

BringerofthePain

No, but it does mean that you can't *call* them rapists without being sued. It's merely the difference between what they are and what they can be identified as in public. You can think he's a rapist to your hearts content, but you can't print it.

taylvieg

No, but someone found not guilty is innocent in the eyes of the law. Calling them differently on a blog opens you up to a libel suit. Truth would be a defense in a libel suit, but that would mean retrying a criminal case in a civil libel lawsuit to prevent paying \$50M.

SarahMC

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about what can and cannot be printed. I am confused by the view that if the courts don't convict someone, s/he must not have done it.

Dinosaurs and Nachos, girlfriend!

Innocent until proven guilty is a widely misunderstood concept. It basically means that the mere fact that someone is charged with a crime is not itself evidence that the person committed a crime.

Then you go to court. In court, there will be evidence presented. This evidence is where an actual, legal determination is made. Nobody is declared "innocent" in a court of law, they are found guilty or not guilty.

"Not guilty" is absolutely not the same thing as "innocent" from a legal standpoint. Those words

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DISCUSSION THREADS

Featured All Start a new thread

Dinosaurs and Nachos, girlfriend! Thu 12 May 2011 10:39 AM

Here's a funny thought.

Truth is an absolute defense to a defamation claim, right? So if this guy sues Above the Law for defamation, Above the Law sort of gets the chance to re-try the rape case. Granted, there is not much defense for implying that one charge was actually three, so I think they are screwed there.

But if this guy sues them for defamation because they called him a rapist, Above the Law can try to show (in civil court, with a lower burden of proof) that he actually did commit the rape. The fact that he was later acquitted may make it harder, but not necessarily impossible.

Toilet Paper's Eternal Debate Wages On

WATCH Lindsay Lohan Hops On The "Sexy Vampire" Bandwagon [NSFW] 11,568

STUDY Braiding Hair Fills Men With Rage 5:00 PM 18,722

IN BRIEF Levi Johnston's Book Cover Is Basically Perfect 15,513

IDO The Navy Won't Perform Same-Sex Marriages After All

MOURNING A Family Comes Together In Joy

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 **deafblindmute** promoted by **Donovanesque** Thu 12 May 2011 6:04 AM

According to the link under "strength" he traveled to another city, used a false name, and then pretended to be a representative of a liquor company and advertised a job for a model. Now, that doesn't mean that he did/didn't rape her, but it is a goddamn shady way to start off an evening. He must have had some damn good lawyers to push that out of the jury's mind.

My big question is, if she tried to run from him that night and he acknowledges that they were together and there was some sexual interaction going on, what was his defense? I don't care how drunk you are, in the middle of a wanted sexual encounter you don't jump out of a moving car and run through a cornfield barefoot (fun fact: the bristly hair on corn leaves feel like thousands of needles when you run through it). I mean, it's sort of his word against hers for what was happening in the car, but we know that a third person saw her after she ran from him.

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Any more legally knowledgeable people know how a jury is supposed to treat this type of evidence? Does the fact that its word vs. word in the car disqualify her claims to being assaulted even though she ran away from him and said she was assaulted that night? How can any sexual assault case be tried if that counts as reasonable doubt?

Arg this is more perplexing the more I think about it. Everything points to rape (his shady actions and lies earlier in the night; her running from him to a stranger), but there is no conclusive evidence I have heard speak of that proves he did/didn't do it.

God, it's almost as if our legal system is imperfect or something :/

CassandraSays

Thu 12 May 2011 3:36 AM

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JadeSays Wed 11 May 2011 10:20 PM

Weird. I didn't know "where do I go to have fun" meant the same thing as "where do I go to get raped." It's great that that jury made that clear to me, otherwise I could get myself in some sticky situations like apparently accidentally begging to be raped.

AWE. SOME.

Edited by JadeSays at 05/11/11 10:21 PM

rachel723 promoted by SorciaMacnasty: He...

you know it's women like you who don't understand the rules that make the rest of us ladies look bad.

i'm glad you learned before you actually got raped not to complain now if you do, you were asking for it!!

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SorciaMacnasty: Hearts back plz, for the love...

Clearly, you need to spend more time learning the lingo, grrl.

Hide 2 replies

SarahMC Wed 11 May 2011 9:16 PM

Just because a man is acquitted of rape does not mean he did not commit rape. That a jury would decide "not guilty" does not magically erase what he did--if he did, in fact, rape someone. The vast majority of rapists are never convicted of rape. Does that make them not rapists?

Nick1693

@SarahMC: No, but our legal system makes it so that someone is innocent until proven guilty.

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Dinosaurs and Nachos, girlfriend!

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found guilty or not guilty.

"Not guilty" is absolutely not the same thing as "innocent" from a legal standpoint. Those words do not mean the same thing in the world of law. "Innocent until proven guilty" is merely a concept for laymen to try to keep their non-lawyer brains from jumping to (non-legal) conclusions.

[Hide 5 replies](#)

vikkitikkitavi Wed 11 May 2011 9:09 PM

She jumped out of a moving car, leaving her shoes and purse behind and ran barefoot through a cornfield and pounded on a stranger's door to help her?

Fuck this "he's been acquitted" noise. He's a rapist alright, so we may as well call him one

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 **smartgal** promoted by femme-bot

A jury of his peers acquitted him of the crime. I suppose you have facts that weren't presented to the jury?

 **femme-bot**

The justice system sure sounds flawless

 **messybessy**

Word. It's not like juries of peers acquit 95% of rape cases. Juries of peers exist in a vacuum where their judgement is in no way hindered by social misconceptions. That's why our legal system is like flawless.

Hide 4 replies



the.schwartz.is.not.with.me. promoted by J...

Wed 11 May 2011 8:35 PM

Excuse me, but can we not call this guy an "acquitted rapist"? He was acquitted, so he's not guilty. He is not a rapist, end of story. He is a man acquitted of rape, but he is most definitely not a rapist, modifying adjective or not.

 **JadeSays**

Eh, redacted. Nevermind!

Edited by JadeSays at 05/11/11 10:24 PM

Hide 1 reply



lavenderstain

Wed 11 May 2011 7:58 PM

Hide 1 reply

 lavenderstain

Wed 11 May 2011 7:58 PM ↻

you know, i really dislike this man as much as the next (maybe even more given that he tarnishes the repete of my profession) BUT he WAS acquitted, meaning you could have at least used "Alleged" before the rapist acquitted. if anyone deserves to be sued for defamation...

 SubvertAParadigm

Wed 11 May 2011 7:39 PM ↻

"Acquitted Rapist Sues Blog For Calling Him Serial Rapist"


WTF? Last time I checked, when a person is acquitted, he is legally not guilty. It doesn't matter if you like it or not - he went through the same processes that we're all subject to.

Edited by SubvertAParadigm at 05/11/11 7:39 PM

 Queenjulie

If I were writing a blog post about a blog getting sued for multiple millions of dollars over incorrectly labeling a person a rapist, I would be pretty damn careful not to incorrectly label him a rapist myself. Apparently Jezebel feels differently.

Edited by SubvertAParadigm at 05/11/11 7:39 PM

 **Queenjulie**

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 **Andrew_in_Seattle** promoted by pleasantly...

Yeah, incredibly inept headline writing.

 **doublylinkedlists** promoted by SubvertAPar...

I really have to object to your statement "the same processes that we're all subject to" in regards to our justice system. Different types of people are subjected to **RADICALLY** different processes depending on many categories including race, gender, sexuality, ability, age and nationality. We do not have a fair justice system that is neutral in all cases. We have a racist and sexist justice system that ignores issues of difference, perpetuates discrimination, and calls it "neutrality".

 **SubvertAParadigm**

 **SubvertAParadigm**

You can object to the minutiae of the statement all you want. The truth is, justice is a public value and therefore all justice systems are unfair and will never be truly fair to x, y, or z. It doesn't change the fact that legally if you are going to write a blog about someone who wrote a blog and is being sued for libel, you shouldn't actually write false statements in the title. That is a lie, and that is just another perpetuation of prejudices based on a system of "guilty until proven innocent," which is just as unfair. The guy was acquitted and whether or not we believe that is true is irrelevant to the material fact that he is currently, legally exonerated.

Edited by SubvertAParadigm at 05/12/11 6:20 AM

 **doublylinkedlists** promoted by SubvertAPar...

What you call "minutiae" are actually the reasons why so many mentally challenged people are put to death, and why so many rapists walk free, and why so many nonviolent offenders are in prisons, and why so many prisons are terrible terrifying environments, and why rich people don't serve the same sentences as poor ones, and a million other things.

You want to sit there and talk about "legal this" and "legal that" as if there's some sort of "law" separate from what actually happens in the real world, and that this separate "law" is more relevant than observations about who is really subject to violence from the state and who isn't