

University of Colorado and Katie Hnida Case

Katie Hnida (NYE-da), a former University of Colorado and University of New Mexico place-kicker, made history by becoming the first woman to suit up for a bowl game when Colorado beat Boston College at the Insight.com Bowl, December 31, 1999. She made history by becoming the first female to compete in a Division 1-A football game when UCLA blocked her extra-point attempt in the Las Vegas Bowl, December 25, 2002, when she played for the University of New Mexico. Hnida made history when she became the first woman to score in a Division 1-A football game after she contributed two points for the University of New Mexico win against Texas State-San Marcos, August 30, 2003. Her moments in history allow her uniform and cleats to hang in the College Football Hall of Fame. However, the media madder her famous with its reports of her allegations that she was raped, molested and verbally abused by her teammates while playing for the University of Colorado.

The Case

Hnida's allegations of molestation and verbal abuse (but not rape) first became known to the public when reported by the *Albuquerque Tribune* in August of 2003. She later told her story to *Sports Illustrated* senior writer Rick Reilly. In an SI article written February 23, 2004, Hnida announced that CU teammates had also raped her in addition to her previous allegations. She had found a home on the Colorado football team as a walk-on in 1998 under then-coach Rick Neuheisel. Gary Barnett agreed to keep Hnida after he replaced the former head coach upon

Neuheisel's departure to Washington. She had previously gained honors as an honorable mention all-county kicker at Littleton (Colo.) Chatfield High and had also been an honor-roll student and homecoming queen.

According to SI, Hnida found herself surrounded and verbally abused by five teammates on her first day of practice at CU in 1999. They also made "sexually graphic comments," and throughout the season teammates "exposed themselves to her 'at least five times,' she says. ... One player came up from behind, she says, and rubbed his erect penis against her." Hnida told SI that during huddles, players would sometimes grope her breasts beneath her shoulder pads and would stick their hands on her crotch. Teammates would also call her vulgar names and one threw footballs at her head during practice.

Then one night that summer, according to SI, "Hnida was watching TV at the house of a teammate. 'He just starts to kiss me,' she recalls." She told him his actions were not appropriate. "'The next thing I know he's on top of me. I tried to push him off me, but he outweighed me by 100 pounds.' Hnida says he lifted her skirt, pushed aside her panties and penetrated her. She was a virgin.¹ The phone rang, he reached for it, she slipped out from under him and ran." She never reported the incident to the police because she was scared of what he might do to her, and she did not want "a huge media mess," according to SI.

Hnida fell ill with tonsillitis at the beginning of the 2000 season and did not make the CU roster. In the spring of 2001, Hnida receded into a two-year depression, began to suffer from insomnia, and gave up kicking. She dropped out of Colorado after her sophomore year. Hnida sought therapy and enrolled at Santa Barbara (Calif.) City College in the fall of 2001, but she did

¹ "One of the things [Hnida] told Rick Reilly that he should not have written, because it was based totally on nothing, she said she was a virgin at the time," said Bruce Plasket in a telephone interview. Guys started showing up saying she was not telling the truth. (Barnett allowed Plasket, a veteran reporter, full access to the football during the 2004 season in an effort to get CU's side of the story heard.)

not play football. One year later, she walked on at the University of New Mexico where she became the first woman to play and score in a Division 1-A football game.

Hnida's allegations came six years after the purported incidences occurred, but in light of a set of lawsuits filed against the University of Colorado. Three women said they were raped in December of 2001 during, or immediately following, a "sex party" in Boulder, Colorado, that was allegedly used to recruit athletes, according to CNN.

They have since sued the university in federal court, according to USA Today.

The Media

"The media was nothing short of a joke during the entire ordeal [the University of Colorado] went through," said David Plati, CU associate athletic director and sports information director, in an email for this case study. "It was a race to be first, not right. Sloppy, biased reporting."

The media has proved to be a powerful tool in disseminating information throughout history. As designated watchdogs of this country, many people take what the media to say as accurate and true since individuals do not always have the means of finding truth themselves. However, what happens when the media reports inaccurate information? Journalists tend to shy away from reporting information they know to be completely wrong, but many times reports dip into the gray area of inaccuracy—not lies, but not the truth. As in the University of Colorado case, inaccuracy can be found in biased, reckless reporting. It can be seen in the media's failure to scrutinize statements and its decision to omit information from stories. Inaccuracy is such a problem that it can tip the scales. It can only slightly mislead the public or it can cause a full-blown controversy.

- **Inaccuracy by Omission**

Barnett held a press conference addressing Hnida's allegations on February 17, 2004.

According to the sound bite from an interview with Barnett on Larry King Live, a reporter asked why teammates did not want Hnida on the team.

Barnett responded, "Just new, different—it's just—you know, it's a guy sports and they felt like Katie was forced on them."

The reporter then asked if it was a question of her athletic ability.

Barnett responded, "Well, Katie was, Katie was a girl. And not only was she a girl, she was terrible. OK, and there is no other way to say it, she couldn't kick the ball through the uprights. She took reps instead of players who were much better than her because we were giving her an opportunity."

The reporter followed up the question by asking if Hnida's performance justified the treatment she received, and Barnett said, "Absolutely not," according to an article written by Dave Kopel in the *Rocky Mountain News*.

Hearing Barnett's answer within the correct context became a rarity following the press conference.

In an interview between Rick Reilly and American Morning's Soledad O'Brien (of CNN), the sound bite from the press conference read: "Well, Katie was, Katie was a girl. And not only was she a girl, she was terrible." The video clip from the program did not include the reporter's question.

Not only did the media not provide transparency to the quote, they misconstrued it so that it took on a whole new meaning.

“... [Barnett] was repeatedly asked if his players disrespected Hnida because of her gender or because of her kicking abilities,” said Bruce Plaske in his book Buffaloed: How Race, Gender and Media Bias Fueled a Season of Scandal. “Television news reports endlessly replayed that portion of the interview without replaying the questions leading up to it. They made it appear as though Barnett was saying it was okay to sexually abuse the young woman because she was a bad kicker. He didn’t say that” (page 83).

The result of journalists’ failure to make transparent the context of the quote can be seen in an article from CNN. According to the article, “After a former kicker came forward to say she was raped by a teammate, the coach indelicately described her as a ‘terrible’ player.”

Why would the media deliberately mislead the public?

“It made for a better sound bite to not include the question and just put on Gary’s answer and say that was his reaction,” Plati said in an email for this case study. “The media, especially cable news, is driven by controversial stuff.”

The university suspended Barnett for three months with pay for his comments about Hnida’s athletic ability. He was later reinstated as the head coach of the Buffaloes.

“I think I said the wrong thing, the wrong way, and at the wrong time,” Barnett said in an interview with Larry King Live on CNN. “We were trying to express our concern for Katie over the allegation of her experience in our football program. And I was trying to communicate that we cared about Katie. That we were going to go to any extent that we could to help her achieve her dream of being a college football kicker. No matter what her ability was, we were trying to find a way to make sure she had a chance to do this.”

- **Inaccuracy by Fabrication**

In addition to the inaccuracy of Barnett's response, USA Today wrote in an article, "Answering questions from reporters about Hnida, the coach called her a 'terrible' player. He also said he would 'back' a player accused of assaulting a 19-year-old athletics department worker in 2001."

The construction of the quote makes it sound like Barnett said these words during the press conference following Hnida's allegations, since that is where the reporter draws the first segment. However, the second sentence and the Hnida quote do not relate to the same cases. The latter segment is a quote from an unidentified woman in a police report who said Barnett had told her he "'would back his player 100%' if rape charges were pursued," according to a separate article from USA Today, although it is not noted as a correction.

"It is almost like [the media] edits stories by what they don't put in," said Plasket in a telephone interview for this case study.

The fabrication of the quote by sewing together two quotes from separate days and incidents is no different than making up a quote. The source's meaning becomes lost since the reconstruction causes the quote to be taken out of context, just as with the "Katie was a girl" sound bite.

"It's a sexier news story," said Plasket of media's failure to present the whole truth. "It's more interesting."

- **Inaccuracy by Failure to Scrutinize**

In an interview on the Today Show, January 11, 2005, host Katie Couric told Hnida that Barnett said she kissed everybody on the team and gave lap dances to players.

"Gary Barnett didn't accuse her of that but it happened," said Plasket in an interview. "I think she blamed Gary for putting that story out. Gary made a conscience decision, he and the

athletic director. I have emails showing that [they were not] going to say anything about Katie's conduct."

The emailed correspondence between Barnett and former Athletics Director Dick Tharp was leaked. However, Couric does not mention that her source is an email—only that Barnett *said* she kissed everyone on the team and gave people lap dances. In the email Barnett asks, "What should we do with information 'about Katie's sexual conquests,'" said Plasket in an email for this case study. Upon which Tharp "indicated that it would be politically suicidal to mention her past. The two eventually agreed not to address that subject at all."

Therefore, if both Barnett and Tharp agreed not to speak of Hnida's past, how can a quote be directly attributed to either one of them? Would it have not been more appropriate to disclose that the source of the information came from an email and not direct words?

The Today Show also played the "Katie was a girl" sound bite at the beginning of the program, following the media's previous example. Couric also noted that 10 women had accused CU football players of sexual assault since 1997.

However, this number came from an advocacy group in Boulder, according to Plasket in an interview. When prodded for validity of the statement, the group maintained that the information was confidential since rape victims' names are never provided by law and there were no other means of determining whether the statement was true. Even without valid sources, the Today Show used the information.

Reporters' "conduct was the only real scandal," Plasket said in Buffaloed. "They trumpeted unsubstantiated allegations, failed to investigate those charges and later crawled under a rock—failing to follow up on their sensational stories after numerous official investigations found the scandal to be virtually without substance" (page 9).

However, as a journalist, it is their job to see through the agendas of those in power by applying scrutiny to what others say. No one talks to a journalist if they do not want their story out, so it is important to realize that information readily handed over is likely to have an agenda attached to it.

“Katie Couric just went along for the ride,” said Plasket. “You expect there to be opportunistic individuals out there. That’s why [journalists] are there, so [they] can apply some scrutiny. Don’t take everything hook line and sinker. The media has lost its scrutiny.”

The Gender Factor

What caused the media to report inaccurate information following Hnida’s allegations? Why did the media feel the need to take quotes out of context and thus vilify head coach Barnett? The media has a history of playing up women as victims in their reporting. Granted, Hnida was allegedly a victim of rape and sexual assault, but she was not Barnett’s victim. Although he criticized Hnida’s athletic performance on the team, Barnett did not rape or sexually assault her. However, with Hnida’s refusal to name her aggressors, as head coach, Barnett fell next in line to those responsible for the transgressions against the only woman to play Division 1-A college football.

Hnida is not the first young woman the media has taken advantage of because of gender and quite possibly looks. The media played out 19-year-old Pfc. Jessica Lynch’s rescue by U.S. Special Forces from Iraq like a Hollywood movie. She became a war hero against a backlash of patriotism at a time when support for the war began to wane. Americans have now learned the media failed them during this time by not scrutinizing information the Pentagon fed them. Contrary to initial reports, Lynch was not shot or stabbed. The Iraqis did not mistreat and interrogate her at the hospital. In fact, they attempted to release her back to the Americans. The

Iraqi military had fled by the time the Special Forces arrived to rescue Lynch, so why the Hollywood production of the ambush? How did this edited information reach the public without scrutiny? Journalists are supposed to be watchdogs of this country, but who are they guarding? They let individuals in power walk all over them and invade our homes with their lies and fabrications. Today's media is not even letting out a bark for a warning.

The intense media coverage in the Natalee Holloway case has also been criticized for its disproportionate coverage in the news. Holloway went missing in Aruba May 30, 2005. The media saturated her story in the news until Hurricane Katrina took the spotlight at the end of August. The lengthy, in depth attention devoted to Holloway has even given rise to a new term called "Missing White Woman Syndrome" which argues that white women and girls receive unequal attention in the media in missing cases compared to those involving men or non-white people, regardless of gender. The symptoms can be seen in the coverage of Laci Peterson, a pregnant woman killed by her husband, and Jennifer Wilbanks, famously known as the runaway bride who falsely claimed she was kidnapped and sexually assaulted in order to avoid her wedding day. The list of beautiful women saturating the news goes on and on, regardless of whether they claim celebrity status or not.

The media suffered from the same syndrome on television and in the papers following Hnida's allegations. She publicized her allegations in SI February of 2004, and she continued participating in televised interviews at least through January 2005, almost one year after her allegations became public and six years after the said rape and sexual assaults occurred. For an organization that gives priority to newsworthy events, one would imagine the hype in the media would have died down after such a long period of time.

However, Hnida was a blonde-haired woman victimized by her teammates. True to the Missing White Woman Syndrome, the media staged her as a damsel in distress. The story line of men overpowering women provided drama. The numerous accusations against the football team by several women provided fuel to the fire, especially when journalists failed to report information that would tarnish their perfect story.

“Media bias was never more evident than when police rounded up two black football players after a woman reported being drugged and raped by two men she met at a Boulder bar in 2004,” wrote Plasket in Buffaloed (pg. 194). “DNA tests failed to connect the players to the incident. But that part of the story went almost completely unreported.”

The media ate out of the hands that fed them information to fit the framework of their story. They refused to look past what District Attorney Mary Keenan and plaintiff lawyers fed to their stations, said Plasket, and thus reported one-sided information without letting readers know where they received it.

“I expect [politicians] to lie and have agendas,” said Plasket in a telephone interview. “The part that broke my heart was that the bad guys got away with it because the media let them and helped them. The media is supposed to be the watchdog and ended up being a lap dog.”

However, one can only help but wonder how much the media is to blame since cases involving rape victims are such sensitive subjects.

“One of the problems in politically correct society is a newsperson or anyone else who puts scrutiny against sexual assault is a pig,” said Plasket in an interview. “There is no middle ground for normal intellectuals in political scrutiny.”

The media grappled with repercussions of scrutinizing the cases of the women who alleged they were raped during the December 2004 recruiting party. These women produced

conflicting information regarding their allegations, and yet the media failed to examine anything beyond what those in power fed them.

“There were certainly different versions of her story,” Plasket wrote in Buffaloed of one of the alleged rape victims, “but fear of insensitivity apparently kept the media from reporting the discrepancies. But just as it is wrong to reject all rape claims out of hand, it must surely be just as wrong to assume all rape claims are valid. The media never sought to find that balance, instead choosing to inflame public opinion based on a lawsuit that would eventually be thrown out of court” (Page 74).

However, even with the choice to follow standard ideology of treating rape allegations sensitively, the media’s attempts to contact the Colorado athletics department for rebuttal were below journalistic standards.

“They were biased against the university and in particular the football program during the entire ordeal,” said Plati in an email for this case study, “...obtaining leaked information during the day and calling for a response at 10 p.m. at night when it was hard to gather people together for a uniform answer...or things being leaked late Friday evenings when they knew they couldn’t find anyone to answer.”

Repercussions

In the end, Barnett was suspended for three months with pay during the 2004 off season for his comments on Hnida’s athletic ability, not his comments of her as an alleged rape victim. The university reinstated him before the 2004 season began as the head coach of the Buffaloes. His contract was bought out in a \$3 million settlement in 2005 after CU’s president, chancellor, and athletic director had left the university, according to an article on ESPN. Barnett currently works as a TV commentator for the BCS show on Fox Sports Net.

Hnida currently lives in New York City. She continues to speak about her experience and has released her first book, Still Kicking: My Dramatic Journey as the First Woman to Play Division One College Football, in the fall of 2006. The book speaks of her allegations, her transfer to New Mexico and how she made history.

The nine cases of sexual assault allegations that were eventually filed against football players at the University of Colorado were dropped by a unanimous decision by the Law Enforcement Task Force “based upon evidentiary considerations and/or the expressed wishes of some victims not to be subjected to the criminal justice process,” according to a statement made by the task force April 11, 2004.

The media circus is finally over surrounding the Hnida allegations and the allegations of the other women, but lives have likely been changed. Barnett no longer coaches. Hnida found publicity but at the expense of revealing deeply private emotions. The players involved in the allegations will never forget the accusations forced upon them, and likely neither will their families.

But whose fault is it? Who changed these peoples’ lives? Surely they had a hand in their dealing, but had it not been for the media, the stakes would not have been so high. The whole country, including some parts of the world, would not know of these peoples’ transgressions, many of them false transgressions. The whole nation would not remember Barnett as the coach who said Hnida’s sexual abuse was justified because of her athletic ability. The media brought that monster to life and fed it for at least a year, and then once again when Hnida’s book came out in 2006. Reputations were ruined because the media failed at its job. Journalists raked innocent people over the coals when their job is to protect the innocent by reporting unbiased truth (at least to the best of their ability).

“That place [the University of Colorado] was not what it was painted out to be,” said Plasket over the telephone of the media’s involvement in blowing the case out of proportion. “Without the media’s help, those people [those accusing the players of rape and sexual assault] could have never accomplished that.”

Yet the media was not punished for its crimes. An individual can file lawsuits for slander and libel, but what happens when the media writes the truth, yet in a way that fools the public? What happens when all media outlets follow suit? Who is to blame?

“There is no accountability,” said Plasket in an interview. “[The media] can be as bad it wants and you don’t got to jail for writing a bad story.”

So what good do the media do this country if it cannot do its job well? It calls itself a watchdog, but it gobbles up the treat the intruder feeds it and lets them by to infiltrate our minds with their lies and one-sided stories. Who can we trust if we cannot trust the media to provide a voice for the people? We may as well throw out the First Amendment. There is no free speech if there is no way to give Americans a voice, and there is no free press if journalists will not use it properly.