

‘We’ll find out who’s lying’: Lyndsi Lambert alleged rape, but felt like the suspect

By [Diana Samuels, NOLA.com | The Times-Picayune](#)

on May 20, 2015 at 10:50 AM, updated May 20, 2015 at 3:30 PM

He thinks I'm lying. That's what Lyndsi Lambert says she was thinking the afternoon of Sept. 26, 2014, as she watched the police officer sitting across from her in the small waiting room in Woman's Hospital in Baton Rouge.

East Baton Rouge Sheriff's Office Sgt. Jacques Jackson was taking Lambert's complaint about an incident the night before, in which Lambert says she was drugged at a Baton Rouge bar by a man she was dating, and then raped at his apartment.

As Lambert recalls it, Jackson looked over notes from an initial interview by Baton Rouge Police Department Detective Jonathan Medine, who handed the case off to Jackson after discovering it was not in BRPD's jurisdiction. As Jackson read the report, she recalls, he repeatedly looked up at her and audibly sighed. She interpreted his body language as disapproving, and his tone of voice and line of questioning as accusatory.

"So your clothes stayed on?" she recalls him asking. "So your eyes were closed and you couldn't see anything?"

Lambert said she told Jackson the questions were making her feel uncomfortable, and that in response, he raised his voice and told her he was just doing his job.

"If you think this is bad," she says he told her, "wait until a defense attorney gets ahold of you."

By this time, around 16 hours after she says the assault took place, Lambert had shared the details of her traumatic experience several times -- to her sister, to the victims' advocates at Baton Rouge's Sexual Trauma Awareness and Response center, to the BRPD, and now to a cop who she felt regarded her as a nuisance. Exhausted, in shock, and still feeling sick from the effects of the alcohol or of the drug she believes was slipped into her drink, she says, she started to cry.

"Are you done?" she says Jackson asked her. "Can we move on?"

Some things could have been handled better in this case." - East Baton Rouge Sheriff's Office statement

What Lambert says she thought: "This is who they (expletive) sent to help me? This is my only option?" Instead, she says she took a deep breath, gritted her teeth and replied: "Yes. Yeah, I'm done."

The sheriff's office declined to make Jackson available for an interview about that conversation, or other comments he made later in the investigation that Lambert felt were insensitive and accusatory. East Baton Rouge Parish Sheriff's Office spokeswoman Casey Rayborn Hicks said the sheriff's office was not aware of those specific comments being made, but acknowledged in a statement to NOLA.com | The Times-Picayune that "some things could have been handled better in this case," including "a level of sensitivity when questioning a complainant involving a sexual case."

Jackson was joined during part of his initial interview by Detective Leigh Rice, the case file shows. Lambert says Rice asked a crucial question: Did she think her date drugged her?

"He had every opportunity to," Lambert recalls replying, recounting how he had gone to the counter to get her second beer, and how she had left her drink behind with him at one point while she used the rest room. She has only blacked out from drinking twice in her life, she said, while she was in college. That was nothing like the paralysis she experienced that night, she said.

It would take nearly five months after that interview for Lambert's blood to be submitted for testing for date rape drugs, Lambert's case file shows; the blood taken from her during the rape exam was initially tested for STDs, but not for anything that could help prove whether or not she had been drugged.

Some date rape drugs leave the system very quickly: GHB (gamma hydroxybutyric acid), for example, can be difficult to trace as soon as eight hours after ingestion. Dr. Randall Brown, a Baton Rouge forensic medical examiner who specializes in women's sexual assault cases, said the length of time a drug can be detected is highly variable: It depends on a variety of factors, including the type of drug, dosage, the size and metabolism of the person being drugged.

Urine samples are generally more effective than bloodwork at detecting date rape drugs, Brown said. Medical forms from Lambert's rape exam, which she showed to NOLA.com | The Times-Picayune, indicate no urine sample was taken. The line that asks whether urine or blood was collected for a "suspected drug/alcohol facilitated assault" is checked "no."

A Woman's Hospital spokeswoman said the hospital's protocol is to let law enforcement determine when to use the Louisiana State Police Crime Lab's toxicology kits to collect evidence.

In a later meeting with Jackson that Lambert recorded and played back for a NOLA.com | The Times-Picayune reporter, Jackson indicates that he did not request a toxicology screening because he didn't see a reason why the man would drug her. They had already had sex before.

The East Baton Rouge Sheriff's Office was asked to verify the authenticity of the recording and agreed it sounds like the meeting that Lambert had with detectives on Oct. 15. The topics being discussed on the recording match up with a summary of that meeting in the sheriff's office case file.

"You performed oral sex on him the night before," Jackson tells Lambert on the recording. "So the thing is this: What motive would he have to put a date rape drug in your drink?"

"That sounds absurdly biased for you to say that," she responds on the recording. She angrily asserts to Jackson that she had provided him with a motive during an earlier interview: She said she had told the man after the one time they had sexual intercourse, about a week and a half before the alleged rape, that the sex wasn't good.

"You didn't tell me that," Jackson responds, as the argument continues, but the case file indicates otherwise. It notes that on Sept. 27, 2014, "She indicated that a possible motive ... was because he was upset that she told him that he was not good in bed."

The day after taking her complaint, Jackson questioned the man Lambert accused of raping her, the case file shows. He was cooperative, the file shows, and asserted everything that happened that night was consensual.

The man told Jackson that he and Lambert began to kiss when they got to his apartment, and he took photos when she lifted her skirt to show him a bruise he had left the night before while spanking her during oral sex. In his account, after she lifted her skirt they then had consensual oral sex, during which he took pictures. The man said she knew he was taking pictures because the cell phone was in front of her face and she didn't object, according to the case file.

After sex, the man told investigators, Lambert felt sick so she laid down in his bed and fell asleep for a time while he watched TV in another room. She later woke up and asked him to call her sister, he said. There's no mention in the sheriff's office records of him saying anything about Lambert having trouble moving or speaking, or being passed out on his couch.

He gave the sheriff's office his phone and allowed authorities to search it for the pictures.

That was the only interrogation the accused would face, according to the case file. Lambert, however, continued to be questioned by Jackson, in a manner that she regarded as hostile.

"Am I going to be surprised when I look at these photos?" Lambert recalls Jackson asking her, after he informed her the man had turned over his phone.

"I said, 'You're going to see me passed out in the same position over and over,'" she recalled.

Lambert said Jackson told her: "We'll find out who's lying when we see the photos." She also recalls him telling her that she could be charged with filing a false police report if found to be untruthful.

"At this point he's making me second-guess," Lambert said. "At this point I'm thinking, in the part that my memory has blacked out: Did we take pictures together at the bar or in the car?"

Thursday: *The absence of photos, and the presence of provocative text messages, complicate Lambert's case.*

Editor's note: *NOLA.com | The Times-Picayune does not as a standard practice identify the victims of alleged sex crimes. Lyndsi Lambert chose to publicly share her experiences to raise awareness about her case and how it was handled. Her*

story, told in three installments, is based on an extensive review of the official case file, court documents, audio recordings of Lambert's meetings with investigators and interviews with Lambert, her sister, law enforcement officials and victims' advocates. The alleged assailant, who declined through a lawyer to be interviewed, is not named because he was not charged with a crime.

http://www.nola.com/crime/baton-rouge/index.ssf/2015/05/lyndsi_lambert_alleged_rape_1.html