

Discussion Topics for “Fantastic Lies” (Duke Lacrosse Rape Case) Documentary

Key Take Aways to Consider

- Concern for the victim must be balanced against the rights of the accused
- Impact of rushing to judgment
- Now ten years later, what – if anything -- have we as a society learned from this case?

Describe the Key Players, to include the impact and personal toll this case has on them

- Victim
- Accused (x3)
- Entire Lacrosse Team
- Coach
- Prosecutor
- Police
- Defense Counsel
- Duke Administration
- Media

A Few of the Numerous Dynamics at Play

- White vs. Black
- Women vs. Men
- Rich vs. Poor
- Elite Population vs. Common Folk
- Duke vs. Durham
- To so-called Educated vs. Uneducated
- National Media Attention vs. Local Media
- Belief by some that accusers should automatically be believed
- Sexual assaults on campus
 - How widespread is it?
 - Compare/contrast with the military
 - Compare/contrast with so-called UVA rape case
 - Assess progress made? What’s your solution?

Describe prosecutor’s/law enforcement behavior

- Conclusion first mindset
- Photo lineup
- Exculpatory Evidence
- Prosecuted via the media. Too many media interviews? Statements too definitive?
Manipulating the media, or media attention impacting his actions?
- Impact of the election/running a campaign?
- Defense attorney story to tell; Nifong responds “I don’t want to hear it”
- DNA lab work by private company
- Relationship with law enforcement
- How would you have sentenced Nifong? How would you have represented him?
- Does this type of behavior happen every day in America? ** Most defendants don’t have resources to defend
- Prosecutors have enormous power and resources. Discuss the Importance of ethical behavior

Critique the work of Defense counsel

Critique the response by the university administration

- Duke was initially silent. Why? What should they have done?
- Outline how you would have presented the first statement; draft response to media queries
- Evaluate the faculty letter? What if you were on the faculty, and pressured to sign?
- Should the lacrosse team's season have been cancelled?

Assess the decision to have the lacrosse team Captain address the media two months after the party?

- How would you have done it?

If you were a NC attorney, would you have taken this case?

- The female attorney took criticism for taking the case. Thoughts?

What did you learn about how the media operates?

- Impact of out-of-town, national reporters
- Ratings
- Agendas of media bosses, advocates, and experts

False Accusations

- What was the victim's motivation to lie?
- What's the impact of false accusations?
- How should the criminal justice system handle accusers who lie?

What would you have done if you were on the team? At the party? Wrongly accused?

How Can Such Outcomes Be Prevented?

- Deter misconduct
- Responsible media
- Impact of social media
- Not rushing to judgment