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SUNY Student Conduct Institute
Advanced Investigations Workshop
January 2025
Transcript of Respondent's Interview

1 **Investigator:**

2 Starting where makes sense for you, tell me what you can remember about your interaction with
3 Casey in November 2022. I am not going to interrupt you, as I'd like to hear about your
4 experience in your own words. I will probably have some follow-up questions after you share
5 about your experience.

6 **Respondent:**

7 I went with some friends to a kickback at the Golf House, around midnight. I saw Casey there
8 and asked her to dance. We danced for about five or ten minutes and then I got her Snapchat. I
9 can't remember how much later, but I left the kickback and met up with Casey at her dorm
10 afterwards. By the way, it was Casey who sent me a message inviting me to her dorm, and I
11 could tell she was into me because of the wording of her message and the emojis. I was psyched
12 because I was into her too.

13 I went to her dorm room and . . .

14 **Advisor:**

15 Make sure you tell the investigator about how she came down to the front door to let you into the
16 building and walked with you up the stairs to her third-floor room.

17 **Respondent:**

18 Right, when I got to her dorm I texted her to come down and let me in, which she did. She was
19 bouncing all around when she came to get me and took me up to her room. She opened the door
20 to her dorm suite and seemed perfectly fine and not wasted.

21 There was no tv in her bedroom, so we sat down on the bed and watched Netflix on a laptop. We
22 began kissing under the covers for about five minutes before Casey told me she was on her
23 period. I asked her to give me a blow job and she was fine with that. I pulled down my pants
24 and she sucked my dick for about 10-15 minutes.

25 I then asked her if she had ever had anal, and she said yes. I asked her if she wanted to have anal
26 with me, and she said yes. This was when her clothes came off. We had anal for approximately
27 15-20 minutes.

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28 I asked her if she was really on her period, and she acted like everything was fine. I then had
29 consent for vaginal sex at that point, and we proceeded to have sex for about 20 minutes in the
30 doggy style position.

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31 We stopped having sex and then I put my clothes on and Casey mentioned she was tired.

32 I saw Casey the next night at another gathering. I was with my friend Juaquin Crimson, and
33 Casey was real affectionate, giving me hugs and all, we even did a shot together. I saw her a few
34 times after that, and she seemed cool with me. That's why I was completely blown away when I
35 got the notice that she Title IX'd me.

3

36 **Investigator:**

37 Thank you for sharing that information with me. As I mentioned, I do have some follow up
38 questions that I'd like to ask. Did you see Casey consume any alcohol? Did you notice if she
39 was under the influence at all?

40 **Respondent:**

41 I would assume so, pretty much everybody was drinking at the kickback, usually I do as well but
42 I remember that I was taking an antibiotic and my doctor told me specifically not to drink
43 alcohol because there could be some interaction, so I was sober, which was kind of unusual for
44 me, to be honest, usually I drink as much as anyone, I have a huge tolerance, but not this night.
45 There've been some crazy parties where I have gotten black out drunk but not this one.

4

46 I don't remember specifically seeing Casey drink anything but it is a college party so you know
47 what usually happens there. Casey seemed fine and not out of control. It seemed like she could
48 talk fine.

49 **Advisor (Aisha Blue):**

50 And as he said, she was obviously fine as they were texting about him coming over and she went
51 down to let him in and walked up the stairs perfectly fine. She literally led him up three flights
52 of stairs, he had no idea where her room was. You should get a floor plan of this dorm, it is
53 nuts—to get to her room, you have to go up three flights, make three different turns down three
54 different hallways, and then go into this little alcove where the double rooms are. It was her
55 leading him to her room, he had no idea where her room was. The idea that she was
56 incapacitated is ludicrous given all of that.

5

57 **Investigator:**

58 Ms. Blue, this is my opportunity to hear from Shawn in his own voice about his own experience.
59 I've set aside two hours for this interview, and I want to make sure Shawn feels he has had the
60 chance to talk to me from his own perspective. Please do not answer questions on his behalf or
61 provide information.

62 Shawn, can you talk about the position of your bodies during anal sex?

63 **Respondent:**

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64 She was kind of standing up and bending over, facing away from me. I was behind her, also
65 standing up. I had my hands on her hips.

66 **Investigator:**

67 How did you know that Casey consented to anal sex?

68 **Respondent:**

69 I specifically asked her if she wanted to have anal sex with me, and she said yes.

70 **Investigator:**

71 How did you know that Casey consented to vaginal penetration?

72 **Respondent:**

73 I asked her if she was really on her period, and she didn't say yes or anything, sshe just kind of
74 shook her head "no" and stayed right where she was. Then I kind of tapped her on her butt, and
75 we both kind of moved together from that standing position to the bed, where we got in a doggy
76 style position. I took her getting in the doggy style position in response to my question as a clear
77 sign that she wanted sex. She leaned over on all fours, and I had vaginal sex with her from
78 behind on the bed. She was moaning and making all sorts of sounds, and I could tell from her
79 facial expression that she was enjoying it.

80 **Investigator:**

81 What did you see in her facial expression that made you perceive that she was enjoying the sex?

82 **Respondent:**

83 She had her eyes closed and was smiling.

84 **Investigator:**

85 Can you talk more about Casey's clothes coming off?

86 **Respondent:**

87 I pulled off my own pants when she agreed to give me a blow job. We were then both pulling off
88 her shorts at the same time. Her clothes finally came off when she agreed to anal.

89 **Investigator:**

90 How did the vaginal sex end?

91 **Respondent:**

92 I pulled out of her because I knew it was getting late. I didn't finish; I just told her I was tired
93 and then she told me she was tired too. And she looked kind of tired and worn out and just said
94 she was going to sleep.

95 **Investigator:**

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96 What do you mean by her looking tired and worn out?

97 **Respondent:**

98 She was kind of limp and didn't say anything when I stopped the sex and just laid down in the
99 bed.

100 **Investigator:**

101 I want to share some of the details of Complainant's allegations to make sure you understand
102 them and have an opportunity to respond.

103 Complainant said she asked if you had a condom and you told her there was no need for a
104 condom because you were engaging in anal sex. Do you have any response to hearing that?

105 **Respondent:**

106 That is some bullshit. She never asked me anything about a condom, and I didn't use a condom.
107 Whenever I am having sex with someone, I figure if they want me to use a condom, I gladly will,
108 but it's up to them to ask. I have condoms in my wallet, so I can always use one if the person
109 wants. Casey did not mention anything about a condom.

110 She indicated that she wasn't really on her period when I specifically asked her. She got on her
111 hands and knees—I didn't force her to get in that position, she did it of her own free will. I then
112 had consent for vaginal sex at that point, and we proceeded to have sex for about 20 minutes in
113 the doggy style position.

114 **Investigator:**

115 Complainant said she told you during the anal sex that it hurt and she couldn't do this. She said
116 you continued with the anal sex after she said this. Do you have any response to hearing that?

117 **Respondent:**

118 Absolutely not. She never said anything about it hurting. If anything, she was into it and
119 enjoying it, like I said. If I had any sense that anything was hurting her, I would have stopped
120 immediately.

121 **Investigator:**

122 Complainant mentioned that she heard about an encounter between a person named Kelly and
123 you that felt similar to her situation and caused her to decide to report this matter. Do you know
124 a person named Kelly? Can you tell me about anything sexual that may have occurred with
125 Kelly and you.

126 **Advisor:**

127 This line of questioning is wildly inappropriate. We have no notice that anyone named Kelly has
128 ever filed a complainant against Shawn. This line of questioning has nothing to do with Casey's

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129 allegations against Shawn. By even asking about this, you have infected this investigation with
130 undue bias that shows your lack of impartiality.

131 **Investigator:**

132 I am asking these questions because Complainant raised some concerns about a possible pattern
133 of conduct between the situation with Kelly and the situation with her. I want to make sure
134 Shawn is informed of some of the key parts of what Complainant said and has an opportunity to
135 respond. There is no requirement that Shawn respond to these questions, but I am asking them
136 so that Shawn has a full and fair opportunity to respond.

137 **Respondent:**

138 Can I consult with my advisor for a little bit?

139 **Investigator:**

140 Sure.

141 [Advisor and Respondent go to break out room for 23 minutes.]

142 **Respondent:**

143 The only thing I want to say is any sexual activity that may have occurred between Kelly and me
144 was completely consensual. I'm not saying anything beyond that.

145 **Investigator:**

146 What else if anything do you want to share about the encounter with Casey?

147 **Respondent:**

148 Actually I remember that Casey changed her clothes before I got to her dorm room. At the party,
149 she was wearing some kind of dark pants or jeans, a pink shiny top, and a leather jacket—I
150 remember because I was thinking when we were dancing that she was probably hot in that
151 jacket. Then when I got to her dorm room, she had changed into these loose shorts—I could tell
152 she wasn't wearing in any underwear. She also had on this white tank top, and I could totally see
153 her breasts and nipples through the shirt and it was obvious she didn't have a bra on either.

154 And I'm sorry if she feels that anything that happened that night was not consensual. I have
155 been beside myself since I learned of this investigation because I would never do anything to
156 make a girl feel uncomfortable during sex. I don't want to negate her feelings or say she isn't
157 allowed to feel how she does, but everything we did was with her consent.