

*This is a sample evidence section for an investigation report. The facts and circumstances below are entirely made up. There is no Texas University, and the individuals referenced below are entirely fictional.*

*The evidence section is designed to take all relevant facts from the witness summaries and the tangible evidence obtained and place it in context and chronological order for the ease and better understanding of the decisionmakers. It is not a replacement for interview summaries (or transcripts), which should appear separately and in full in an appendix or other repository of evidence.*

## EVIDENCE

This section contains a narrative of events based on all evidence gathered during the investigation that was deemed relevant to the issues or necessary to provide context for relevant facts. Where information obtained is uncontested and consistent from different sources, I do not provide a corroboration and contradiction summary. Where, however, a particular, material fact was provided differently by different persons, I provide a summary of the evidence on the point, both corroborative and contradictory.

I briefly review the facts in the Analysis section, below, as they relate to the various elements of the policies potentially violated by the alleged conduct.

### Chronology

**Fall 2018:** CP and RP begin classes, including a mutual Global Cultures course. (Cite to evidence.)

**December 10 – 15, 2018:** CP and RP take an indigenous cultures trip to Mexico in association with the Global Cultures course. (Cite to evidence.)

**Spring 2019:** A number of events occur, described further below in chronological order. A formal chronology including these and other events is found in Appendix A.

*[Use your working chronology as a basis for the chronology here and/or in Appendix A. Do NOT include all the columns from your working chronology – Date, Event (carefully edited), Source. Your own notes and other columns should not carry over into the report or the appendix.]*

*[if your chronology is relatively simple, you might include it in total here rather than placing it in an appendix.]*

### Fall Semester 2018

RP and CP are freshmen students who met in the first few weeks as they were in a Global Cultures class together. (Cite to evidence.) One day before class started, RP overheard CP telling someone sitting next to her that she was from Alexandria, Virginia. (Cite to evidence.) RP broke in to the conversation to say “how weird, I’m from Arlington, maybe we’ve seen each other at the Pentagon City Mall!” (Cite to evidence.) The two agreed to meet for dinner and quickly became close friends. (Cite to evidence.)

RP confided in CP that she had had a difficult childhood with a dysfunctional family. (Cite to evidence.) While she was relieved to be away from her family, she also was having a hard time finding her place in a large college environment. (Cite to evidence.) CP felt that RP was struggling and wanted to help her adjust. (Cite to evidence.)

The Global Cultures class planned a trip to Tepic, Mexico, in the state of Nayarit, over the Winter break, to spend time learning about the four indigenous populations of that area. (Cite to evidence.) RP suggested that she and CP go on the trip. (Cite to evidence.) CP agreed, thinking that it would be good for RP to have something to do other than go back to her family over the break. (Cite to evidence.) Several mutual friends and acquaintances also signed up for the trip, including W2, W1, and W3. (Cite to evidence.)

### **Winter Break 2018 – Trip to Mexico**

The trip to Mexico was planned for a single week, starting on a [date] with the students to fly back out the following Monday, i.e., [date]. (Cite to evidence.) From [date] to [date], the weekend of the trip on which no activities were planned, CP, RP, W1, W2, and W3 decided to take an early Saturday bus to Guadalajara to explore that city for the weekend. (Cite to evidence.)

By the third day of the trip, [date], CP was frustrated with RP, who seemed intent on flirting heavily with substantially everyone she met, regardless of age, gender, or apparent marital status, often in a highly suggestive manner. (Cite to evidence.) Her behavior resulted in clear signs of insult from the locals who were participating in the program and individuals the group met in the local area. (Cite to evidence.) At lunch on Friday, [date], after the morning's session, RP became very intoxicated and stumbled back to her room with a few of the friends, vomiting along the way. (Cite to evidence.) CP and W3 put RP in bed with a glass of water and left her sleeping. (Cite to evidence.) RP denied inappropriate behavior with the locals and excessive drinking. (Cite to evidence.) CP and Witnesses 1 – 3 all described RP's behavior in this regard consistently and in detail. (Cite to evidence.) As noted above, W3 is "good friends" with RP, and Witnesses 1 and 2 are acquainted with but not friends with either CP or RP. (Cite to evidence.) RP agreed that Witnesses 1 and 2 were not friends with either CP or RP prior to the Mexico trip, but indicates that CP must have somehow turned the two against RP during the trip. (Cite to evidence.) When asked about this, in a follow up based on RP's interview, Witnesses 1 and 2 both stated that it was RP's behavior that had caused them to distance themselves from RP, and the CP did not ask them to take any side. (Cite to evidence.) Both indicated that in an effort to stay out of "the drama" they did not make any social arrangements with either CP or RP after the trip, and only reported incidents like the Instagram photo because they were concerned about RP's behavior. (Cite to evidence.) Both W1 and W2 permitted me to review their instant message apps on their phones for messages between either CP or RP, and I found messages only relating to the 2018 trip (group chats) and very limited subsequent messages relating directly to the Instagram photo. (Cite to evidence.)

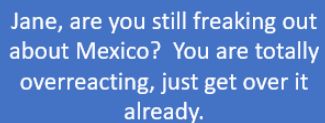
CP, W3, W1, and W2 then went to a park, where they expressed mutual frustration with RP's behavior. (Cite to evidence.) Several hours after they left RP, she began texting CP for details about the departure for Guadalajara. (Cite to evidence.) CP did not respond. (Cite to evidence.) Neither did the others in the group, who also got texts. (Cite to

evidence.) After about an hour of texts, and a few calls from RP that CP silenced, CP texted RP that the group was uncomfortable about RP's blatant flirting, and wanted to be sure it wasn't going to continue on the planned weekend trip. (Cite to evidence.) RP's texts to CP became strident, with RP denying she had behaved inappropriately. (Cite to evidence.) After several exchanges, RP accused CP of being a terrible friend, jealous of her and the attention she got, and talking badly about her to others at school and on the trip. (Cite to evidence.) CP stopped answering, and RP's texts became angrier, ending in "do what you want you selfish bitch dyke!" (Cite to evidence.)

In the morning of [date], on the bus, CP received a text from RP saying she was sorry for being rude the day before. (Cite to evidence.) CP did not respond, and kept her distance from RP for the rest of the trip. (Cite to evidence.)

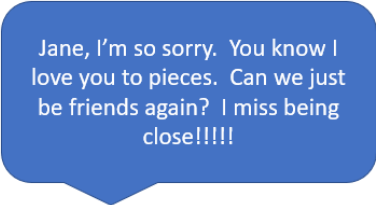
### Spring 2019 – the Alleged Stalking Behavior

When CP returned from Mexico, she changed her Spring class schedule to drop a class with RP. (Cite to evidence.) On [date], the day of the first class that CP and RP were to have together in the Spring semester, RP sent CP a series of text messages, asking her why the professor had not called CP's name as in the class, then becoming confrontational. (Cite to evidence.) A representative example of these messages is:<sup>1</sup>



Jane, are you still freaking out about Mexico? You are totally overreacting, just get over it already.

Within a week or two RP's messages changed in tone, with a representative sample below:



Jane, I'm so sorry. You know I love you to pieces. Can we just be friends again? I miss being close!!!!

(Citation to evidence.)

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<sup>1</sup> The full chain of messages retrieved is found at (cite to evidence).

CP responded only once, as follows:

Eliza, I can't talk about this. You really freaked me out. I need some time to think.

(Citation to evidence.)

On **[date]** CP got back to her room to find a handwritten note from RP on her nightstand. (Citation to evidence.) RP wrote at length about how upset she was about the change in their relationship, and how she couldn't sleep at night or concentrate in her classes. (Citation to evidence.) CP did not respond, but discussed her concern over RP's mental state with her own resident advisor on the date she received the note. (Citation to evidence.)

CP then began seeing RP all over campus. (Citation to evidence.) RP would be in the hallway outside CP's classes as they finished, or at events CP attended. (Citation to evidence.) CP began catching sight of RP in the lounge of CP's dorm, although RP lived somewhere else and did not have any friends in the building. (Citation to evidence.) Some of CP's friends and classmates, including W3 and W1, noticed and remarked on how RP always seemed to be around. (Citation to evidence.)

Specifically, *[list: in reality one would list all of the known dates and occurrences, with possible allusion to the idea that CP believes there are more, but did not have specifics about other instances.]*

At the dining hall on **[date]**, CP had just made it through the line and to the cashier when RP suddenly appeared and, reaching around CP, inserted her own access card into the reader, saying "I'm buying breakfast for my good friend today!" (Citation to evidence.) CP shouted "What are you doing?!? Why can't you just leave me alone?" (Citation to evidence.) RP shouted back, "ungrateful bitch! Why can't we go back to the way we were? What do I have to do to make you understand I love you and I'm sorry?! Why are you torturing me?!?" (Citation to evidence.) RP then left the hall rapidly, slamming the door open on her way out.

CP went straight back to her dorm and spoke with her RA, telling him that she felt unsafe and that she thought RP might hurt herself or CP. (Citation to evidence.) The RA called the police, and CP filed a report. (Citation to evidence.) The police visited RP that afternoon, and she denied the behavior CP told them about, and told them she was perfectly fine. (Citation to evidence.) The officers told RP it was best if she did not talk to CP again. **[date]**

On **[date]**, three days after the police met with RP, W2 saw an Instagram post from RP with CP's picture, which showed CP looking haggard and red eyed. (Citation to evidence.) CP was almost, but not quite, unrecognizable. (Citation to evidence.) RP's comment on the

post said “Losing sleep over the lies you told the cops about me? Guess you have a choice now. I can help make your life better again or let you rot. LMK bye.” (Citation to evidence.) W1 saw the post, too, and commented back, “Dude, stalkerland, uncool.” (Citation to evidence.) CP had blocked RP on all social media, so she did not see the post until W2 showed her a screen shot of it. (Citation to evidence.) By the time CP looked again, the post was gone. (Citation to evidence.) CP and W1 both recognized the picture as one RP had taken while they were in Mexico, but CP was healthy in appearance and reality in the original. (Citation to evidence.)

CP immediately went back to her RA and the police and filed a Title IX report. (Citation to evidence.) Texas University staff sent RP a notice of the report and investigation with a standard reminder that the process was confidential and should be shared only with specific individuals. (Citation to evidence.) Two days later, W1 showed CP RP’s Instagram, which had a picture of the notice with “Happy now, CP? What else will you do to ruin my life?” written across it. (Citation to evidence.)

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