



NEWS RELEASE

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FOR IMMEDIATE RELEASE

Jury Affirms No Means No, Rejects Victim Blaming

SPRINGFIELD, Mo. – Greene County Prosecuting Attorney Dan Patterson announces that Spencer Salm, 24, of Lee's Summit, Missouri was convicted yesterday by a Greene County Jury of Sodomy in the Second Degree based on events that occurred November 22, 2013.

On November 22, 2013, the defendant was visiting friends who attended Missouri State University. Evidence showed he and the victim went to a local club, began dancing, and were seen kissing each other. The defendant and the victim ended up alone in the back seat of a car in the parking lot of an apartment complex near MSU. The victim testified that she was comfortable kissing the defendant but told him she would not go further. As the defendant began making sexual advances, she repeatedly told the defendant "no" and "stop." The victim testified that the defendant had sexual intercourse and deviate sexual intercourse without her consent. Afterwards, she contacted a friend to get a ride. The friend testified the victim was hysterical and kept repeating, "I told him no." When they returned to their dorm, MSU staff was contacted and the police and medical providers were notified.

The jury deliberated for nearly three hours before returning its verdict, concluding a three day trial. The jury found the defendant guilty of sodomy in the second degree and not guilty of rape in the second degree.

"This verdict was the result of a brave victim coming forward and her friends who helped her immediately after these events" said Greene County Prosecutor Dan Patterson. In this trial, the victim's choices were blamed by the defense for the assault that occurred and the victim's actions were the subject of intense scrutiny. Patterson also thanked the jury and noted "In no other type of case is the jury asked to consider

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whether the victim's behavior invited the defendant to commit the crime. We thank this jury for holding the defendant accountable based on decisions that he alone made."

Date rape prosecutions are very difficult based upon societal expectations of what a rape is supposed to "look like." Patterson said that Assistant Prosecutors Chris Hoeman and Nathan Chapman did an excellent job of educating the jury about the realities of date rape. Additionally, when under cross examination, the victim expressed this reality when she stated "People have an idea of what rape looks like but that's not what it is." Thankfully, in this case the victim did not suffer any serious physical injuries which are often expected with violent crime.

The jury trial was presided over by The Honorable Thomas Mountjoy. The defendant is subject to a sentence of up to seven years in the Missouri Department of Corrections. Judge Mountjoy set a sentencing hearing for October 7, 2016 at 2:30 p.m. following a sentencing assessment report by the Department of Probation and Parole.

This case is being prosecuted by Assistant Prosecuting Attorney Christopher Hoeman and Assistant Prosecuting Attorney Nathan Chapman. It was investigated by the Springfield Police Department and Detective Annesha Umbarger was the lead investigator assigned to the case.

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