

## Suspended Yale Student Acquitted in Halloween Rape Case

A jury Wednesday acquitted a former Yale student of raping a fellow student two and a half years ago. Now, he is seeking reinstatement to the university.

By Robert Storage



Norm Pattis, founder of Pattis Law Firm.

**A** Yale University student has been found not guilty of raping a female peer on Halloween night in 2015.

A six-person jury deliberated three hours before rendering its verdict that 25-year-old Saifullah Khan had not raped the woman, who claimed Khan forced himself on her after the two had been drinking.

New Haven attorney Norm Pattis notched the victory, telling the Connecticut Law Tribune Wednesday afternoon that the trial lasted seven days.

“This was consensual. They had too much to drink and ended up in bed. The next morning, she claimed rape,” Pattis said.

“There is a lot of murky and ambiguous sexual conduct on campus.” Pattis continued, acknowledging heightened awareness of sexual-assault allegations in connection with the #MeToo movement. “In our times, issues like this are being politicized and used as a weapon in identity politics. We were happy to beat back the powers of unctuous righteousness in this case.”

Pattis said Judge Brian Fisher disallowed use by the plaintiff of the constancy of accusation doctrine, an exception to the rules barring hearsay testimony, and that helped his client. People the victim told about the alleged sexual abuse were excluded from testimony. “As a result, we were also able to prevent evidence that he was suspected of other acts of sexual misconduct while at Yale,” Pattis said, adding, “There were no other alleged rapes, but rather other women who claimed he had not respected their boundaries.”

Another hurdle in the case, according to Dan Irwen, Pattis’ co-counsel at Pattis & Smith LLC, was possible media bias in conjunction with the #MeToo Movement and the fact that Khan is from Afghanistan and of Muslim faith.

“It was a hard case to try and the stakes were high,” Irwen said Wednesday. “We were concerned of what people might think—that they’d stereotype him as having misbehaved because of that.”

In addition, Irwen said, “We were concerned with all of the #MeToo coverage as to whether our client would receive a fair trial or not.”

Pattis said Khan, who was charged with three felonies and one misdemeanor related to the alleged assault, had been studying neuroscience and wishes to be reinstated to the university immediately. Irwen said he will contact Yale in the coming days to have the suspension removed. Yale’s media department could not be reached for comment Wednesday.

The plaintiff was represented by Maura Crossin, executive director of the Victim Rights Center of Connecticut, and the state attorney’s office. Neither office responded to requests for comment. ■