

Vedral assault case hinges on consent

■ The prosecution and defense agree the linebacker and a woman had sex but disagree on why.

BY JOSH FUNK

At the center of suspended NU linebacker Mark Vedral's sexual assault trial is the issue of consent.

In Tuesday's opening statements, the prosecution and defense agreed that Vedral and the woman had sex.

It is the events leading up to and following that act that will determine the linebacker's guilt or innocence.

"On May 6, 2000 (the victim) was asleep. She awoke from sleep with a man on top of her, and he was having sex with her," Deputy County Attorney Laura Pasold said.

But defense attorney John Sohl argued that the sex that night was consensual. Sohl said Vedral had talked with the woman before they started making out and then moved on to sex.

Last spring, Vedral, 21, was fighting for the starting weak-side linebacker job before he was sus-

pending May 9 after being charged with first-degree sexual assault.

The trial in Lancaster County District Court Judge Bernard McGinn's courtroom is expected to last through the week.

A jury of eight women and four men was selected to hear the case after the judge and lawyers quizzed them all on their past experiences and penchants for Husker football.

Almost everyone admitted following the Nebraska football team.

Once the jury was impaneled and opening statements concluded, the victim took the witness stand and recounted the events leading up to the alleged attack.

On cross examination, Sohl questioned the victim's recollection of the details of that night before the court recessed for the day. Cross examination is scheduled to resume this morning at 9 a.m.

The young woman had to leave the courtroom during opening arguments, and she became visibly shaken several times during her testimony.

On the night of May 5, the victim said she had gone to a friend's graduation party near 33rd and

Van Dorn streets.

At that party, the victim ran into Chris Kelsay, who was a friend and former boyfriend.

Around 1 a.m. police broke up the party, and the victim, a University of Nebraska-Lincoln student, was stranded without a ride until Kelsay offered to take her to his house where another party was going on.

Kelsay and the victim arrived at his home at 1005 Michelle Court where the victim was first introduced to Vedral.

Kelsay shared the duplex with Vedral, Tracey Wistrom and Kyle Vanden Bosch, who are all football players and could be called as witnesses.

Later that night, police also broke up that party after which Kelsay and the victim went down to his basement bedroom where the two had sex.

The victim then went to sleep in Kelsay's bed while he went upstairs.

A few hours later, the woman said she woke up with a man on top of her having sex.

"I was groggy when I first woke up, and I couldn't tell what was going on," she said.

At first she said she thought the man might be Kelsay, but shortly realized that it wasn't after

touching the man's head, which was shaved. Kelsay had 1-inch long hair then, she said.

The woman pushed the man off of her and asked who it was, getting no answer. When she turned on a light, the woman saw Vedral walking out of the room without wearing any pants.

The defense argued in opening statements that the woman should easily be able to tell the difference between Kelsay and Vedral. The men have a different build and Kelsay weighs about 50 pounds more.

The woman said she then dressed and went upstairs looking for Kelsay, who had left to take a friend home.

The victim said she was hysterical at that point and tried to call friends for a ride home. She was startled by someone who came into the kitchen and dropped the phone before fleeing to a neighboring duplex.

There the victim contacted friends, who took her to the hospital where police were called.

The state will present the rest of its case today. The defense will start to present its evidence either today or Thursday.

If Vedral is convicted, he could face a sentence of up to 50 years in prison.

Interims continue to work hard

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back to associate vice chancellor.

Lewis said he was working closely with Jackson to ensure programs that he worked on

were still being pursued.

"It's not like I've disappeared off the face of the Earth," he said. "I'm still heavily involved with things. And if (the program is) something that makes sense, it will be carried forward."

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