

Lawsuit: Sex assault posted on Snapchat

Jim Walsh Cherry Hill Courier-Post
USA TODAY NETWORK - NEW JERSEY

CAMDEN – A Brick woman has sued Stockton University, alleging she was drugged and sexually assaulted in her dorm room by an acquaintance who put videos of the attack on his Snapchat account.

Among other claims, the 23-count lawsuit asserts the school failed to properly supervise a freshman dormitory where the student had been drinking with her alleged assailant late on the night of Valentine's Day 2017.

"At no point during the night did a Stockton University resident assistant ... or campus security check on (the) dormitory, which had loud music playing and underage drinking throughout a majority of the night," the lawsuit contends.

Stockton has referred the complaint to the state Attorney General's Office "for representation and investigation of the underlying claims," spokeswoman Diane D'Amico said Tuesday.

"We are not permitted to comment on the litigation at this time, but we look forward to issuing a statement when we are permitted to do so," she said.

"We are aware of the complaint but have not yet been served," she said Monday night.

The suit also claims the school was "grossly negligent" in allowing a "rogue" fraternity, Pi Kappa Phi, to operate near its Galloway Township campus, "when Stockton University

See LAWSUIT, Page 4A

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Lawsuit

Continued from Page 3A

had knowledge of Pi Kappa Phi's ongoing misconduct."

The lawsuit identifies the student only as a Brick resident with the initials M.R.

"She's a very nice young woman that just wanted to go into law enforcement and be a police officer, a detective," said Robert Fuggi Jr., a Toms River attorney who filed the suit Friday in federal court Camden.

M.R. met her alleged assailant, Zachary Madle, at a Pi Kappa Phi house party on Feb. 9, 2017, the suit says.

Both Madle and Pi Kappa Phi are also defendants. Madle and a representative at the fraternity's national headquarters in North Carolina could not be reached for immediate comment.

The suit says "only girls were invited to attend the party," where the underage freshman "was drinking 'Jungle Juice,' a mixture of mostly vodka mixed with fruit punch that was provided by the fraternity house."

Madle, described in the suit as a 2015 Stockton graduate who belonged to Pi Kappa Phi, and an unidentified friend accompanied M.R. back to the campus and spent the night in her room, the suit says.

It says M.R., who awoke with discomfort in her vagina, ordered Madle and his friend to leave her room. The freshman later learned from a friend that Madle allegedly had non-consensual sex with her "while she had been incapacitated," the suit says.

The suit says M.R. and Madle next met around midnight on Valentine's Day, when the two "were texting

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Toms River attorney

each throughout the day, getting to know each other."

It says Madle arrived at M.R.'s dorm, bringing bottles of vodka into her room. When she went to register his car for overnight parking, the suit says, Madle mixed the vodka in 8-ounce cups with small cans of lemonade and iced tea.

The suit says M.R. "drank what she thought was between two to three cups of wine," but declined Madle's offers of vodka. It alleges her visitor had the opportunity of her bed before she blacked out as she believed she was drugged."

The suit contends Madle gave M.R. "another drink and (her) last memory was of kissing (him) on the edge of her bed before she blacked out as she believed she was drugged."

The suit alleges Madle undressed and sexually assaulted the unconscious student, then posted three videos to his Snapchat account, "which was available for 24 hours for the public to view."

The suit says M.R. awoke alone the next morning "naked, confused, choking and covered in vomit."

When she checked her phone, the student saw texts from Madle that alleged he had become locked out of the dormitory while chasing away an intruder, according to the suit.

The suit says the woman then saw the videos on Madle's Snapchat account.

"In two of the videos, (M.R.) was still wearing her bra and panties," the suit alleges, "but in the last video (she) was completely naked."

"After viewing the video," the suit says, "M.R. realized she had been sexually assaulted."

The suit says M.R. chose to attend the state school in Atlantic County in part because Stockton advertised it "maintained a very safe campus atmosphere, reporting only four sexual assaults per school year."

But the complaint contends the school "failed to warn that ... Pi Kappa Phi was a threat to public safety."

Stockton's website describes Pi Kappa Phi as a "rogue" group that has no affiliation with the school. It says such fraternities typically lack policies "related to hazing and sexual harassment."

"They have this naughty list of fraternities but they still allow them to operate," Fuggi said Tuesday.

"They definitely have this ongoing problem there ... with underage drinking and sex abuse," the attorney said. "I think it's a systemic problem at Stockton."

The suit argues M.R., by registering Madle's car for overnight parking in a Stockton lot, gave the school "direct knowledge" that he was in her room.

"If there was proper supervision, (M.R.) would not have been sexually assaulted," says the suit, which contends Stockton was obligated to provide an environment free from sexual harassment.

The suit says Stockton's housing department contacted police, while a friend took M.R. to a hospital.

When Madle texted M.R. at the hospital to say he had lost his watch and wallet, the student asked him to delete the videos, the suit says.

According to the suit, Madle "deleted two of the videos, but kept the video of him sexually assaulting (M.R.)."

M.R. has had no contact since that time with Madle, who was banned from Stockton's campus, the suit says.

It suit says M.R. filed a report with the Atlantic County Prosecutor's Office, leading to an invasion-of-privacy charge against Madle.

Fuggi said Tuesday he is not aware of any charges being filed as a result of the alleged sexual assaults.

The suit seeks unspecified compensatory and punitive damages for M.R., noting she "began failing her classes as she struggled to deal with pain, anguish and desires to commit suicide as a result of the sexual abuse she suffered."

M.R. no longer attends college, Fuggi noted.

The suit also seeks court orders requiring Stockton "to take effective steps to prevent sex-based discrimination and harassment, including sexual assault."

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