

Lawyers say Derrick Rose did not understand meaning of consent

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Derrick Rose faces trial in a rape case on Oct. 4. (MARY ALTAFFER/AP)

Derrick Rose doesn't understand that no means no, according to attorneys for the "Jane Doe" who says the former NBA MVP and two friends broke into her home and gang-raped her in 2013.

Attorneys Brandon Anand and Waukeen McCoy said during a 90-minute conference call that the Knicks guard admitted that he did not understand the meaning of consent when he was deposed in preparation for his \$21.5 million sexual assault lawsuit.

The lawyers and their client spoke with reporters Thursday to refute claims from Rose's defense team that she is a sexually aggressive gold digger trying to shake down a wealthy professional athlete.

Jane Doe's attorneys instead portrayed Rose and his co-defendants Randall Hampton and Ryan Allen as perverts who saw the shy 30-year-old California woman as a sexual object to be conquered.

"When asked at his deposition, Mr. Rose did indeed not have any answer as to what consent means, and we believe that the record will very clearly shows that (Rose) and his friends are sexual deviants who essentially decided they would have sex with the plaintiff no matter what," Anand said.

Doe also told the Daily News Wednesday that Rose knows that he hurt her. "He has to deal with what he did to me with his friends," she said. "I think that alone is a huge deal for him, whether he's showing it or not."

The case is scheduled to go to trial Oct. 4, the same day as the Knicks first preseason game against the Rockets in Houston. Anand said Doe's legal team remains hopeful that a settlement can be reached before then.

U.S. District Judge Michael W. Fitzgerald will rule on whether Jane Doe can proceed with anonymity through the trial next week.

"I don't want people to know that it's me," Doe said. "I don't feel safe. I don't feel like I could be myself and be comfortable now. I can't imagine how it would be if people knew who I was. I don't want to drag my family through the suffering that I've been going through."

Rose's defense team has tried to portray Doe as a sexually promiscuous woman trying to shake down a wealthy professional athlete. Documents provided to TMZ last week include a text message Doe purportedly sent to former roommate Kenya LaVergne that the website said suggests she had a sexual relationship with Lakers star Nick Young. Anand said the text message was "fabricated" and said Rose's lawyers were engaged in "criminal behavior."

Young's agent, Mark Bartlestein, told the News the allegation is ridiculous. "Nick's got nothing to do with this," Bartlestein said. "To bring Nick's name into this is wrong." Rose's attorneys did not return a call for comment. LaVergne did not respond to an email requesting comment.

Doe's attorneys called on the Knicks and the NBA to investigate the alleged assault.

"I know there is a morality clause in his contract," McCoy said. "They have the discretion to suspend him."

The Knicks declined comment. An NBA spokesman said the league is monitoring developments in the case.

Jane Doe was drinking and possibly drugged the night she was allegedly raped, and rape-victim advocate Kathy Redmond Brown, who also participated in the conference call, said the woman was too intoxicated to consent to sex that night.

"This is the core issue of this case," said Brown, the founder of the National Coalition Against Violent Athletes. "This situation was about plying somebody with alcohol to get them loose and get them to consent to things they do not want to do."

McCoy said Rose's own toxicologist has said that Doe was too intoxicated to consent to sex that night.

Doe and her attorneys say Rose had pressured his one-time girlfriend into having group sex and Skype masturbation sessions with him, but she repeatedly refused. She also said she said no the night the assault allegedly occurred. Doe, the daughter of Mexican immigrants, said she comes from a deeply religious family and said she has never been interested in having the type of kinky experiences she says Rose suggested.

"I'm not that type of person and Derrick knows that," she said.

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