

PRESS RELEASE

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Date: Nov. 11, 2015

Re: The Hunting Ground

This purported documentary provides a seriously false picture both of the general sexual assault phenomenon at universities and of our student Brandon Winston. For an investigative journalist's in-depth story demonstrating the biased, one-sided nature of the film and its unfair portrayal of Mr. Winston, see Emily Yoffe, "How *The Hunting Ground* Blurs the Truth," *Slate*, June 1, 2015, available at [http://www.slate.com/articles/news\\_and\\_politics/doublex/2015/06/the\\_hunting\\_ground\\_a\\_closer\\_look\\_at\\_the\\_influential\\_documentary\\_reveals.html](http://www.slate.com/articles/news_and_politics/doublex/2015/06/the_hunting_ground_a_closer_look_at_the_influential_documentary_reveals.html).

With respect to Mr. Winston, the film gives the impression that he, like others accused in the stories featured in the film, is guilty of sexual assault by force and the use of drugs on his alleged victims, and that he, like the others accused, is a repeat sexual predator.

There have been extensive factual investigations and proceedings examining the facts of Mr. Winston's case, at Harvard Law School, before the grand jury in connection with criminal charges brought against him, and before the jury in his criminal trial. There was never any evidence that Mr. Winston used force, nor were there even any charges that he used force. No evidence whatsoever was introduced at trial that he was the one responsible for the inebriated state of the women who are portrayed in the film as his victims.

Nor was any body vested with final decision-making authority persuaded that Mr. Winston was guilty of any sexual assault offense at all. The Harvard Law School Faculty concluded after extensive review of the facts that there was insufficient evidence to support the charges made against him, and that he should therefore be reinstated as a student at the Law School. The grand jury refused to indict him on the most serious sexual charges against him, and refused to indict him on any charges involving Ms. Willingham. It is of course highly unusual for a grand jury to reject a prosecutor's request to indict. The trial jury found Mr. Winston not guilty of the remaining sexual charges against him (charges involving Ms. Willingham's friend). And the trial judge concluded at sentencing on the basis of Mr. Winston's character and the limited non-sexual misdemeanor charge on which he had been convicted, that he should be given no more than a sentence of brief probation.

Nor did the Department of Education Office for Civil Rights, in finding Harvard Law School responsible for certain Title IX violations, vindicate Ms. Willingham's claims against Mr. Winston or fault the Faculty's conclusion that the Law School's charges against him should be dismissed and he should be readmitted to the School.

We believe that Brandon Winston was subjected to a long, harmful ordeal for no good reason. Justice has been served in the end, but at enormous costs to this young man. We denounce this film as prolonging his ordeal with its unfair and misleading portrayal of the facts of his case. Mr. Winston was finally vindicated by the Law School and by the judicial proceedings, and allowed to continue his career at the Law School and beyond. Propaganda should not be allowed to erase this just outcome.

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