consent*" before linking it to his name, his image and his likeness.
- 21) The requested records will raise awareness about the way in which Michael Ayele (a.k.a.) W was subjected to frenzy before his correspondence with the U.S. government on the matter involving *The People of the State of California v. Brock Allen Turner* (Docket No. B1577162) was filtered and distorted on internet search engines (ISE) such as AOL, Bing/MSN, Google and Yahoo.
- 22) The requested records will raise awareness about the way in which Michael A. Ayele (a.k.a.) W was subjected to frenzy following his decision to publish his correspondence with the U.S. government on the circumstances that led to Brock Allen Turner's 90-day prison incarceration from June 2, 2016 to September 2, 2016.
- 23) The requested records will raise awareness about the way in which ISE have filtered and distorted Michael A. Ayele (a.k.a.) W's correspondence on the matter involving *The People of the State of California v. Brock Allen Turner* (Docket No. B1577162) by generating unwelcome and unapproved queries such as "*Michael Ayele profile*," "*Michael Ayele Chanel Miller*," "*Michael Ayele San Francisco Public Library*," "*Michael Ayele biography*," "*Michael Ayele legal history*," "*Michael Ayele Jeanne Clery*," "*Michael Ayele Lehigh University*," "*Michael Ayele death penalty*," "*Michael Ayele wrongful conviction case*," "*Michael Ayele court cases*," "*Michael Ayele Entry of Appearance*," "*Michael Ayele pro se complaint*," "*Michael Ayele motion*," "*Michael Ayele trial*," "*Michael Ayele interrogatories*," "*Michael Ayele subpoenas*," "*Michael Ayele summons*," "*Michael Ayele public records*," "*Michael Ayele Maryland*," "*Michael Ayele missing*," "*Michael Ayele unharmed*," "*Michael Ayele delusional*," "*Michael Ayele paranoid*," "*Michael Ayele grandiose*," "*Michael Ayele dangerous*," "*Michael Ayele schizophrenia*," "*Michael Ayele views on schizophrenia*," "*Michael Ayele Habeas Corpus*," "*Michael Ayele Mental Health Awareness Month*," "*Michael Ayele Denim Day*," "*Michael Ayele Sexual Assault Awareness Month*," "*Michael Ayele alumni*," "*Mike Ayele alumni*," "*Michael Ayele education background*." ^[xv]

In my judgment, the facts presented in my request for a fee waiver and expedited processing will significantly decrease public confidence in the activities, the engagements and the priorities of internet search engines (ISE) such as AOL, Bing/MSN, Google and Yahoo because they have previously filtered and distorted Michael A. Ayele (a.k.a.) W's correspondence with the United States government about the circumstances leading up to the enactment of the Jeanne Clery Act as well as the matter involving *The People of the State of California v. Brock Allen Turner*, Docket No. B1577162. Unfortunately, I regret to inform you that the decision of ISE to filter, distort and misattribute Michael A. Ayele (a.k.a.) W's written publications on matters pertaining to Brock Allen Turner's 90-day prison incarceration [1] has served to obfuscate the fact that the "judge" overseeing the matter involving *The People of the State of California vs. Brock Allen Turner* (i.e. Aaron Pesky) made many poor decisions during the trial which were motivated by racism and sexism; [2] has served to obfuscate the fact that the "judge" overseeing the matter involving *The People of the State of California vs. Brock Allen Turner* (i.e. Aaron Pesky) made deliberate efforts to minimize the racism and sexism experienced by women of color (similarly situated to Chanel Miller); [3] has served to obfuscate the fact that the "judge" overseeing the matter involving *The People of the State of California vs. Brock Allen Turner* was recalled in an election because of his very gross mishandling of that case; [4] has served to obfuscate the fact the "judge" overseeing the matter involving *The People of the State of California vs. Brock Allen Turner* was rebuked by the legislative branch of the Californian government, which went on to enact Assembly Bill Nos. 701 and 2888; ^[xvi] [5] has served to obfuscate the fact that Michael A. Ayele (a.k.a.) W has in the mid-2010s (after Brock Allen Turner 90-day prison incarceration) witnessed racist frauds playing fast and loose in many legal filings where they broached the issue of "consent" by linking it to his name, his image and his likeness; [6] has served to obfuscate the fact that Michael A. Ayele (a.k.a.) W has in the mid-2010s expressed written objections upon witnessing racist frauds playing fast and loose in many legal filings where they broached the issue of "consent" by linking it to his name, his image and his likeness; [7] has served to obfuscate the fact that Michael A. Ayele (a.k.a.) W was 18 years of age when he was informed what constitutes "affirmative and effective consent" on the campus of Westminster College (Fulton, Missouri) in the month of January 2010; [8] has served to obfuscate the fact that Michael A. Ayele (a.k.a.) W was 18 years of age (in the month of January 2010) when he was informed what constitutes "affirmative and effective consent" after being told of the April 5, 1986 rape and murder of Jeanne Ann Clery; [9] has served to obfuscate the fact that Michael Ayele (a.k.a.) W unequivocally condemns violence committed against girls and women irrespective of their racial backgrounds, their sexual orientations, their national origins, their religious affiliations, their disability status and/or their age groups; [10] has served to obfuscate Michael A. Ayele (a.k.a.) W's key questions on Title IX of the Education Amendments Act of 1972; ^[xvii] [11] has exacerbated racism and discrimination online, causing direct harm to the name, the image and the likeness of Michael A. Ayele (a.k.a.) W.

On a personal level, I am not as a matter of principle opposed to minimum sentences for crimes of sexual violence committed against women, and part of the reason I am not opposed to this is because of "judge" Aaron Persky very poor handling of the matter involving *The People of the State of California vs. Brock Allen Turner*. For instance, during the trial involving *The People of the State of California vs. Brock Allen Turner*, it had come to light that before January 18, 2015, Brock Allen Turner was (during his freshman year of college) sexually inappropriate with many female undergraduate students of Stanford University. However, instead of considering Brock Allen Turner's sexual harassment of women as an aggravating factor, "judge" Aaron Persky pondered upon the "severe harmful impact" a stint in California's state prison would have on Brock Allen Turner. Afterwards, on June 2, 2016, "judge" Aaron Persky sentenced Brock Allen Turner to serve (at the Santa Clara County Jail) a prison term not exceeding 180 (one-hundred and eighty) days, of which 90 days ended up actually being served by Brock Allen Turner. As Chanel Miller correctly pointed out on June 2, 2016, no one would seriously take into account "the harm" a Black / African American undergraduate student would incur if he served time in a California state prison after sexually harassing and raping women. In other words, when "judge" Aaron Persky entered into the equation "the severe harmful impact" a stint in California's state prison system would do to Brock Allen Turner, [1] he effectively allowed race to enter the Santa Clara County Superior Courthouse; [2] he showed that his value system allows for the pain and suffering associated with sexual violence to be weighed up against "the harm" a Tier III sex offender like Brock Allen Turner would incur if he were to serve time behind bars in a California state prison. For me, the value system of "judge" Aaron Persky merited a recall, so I was very happy when Californians stripped him of his judgeship after organizing a referendum in which they decided that he was unfit to continue serving them with integrity.

The core issues presented in this records request are as follows. 1) Have you had conversations about

the legal obligations of your school district with regards to the Sex Offender Registration and Notification Act (SORNA)? If yes, will you promptly disclose those records? 2) Have you had conversations about Inside Edition as an American news media outlet which had on (or around) September 2, 2016 broadcast a video depicting how Brock Allen Turner was released from the Santa Clara County jail (in California) after serving 90 days for the January 18, 2015 rape of Chanel Miller? If yes, will you promptly disclose those records? 3) Have you had conversations about Inside Edition as an American news media outlet which had on (or around) September 6, 2016 broadcast a video depicting how Brock Allen Turner had registered as a Tier III sex offender in Dayton, Ohio? If yes, will you promptly disclose those records? 4) Have you had conversations about Michael A. Ayele (a.k.a.) W as a Black ex-immigrant of America (and a former Missouri healthcare worker) who was 25 years of age when he first watched the September 2016 video broadcasts of Inside Edition pertaining to Brock Allen Turner? If yes, will you promptly disclose those records? 5) Have you had conversations about Michael A. Ayele (a.k.a.) W as a Black Bachelor of Arts (B.A.) Degree graduate of Westminster College (Fulton, Missouri) (and a former Missouri healthcare worker) who is thoroughly convinced that Brock Allen Turner served a very lenient 90-day prison sentence at the Santa Clara County jail because of the circumstances that led up to the enactment of the Jeanne Clery Act? If yes, will you promptly disclose those records? 6) Have you had conversations about Michael A. Ayele (a.k.a.) W as a Black B.A. Degree graduate of Westminster College (Fulton, Missouri) (and a former Missouri healthcare worker) who is thoroughly convinced that Brock Allen Turner served a very lenient 90-day prison sentence at the Santa Clara County jail because of double standards on matters pertaining to consent which have benefitted white men while at the same time unfairly portraying Black / African American men as "dangerous?" If yes, will you promptly disclose those records? 7) Have you had conversations about Michael A. Ayele (a.k.a.) W as a Black B.A. Degree graduate of Westminster College (Fulton, Missouri) (and a former Missouri healthcare worker) who was subjected to frenzy on internet search engines (ISE) such as AOL, Bing/MSN, Google and Yahoo following his decision to publish his correspondence with the U.S. government on the matter involving *The People of the State of California v. Brock Allen Turner (Docket No. B1577162)*? If yes, will you promptly disclose those records? 8) Have you had conversations about the decision of ISE to filter and distort Michael A. Ayele (a.k.a.) W's correspondence with the U.S. government on the matter involving *The People of the State of California v. Brock Allen Turner (Docket No. B1577162)* by generating unwelcome and unapproved queries such as "Michael Ayele Chanel Miller," "Michael Ayele biography," "Michael Ayele profile," etc.? If yes, will you promptly disclose those records? 9) Have you had conversations about Chanel Miller as a University of California, Santa Barbara (UCSB) graduate who had on (or around) June 2, 2016 informed the judicial branch of the United States (U.S.) government that she has witnessed double standards in the manner in which incidents of sexual violence are processed by American college and university campuses? If yes, will you promptly disclose those records? 10) Have you had conversations about Chanel Miller as a UCSB graduate who had on (or around) June 2, 2016 informed the judicial branch of the U.S. government that Brock Allen Turner's sentence for raping and sexually harassing women needs to be as harsh as any other Black / African American undergraduate student convicted of raping and sexually harassing women on an American college and/or university campus? If yes, will you promptly disclose those records? 11) Have you had conversations about Chanel Miller as a UCSB graduate who had on (or around) June 2, 2016 informed the judicial branch of the U.S. government that any sentence which fails to take into account the many aggravating circumstances in the lead-up to what Brock Allen Turner did on (or around) January 18, 2015 would be improper? If yes, will you promptly disclose those records? 12) Have you had conversations about Chanel Miller as a UCSB graduate who had on (or around) June 2, 2016 informed the judicial branch of the U.S. government that even though Brock Allen Turner is a "lifetime sex registrant," what he did to her "doesn't expire" and "doesn't go away after a set number of years?" If yes, will you promptly disclose those records?

Thank you for your attention to this matter.

Michael A. Ayele (a.k.a.) W
Anti-Racist Human Rights Activist
Audio-Visual Media Analyst
Anti-Propaganda Journalist
Gender Pronouns: He/Him/His

Work Cited

[i] *Brock Allen Turner walked out of prison on Friday, September 2, 2016 after serving three months for sexual assault. (...) Turner is the former Stanford University student convicted on three felony counts for sexually assaulting an unconscious woman outside a fraternity house on January 18, 2015. The maximum sentence for the crime Brock Turner was convicted of was 10 (ten) years in prison, but judge Aaron Pesky made a controversial decision to sentence Brock Turner to 6 months behind bars because of his "clean record" and the "emotional toll" prison could take on him. The sentence sent shockwaves throughout the country. (...) Turner will go to Ohio to leave with his parents. While he may be free, he will be on probation for the next three years and will have to register as a sex offender for life.* Inside Edition. September 2, 2016. Ex-Stanford Student Brock Turner Leaves Jail After 3 Months for Sexual Assault. YouTube. <https://www.youtube.com/watch?v=0EpNBr7Zw24>

Former Stanford University student Brock Turner registered as a sex offender on Tuesday, September 6, 2016 after showing up at the local sheriff's office outside Dayton, Ohio. Inside Edition. September 7, 2016. Brock Turner Officially Registers as a Sex Offender Just Days After Prison Release. YouTube. <https://www.youtube.com/watch?v=PWhMbdM5u10>

[ii]

Sex Offender Registration and Notification Act (SORNA)

In this subchapter the following definitions apply:

(1) Sex offender

The term "sex offender" means an individual who was convicted of a sex offense.

(2) Tier I sex offender

The term "tier I sex offender" means a sex offender other than a tier II or tier III sex offender.

(3) Tier II sex offender

The term "tier II sex offender" means a sex offender other than a tier III sex offender whose offense is punishable by imprisonment for more than 1 year and—

(A) is comparable to or more severe than the following offenses, when committed against a minor, or an attempt or conspiracy to commit such an offense against a minor:

- (i) sex trafficking (as described in section 1591 of title 18);
- (ii) coercion and enticement (as described in section 2422(b) of title 18);
- (iii) transportation with intent to engage in criminal sexual activity (as described in section 2423(a)) ¹ of title 18;
- (iv) abusive sexual contact (as described in section 2244 of title 18);

(B) involves—

- (i) use of a minor in a sexual performance;
- (ii) solicitation of a minor to practice prostitution; or
- (iii) production or distribution of child pornography; or

(C) occurs after the offender becomes a tier I sex offender.

(4) Tier III sex offender

The term "tier III sex offender" means a sex offender whose offense is punishable by imprisonment for more than 1 year and—

(A) is comparable to or more severe than the following offenses, or an attempt or conspiracy to commit such an offense:

- (i) aggravated sexual abuse or sexual abuse (as described in sections 2241 and 2242 of title 18); or
 - (ii) abusive sexual contact (as described in section 2244 of title 18) against a minor who has not attained the age of 13 years;
- (B) involves kidnapping of a minor (unless committed by a parent or guardian); or
- (C) occurs after the offender becomes a tier II sex offender. (...)

(9) Sex offender registry

The term "sex offender registry" means a registry of sex offenders, and a notification program, maintained by a jurisdiction.

(10) Jurisdiction

The term "jurisdiction" means any of the following:

- (A) A State.
- (B) The District of Columbia.
- (C) The Commonwealth of Puerto Rico.
- (D) Guam.
- (E) American Samoa.
- (F) The Northern Mariana Islands.
- (G) The United States Virgin Islands.
- (H) To the extent provided and subject to the requirements of section 20929 of this title, a federally recognized Indian tribe. (...)

(13) Resides

The term "resides" means, with respect to an individual, the location of the individual's home or other place where the individual habitually lives. (...)

Registry Requirements for jurisdictions and sex offenders

Each jurisdiction shall maintain a jurisdiction-wide sex offender registry conforming to the requirements of this subchapter. (...)

In general, a sex offender shall register, and keep the registration current, in each jurisdiction where the offender resides, where the offender is an employee, and where the offender is a student. For initial registration purposes only, a sex offender shall also register in the jurisdiction in which convicted if such jurisdiction is different from the jurisdiction of residence.

The sex offender shall initially register—

- (1) before completing a sentence of imprisonment with respect to the offense giving rise to the registration requirement; or
- (2) not later than 3 business days after being sentenced for that offense, if the sex offender is not sentenced to a term of imprisonment.

A sex offender shall, not later than 3 business days after each change of name, residence, employment, or student status, appear in person in at least 1 jurisdiction involved pursuant to subsection (a) and inform that jurisdiction of all changes in the information required for that offender in the sex offender registry. That jurisdiction shall immediately provide that information to all other

jurisdictions in which the offender is required to register.

The sex offender shall provide the following information to the appropriate official for inclusion in the sex offender registry:

- (1) The name of the sex offender (including any alias used by the individual).
- (2) The Social Security number of the sex offender.
- (3) The address of each residence at which the sex offender resides or will reside.
- (4) The name and address of any place where the sex offender is an employee or will be an employee.
- (5) The name and address of any place where the sex offender is a student or will be a student.
- (6) The license plate number and a description of any vehicle owned or operated by the sex offender.
- (7) Information relating to intended travel of the sex offender outside the United States, including any anticipated dates and places of departure, arrival, or return, carrier and flight numbers for air travel, destination country and address or other contact information therein, means and purpose of travel, and any other itinerary or other travel-related information required by the Attorney General.
- (8) Any other information required by the Attorney General.

The jurisdiction in which the sex offender registers shall ensure that the following information is included in the registry for that sex offender:

- (1) A physical description of the sex offender.
- (2) The text of the provision of law defining the criminal offense for which the sex offender is registered.
- (3) The criminal history of the sex offender, including the date of all arrests and convictions; the status of parole, probation, or supervised release; registration status; and the existence of any outstanding arrest warrants for the sex offender.
- (4) A current photograph of the sex offender.
- (5) A set of fingerprints and palm prints of the sex offender.
- (6) A DNA sample of the sex offender.
- (7) A photocopy of a valid driver's license or identification card issued to the sex offender by a jurisdiction.
- (8) Any other information required by the Attorney General.

A sex offender shall provide and update information required under subsection (a), including information relating to intended travel outside the United States required under paragraph (7) of that subsection, in conformity with any time and manner requirements prescribed by the Attorney General.

A sex offender shall keep the registration current for the full registration period (excluding any time the sex offender is in custody or civilly committed) unless the offender is allowed a reduction under subsection (b). The full registration period is—

- (1) 15 years, if the offender is a tier I sex offender;
- (2) 25 years, if the offender is a tier II sex offender; and
- (3) the life of the offender, if the offender is a tier III sex offender. (...)

The Attorney General, using the authority provided in section 114(a)(7) of the Sex Offender Registration and Notification Act [34 U.S.C. 20914(a)(7)], shall require that each sex offender provide to the sex offender registry those Internet identifiers the sex offender uses or will use of any type that the Attorney General determines to be appropriate under that Act [34 U.S.C. 20901 et seq.]. These records of Internet identifiers shall be subject to the Privacy Act (5 U.S.C. 552a) to the same extent as the other records in the National Sex Offender Registry.

As used in this Act, the term "social networking website"—

- (A) means an Internet website—

- (i) that allows users, through the creation of web pages or profiles or by other means, to provide information about themselves that is available to the public or to other users; and
- (ii) that offers a mechanism for communication with other users where such users are likely to include a substantial number of minors; and
- (iii) whose primary purpose is to facilitate online social interactions; and

(B) includes any contractors or agents used by the website to act on behalf of the website in carrying out the purposes of this Act.

As used in this Act, the term "Internet identifiers" means electronic mail addresses and other designations used for self-identification or routing in Internet communication or posting. (...) United States House of Representatives. <https://uscode.house.gov/view.xhtml?path=/prelim@title34/subtitle2/chapter209/subchapter1&edition=prelim>

[iii]

Timeline of significant dates in the life of Brock Turner

Aug. 1, 1995: *Brock Allen Turner is born in Dayton, Ohio. (...)*

September 2014: *Turner starts attending Stanford University on a swimming scholarship.*

November 15, 2014: *Turner and several teammates are chased by police after officers see the group walking on campus drinking beer. The group had been on its way to a football game when they scattered after an officer shouted for them to stop. Two officers chase the teens through campus, finally catching one. The detained swimmer calls Turner and told him to return and talk with police. Turner, who was wearing an orange tuxedo, returns and apologizes for running away. He receives a ticket for being a minor in possession of alcohol. (...)*

January 10, 2015: *Turner attends a party at Kappa Alpha fraternity house. A female Stanford student who lived in Turner's dorm building introduces a friend to him. The friend later tells police Turner "creeped her out" and was "grabby" with her because he was placing his hands on her waist, stomach and thigh while they were dance. The friend says she didn't invite Turner to dance with her nor did she seek his physical attention. She tells police she left the dance floor to get away from Turner.*

January 17, 2015: *Brock Turner attends a Kappa Alpha fraternity house where he meets Chanel Miller, her sister and their friends. Brock Turner and Chanel Miller leave the party and she passes out behind a nearby dumpster where Turner assaults her early the next morning. He is tackled by two grad students and arrested.*

January 18, 2015: *Brock Turner posts \$150,000 bail and is released from jail.*

January 28, 2015: *Brock Turner is formally charged with two counts of rape, two counts of penetration and one count of assault with intent to rape. (...)*

March 30, 2016: *A Santa Clara County jury finds Brock Turner guilty on three counts: (1) assault with the intent to commit rape of an intoxicated or unconscious person, (2) sexual penetration when the victim was intoxicated, and (3) sexual penetration where the victim was unconscious of the nature of the act. (...)*

June 2, 2016: Aaron Persky sentences Brock Turner to six months in jail and orders him to register a sex offender for life. Turner is taken into custody and placed in protective custody because of his notoriety. He is scheduled to be released on September 2, 2016. The sentences touches off a national debate about leniency and campus sexual assault. Signatures are collected in an attempt to remove Persky from the bench. Associated Press. June 12, 2016. Timeline of significant dates in the life of Brock Turner. <https://apnews.com/general-news-962a8de554994637afce94a22afb78e9>

In Touch has exclusively learned that some members of the **Stanford swim team** had long been suspicious of the quiet Ohio native.

"Brock's arrest wasn't surprising to anyone on the team. From the beginning, the women swimmers had found him to be very, very odd. Brock would make comments to the women such as 'I can see your t**s in that swimsuit,'" a Stanford swim team insider exclusively reveals, adding that one elite swimmer vowed to never be alone with Brock after witnessing him get drunk at a party.

"He was warned by upperclassmen on the team to scale back on the partying, but he just didn't listen."

The insider explains that the women tried to come forward after learning of his **sex crime**. There were discussions among some of the women on the team about submitting letters to the judge about their negative experiences with Brock, says the insider, adding that the discussions were suddenly halted and the letters were never filed.

"There were rumblings that the women were pressured by Stanford officials to not do it since they hadn't witnessed any crime that Brock had committed," says the insider.

Lisa Lapin, the school's Associate Vice President for University Communications, insists that, "As private individuals, our students can say what they wish to whom they wish."

But the insider insists, "The team has been instructed to not discuss Brock Turner publicly or to the media; however, the entire team completely supports the victim and wishes that Brock had gotten a much harsher sentence." *In Touch*. June 15, 2016. Stanford Women Swim Team Suspicious of Brock Turner For a Long Time. <https://intouchweekly.com/brock-turner-stanford-women-s-swim-team-105204/>

[iv] On Wednesday, a jury found former Stanford swimmer Brock Turner guilty of sexually assaulting an unconscious and intoxicated young woman outside a fraternity house. 20-year-old Turner was arrested Jan. 18, 2015, after two graduate students found him on top of an unmoving woman outside Kappa Alpha fraternity at approximately 1 a.m. Turner subsequently withdrew from Stanford and was charged with five felony counts, later reduced to three: assault with intent to commit rape of an intoxicated or unconscious person, sexual penetration of an intoxicated person and sexual penetration of an unconscious person. Turner has been convicted on all counts. Brock Turner found guilty on three felony counts. The Stanford Daily.: <https://stanforddaily.com/2016/03/30/brock-turner-found-guilty-on-three-felony-counts/>

[v] Judges inhabit what is often considered the most independent branch of government. Unlike officials of other branches, who are democratically accountable, judges are thought to be insulated from popular influence. In many states, however, judges are elected officials, and in California, the state constitution allows for their recall. On June 5, 2018, Aaron Persky of the Santa Clara County Superior Court became

the first California judge to be recalled in over eighty years. The recall campaign, which arose from his sentencing decision in the 2016 case *People v. Turner*, demanded an end to the improper use of judicial discretion benefit privileged defendants convicted of sexual assault. As the public rallied to recall, the California State Legislature instituted sweeping mandatory minimums for sexual assault cases. Although derived from the same event, these responses were distinct: the recall is best understood as a call to take sexual assault allegations seriously through responsive sentencing and not a call to uniformly increase carceral punishment for sexual assault offenders, as is the case with mandatory minimums.

People v. Turner involved the sexual assault of Chanel Miller. The defendant/assailant was Brock Turner, a "well groomed" young white man who was a freshman athlete at Stanford. After midnight on January 18, 2015, two graduate students observed Brock Turner on top of Chanel Miller, thrusting his hips into her while she lay motionless behind a dumpster. Both Chanel Miller and Brock Turner were intoxicated – Chanel Miller to the point of being unconscious and lacking memory of what took place. When the graduate students yelled, Turner attempted to flee. They chased him, pinning him to the ground. When the police arrived, they found Chanel Miller "in the fetal position," "unresponsive" and exposed. Her dress had been "pulled up to her waist," her underwear removed, and her sweatshirt taken half off, exposing her breast. Detectives found evidence indicating Turner may have sent a photo of Chanel Miller's breasts to friends. Turner said that he had a good time with Chanel Miller and admitted to digitally penetrating her vagina, but said his "intentions were not to try and rape a girl without her consent." Chanel Miller did not consent. The police report indicated that Turner's pants were "disheveled" and dirt on his face and shirt was consistent with a physical struggle. At trial, the jury found Turner guilty on three counts: (1) assault with the intent to commit rape of an intoxicated or unconscious person, (2) sexual penetration when the victim was intoxicated, and (3) sexual penetration where the victim was unconscious of the nature of the act.

The maximum sentence was fourteen years in prison. Conviction on count one required Turner to register as a sex offender and precluded probation except where "justice would best be served." The Probation Department recommended a "moderate" sentence in county jail, "sexual offender treatment," and "formal probation" on the bases that Turner was less culpable due to his own intoxication, he had not recently committed similar crimes, and other imposed sanctions would sufficiently burden his once-promising future. The prosecution opposed, highlighting a "pattern of behavior" undeserving of leniency. It listed a pending case for underage intoxication; testimony from women who had experienced Turner's unwanted advances; and photo evidence of drug and alcohol use, contradicting his claim that he had not engaged with either prior to coming to Stanford. The prosecution argued that a light sentence would not "effectively punish" him, ensuring community safety, or serve as a deterrent in a community where "campus sexual assault is an epidemic," and recommended a six-year prison sentence.

On June 2, 2016, following a statement from Chanel Miller relating the impact the assault had on her life, Aaron Persky sentenced Turner to six months in county jail and three years of probation along with the requisite sex offender registration. Aaron Persky noted his responsibility to "consider rehabilitation and probation for first-time offenders" and his concern that prison would have a "severe impact" on Turner.

People across the country were outraged. Over the next two days, 55,000 people signed a petition calling for Aaron Persky removal from office. In the following week, running unopposed, Aaron Persky won reelection, and Professor Michele Dauber of Stanford Law School launched a campaign to recall him. Within four months, California lawmakers passed mandatory minimum sentences for sexual assault and closed a prior loophole that had allowed for lighter sentences in cases where the victim was too intoxicated to physically resist. (...)

Lack of prosecution of and nonresponsive sentences for privileged white men and athletes who have committed gender-based violence have a long history in the United States, and knowledge of the criminal system's failure to respond adequately reinforces victims' beliefs that their claims will not be taken seriously. In the United States, nearly 22 million women have experienced rape. Only 31% of victims report to the police, and of those reports, 18% lead to arrest, only 3% are referred to

prosecutors, and 2% lead to felony conviction or incarceration. Studies show that decisions not to prosecute is usually contrary to the victim's preference. When college athletes are accused, schools often prioritize their playing seasons over community safety in a coordinated effort to minimize the consequences of sexual assault. These measures illustrate how privileged perpetrators evade responsibility.

This pattern bears out in Aaron Persky judicial record: he used his discretion for the benefit of athletes accused of gender-based violence prior to Turner. On two occasions, he gave college football players charged with felony domestic violence or battery sentences that ensured their plans to play football would not be interrupted. Prior to his arrival on the criminal bench, Aaron Persky presided over a civil case in which nine members of the De Anza College baseball team were accused of sexually assaulting an unconscious seventeen-year-old named Jessica Gonzales. In that case, Aaron Persky made the questionable decision to allow prejudicial photo evidence of Gonzalez to be admitted in order to rebut her PTSD claim. While the exercise of discretion is fundamental to a judge's role and necessary to achieve responsive sentencing, Aaron Persky repeatedly treated privileged perpetrators with leniency, handing down sentences to accommodate their careers as athletes.

The recall's goal was to hold Aaron Persky accountable and was directed at what voters determined to be an impermissible use of discretion in cases involving violence against women. His sentences were improper not because of leniency measured by length or lack of carceral punishment, but because they did not adequately respond to California's sentencing objectives, were not victim centered, and failed to hold defendants accountable through any potentially restorative approach. The positions of criminal justice reformers and advocates against sexual assault are not mutually exclusive; "taking sexual violence seriously does not necessarily translate to either support for increased incarceration or counterproductive sex offender penalties." Chanel Miller wanted Brock Turner to know that he had caused her pain, to take responsibility, and to get help, but a protracted court battle and the consequent denigration of Chanel Miller by Brock Turner's legal team demonstrated his inability to recognize wrongdoing, making the ultimate sentence feel woefully incongruous. (...) Harvard Law Review. February 2019. California Judge Recalled for Sentence in Sexual Assault Case.

<https://harvardlawreview.org/print/vol-132/california-judge-recalled-for-sentence-in-sexual-assault-case/#:~:text=On%20June%205%2C%202018%2C%20Judge,the%202016%20case%20People%20v.>

[vi] California Governor Jerry Brown signed legislation on Friday, September 30, 2016 that expands the legal definition of rape and imposes new mandatory minimum sentences. These measures were inspired following a national outcry over the sexual assault case of former Stanford swimmer Brock Turner.

The decision comes as heated debate has raged this year over the mishandling of sexual assault investigations on U.S. college campuses by police agencies and courts. But increasing punishment for sex offenders posed a challenge for Brown, as the state has been undertaking a broader effort to move away from a focus on prison sentences.

In a message released with his signature, Brown said he was generally opposed to adding more mandatory minimum sentences.

"Nevertheless, I am signing AB 2888, because I believe it brings a measure of parity to sentencing for criminal acts that are substantially similar," he said.

Assembly Bill 2888, authored by Assemblyman Evan Low (D-Campbell) and Assemblyman Bill Dodd (D-Napa), will prohibit judges from giving convicted offenders probation when they sexually assault someone who is unconscious or intoxicated.

Assembly Bill 701 by Assemblywomen Cristina Garcia (D-Bell Gardens) and Susan Talamantes Eggman

(D-Stockton), will expand the legal definition of rape so it includes all forms of nonconsensual sexual assault. (...)

Rape has previously been defined as "an act of sexual intercourse" under certain conditions of force, duress or lack of consent. Other types of sexual assault, like penetration by a foreign object, were categorized as separate offenses.

The laws go into effect on Jan. 1, 2017. Los Angeles Times. September 30, 2016. California expands punishment for rape after Brown signs bills inspired by Brock Turner case. <https://www.latimes.com/politics/essential/la-pol-sac-essential-politics-updates-california-expands-punishment-for-rape-1475260488-htm1story.html>

[vii] Illinois Freedom of Information Act (FOIA). 5 ILCS 140/1. <https://www.ilga.gov/legislation/ILCS/Articles?ActID=85&ChapterID=2>

[viii] Your honor, (...)

One day, I was at work, scrolling through the news on my phone, and came across an article. In it, I read and learned for the first time about how I was found unconscious, with my hair disheveled, long necklace wrapped around my neck, bra pulled out of my dress, dress pulled off over my shoulders and pulled up above my waist, that I was butt naked all the way down to my boots, legs spread apart, and had been penetrated by a foreign object by someone I did not recognize. This was how I learned what happened to me, sitting at my desk reading the news at work. I learned what happened to me the same time everyone else in the world learned what happened to me. That's when the pine needles in my hair made sense, they didn't fall from a tree. He had taken off my underwear, his fingers had been inside of me. I don't even know this person. I still don't know this person. When I read about me like this, I said, this can't be me.

This can't be me. I could not digest or accept any of this information. (...) I kept reading. In the next paragraph, I read something that I will never forgive; I read that according to him, I liked it. I liked it. Again, I do not have words for these feelings. At the bottom of the article, after I learned about the graphic details of my own sexual assault, the article listed his swimming times. *She was found breathing, unresponsive with her underwear six inches away from her bare stomach curled in fetal position. By the way, he's really good at swimming.* (...)

The night after it happened, he said he thought I liked it because I rubbed his back. A back rub. Never mentioned me voicing consent, never mentioned us speaking, a back rub. One more time, in public news, I learned that my ass and vagina were completely exposed outside, my breasts had been groped, fingers had been jabbed inside me along with pine needles and debris, my bare skin and head had been rubbing against the ground behind a dumpster, while an erect freshman was humping my half naked, unconscious body. But I don't remember, so how do I prove I didn't like it.

I thought there's no way this is going to trial; there were witnesses, there was dirt in my body, he ran but was caught. He's going to settle, formally apologize, and we will both move on. Instead, I was told he hired a powerful attorney, expert witnesses, private investigators who were going to try and find details about my personal life to use against me, find loopholes in my story to invalidate me and my sister, in order to show that this sexual assault was in fact a misunderstanding. That he was going to go to any length to convince the world he had simply been confused.

I was not only told that I was assaulted, I was told that because I couldn't remember, I technically could not prove it was unwanted. And that distorted me, damaged me, almost broke me. It is the saddest type of confusion to be told I was assaulted and nearly raped, blatantly out in the open, but we don't know if it counts as assault yet. I had to fight for an entire year to make it clear that there was

something wrong with this situation.

When I was told to be prepared in case we didn't win, I said, I can't prepare for that. He was guilty the minute I woke up. No one can talk me out of the hurt he caused me. Worst of all, I was warned, because he now knows you don't remember, he is going to get to write the script. He can say whatever he wants and no one can contest it. I had no power, I had no voice, I was defenseless. My memory loss would be used against me. My testimony was weak, was incomplete, and I was made to believe that perhaps, I am not enough to win this. That's so damaging. His attorney constantly reminded the jury, the only one we can believe is Brock, because she doesn't remember. That helplessness was traumatizing.

Instead of taking time to heal, I was taking time to recall the night in excruciating detail, in order to prepare for the attorney's questions that would be invasive, aggressive, and designed to steer me off course, to contradict myself, my sister, phrased in ways to manipulate my answers. Instead of his attorney saying, Did you notice any abrasions? He said, You didn't notice any abrasions, right? This was a game of strategy, as if I could be tricked out of my own worth. The sexual assault had been so clear, but instead, here I was at the trial, answering question like: How old are you? How much do you weigh? What did you eat that day? Well what did you have for dinner? Who made dinner? Did you drink with dinner? No, not even water? When did you drink? How much did you drink? What container did you drink out of? Who gave you the drink? How much do you usually drink? Who dropped you off at this party? At what time? But where exactly? What were you wearing? Why were you going to this party? What'd you do when you got there? Are you sure you did that? But what time did you do that? What does this text mean? Who were you texting? When did you urinate? Where did you urinate? With whom did you urinate outside? Was your phone on silent when your sister called? Do you remember silencing it? Really because on page 53 I'd like to point out that you said it was set to ring. Did you drink in college? You said you were a party animal? How many times did you black out? Did you party at frats? Are you serious with your boyfriend? Are you sexually active with him? When did you start dating? Would you ever cheat? Do you have a history of cheating? What do you mean when you said you wanted to reward him? Do you remember what time you woke up? Were you wearing your cardigan? What color was your cardigan? Do you remember any more from that night? No? (...)

I was pummeled with narrowed, pointed questions that dissected my personal life, love life, past life, family life, inane questions, accumulating trivial details to try and find an excuse for this guy who didn't even take the time to ask me for my name, who had me naked a handful of minutes after seeing me. After a physical assault, I was assaulted with questions designed to attack me, to say see, her facts don't line up, she's out of her mind, she's practically an alcoholic, she probably wanted to hook up, he's like an athlete right, they were both drunk, whatever, the hospital stuff she remembers is after the fact, why take it into account, Brock has a lot at stake so he's having a really hard time right now. (...)

Now to address the sentencing. When I read the probation officer's report, I was in disbelief, consumed by anger which eventually quieted down to profound sadness. My statements have been slimmed down to distortion and taken out of context. I fought hard during this trial and will not have the outcome minimized by a probation officer who attempted to evaluate my current state and my wishes in a fifteen minute conversation, the majority of which was spent answering questions I had about the legal system. The context is also important. Brock had yet to issue a statement, and I had not read his remarks.

My life has been on hold for over a year, a year of anger, anguish and uncertainty, until a jury of my peers rendered a judgment that validated the injustices I had endured. Had Brock admitted guilt and remorse and offered to settle early on, I would have considered a lighter sentence, respecting his honesty, grateful to be able to move our lives forward. Instead he took the risk of going to trial, added insult to injury and forced me to relive the hurt as details about my personal life and sexual assault were brutally dissected before the public. He pushed me and my family through a year of inexplicable, unnecessary suffering, and should face the consequences of challenging his crime, of putting my pain into question, of making us wait so long for justice.

I told the probation officer I do not want Brock to rot away in prison. I did not say he does not deserve

to be behind bars. The probation officer's recommendation of a year or less in county jail is a soft time-out, a mockery of the seriousness of his assaults, and of the consequences of the pain I have been forced to endure. I also told the probation officer that what I truly wanted was for Brock to get it, to understand and admit to his wrongdoing.

Unfortunately, after reading the defendant's statement, I am severely disappointed and feel that he has failed to exhibit sincere remorse or responsibility for his conduct. I fully respected his right to a trial, but even after twelve jurors unanimously convicted him guilty of three felonies, all he has admitted to doing is ingesting alcohol. Someone who cannot take full accountability for his actions does not deserve a mitigating sentence. It is deeply offensive that he would try and dilute rape with a suggestion of promiscuity. By definition rape is the absence of consent, rape is the absence of consent, and it perturbs me deeply that he can't even see that distinction.

The probation officer factored in that the defendant is youthful and has no prior convictions. In my opinion, he is old enough to know what he did was wrong. When you are eighteen in this country you can go to war. When you are nineteen, you are old enough to pay the consequences for attempting to rape someone. He is young, but he is old enough to know better.

As this is a first offense I can see where leniency would beckon. On the other hand, as a society, we cannot forgive everyone's first sexual assault or digital rape. It doesn't make sense. The seriousness of rape has to be communicated clearly, we should not create a culture that suggests we learn that rape is wrong through trial and error. The consequences of sexual assault needs to be severe enough that people feel enough fear to exercise good judgment even if they are drunk, severe enough to be preventative. The fact that Brock was a star athlete at a prestigious university should not be seen as an entitlement to leniency, but as an opportunity to send a strong cultural message that sexual assault is against the law regardless of social class.

The probation officer weighed the fact that he has surrendered a hard earned swimming scholarship. If I had been sexually assaulted by an un-athletic guy from a community college, what would his sentence be? If a first time offender from an underprivileged background was accused of three felonies and displayed no accountability for his actions other than drinking, what would his sentence be? How fast he swims does not lessen the impact of what happened to me.

The Probation Officer has stated that this case, when compared to other crimes of similar nature, may be considered less serious due to the defendant's level of intoxication. It felt serious. That's all I'm going to say.

He is a lifetime sex registrant. That doesn't expire. Just like what he did to me doesn't expire, doesn't just go away after a set number of years. It stays with me, it's part of my identity, it has forever changed the way I carry myself, the way I live the rest of my life.

Chanel Miller reads her entire victim impact statement. YouTube. <https://www.youtube.com/watch?v=qK28Powy4ZQ>

[ix] September 9, 2016 Conversation Between Cenk Uygur and Ana Kasparian on the Subject of Rapist Brock Turner "College Speaking Tour"

Ana Kasparian.: *As if the injustice involved in the Brock Turner case couldn't get any worse, there are now reports that he could possibly tour high school campuses in order to give speeches to students about the negative impact of alcohol and promiscuity. (...) So, during this case, and for those of you who might have missed this story, Brock Turner was the former Stanford University swimmer who was caught raping a woman who was unconscious behind a dumpster. He was found guilty and he got a six months jail sentence that was cut short to only three months because of "good behavior."*

According to Mediaite, "there was talk during the trial of him launching a speaking tour during which he would visit high schools and give lectures on 'drinking and promiscuity,' and now that idea is back in the spotlight." This story is now in the spotlight because a Stanford University professor (Ruth Starkman) just wrote an opinion piece in the Huffington Post in which she very correctly stated: "Until Brock Turner apologizes, he should not be allowed to speak on campuses. Any campus appearance must be conditioned on his taking full responsibility for his actions, apologizing to the victim, and condemning sexual assault." He has refused to do all three things even after his convictions. (...)

Cenk Uygur.: To me, the most unbelievable part of the story (...) is the drinking part. It seems like he's saying: "Don't drink too much. Otherwise, you will go on to rape women behind a dumpster."

Ana Kasparian.: Yeah, there are plenty of people who drink, get drunk and aren't immediately convinced that it's a good idea to go rape people.

Cenk Uygur.: It seems like he doesn't get it at all. (...) It definitely sounds as though he's looking to go around campuses saying that she (Chanel Miller) wasn't raped. (...) She was being promiscuous.

Ana Kasparian.: That's exactly right!

Cenk Uygur.: Oh my God! (...)

Ana Kasparian.: He could possibly do this speaking tour and get paid for it! (...) His message is a really bad message that rewards bad behavior. (...)

Cenk Uygur.: The bigger injustice is that he gets a lenient sentence while others do not. We have an unequal justice system. I don't want people coming away from this thinking: "We've got to be harsher on all defendants." We just want an equal justice system. Either treat everybody like Brock Turner or treat everyone harshly, but have one system, not unequal justice. That's the main point.

Rapist Brock Turner College Speaking Tour? The Young Turks. YouTube.:
<https://www.youtube.com/watch?v=oRTwp0vnbbo&t=96s>

[x] Erin's Law. <https://www.ilga.gov/Legislation/publicacts/view/096-1524>

[xi] Sec. 27-1010. Consent education. (...)

A school district may provide age and developmentally appropriate consent education in kindergarten through the 12th grade.

- 1) In kindergarten through the 5th grade, instruction and materials shall include age and developmentally appropriate instruction on consent and how to give and receive consent, including a discussion that includes, but is not limited to, all of the following:
 - A) Setting appropriate physical boundaries with others.
 - B) Respecting the physical boundaries of others.
 - C) The right to refuse to engage in behaviors or activities that are uncomfortable or unsafe.
 - D) Dealing with unwanted physical contact.
 - E) Helping a peer deal with unwanted physical contact.

2) In the 6th through 12th grades, instruction and materials shall include age and developmentally appropriate instruction on consent and how to give and receive consent, including a discussion that includes, but is not limited to, all of the following:

- A) That consent is a freely given agreement to sexual activity.
- B) That consent to one particular sexual activity does not constitute consent to other types of sexual activities.
- C) That a person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent.
- D) That a person's manner of dress does not constitute consent.
- E) That a person's consent to past sexual activity does not constitute consent to future sexual activity.
- F) That a person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person.
- G) That a person can withdraw consent at any time.
- H) That a person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to certain circumstances that include, but are not limited to (i) the person incapacitation due to the use or influence of alcohol or drugs; (ii) the person being asleep or unconscious; (iii) the person being a minor; (iv) the person being incapacitated due to a mental disability.

Illinois Consent Education. Retrievable Here.: <https://www.ilga.gov/legislation/ilcs/fulltext?DocName=010500050K27-1010>

[xii] National Council on Disability (NCD). January 30, 2018. Not on the Radar: Sexual Assault of College Students with Disabilities. <https://www.ncd.gov/report/not-on-the-radar-sexual-assault-of-college-students-with-disabilities/>

[xiii] Michael A. Ayele (a.k.a) W Listing on Missouri's Accountability Portal (MAP).: <https://mapyourtaxes.mo.gov/MAP/Employees/Employee/SearchResults.aspx?last=Ayele&first=Michael&year=0&agency=0>

Michael A. Ayele (a.k.a) W Listing on MAP for Calendar Year 2013.: <https://mapyourtaxes.mo.gov/MAP/Employees/Employee/EmployeeDetails.aspx?last=Ayele&first=Michael&agency=0&row=118538&year=2013>

Michael A. Ayele (a.k.a) W Listing on Map for Calendar Year 2014.: <https://mapyourtaxes.mo.gov/MAP/Employees/Employee/SearchResults.aspx?last=Ayele&first=Michael&year=0&agency=0>

[xiv] *Missouri's state-operated Sex Offender Rehabilitation and Treatment Services (SORTS) provides appropriate treatment and housing for individuals adjudicated by the courts as sexually violent predators. With passage of the Sexually Violent Predator law, which was effective January 1, 1999, the Missouri General Assembly mandated that individuals adjudicated by the court as sexually violent predators be committed indefinitely to the custody of the Director of the Department of Mental Health for "control, care and treatment until such time...that the person is safe to be at large". In order for such commitments to pass constitutional scrutiny, the Department must provide care and treatment that is consistent with existing professional standards and practice, and federal case law. The law also requires that individuals committed for treatment as sexually violent predators be kept in a secure facility and housed separately from Department of Corrections inmates and from other mental health*

clients who have not been found to be sexually violent predators.

The current SORTS programs are operated at two Division of Behavioral Health (DBH) facilities, Southeast Missouri Mental Health Center (SEMO) and Fulton State Hospital (FSH). The SORTS program is responsible for preparing clients for community reintegration. If clients are provided a conditional release by the probate court, the program is also responsible for facilitating the transition into the community and for communication with community providers, Probation and Parole, and DBH Forensic Case Monitors who provide community supervision. In addition to the housing and treatment of individuals committed under this statute, the Department provides a psychiatrist and/or a psychologist to participate in the Multidisciplinary Team to assist the Prosecutor's Review Committee in determining whether an individual may meet the definition of a sexually violent predator. Furthermore, the Department is required to provide a psychiatrist or psychologist to evaluate each individual for whom the court finds probable cause to believe the person is a sexually violent predator. Finally, the Department must provide the committing court an annual report regarding the committed person's mental condition. Total program capacity is 300. Missouri's Office of Administration. October 1, 2025. Page 66. <https://budplan.ia.mo.gov/themes/common-assets/pdf-viewer/viewer.html?file=https%3A%2F%2Fbudplan.ia.mo.gov%2Fsites%2Fg%2Ffiles%2Fzuston231%2Ffiles%2Fmedia%2Fpdf%2F2025%2F10%2FFY27%2520DMH%2520Program%2520Descriptions%2520Book.pdf>

[xv] Bing/MSN Unwelcome and Unapproved Query "Michael Ayele profile."
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Bing/MSN Unwelcome and Unapproved Query "*Michael Ayele Westminster College.*"
<https://www.bing.com/search?q=Michael+Ayele+Westminster+College>

[xvi]

Assembly Bill No. 701

Existing law defines rape and spousal rape as an act of sexual intercourse accomplished under specified circumstances indicated a lack of consent, force, or duress, specified. Existing law additionally makes various acts, including sodomy and oral copulation without consent or sexual intercourse with a minor, unlawful as sexual assault.

This bill would state the findings of the Legislature that all form of nonconsensual sexual assault may be considered rape for purposes of the gravity of the offense and the support of survivors and would state this this is declarative of existing law. https://www.leginfo.ca.gov/pub/15-16/bill/asm/ab_0701-0750/ab_701_bill_20160930_chaptered.htm

Assembly Bill No. 2888

Existing law prohibits a court from granting probation or suspending the execution or imposition of a sentence if a person is convicted of violating specified provisions of law, including rape by force, pandering, aggravated sexual assault of a child, and others.

This bill would prohibit a court from granting probation or suspending the execution or imposition of a sentence if a person is convicted of rape, sodomy, penetration with a foreign object, or oral copulation if the victim was either unconscious or incapable of giving consent due to intoxication.

https://www.leginfo.ca.gov/pub/15-16/bill/asm/ab_2851-2900/ab_2888_bill_20160930_chaptered.htm

[xvii]

Even though Michael A. Ayele (a.k.a.) W has never sought nor ever solicited nor ever contacted anyone to have his written publications listed and featured prominently on the AOL, Bing/MSN, Google and Yahoo internet search engines (ISE); Michael A. Ayele (a.k.a.) W has uncovered many instances where his written content were filtered, distorted, misused and misattributed. At the time Michael A. Ayele (a.k.a.) W started to publish some of his written content on how he was (in the month of January 2010 as an undergraduate student of Westminster College) informed about the April 5, 1986 rape and murder of Jeanne Ann Clery before being told what constitutes "*affirmative and effective consent*" in healthy sexual relationships, Michael A. Ayele (a.k.a.) W had not signed any binding agreement that subjected his published works to evaluation, examination and unsolicited comments on the AOL, Bing/MSN, Google and Yahoo ISE. In other words, Michael A. Ayele (a.k.a.) W has never agreed to take on the role of the "*Student*" for his published works while the AOL, Bing/MSN, Google and Yahoo ISE took on the role of "*Professor*." Likewise, Michael A. Ayele (a.k.a.) W has never agreed to take on the role of "*Plaintiff*" and/or "*Defendant*" for his published works while the AOL, Bing/MSN, Google and Yahoo ISE took on the role of "*Judge, Jury and Executioner*." More importantly, Michael A. Ayele (a.k.a.) W had started to publish some of his correspondence with agents of the U.S government on the circumstances that led up to the enactment of the Jeanne Clery Act on (or around) November 8, 1990 because of a commitment he had made that he would disseminate any and all responsive U.S government records within their possession to members of the general public and representatives of the media at no financial expense to them. To the best of his ability, Michael A. Ayele (a.k.a.) W has fulfilled this commitment by disseminating (at no financial expense to representatives of the media and members of the general public) the most pertinent records on the circumstances that led up to the enactment of the Jeanne Clery Act including but not limited to his correspondence with the Department of Education (DoED) as well as the decision of the DoED to withhold many hundreds of pages of documents about Jeanne Clery's time as an undergraduate student of Lehigh University during the processing of the Freedom of Information Act (FOIA) request, which was assigned Case Number 21 - 00103 - F. Michael A. Ayele (a.k.a.) W would again like to take this opportunity to reiterate [1] that no binding written agreement exists between himself and ISE such as AOL, Bing/MSN, Google and Yahoo, which enables them to make comments upon it; [2] that he does not welcome the insertion and the intrusion of the AOL, Bing/MSN, Google and Yahoo ISE on his written content pertaining to American post-secondary academic education with regards to affirmative and effective consent.

Michael A. Ayele (a.k.a.) W is a Bachelor of Arts (B.A) Degree graduate of Westminster College (located in Fulton, Missouri) who was in January 2010 informed about the April 5, 1986 rape and murder of Jeanne Ann Clery before being told what constitutes "*affirmative and effective consent*" in healthy sexual relationships. Via email dated March 7, 2022, the Department of Justice (DOJ) Federal Bureau of Investigation (FBI) have informed Michael A. Ayele (a.k.a.) W that (his alma mater) Westminster College had extended an invitation to their then Director William Webster to "*deliver the 1987 Commencement Address on Sunday, May 17th 1987 at 2:30 P.M.*" The invitation extended by Westminster College on August 29, 1986 came approximately 5 months after the April 5, 1986 rape and murder of Jeanne Ann Clery on the campus of Lehigh University (located in the State of Pennsylvania). In other emails beginning November 12, 2020, the FBI had informed Michael A. Ayele (a.k.a.) W that they had transferred the case of Jeanne Ann Clery rape and murder to the Central

Intelligence Agency (CIA) on (or around) June 11th 1992. However, via postal mail correspondence that was addressed to Michael A. Ayele (a.k.a.) W, the CIA have denied ever being “assigned” the case of Jeanne Ann Clery on (or around) June 11, 1992. It is the opinion of Michael A. Ayele (a.k.a.) W that the letters sent to him by the FBI (beginning November 12, 2020) and the CIA (on or around May 21, 2021) were inconsistent with one another. For your information, William Webster was Director of the FBI from 1978 to 1987. He was also Director of the CIA from 1987 to 1991. His father Thomas Webster is an alumnus of Westminster College (Fulton, Missouri).

The key questions asked by Michael A. Ayele (a.k.a.) W about the rape and murder of Jeanne Ann Clery as well as Title IX of the Education Amendments Act of 1972 include but are not limited to the following:

- 1) What were American colleges’ and universities’ obligations pursuant to Title IX of the Education Amendments Act of 1972? Were American colleges and universities required by law to condemn violence committed against women irrespective of their racial backgrounds, their sexual orientations, their religious affiliations, their national origins and/or their disability status following the enactment of Title IX of the Education Amendments Act of 1972? If yes, were American colleges and universities required to inform their students (beginning Calendar Year 1973) what constitutes appropriate sexual boundaries pursuant to Title IX of the Education Amendments Act of 1972?
- 2) Did American colleges and universities begin informing their students what constitutes “affirmative and effective consent” in the years following the enactment of Title IX of the Education Amendments Act of 1972? If not, when did American colleges and universities begin to inform their incoming freshmen and transfer students about the concepts of “affirmative and effective consent?” Did American colleges and universities begin teaching the concepts of “affirmative and effective consent” to their students following the rape and murder of Jeanne Ann Clery (on April 5th 1986)? If yes, why have American colleges and universities waited so long following the enactment of Title IX of the Education Amendments Act of 1972 to inform their students what constitutes “affirmative and effective consent?”
- 3) Are American colleges and universities discussions pertaining to what constitutes “affirmative and effective consent” consistent with Title IX of the Education Amendments Act of 1972 if they are first informing their incoming new students about the rape and murder of Jeanne Ann Clery? Are American colleges and universities discussions pertaining to what constitutes “affirmative and effective consent” consistent with their academic integrity policy if they are first informing their incoming new students about the rape and murder of Jeanne Ann Clery?
- 4) Were there forces out there in the 1970s and the 1980s looking for a case where a Black or an African American man rapes and murders a Caucasian woman for the purpose of enacting a law similar to the Jeanne Clery Act? Was the enactment of the Jeanne Clery Act the result of racist and sexist individuals coming together for the purpose of [a] preventing racial minorities from climbing the social ladder through academic education; [b] cracking down on interracial relationships particularly between a Caucasian woman and a Black or African American man (in American colleges and universities); [c] not applying the same standards in circumstances where a Caucasian man sexually assaults a woman from a racial minority (as in the case of Brock Turner and Chanel Miller following her rape on January 18, 2015 at the campus of Stanford University)?

As a matter of principle, Michael A. Ayele (a.k.a.) W unequivocally condemns violence committed against girls and women irrespective of their racial backgrounds, their sexual orientations, their national origins, their religious affiliations, their disability status or their age groups. Still, Michael A. Ayele (a.k.a.) W is exasperated by the very bizarre and persistent frenzy that has targeted him on the internet ever since he made the decision to publish on digital platforms [1] some of his recollections on how he was in the month of January 2010 (as an undergraduate student of Westminster College) informed about the April 5, 1986 rape and murder of Jeanne Ann Clery before being told what constitutes affirmative and effective consent in healthy sexual relationships; [2] his questions about Title IX of the Education Amendments Act of 1972; [3] his correspondence with agents of the U.S government on the circumstances that led up to the enactment of the Jeanne Clery Act on (or around) November 8, 1990; [4] his inquiry on the exact year American colleges and universities began teaching their undergraduate students what constitutes affirmative and effective consent in healthy sexual

relationships. Michael A. Ayele (a.k.a.) W takes full-responsibility for all the statements he has made at the time he decided to publish his review of events that led to the Jeanne Clery Act. Michael A. Ayele (a.k.a.) W also takes full-responsibility for the questions he has asked about Title IX of the Education Amendments Act of 1972.