

Andrew Jenks (00:00:00):

This episode contains themes of sexual harassment, sexual violence and suicide. Please listen with caution.

Announcer (00:00:08):

C13 Originals.

Andrew Jenks (00:00:15):

If you have any tips about Jerry Falwell Jr or Liberty University, you can contact us at Tips@GangsterCapitalism.com, or our tip line 347-674-6980. We can ensure anonymity.

James (00:00:35):

There's all kinds of stories that fluctuate throughout the student body about the Falwells, some good, some bad, some ridiculous. Everything from, "I heard they throw wild parties at their mansion, or they're dealing drugs in South America," or all kinds of things you hear about them, so for most people it's like, "Yeah, yeah. That's just another crazy Falwell story." I remember hearing stories about them being involved with students.

Andrew Jenks (00:01:06):

We'll call this person James. Back in 2008, when James was a student at Liberty University, he was plugged into the music scene in Lynchburg, and one of his classmates was Jerry Falwell's oldest son, Trey Falwell. Trey played guitar in a local band, and around that time there was a rumor going around that Trey's mom, Becki Falwell, was having a sexual relationship with a Liberty student who also happened to be a member of Trey's band.

James (00:01:38):

A couple years later when I was out of college, I was hanging out with a buddy of mine who also went to Liberty, and he had mentioned that story about Becki performing oral sex on somebody, one of Trey's band members. I was like, "Hang on, you know that story too?" He was like, "Yeah, yeah. I've heard it." I remember being like, "All right, that's weird, because of all the stories we're hearing about them, that one just came back up again." He also knew the person that it happened to, so I remember saying like, "That's not true, that's BS." He goes, "I'll go ahead and text him right now."

James (00:02:26):

So my friend sent this guy a text and he was pretty flippant. He goes, "Yeah, I'll tell you that story. I was playing music over at their house, we started drinking and she came into my room and gave me a blowjob." So I remember seeing that and my buddy responded to him and just said, "Thanks."

Andrew Jenks (00:02:51):

When Politico broke this story on August 27th, 2020, three days after the Giancarlo

Granda story came out, there was nothing funny about it. Trey's band member describes sleeping in the spare room in the Falwell's home when Becki, a Liberty employee at the time, snuck into his room, woke him up, climbed into bed with him and performed oral sex on him. The student told Politico that afterwards, he struggled with his mental health and his faith. Politico also reported that Becki confided to a friend what she'd done. The friend said that she told Becki to imagine how upset Jerry would be, Becki said to her, "Jerry won't be mad that I did it, he'll be mad that he didn't get to watch. It's always been his fantasy to see me with one of his students."

Andrew Jenks (00:03:49):

Trey Falwell's band-mate also told Politico that Becki Falwell told him that she and Jerry would look at students on campus and play a game called Would You Rather? The Falwells denied the account in the story calling them false and fantastic claims. Giancarlo Granda was 20 years old when he met the Falwells, and based on his story, it wouldn't be a stretch to think there are other stories like his out there. Indeed, we've been told by a source very close to Jerry Falwell Jr that he had a questionable relationship with a Liberty student. He even sent a photo of her pulling up her dress to Giancarlo Granda. Falwell claimed it was a harmless joke, Granda didn't think so.

Giancarlo Granda (00:04:39):

He's responsible for thousands of students, he walks around the campus with students and when I saw that picture, I'm like, "Oh, my god. There's more, I have a feeling that this is going on with other people."

Andrew Jenks (00:04:51):

Of course, these stories have sullied the reputation of Liberty. To the parents listening, would you feel that your child was safe at a school where the president and his wife are allegedly having sexual relationships with students and apparently bragging about them? Liberty has yet to reconcile the way it's mishandled these and other allegations of sexual misconduct over many years. Here's Kristin Du Mez, a scholar of American Christianity and a history professor at Calvin University. Du Mez is also the author of the book *Jesus and John Wayne: How White Evangelicals Corrupted a Faith and Fractured a Nation*.

Kristin Du Mez (00:05:36):

There is enormous pressure for members of these institutions, churches, universities, other organizations, to cover up any scandal, to protect the witness of the church, to protect the brand. Just enormous pressure, because often these people have invested their own lives in these organizations. It's their way to be faithful Christians, they are really dedicated to the mission, to the purpose. So when the guy on top becomes enmeshed in scandal, there is a strong impulse to circle the wagons, to cover it up and to keep a very positive face forward and not let this scandal bring down the ministry, because of what it could end up doing to the witness of the church, to the witness of Christ himself.

Kristin Du Mez (00:06:29):

These forces are extremely powerful and they actually end up creating really devastating results. We see countless examples of victims, women and children who end up being blamed, end up being ostracized, and members of the community end up backing the perpetrator rather than defending the victims. I think we saw that as well with Jerry Falwell Jr, that he was so powerful, Liberty University was so powerful in the Christian world, beyond the Christian world, and add to that this mentality again of this us-versus-them. That they out there are out to get us, the media is out to get us, non-Christians are just waiting for any opportunity to attack us, to mock us, to discredit us. So you do not want to air your dirty laundry, you want to batten down the hatches, you want to protect the brand.

Kristin Du Mez (00:07:30):

That impulse has just been incredibly powerful across American Evangelicalism and within these organizations. So what happens then is that the problems that could be addressed before they turn into really horrible or horrific situations are not addressed, and so these abuses of power are allowed to continue and they get worse and worse, abusive situations are allowed to fester and these really become toxic spaces, toxic organizations, and the human cost is enormous.

Andrew Jenks (00:08:15):

From C13 Originals at Cadence13 Studio, I'm Andrew Jenks and this is Gangster Capitalism Season Three, Jerry Falwell Jr and Liberty University.

Kathy (00:08:44):

It's important for me to share because of the way that I have seen Liberty handle not just my own situation, but stories that I hear from campus of how crime, sin, things that happen on campus, the perception is a perfect world, this perfect Christian bubble where you can send your kids. I have kids who are reaching college age and they're looking at schools, and I want everyone aware of what the environment is at Liberty and how it's not always what's perceived.

Andrew Jenks (00:09:24):

We're going to call this person Kathy. Kathy was a freshman at Liberty back in 2005, when Jerry Falwell Sr was still running the school and Falwell Jr was the vice chancellor.

Kathy (00:09:39):

It was the evening of April 13th of 2005, I was walking from my job back to my dorm. It was close to 1:00 in the morning, just because I worked until close, which was midnight. Liberty has a tunnel that connects the Main Campus to the East Campus, you literally have to walk quite a ways under a tunnel to get to your dorm on the other side of campus. I was coming up out of the tunnel and I was grabbed by this man and two others. They had pulled me up to this access road that's up to the right of the tunnel. I do remember that I had been hit in the head with this piece of wood, I think it was half of a two-by-four.

Kathy (00:10:36):

There were no lights, no call-boxes, pretty much just a fluorescent light tunnel and then just darkness. They had pulled me down the access road, I was hit in the head, I was struggling to get away, and pretty much in the ditch on the side of the road these three men assaulted me. It was really dark and the only thing that I remember is flashes of light, so I can't positively say that pictures were being taken, because it could have been a flashlight, but I'm almost 100% guaranteed that pictures had been taken during that. I haven't shared that with a lot of people because my husband works in computer forensics, so I know if he wanted to find pictures on the internet, he could. So again, that's been a part of my whole process of not wanting this to be shared or discovered because there could very well be evidence on the internet.

Kathy (00:11:44):

It was not long, I would say less than 20 minutes, and I don't know how detailed you want me to get, but it was rape. My clothes were ripped and they left me on the side of the road and just walked away. I walked back to my dorm with ripped clothes, bruises, huge lump on my forehead from the piece of wood that I had been hit with. It was reported right away. From then on, nothing happened. No one followed up with me, and when I say nothing, I mean nothing.

Andrew Jenks (00:12:40):

Kathy provided us with text messages she sent to the Liberty police officer who handled her case, the officer said, "Things were swept under the rug and people have to live with the decisions they made and the things they didn't do anything about. I tried to advocate for you, but I was told to stay out of it and mind my business." The officer wouldn't respond to questions as to who told her to stay out of it. Back to Kathy.

Kathy (00:13:10):

My roommate was a lifesaver throughout all of this. She emailed Jerry Jr, we have the emails, I expected more from Liberty.

Andrew Jenks (00:13:24):

Kathy and her roommate, who we'll call Tracy, provided us with the emails. The following email chain, which we've condensed for time, begins with a message from Tracy to Jerry Falwell Jr, as well as his brother Jonathan Falwell, who is Liberty's current campus pastor.

Tracy (00:13:44):

I'm writing to you regarding concerns that my roommate and I have about Liberty and its safety. Before I go further, I will say that I have presented this issue to everyone I could at Liberty before writing to you. Our concern is that there needs to be security cameras and call buttons put into the tunnel that leads to and from the East Campus. There also needs to be better lighting on Main Campus and East Campus. My roommate was sexually assaulted last semester on East

Campus, and I feel things wouldn't have been so bad had there been better safety measures. A lot of things need to change because safety is important and it gets harder and harder to watch my roommate be treated as if her situation doesn't matter.

Andrew Jenks (00:14:29):

Jerry Falwell Jr responds.

Jerry Falwell Jr (00:14:32):

Tracy, thank you for your email. We are working now to have more lighting installed. I'll ask for an update and get back with you.

Tracy (00:14:40):

You mentioned that you're working to get more lighting installed, which is great, but my main request is for call buttons or cameras in and at the ends of the tunnel. I've been given the runaround for exactly six months regarding the cameras, which is very disheartening to my roommate and I as we want to feel that we are cared about by the university, even though we're just two students. This whole situation has had a huge impact on both of our lives.

Jerry Falwell Jr (00:15:09):

Tracy, I doubt if the tunnel would be a logical place for camera-based security, it is well lit and has good visibility from one end to the other, not the best environment for criminal activity. Thanks and Merry Christmas.

Tracy (00:15:24):

Judging from that email I just received, I don't believe you're aware of the situation that occurred last semester. My roommate was walking from Main Campus to East through the tunnel, she was met on the other side where she was raped. Judging from that incident, it seems that the tunnel is an environment for criminal activity. This is a whole lot more serious than anyone from LU seems to understand. Cameras are essential.

Jerry Falwell Jr (00:15:54):

Tracy, people who have not seen the tunnel and how well lit it is often comment that it seems dangerous, but once they see it, most agree that it is safer than most places on campus.

Tracy (00:16:07):

Mr. Falwell, I find it very inconsiderate that not once throughout this whole ordeal, almost one-year long now, has anyone said that they were sorry to hear about what happened. A girl was gang-raped when she came out of that tunnel and that was my roommate and best friend, and I am so frustrated that no one here seems to care about what she's gone through.

Andrew Jenks (00:16:32):

Falwell Jr lets Tracy know that the chief of the Liberty Police Department is working on a report about lighting and safety on campus.

Jerry Falwell Jr (00:16:42):

Tracy, please wait on his report. I'm sure he will do what is necessary to keep LU's crime rate much lower than other universities.

Andrew Jenks (00:16:53):

Neither Tracy nor Kathy remember ever receiving any report about campus security. Dr. Sandra Hodgins is the founder and CEO of Title IX Consulting Group, which provides expert analysis for Title IX cases nationally, as well as consultation for schools regarding sexual violence policies and procedures.

Dr. Sandra Hodgins (00:17:18):

It's important to really set up the time during that period, because the Department of Education's Office of Civil Rights released the revised Sexual Harassment Guidance for Campuses in 2001. It emphasized that campuses had to take prompt and effective action to end harassment and prevent its recurrence, and that guidance also dictated that campuses also had to implement sexual harassment prevention education. So right there, we start looking at Kathy's case and it really starts to fall apart, because the moment that her case comes forward, it's virtually ignored.

Dr. Sandra Hodgins (00:17:58):

The correct response that Mr. Falwell should have had would have been a lot more understanding to the fact that, "Wow, your friend was gang-raped. That is egregious, we will be stepping in to ensure that she's okay first and foremost, we want to be sure that she's getting counseling, she's getting the services that she needs, that her academic education is not going to suffer. Does she need a change of courses? Does she need a tutor? Does she need an escort so she can feel safe to walk back to her dorm?" Then on top of that, looking at the community. Really there needed to be some sort of timely warning released to the community, because with a timely warning, that's allowing the campus to know something horrible just happened on campus.

Dr. Sandra Hodgins (00:18:49):

It really is just a horrific story when you consider the idea that it's not student on student sexual violence that took place for Kathy, it was three people from off-campus that are not students, that are not employees who were able to get onto the campus, assault her and then rape her. You have Mr. Falwell saying, "What are you talking about? It's completely safe and we're just not going to do anything right now. We've done enough." They ignored the victim, they ignored the situation and they really ignored the community and put the community in danger. I would be inclined to say that there is a case here of not following Title IX regulation that was in place at the time of this case in 2005.

Andrew Jenks (00:19:45):

Kathy says one action Falwell Jr did take was to send her and Tracy to meet with Liberty's former provost, Ron Godwin.

Kathy (00:19:56):

We go to meet with Ron Godwin in his office, and he starts talking smalltalk about the new hockey bleachers. So here I am coming to this meeting thinking we have no money for safety features, and he's talking about the new bleachers we just bought for the hockey arena. During this meeting, again, we make it very clear what had happened to me and Ron says, "Liberty is the safest campus on the East Coast and if you don't like that, then you can leave."

Andrew Jenks (00:20:28):

Kathy leaves the meeting re-traumatized, and Tracy emails Falwell Jr again, this time telling him that in addition to the offensive way they were spoken to, she and Kathy were given a conflicting message from Ron Godwin, that there would be no security cameras or additional lighting put in place. Falwell Jr responds.

Jerry Falwell Jr (00:20:51):

Tracy, I think it's wonderful that you have worked so hard on behalf of your roommate. Ron Godwin is not the most diplomatic of Liberty's administration, but it did fall on him to advise you that a camera surveillance system was not planned by Liberty at this time.

Andrew Jenks (00:21:09):

By this point, as a result of her attack, Kathy was failing a class which she carried an A in. When she told her professor about her rape, the professor, who is still at Liberty, referenced Kathy's rapists when she said, "You shouldn't give them your GPA too." Kathy makes a request that the school provide a professional counselor for her to speak to.

Kathy (00:21:36):

So I had this meeting set up with a counselor, I don't know who set up the meeting, she introduces herself as Carol. I didn't sign any counseling release forms or confidentiality agreements, she just introduced herself and started asking me questions, very odd questions. Not how I was handling everything, how I was feeling, it was, "Why were you walking back to your dorm so late?" Because Liberty has a curfew, so I should have been in my dorm. It was, "Why didn't I yell louder? Why didn't anyone hear me?" It was very much interrogation focused.

Kathy (00:22:19):

So I felt very uncomfortable and I never reached back out to her. My roommate is the one who drove me to the meeting, so she saw the counselor, saw this woman named Carol. I don't know if it's on campus that we saw her again or in a picture, but it becomes revealed to us that she's Carol Godwin, who is Ron Godwin's wife. So in my request to see an off-site counselor, they send me to the wife of the vice

president. I still feel guilt to this day that I was so naïve and ignorant when I went to talk with her. I should have just walked out, but it just, again, shows me how much everything was kept inside this bubble and no one was allowed to find out what happened to me, to the point where even the counselor I was sent to was staged. I was tired of fighting for myself. I actually finished out the school year and I moved to Dallas and transferred to a school across the country. I think I realized that I needed to just start a new life and forget about Liberty, so I did.

Andrew Jenks (00:23:42):

But Kathy's roommate Tracy never got tired of fighting. Tracy found out that Liberty had failed to comply with Federal Campus Crime and Security reporting requirements, known as the Clery Act. The Clery Act requires that all colleges and universities that receive federal funding provide an annual security report every October 1st, Kathy's rape was never even reported. Tracy reached out to the Clery Center and the violations were then elevated to the Department of Education. In 2013, eight years after Kathy was raped, the DOE fined Liberty \$165,000 for its failure to disclose Kathy's rape on its Clery Report, failure to issue a warning to those on campus about the assault, and failure to maintain an accurate crime log.

Andrew Jenks (00:24:38):

Liberty settled the case with the DOE for \$120,000. Kathy and Tracy never got anywhere with Jerry Falwell Jr, but this past September, one month after Liberty announced an independent audit and investigation into Jerry Falwell Jr's financial dealings during his tenure at the school, Kathy went to go meet with Jerry's brother Jonathan, who in addition to being Liberty's current campus pastor is also a longtime board member.

Kathy (00:25:12):

I met with him to share my story and to say that I wanted to see things change on campus, I wanted to be a part of it. I don't only think that everything that needed to be investigated was just finances and that sort of corruption, but that they need to look at Title IX, how crime is handled on campus, how things are shoved down and oppressed. He said that I will have a seat at the table when it comes to the investigation. It's been three months since the investigation closed and I have not heard a single thing. Everything that I see from the website, it seems like it is only focused on finances. It's very disheartening, because I know money means a lot, but people should mean more.

Andrew Jenks (00:26:06):

We asked Liberty University why Kathy's rape was left off the Clery Report that year, we also asked if Title IX violations are part of the internal investigation of the school. We received no response to either question.

Jennifer (00:26:35):

I worked at Liberty University for almost three years, I worked in the Office of Student Conduct, I had three or four male coworkers and three or four female

coworkers, we were all student conduct officers and worked with all sorts of cases on campus involving Campus Police, different violations, things like that. I was so thrilled to get a position like this in a Christian school, my background is criminal justice, so to be able to combine the two was a gift. I was under the supervision of Keith Anderson, he was the senior conduct officer.

Andrew Jenks (00:27:15):

We'll call this woman Jennifer. Jennifer was a Liberty employee from 2009 to 2011, and her boss was a man named Keith Anderson. According to his LinkedIn page, Keith Anderson was the dean of students at Liberty from 2007 to 2014, which meant that the Office of Student Conduct, also known as the Office of Community Life, reported to him. Liberty's website says this office handles things such as conflict resolution and student discipline.

Jennifer (00:27:52):

A student was brought to my attention who had been raped by multiple male athletes, she was afraid that because she had been drinking, she would be in trouble. But I saw the bigger issues as being raped, the alcohol to me was irrelevant. When I brought it to Keith's attention, he said, "They denied it. They said they didn't do it." I wasn't even asked to investigate any further, and I just remember being shocked.

Andrew Jenks (00:28:21):

The bigger problem for Jennifer, as it turned out, was the behavior of her boss, Keith Anderson, who she says began targeting her in the office.

Jennifer (00:28:33):

I was selected to run the Sexual Purity campaign, and I was told it was so that I would become more comfortable talking about that issue. Which is deeply personal and I don't need a supervisor helping me become comfortable talking about that, but it just became like a joke. When I said I was uncomfortable, I was told, "Well, you need to get comfortable with that topic." From there, there was just so many little moments that Keith would make innuendos to me, so much so that one of the men from the department, they were having a prayer meeting one morning and they actually came and told me that they prayed for me, because they saw that Keith was targeting me. Just picking at me, making comments to me and they didn't understand.

Andrew Jenks (00:29:20):

Jennifer says Keith Anderson's sexual comments escalated and made her feel uncomfortable enough to report them.

Jennifer (00:29:28):

I did report many of these instances to my immediate supervisor, she had also heard some of the comments and said they were inappropriate. I don't recall if I reported everything in detail, due to fear of losing my job. Because I was afraid and

didn't speak up as much as I should have, I feared that it would turn into something physical or some sort of advance. I feared being alone in the building with him or without someone else in the room with me, and so it just created a daily fear.

Andrew Jenks (00:30:05):

Jennifer was never contacted by Human Resources regarding her complaint, and she resigned from Liberty in October of 2011. Three people who worked alongside Jennifer corroborated her story and the hostile work environment they each endured under Keith Anderson. Yet, another employee of Keith Anderson, after resigning from his position on April 19th, 2012, referenced Anderson and sexual harassment in an email to Jerry Falwell Jr. He also copied Neal Askew, an executive vice president at the time. Gangster Capitalism obtained the email.

Liberty Employee (00:30:48):

Jerry, the reason which led to my departure was that I could not work any longer for Keith Anderson. There is a reason 13 or 14 people have left the Dean of Students Office in one year. In the past year, two of the female employees in the office told me that Keith had made comments of a sexually inappropriate nature to them. These and other incidents I shared with Mrs. Wallace in regard to why I could never work for this man again. My concern with this man is if he continues where he's at, some day it will come back to haunt the university in a very bad way.

Andrew Jenks (00:31:28):

Neal Askew responded to this email saying that he'd look into the situation. But two weeks prior to this email, Jennifer, already gone six months, had emailed the Executive Vice President of Human Resources Laura Wallace. Here, Jennifer reads part of her email.

Jennifer (00:31:49):

Good morning, Mrs. Wallace. My supervisor created a very uncomfortable work environment for me with his sexual innuendos and remarks. After much prayer and thought, I would like to speak with you about these incidents. May I please schedule an appointment with you? Thank you for your time and consideration.

Andrew Jenks (00:32:09):

For the second time, Jennifer received no response from Laura Wallace or anybody in the HR department. Perhaps the reason for that is that Laura Wallace, Liberty's Executive Vice President of Human Resources, is Jerry Falwell Jr's first cousin. Let that sink in a second, the head of Human Resources is Jerry Falwell Jr's first cousin. We asked Liberty how they can justify that there is no conflict or fundamental issue with placing and keeping Laura Wallace, Falwell Jr's first cousin, in the critical position of EVP of Human Resources. We received no response. In a written response to the same question, Becki Falwell answered on Jerry's behalf that Laura Wallace started at Liberty before his time as president. Laura Wallace did not respond to our inquiry. Here is Dr. Sandra Hodgkin, the founder and CEO of the Title IX Consulting Group.

Dr. Sandra Hodgin (00:33:26):

There should be some sort of record taken that the HR lead took in order to ensure that they don't get in trouble themselves, but under Title VII, you are required as a campus to respond to any type of complaint and you're supposed to investigate that kind of complaint, because you want to ensure the safety of your employees, it's the primary reason Title VII exists for all employees in any kind of working establishment. Mr. Falwell's first cousin being the head of HR, when employees are being sexually harassed and feeling extremely uncomfortable is definitely a devastating selection for that campus.

Andrew Jenks (00:34:12):

On April 24th, 2012, after no response from Laura Wallace, Jennifer emailed Jerry Falwell Jr, Jonathan Falwell, and Neal Askew directly.

Jennifer (00:34:25):

Gentlemen, I come to you as a last resort. I am a former employee of Liberty University, dean of ...

Andrew Jenks (00:34:32):

In the several pages and ensue, Jennifer lays out her experience working for Anderson in explicit detail, and includes this.

Jennifer (00:34:41):

My husband and I have read through the Sexual and Other Unlawful Harassment Policy Statement of Liberty University as it states, "Harassment of any form is condemned in the workplace and Liberty University also recognizes its duty to provide employees with a harassment-free environment in which we work. Also, each complaint of such conduct will be given swift and serious attention and thoroughly investigated." I am very concerned that I was never contacted by Human Resources regarding the harassment I experienced involving Dean Anderson, even after I attempted to followup with them. This does not constitute complaints being thoroughly investigated. I expect that my complaints will be handled in accordance with federal law. Thank you for taking the time and consideration to read this letter.

Andrew Jenks (00:35:28):

The only response that Jennifer received from anybody was an inadvertent email later that day from Neal Askew. It read simply, "Is this the one you were talking about this morning?"

Jennifer (00:35:45):

To this day, I have never received a call or any concern, and to my knowledge, Keith Anderson is still in charge of many employees and students at Liberty University.

Andrew Jenks (00:35:59):

We mentioned that Keith Anderson's LinkedIn says he was the Dean of Students until 2014, and then it looks like he received a demotion. Several sources told us this was because he had sexually harassed a student. In fact, one source told us that he was in Laura Wallace's office when she was upset that the university had to figure out what to do with Anderson. Well, according to his LinkedIn profile, he was moved into the position of Director of the Office of Student Health Records. But after a promotion in 2016, Keith Anderson is Liberty's current Executive Director of Student Health and Wellness.

Andrew Jenks (00:36:49):

Becki Falwell provided us with a response on Jerry's behalf to the question of why Anderson was demoted in 2014. She wrote, "Jerry had no direct involvement with this matter and has only a vague recollection of it." We asked Liberty University if they were aware of or received any sexual harassment or Title IX complaints against Keith Anderson, and if so, why is he still an employee? We received no response from the school. Keith Anderson also did not respond to us.

Liberty Video (00:37:44):

At Liberty University, we want to provide a safe working and learning environment for all members of our campus community. The Office of Equity and Compliance is committed to providing students and employees an environment free from all forms of discrimination, harassment and sexual misconduct. The purpose of this video is to provide you with the resources ...

Andrew Jenks (00:38:06):

This is a video on Liberty's website that outlines Title IX and the school's guidelines for reporting sexual misconduct. It says all the right things.

Liberty Video (00:38:17):

Please join us in working together to help prevent discrimination, harassment and sexual misconduct, and help us continue to keep our campus community safe.

Andrew Jenks (00:38:28):

But Liberty's Title IX response seems to have become a reflection of Jerry Falwell's views, views he made known back in 2017 when a Liberty spokesman said, "Falwell has an interest in eliminating what he feels are overreaches by the federal government, particularly the Department of Education, as it pertains to colleges and universities across the country. Title IX is one of the areas he mentioned where there is overregulation." The spokesman added that Falwell feels issues regarding investigating campus sexual assault are "Better left to police, attorneys and judges." Dr. Sandra Hodgin, the founder and CEO of the Title IX Consulting Group says a comment like this is counterproductive. Victims rarely report sexual assaults, and they should have as many options to report them as possible.

Dr. Sandra Hodgin (00:39:29):

The purpose of having more than just one option and the police department is in

order to help reach more victims, to help them out. So as a campus, especially since the MeToo movement happened, on campus students now hopefully understand that they have an additional choice. So if Mr. Falwell is here saying, "Well, let's just focus on the PD." It's because he's trying to remove an additional option for victims, and that's horrific.

Andrew Jenks (00:40:04):

When comments like that are made by the president, you can imagine that there isn't going to be a strong push from the university to investigate sexual assault. Mark Tinsley was an LUPD officer in the early aughts, and he provides a chilling example of this.

Mark Tinsley (00:40:23):

I remember getting a call to a potential sexual assault that I think happened somewhere around the Vine Center, Vine Center is the basketball stadium, we searched the area and we didn't see anything and reported that back. We didn't find a victim, we didn't find a perpetrator, we didn't find any evidence or anything of that nature. So we cleared from the call, not having any real knowledge of it, anything that had gone on, because we didn't find anything.

Mark Tinsley (00:40:53):

We later learned though that the perpetrator's name was Jesse Matthew, and that the young lady had been identified and the story that we were getting in the police department was that she was persuaded by the Dean of Women's Office not to press charges against Mr. Matthew, who was a football player for the Liberty Football program.

Andrew Jenks (00:41:16):

Jesse Matthew is currently serving multiple life sentences for raping and killing two college girls after his time at Liberty. Here's another former LUPD officer, who we'll call Jason. Jason is currently with another police department in Virginia working undercover, so we are concealing his identity, but he was with LUPD from 2013 to 2019.

Jason (00:41:45):

It was my experience when I was there that crimes like sexual assault were viewed and handled differently than other crimes. Part of the reason for that is because the victim had a lot of control over the process and the outcome, not the university. So for some crimes like property damage, if a couple of knuckleheads went and graffitied a dorm wall or something, it was very, very easy for the university to say, "Oh, just don't do that again." And give them a couple hours community service or whatever, then go repaint it. No big deal.

Jason (00:42:31):

But for sexual assault cases, investigation incidents, the university had such ... I'm trying to make sure I phrase this right. There had to be a much different and

complex construct in place to direct and guide a victim into not making it a headline.

Andrew Jenks (00:42:55):

Jason told us that one way Liberty ensures that these incidents don't become headlines is that they advise students to report the university's Title IX Office to seek help from campus support services, rather than reporting to the police. Often, it was only if they didn't receive sufficient support from the school or when their parents would push them to that they'd finally go to speak with the LUPD. Sometimes, months after the initial incident. By then, Jason said it's very difficult to make a case because physical evidence is gone, and evidence like text messages are deleted. It was Jason's experience that the Title IX Office would not be cooperative with the LUPD when it came to sharing information, sometimes going to what he felt were extreme lengths. Like the one time when he was at the station and a female student came in to report a stalker.

Andrew Jenks (00:43:53):

She'd just left the Title IX Office upset with the way they were handling it. Jason says a Title IX officer followed her into the station and actually tried to prevent the girl from speaking with the police. He only left after Jason threatened to cite him for trespassing. If there are this many barriers in place, it's easier to understand how the Clery Reports, like the one that excluded Kathy's rape, have such a low number of crimes.

Jason (00:44:27):

So with the Clery Act, there is qualifications for what is reported as a campus crime. It has to do with, is the suspect or victim a student, a staff member? Where did it happen? If it didn't happen on campus, was it an academic related activity? There's a lot of different check-boxes and different things that would determine if it's a Clery Act reportable crime statistic. Where this comes into play is that the Clery reportable crime stats is what's reported on the Annual Campus Crime Report, that Annual Campus Crime Report is what goes to all of these campus evaluators to say if, for example, Liberty advertised that they were the "Ranked number one safest campus in Virginia" for however many years.

Jason (00:45:17):

That ranking is based off of the Campus Crime Report. So this is where all of it goes back to image, if your image is "We're the number one safest campus in ..." fill in the blank, you only get that ranking if your crime stats are below certain numbers. So how do you get your crime stats down? You either empower your police department to be proactive and go out and make the community safe and arrest and put away the bad actors and the suspects and the offenders, or you come up with a system of bureaucracy, red tape, chaos, miscommunication, where the offense, while it's going to happen and does happen, never makes it as a reportable crime statistic.

Jason (00:46:09):

Here's how that works, the Campus Crime Report is generated from the police department, so if information doesn't get to the police department, it's not categorized, it's not logged, it's not reported, it doesn't go on the crime stats. How Title IX plays into that is their information system was completely separate and distinct from the police department, we did not have a proactive way of getting that information, of being able to reach out to the victims of these sexual assaults, and being able to communicate with them, investigate their crimes, find them some justice and get those predators and offenders locked up because that would increase our crime stats. Liberty is still the safest campus in the country, or commonwealth or whatever their ranking is. So that's the big picture of why the machine was the way it was.

Andrew Jenks (00:47:11):

These low crime stats are certainly appealing to the untrained eye, like parents for example. But Dr. Sandra Hodgin says it's misleading.

Dr. Sandra Hodgin (00:47:23):

In my line of work, the thing that we always talk about is that we are very cautious of campuses that have very low numbers in their statistics. To be quite honest, those of us that are in this field that look at sexual violence on a day-to-day basis, we will look at those numbers and say, "Okay, I'm going to steer clear of these campuses because there's obviously some sort of accountability issue here and something is not being transparent here, because these numbers are too low for that number of students at that campus."

Dr. Sandra Hodgin (00:47:58):

So instead, it actually looks better to those of us in this field when the numbers are a little bit higher, because it means that they are doing their due diligence and ensuring to provide the community the correct numbers, and that they're actually wanting to get reports of cases and they are reporting those out to the government.

Andrew Jenks (00:48:19):

Liberty received the second-most federal financial aid money in the country in 2019, and that money is also tied to being Title IX compliant.

Dr. Sandra Hodgin (00:48:29):

It actually is a huge deal, campuses can lose federal financial aid, which for most campuses is a significant amount, it's about 75% for a lot of campuses. To discuss the idea that campuses are afraid to lose money and to lose enrollment, a lot of times, especially in Title IX, when we analyze campuses it's described as campuses burying their heads in the sand. They're burying their heads in the sand to avoid negative publicity that can harm their schools' reputations, and especially when they're competing for enrollment with local campuses. At the end of the day, that is a huge harm because the people that are going to suffer the most are those victims

that don't have a sufficient Title IX infrastructure in place.

Liz (00:49:30):

My name is Liz, I had a 3.9 GPA in high school. I was on the debate team, I was in a poetry club, I was in a magazine club, I was in the National Honors Society, varsity soccer. I was doing everything that I could in high school, because I loved academics, I loved being a part of things.

Andrew Jenks (00:49:55):

Liz's father was in the United States Air Force and she grew up all over the world. In 2017, she graduated high school in the Netherlands, and when it came time for her to go to college, even though it was 4000 miles away, it was Liberty's moral code and how safe they say the campus is that sold her parents.

Liz (00:50:17):

I chose Liberty specifically because they said I would learn conservative values and it would be safe. Before we went, what we read about Liberty, what they say is "We have one of the safest campuses in America." So of course, my parents are thrilled like, "Okay, if we're going to have to send her to college and it's one that's going to be paid for, thank God it's safe."

Andrew Jenks (00:50:45):

On Liz's first night, she says there was a bit of a culture shock when she and the girls in her dorm were given a questionnaire by their community group leaders, who were also students. It was two pages of yes or no questions like, "Have you ever made yourself throw up on purpose? Have you struggled with pornography or your sexual orientation? Have you ever drank alcohol for an emotional release? Or have you ever thought about suicide?"

Liz (00:51:15):

Then they just had us shuffle them, they handed them back out to us and every time one of the things on your paper was marked yes, you had to stand up. It was the most depressing thing I've ever done in my life. The reason for it was supposedly to show that people around you are struggling too, but it really, really just brought the sense of shame and concern. It was their way of making you feel like shit.

Andrew Jenks (00:51:46):

Liz was also introduced to the Liberty Way, the school's strict moral code she'd need to abide by.

Liz (00:51:54):

Raping someone is the same level of points in community service as going to a party or getting drunk. It's insane. My roommates and I were very scared about Liberty Way.

Andrew Jenks (00:52:08):

The Liberty Way's punishment for possession or consumption of alcoholic beverages is the same as sexual assault, a \$500 fine, 30 hours of community service and possible expulsion. Liz says the classes took getting used to as well.

Liz (00:52:27):

I was in a philosophy class, my teacher was probably in his mid-60s, and he had an entire lesson on how America is going downhill because women joined the workforce.

Andrew Jenks (00:52:43):

So Liz threw herself into campus life, becoming the freshman class vice president and building a social circle. Just a few months into her freshman year, Liz was invited to a Halloween party off-campus by a boy she'd become friends with. Liz will call this boy Steve.

Liz (00:53:07):

I'm like, "Yeah, of course. I want to go to a party, I've never even been to a real party, I wasn't allowed to do that when I was at home." At the party, Steve was giving me drinks. Within two minutes of us walking in, we took our first shot, and I trusted him. After two hours of that, by 10:00 PM I'm completely blacked out. The last thing I remember between the period of 10:00 PM and 3:00 AM is my face hitting the grass because I'm vomiting, and after that it's completely black, there's nothing.

Liz (00:53:46):

The next thing that I can remember is waking up and Steve is on top of me, and he's grabbing me and he's biting me and I can barely move, and I'm so confused, I don't even know where I am. I passed out again with him on top of me. Then I wake up again and I have a very distinct memory of realizing that one, my pants are covered in fluid and I don't know if it's because I peed myself or if I spilled water on myself, like someone was trying to get me to drink water, no idea. I just know my pants are covered, they're completely soaked. Two, I have no idea where I am. Where am I? I remember taking my pants off because they were soaking wet and stumbling into the spare bedroom, where Steve happened to be.

Liz (00:54:45):

At that point, I fall over and he pulls me onto the bed and he assaults me. I just laid there, his hand's over my mouth, ripping my clothes off, biting me. I just remember in my head being like, "My God, I wish I could move." But I couldn't move. I remember, I remember him whispering to me, "You have to be quiet, Lizzy. You have to be quiet." I couldn't comprehend why he was doing it, I couldn't understand why my legs wouldn't move. I could see it in my head, me kicking him off, but I couldn't do it. Then it was over.

Andrew Jenks (00:55:56):

The next morning, Liz tried to go to the Title IX Office to report her rape, but it was a Sunday and the office was closed. So she went to the hospital, Liz's chest, breast and neck were covered with bruises and hickeys.

Liz (00:56:16):

I had a forensic nurse come in and take pictures, and I assumed that was a rape kit. I had no idea what a rape kit was, and it wasn't until about year later that I realized scraping under your fingernails, doing swabs, all that is a rape kit, and I didn't get that. That's when I was hit with that gut-wrenching realization that they'd just never done that for me.

Andrew Jenks (00:56:52):

Liz took more photos of her neck and chest back at her dorm, which show the violence of the assault. Even the inside of her lip was bruised. Liz also shared with us a video that she'd taken of herself earlier at the party, and in it there are no visible hickeys on her neck. The next morning, Liz spoke with her RA.

Liz (00:57:21):

She asked me if I wanted to go to Title IX, I was like, "Yeah, I tried to go yesterday and they weren't open." So I let my RA go with me and before we got there, she told me, "You're probably going to get in trouble because you were at a party. I don't know how bad it will be, but you're probably going to get some points and some community service, because you were drinking too. But I'm sure they'll be considerate since you were raped." It was so demeaning, I was so alone and I couldn't even expect the girl that's literally went through training at Liberty to take care of me, she couldn't comfort me?

Liz (00:58:07):

So I went to Title IX that day and of course, I don't get in trouble. You don't get in trouble for reporting something like that no matter where it happened. They have me sit and tell my story, and that is the beginning of ... God, October, November, December, January, February, March, April, May. That's the beginning of eight months of going into the Title IX Office and reading through everything and dreading emails from them. I don't even know where to begin with Title IX. I felt like I was being interrogated, I felt like they were seeing what points for me they could tear apart, and I regret and think about often that I trusted them at all.

Andrew Jenks (00:59:15):

At the time, Liz had a boyfriend back in the Netherlands and she texted him what happened to her.

Liz (00:59:23):

They asked for communications between my boyfriend and I, and at the time I didn't realize that doesn't even make sense, he wasn't there, he doesn't have anything to do with it. My boyfriend didn't believe me. He said things like, "Are you sure you didn't cheat on me?" So that communication was used against me.

Andrew Jenks (00:59:54):

Liz had received a text message the morning after her attack from a friend that had been at the party. It said, “Dude, Steve didn’t try anything on you, did he? He was all over you, it was pretty damn weird.” She says that despite second-guessing herself because she’d been so drunk, this text message helped validate what she clearly remembered, and she had those photos.

Liz (01:00:22):

The evidence that I felt was so incriminating, that was so powerful that they couldn’t avoid it, they couldn’t look away from it, was the bruising that was on my lip, on my neck, on my breasts.

Andrew Jenks (01:00:41):

When the Title IX report was finally completed and Liz was given a chance to read it, she realized there were no statements made by anyone on her behalf, not even from her friend who’d sent her the text. Liz called him to ask why.

Liz (01:00:59):

The first thing he said was he didn’t want to do it. The reason he didn’t want to do it, because he didn’t want to get in trouble because of the Liberty Way. They all did not want to take part in it, because of the Liberty Way. It doesn’t matter that Title IX tells you, “Hey, you can’t get in trouble because you’re coming to us. It doesn’t matter, you’re going to be fine.” It didn’t matter. Liberty is so deeply rooted in fear that nobody wanted to stick up for me, because they were so scared of how it was going to end up for them. I couldn’t even be mad at them, because I saw how it was turning out for me, they weren’t doing anything for me, I felt like an outcast, so of course I’m not as upset as I would be, because I get it. Why would you want to go against Liberty?

Andrew Jenks (01:01:52):

As Liz continued to read the report with a Title IX investigator sitting beside her, she couldn’t find where they had included her most incriminating evidence.

Liz (01:02:04):

The photos I had given them just weren’t there. I was wondering, “Okay, is this crazy of me to think that it’s not in here?” So I flipped through it again, it’s like 200 pages, and I’m like, “No, I don’t see it.” I see all the texts that my boyfriend sent me, but I don’t see the photos of the bruises. I’m like, “Hey, where’s my evidence? Where are the pictures that I sent you guys six months ago?” She just told me, “Well, it’s explicit content, so we shelved it.” I was like, “What do you mean? What do you mean you shelved it?” She’s like, “Well, it’s not for people to look at because it’s explicit.” I was like, “That is my evidence.”

Liz (01:03:00):

So I immediately put in a request for them to reconsider my evidence that they had shelved and she asked for me to resubmit my evidence with timestamps, like I was

going to give her bruises from the week before or something, like I hadn't sent that in October 30th. I didn't have bruises on me when I went to the party and then I wake up and I have them on me and he's the one that was with me, obviously this is ... It seems like a 5th grader could figure it out, it really does.

Andrew Jenks (01:03:36):

If you've already guessed that Steve was found innocent, you'd be correct. Additionally, Steve sued Liz for defamation. He claimed that it was Liz who had assaulted him. Liz didn't have money for a lawyer, so she settled. Then Liz appealed her Title IX case in front of seven men and one woman, but received the same result.

Liz (01:04:06):

I'll tell you why in my mind that this happened the way that it did. Steve was a Liberty athlete, he was in a major that promotes Liberty well, and his parents were influential people in Lynchburg, and Lynchburg is a town with what, 50,000 people? I was the girl that didn't know anyone, didn't really have anything at Liberty, and my family was 4000 miles away.

Andrew Jenks (01:04:40):

Liz was told by the Title IX Office that they'd ruled that she was too impaired to give consent to Steve, but that they couldn't find that he'd assaulted her, despite Liz telling them in explicit detail how he did. A no-contact directive on campus was the only result of Liz's ordeal, but she still saw Steve.

Liz (01:05:06):

I would see him and I would have panic attacks and I would lay on the floor and cry, I couldn't move my body. I would have people come and pray over me and try to heal me, because I didn't understand what was going on. It was like my first full year there was just this cloud of shame and fear, because I couldn't go anywhere, I wasn't safe. I wasn't safe anywhere at all, because he was everywhere that I went. Both my roommates had moved out because I was going through so much, it was something they couldn't handle as 18 year olds.

Andrew Jenks (01:05:42):

Liz says she was offered nothing other than spiritual support.

Liz (01:05:48):

I couldn't get out of bed, I couldn't go to classes. I remember my English class, I attended 12 out of 50 sessions, and those 12 were right before it all happened. I just couldn't do it. My grades never recovered from that. I left college, I dropped out last year and my GPA was still a 2.2, because I just narrowly missed failing every single class, and that was only because if I did come in, I'd have a panic attack and they'd have to wheel me out, literally wheel me out in my chair, which is the most embarrassing thing that can happen. Or I'd come to class and just be crying or asleep, because I wasn't capable of existing the way that I used to anymore, not in

the same capacity.

Liz (01:06:54):

I know what happened changed me, but it changed me in so many ways that I don't really register until it happens, until I try to go to a class and I'm too terrified to go, when I'm walking down the street and every time someone walks by me I'm holding my breath, because I don't want them to touch me and I'm so scared they're going to grab me. The feeling of being alone, completely isolated, your school isn't taking care of you, the people that work there aren't, the system isn't there to take care of you.

Andrew Jenks (01:07:31):

Before she left Liberty, Liz had made an attempt to take her own life. But she recently felt empowered to begin to share her story, and so she made a Facebook post describing her attack and how Liberty failed to protect her.

Liz (01:07:50):

As soon as Jerry Falwell's controversies came out, I was able to share my story to a wider audience. I can't tell you the number of girls that DM'd me, messaged me and said almost the exact same thing every single time, "You don't know me, but I had the same thing happen to me at Liberty." This one woman said, "27 years ago, I was raped at Liberty. They sent me away from the school and my rapist went there for the rest of his education and I was shunned." It's just so sad. Being able to speak and share my story is something I never thought I'd be able to do.

Liz (01:08:43):

I had almost completely given up. I didn't think I'd ever be able to tell anyone or to make a difference or help other girls, and I've been able to and this is really important to me to be on this, because I want to help more women feel like they are loved and it is not their fault no matter what anyone says to them, no matter how it ends up or turns out, that they are not guilty of anything. That's really important to me, because the guilt that a survivor feels when everything is against them, it's dangerous, it's life-threatening, it really is. I'm only 22, but just 18 seems so far away. I look back to me being 18, I'm just shocked and proud that I've made it this far, that I'm still going, that I'm still fighting and I'm still strong.

Liz (01:10:06):

You know what's interesting is a lot of my friends tell me now like, "I wish I didn't have my degree from Liberty. I don't believe or agree with anything that I first did when I got there. I'm not even Christian now." I personally went to Liberty barely clinging onto the Christian faith, and by the end of that first year, completely discarding it.

Andrew Jenks (01:10:34):

Kathy says that after her experience at Liberty, she questioned her faith too and continues to do so.

Kathy (01:10:43):

People have left the faith, it's not just that they leave Liberty or that they feel abused or they feel neglected. There have actually been people who have just given up on Christianity and given up on their faith because of how they've been treated.

Andrew Jenks (01:10:58):

When Jerry Falwell Sr founded Liberty in 1971, his mission was to build champions for Christ. It's hard to see that mission being carried out when you hear stories like these. Jennifer says she never lost her faith, but she did add this.

Jennifer (01:11:18):

Had these people dealt with something the right way, having good value and good character, it never would have gotten to a level where other people are seeing it. Had Liberty dealt with its own things internally and handled them correctly, so many things may have not been even allowed to have happened. It really takes away from the whole purpose, the whole reason that the university was created to begin with, and it really is just such a contradiction of who they are and as a Christian, it gives such a terrible name.

Andrew Jenks (01:12:00):

In light of the information this episode has uncovered, legal action is now being explored by these and other Liberty University Title IX victims. If you or anybody you know is thinking about suicide, please call the National Suicide Prevention Lifeline at 800-273-8255. The National Sexual Assault Hotline number is 800-656-HOPE. For information about Title IX prevention, education and policy compliance, visit TitleIXConsultingGroup.com.

Andrew Jenks (01:12:50):

On the next episode of Gangster Capitalism ...

Jerry Falwell Sr (01:12:53):

I clearly remember when the spirit of God first spoke to me about building a world class, Christ-honoring, soul-winning university.

Andrew Jenks (01:13:06):

After bringing Liberty from the brink of financial ruin, Jerry Falwell Sr dies and it's Jr's turn to run the university.

Next Episode (01:13:15):

A few days after Jerry Falwell died, I went to see Jerry Jr and I said at one point, "Well, you're really going to be in the spotlight now." He had a look on his face as if he was being taken to the guillotine.

Next Episode (01:13:30):

Almost every Christian leader that I have reported on that has ended up falling

from grace, almost always it's their pride that brings them down.

911 Operator (01:13:39):

Bedford 911, what is the address of your emergency?

Becki Falwell (01:13:44):

[inaudible 01:13:44] Road.

911 Operator (01:13:46):

What's going on there?

Becki Falwell (01:13:48):

My husband fell earlier and is bleeding, his face has been hit and there's a lot of blood right now.

Andrew Jenks (01:13:57):

If you have any tips about Jerry Falwell Jr or Liberty University, you can contact us at Tips@GangsterCapitalism.com, or our tip line 347-674-6980. We can ensure anonymity. This has been a creation and presentation of C13 Originals at Cadence13 Studio. Executive produced by Chris Corcoran, Zak Levitt and myself. Written, produced and directed by Zak Levitt. Produced by Perry Crowell and myself. Research and production support by Ian Mont. Editing by Perry Crowell and Bill Schultz. Mixed and mastered by Bill Schultz. Production coordination by Terence Malangone. Studio coordination by Sean Cherry. Artwork and design by Curt Courtenay. Marketing by Brian Swarth, Josefina Francis and Melissa Wester, and PR by Hillary Schuff. Original music by Joel Goodman, and our theme song, Your Sins Will Find You Out is by Eli Paperboy Reed. [music 01:15:06]