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Effects of case will spread beyond Colorado

Associated Press

DENVER -- [Kobe Bryant](#) never ended up standing trial for sexual assault, but the effects from his high-profile case are expected to spread far beyond Colorado.

Sports marketing experts say the case has changed the way celebrity athletes are viewed for endorsement potential. It helped revive discussion among news media about when to identify alleged assault victims. And it has prompted a closer look at Colorado law intended to protect the privacy of people like the 20-year-old woman who accused Bryant of rape.



Bryant

David Carter, a sports marketing consultant at the Los Angeles-based Sports Business Group, said companies used to relying on sports superstars to help them sell their products have already started looking at their pitchmen more closely.

Before Bryant, superstars such as [Michael Jordan](#) and Tiger Woods were part of a "class of people who were so above the fray" they weren't scrutinized, Carter said.

"What a reality check this has been," he said. Before Bryant, "sports marketers really wanted to know they were getting a return when they were sponsoring sporting events. Bryant brought that same microscope to when it comes to celebrity endorsements. It's kind of good because everybody is going to be doing their homework."

At the Colorado Legislature, the tough tactics of Bryant's defense team led to one of the most obvious legacies of the case so far: An effort to strengthen Colorado's rape shield law.

State Sen. Dan Grossman, D-Denver, said the NBA star's attorneys were able to put the accuser on trial because of a loophole in the current law.

During the preliminary hearing, defense attorney Pamela Mackey stunned observers by suggesting the accuser had sex with multiple partners in a short amount of time surrounding her encounter with Bryant. The woman's sexual history was headline fodder for months before the criminal case was dropped.

"If we learned anything from this case it's that we need to be vigilant in protecting victims of sexual assault," Grossman said Wednesday after Bryant and the woman, now 20, agreed to a confidential settlement of her civil lawsuit.

A change proposed by Grossman, which has won approval in the Colorado Senate, would prohibit discussion of an accuser's sexual history during a preliminary hearing unless a judge rules otherwise. The rule already applies to trial proceedings, with attorneys required to persuade a judge behind closed doors why the information is relevant.

Without the change, Grossman said, the Bryant case could become a "blueprint" for lawyers who want to defend their clients by attacking their accusers.

Cynthia Stone, spokeswoman for the Colorado Coalition Against Sexual Assault, said it will take time to know whether the case and others like it will discourage women from reporting rapes.

"Sexual assault is the lowest reported of any crime," she said.

Among the media, the case prompted examination of long-standing policies against naming alleged assault victims. The civil case judge ruled the woman must use her name in court and at least one large newspaper, the Rocky Mountain News, identified her and published her photograph.

The Associated Press, which generally does not identify alleged assault victims, did not change its policy for Bryant's accuser.

Whatever self-examination in the media has happened so far hasn't been enough, said Geneva Overholser, a professor at the Missouri School of Journalism who dropped her Web log for the Poynter Institute last year after editors with the journalism think tank declined to let her identify Bryant's accuser.

"What I wish people would hold on to is that the press is not equipped to determine guilt or innocence, and that when we name one party and then depict ourselves as protecting the other party, we seem to be putting ourselves in a position where we are deciding on guilt," she said.

Overholser worked on a 1990 Pulitzer Prize-winning newspaper series in which an Iowa woman who had been raped agreed to make her identity known. She said in highly publicized cases, media decisions not to name the accuser provide only scant protection anyway.

In Bryant's case, his accuser's name and photos were splashed across covers of supermarket tabloids while numerous Web sites -- including the state courts site, through accidental postings or e-mails -- published her name and other details.

"The mainstream press are not the gatekeepers that they once were," Overholser said.

In Eagle, the woman's hometown, former mayor Roxie Deane was cheered by news of the settlement. She said the case put the town on the map, which wasn't necessarily positive.

"Eagle is a great place. It needs to be known for other things," she said.