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June 9, 2004

## **Cadet Cuts Deal; Rape Charge Dropped**

By Erin Emery, *Denver Post* Staff Writer

***Douglas Meester was charged with assaulting a freshman female cadet during a night of drinking in 2002.***

[Air Force Academy] – The only Air Force Academy cadet to face a military rape charge during a highly publicized sexual-assault scandal walked away a free man Tuesday after rape charges were dismissed.

Douglas Meester, 21, of Marco Island, Fla., received a written reprimand and was fined \$2,000 for getting drunk and having sex with a freshman cadet on Oct. 18, 2002.

The woman later accused him of rape, saying she was too drunk to consent.

In exchange for dropping the rape charge, Meester pleaded guilty to conduct unbecoming an officer, dereliction of duty and committing an indecent act. He remains a cadet but has decided not to return to the academy, said Frank Spinner, Meester's civilian attorney.

Members of Meester's family cried in each other's arms after Air Force Col. Barbara Brand announced the sentence. Had he been convicted of the original rape charge, he could have gotten life.

It marked an extraordinary end to a case that Spinner maintained was influenced by top Air Force brass who he said buckled under political pressure during the scandal. Dozens of women claimed in early 2003 that the academy had mishandled their sexual-assault cases. With Congress applying the heat, top Air Force leaders influenced the decision by academy commanders to send the case to court-martial, according to testimony.

Maj. Erica Austin, academy spokeswoman, said the government dropped the rape charge largely because the accuser agreed. Austin said the 20-year-old woman from Pennsylvania did not want to testify because it would cause her further anxiety.

The government had asked for six months' confinement for Meester, his dismissal and forfeiture of all pay and allowances.

In a statement to the court, Meester said: “What happened that night will follow me for the rest of my life. As I have done for the last year and a half, I will be forced to explain the events of that night everywhere I go. ... The mere allegation of rape is enough for some people to ostracize and condemn me.”

The woman told her story to television news shows “20/20” and “Good Morning America” and during an Article 32 hearing, similar to a civilian preliminary hearing, in May 2003. The 5-foot-2, 117-pound woman testified that she was invited to Meester’s room, where she drank at least six tequila shots, bringing her blood-alcohol level to an estimated 0.192 percent.

She said she did three “body shots,” which involve licking another person’s body, sprinkling the moistened area with salt, downing the drink, and sucking up the salt.

The woman said in a 10-minute videotaped statement that was shown to the court Tuesday that the chances of a rape conviction were “remote.”

But she said: “I believe I did not consent to any sex act with cadet Meester. I did not even know him.”

The woman said she has suffered depression and is unable to form healthy relationships or trust others. She said she has had countless hours of counseling.

Having the most intimate moments of her life made known in the media, she said, has “salted my wounds” and left enduring scars. She voluntarily left the academy in November 2002.

Had the case gone to trial, the role of alcohol and whether the woman consented would have been paramount. Both force and a lack of consent would have been necessary to convict.

On Tuesday, Meester, who drank 17 shots of alcohol that night, apologized for his actions. He said he was considering leaving the academy, had been on alcohol probation, and willingly broke the rules by drinking in the dorms, providing alcohol to minors and having sex while his roommate was asleep in the next bed.

“While what happened that night was a horrible judgment on everyone’s part, at no time did anyone do something against their will or without their consent,” Meester said in his statement.

The case against Meester was unusual because after the Article 32 hearing concluded in May 2003, an investigating officer ruled that the case should not go forward. Brig. Gen. John Weida, then acting superintendent, overruled the decision.

Meester then asked to resign in lieu of court-martial, but the request was denied. At a hearing in April, Spinner argued that the legal action against Meester had the appearance of undue command influence and was politically motivated.

“Our goal was to see that justice was served for both the victim and the accused, and our military justice system worked. We are satisfied with the judge’s ruling,” Austin said.

The Associated Press contributed to this report.

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