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Former UM Student-Athlete asks Michigan Attorney General to Review Lack of Criminal Prosecution after Fellow Track Athlete Admitted to Repeated On-Campus Sexual Abuse

Ann Arbor, Michigan (April 9, 2020) – Two weeks ago, the woman allegedly sexually assaulted by MSU Basketball player Brock Washington back on January 19, 2020 asked Michigan's Attorney General ("AG") to review the lack of criminal prosecution in her case. Brock has pled guilty to a prior sexual offense. Now, the student-athlete repeatedly sexually abused by Blake Washington, a former UM Track and Field athlete and Brock's older brother, is asking the AG to do the same.

In April 2017, both in person and by text message, Blake Washington admitted to fellow track athlete Kellen Smith that he had sexually assaulted her. This abuse occurred at least three times after she had fallen asleep while studying with him in Stockwell Hall. About a year later, on April 30, 2018, APA Amy Reiser declined to prosecute by stating the following to UMPD: "*Although the suspect, Blake Washington, admits to a committing a crime (Criminal Sexual Conduct 4th Degree contrary to MCL 750.520E1B), the victim who was sleeping at the time of the assault, has no recollection of the assault and therefore, independent of the suspect's admission and/or confession, there is no corpus*." Ms. Smith and her attorneys, who feel strongly that sex offenders should not remain unprosecuted merely because they target helpless victims in their sleep, have now requested that the AG review the lack of criminal prosecution in Blake's case (UMPD Case No. 1790301670).

"*Having to see Blake on campus virtually every day after his admitted sexual abuse impeded my ability to succeed as a student and an athlete at UM*," said Ms. Smith, who has not been able to complete her undergraduate degree to date. "*It was also very distressing that, during the campus and criminal investigation, UM allowed him to work with children*." As detailed in the letter to the AG by Ms. Smith's attorneys, Blake Washington worked in UM's Cross Country and Track Camp and volunteered at the C.S. Mott Children's Hospital, despite Ms. Smith repeatedly expressing concerns to both UM and UMPD officials.

"*It's truly amazing that UM had his confessions to the sexual assaults, but still took almost 300 days to find him responsible through its Title IX process*," said Genie Eardley, an experienced litigator representing Ms. Smith, "*UM then allowed him to remain on the track team with her*." Her firm, Eardley Law Offices, has teamed up with nationally recognized victim rights attorney Laura L. Dunn of the L.L. Dunn Law Firm on this case. Ms. Dunn had this to say: "*While far too few campus sexual assaults are prosecuted, it is shocking to see that the perpetrator twice confessed, once in writing, and that the prosecutor still declined to bring the case against an UM student-athlete.*"

Looking at the MSU and UM sexual assault cases together, which happened to involve two brothers, Ms. Smith and her legal team openly wonder whether Michigan is serious about prosecuting Division I NCAA student-athletes who bring money and prestige to its top state schools.

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L.L. Dunn Law Firm, PLLC, is a DC-based national law practice focused on advancing and enforcing victim rights in campus, criminal and civil settings. Learn more at: http://www.lldunnlawfirm.com/.

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