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March 12, 2013

The Honorable Attorney General Mike DeWine  
30 E. Broad Street, 14th Floor  
Columbus, OH 43215

Re: Steubenville Rape Case: New Evidence - Michael Nodianos Should Be Investigated, and if the Evidence Supports It, Should Be Prosecuted for Failure to Report a Crime, Under Ohio Law, Revised Code §2921.22

Dear Mr. Attorney General:

Concerned Women for America (CWA) is the nation's largest public policy women's organization, with 500,000 members across the United States and over 16,000 members in Ohio dedicated to reversing the decline in moral values in our nation. CWA has joined the growing list of national organizations that are calling upon your office to demonstrate that the state of Ohio takes the issue of rape seriously and enforce Ohio law revised code § 2921.22 by investigating and charging Michael Nodianos and anyone else involved, if evidence supports it, with Failure to Report a Crime, related to the Steubenville rape case. Mr. Nodianos, as you know, is the 18 year-old man shown laughing and making horrifying jokes in a 12-minute video about a young girl being allegedly raped. The scourge of rape is a bipartisan issue that affects all women, and thus transcends political affiliation. The leaders of national and Ohio-based organizations who have signed this letter come from many different religious, ideological and political spectrums, and believe the evidence **(including newly discovered information from the video)** shows Mr. Nodianos is more than likely criminally liable under Ohio law.

These organizations are united in this bipartisan action as a result of our collective commitment to ensure that rape and sexual assault are taken seriously, and that those who fail to report knowledge of this crime are prosecuted and held criminally accountable.

Ohio Law, Revised Code § 2921.22 (A)(1) states:

**“No person, knowing that a felony has been or is being committed, shall knowingly fail to report such information to law enforcement authorities. Whoever violates division (A) or (B) of this section is guilty of failure to report a crime.”** <http://codes.ohio.gov/orc/2921.22>

Rape is a felony under Ohio Law, Revised Code §2907.02.  
<http://codes.ohio.gov/orc/2907.02>

We expect the Ohio Attorney General’s office to enforce Ohio law. As such, we urge you to investigate Mr. Nodianos and any other culpable parties, and if the facts show, as we believe that they do based on public information, that Nodianos and others knew the rape had occurred and failed to report it to the police or law enforcement, then **we urge you to prosecute and criminally charge Michael Nodianos and those parties for their actions in failing to report a felony. In addition, we urge you to charge all individuals responsible for these crimes.**

Listed below is “Youtube.com” internet link to the video:

<http://www.youtube.com/watch?v=Vp6cirm4buw&bpctr=1357549560>

A review of the disturbing video (reportedly filmed on the same night as the rapes) reveals **two new compelling pieces of evidence** that we believe shows additional culpability on Mr. Nodianos’ part (and others in the video), related to failure to report the crime. It is also our opinion, based on statements made by Mr. Nodianos and others in the video, that there is strong evidence that suggests the following:

- 1) **Michael Nodianos (and other individuals in the video) knew the exact location where the rapes were taking place (they knew the location where the victim was being sexually assaulted).**
- 2) **Michael Nodianos (and other individuals in the video) knew the crime was likely still in progress (it was likely that the young girl was still being sexually assaulted/the rapes might still be occurring in real time), while this video was being filmed.** As a result, it is reasonable to conclude that if Nodianos had reported the rape to law enforcement or the police, that such a report could have prevented further sexual assaults upon the victim, and Nodianos’ failure to report the crime allowed further harm to be perpetrated upon the young girl.

See **3:05** on the video: An individual off camera states **“Can we drive over there? I will drive, I will drive...bro I will drive over there.”** Then, within 30 seconds, an individual can be seen walking past the camera in front of Michael Nodianos, and appears to leave the house, to check on the rape victim, and the individual states: See **3:34** **“Come on bro, we’re goin’. We’re goin’ bro.”**

**Michael Nodianos responds to their leaving by saying, “Right now, what they’re doin’ – they’re tryin’ to help a dead girl. That’s like tryin’ to help wood turn into stone.”**

These statements by Nodianos and others suggest that **Nodianos and others knew the exact location** where the girl was being sexually assaulted at the time this video was being filmed and/or that **they were aware that the crime was likely still in progress/the rapes might still be occurring** during the filming of this video.

See **7:50** on the video: Another person in the video who is apparently angry and disgusted about the girl being allegedly raped by Trent Mays (now charged related to the rape) says “Please don’t let me get a hold of Trent” and **Michael Nodianos responds, “Just go over there. Go over there. Why are you raping a dead girl?”**

These statements by Nodianos (and the fact that he uses the **present** tense when he says “**Just go over there. Go over there.** Why are you **raping** a dead girl?”) also suggest that Nodianos knew the **exact location** where girl was being sexually assaulted at the time this video was being filmed and/or that Nodianos was aware that **the crime was likely still in progress/the rapes might still be occurring** during the filming of this video.

**Nodianos also makes a statement in the video which in our opinion strongly suggests that he personally witnessed/saw the rape victim being carried out while unconscious at one of the parties.** Nodianos makes a reference to the rape victim being unconscious – he says to an individual off camera: “She’s dead. **You didn’t see how they carried her out! You know, I thought she was Jesus Christ, back from the dead.**” (See 9:01 on video; also see 8:39 for the context of the conversation).

Michael Nodianos’ attorney stated in a January 2013 interview reported in the media that Nodianos saw the rape victim leave a party on August 12th with two young men: “He saw her leave with two guys. I don’t know if he saw her being carried out of the house.”

<http://www.heraldstaronline.com/page/content.detail/id/581881/Attorney--says-client--regrets---stupid--comments.html?nav=5010>

Michael Nodianos states numerous times in the video: “**They raped her**” and also makes references to the rape victim’s unconscious state and inability to consent by referring to her as “dead” and “dead girl” yet Nodianos did not report the crime to the police.

“**They raped her harder** than that cop raped Marcellus Wallace in *Pulp Fiction*.” (see 4:22)

“**They raped her** more than the Duke Lacrosse Team.” (see 5:02 in video)

“**They raped her** quicker than Mike Tyson raped that one girl.” (see 4:36 in video)

“**She is so raped right now.**” (see 5:17 in video)

“**She is deader** than Trayvon Martin.” (see 5:56 in video)

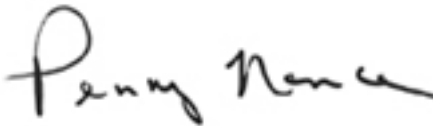
“**She is deader** than Caylee Anthony.” (see 2:41 in video)

Mr. Attorney General, on behalf of our organizations, Ohioans, and the national community, we urge you to take a stand for women everywhere and enforce Ohio law. We expect the Ohio Attorney General's office to show that you take the crime of rape seriously by thoroughly investigating Michael Nodianos and any other culpable parties, and if the evidence supports it as we believe it does, charging Nodianos and those persons with Failure to Report a Crime (and any other charges appropriate for such negligence), as well as charge all the persons who are responsible for these crimes. By taking this action, the Attorney General's office will command the respect of the nation and contribute to sending a clear message that rape is an issue it takes seriously and those who fail to report this crime will be charged and criminally prosecuted, as Ohio law requires.

We look forward to your prompt response on this important issue.

Thank you.

Sincerely,



Penny Young Nance  
Chief Executive Officer and President  
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cc: John Kasich, Governor of Ohio

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