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Stories

Bigfork girl recounts rape so others can learn from her ordeal

By MICHAEL JAMISON of the Missoulian

BIGFORK -- When young Brianna Michlig stepped out the front door of her house on Oct. 10 of last year, she had no idea her feet would carry her into t

But that first step set into motion an avalanche of events, as if she had kicked a pebble in crossing the threshold.

Stone by stone, she said, the pebble she loosed brought down a mountain, and hours wore on she was swept along, faster and faster, increasingly out of control.

When she hit rock bottom, the 15-year-old girl was sprawled naked on a bathroom floor at 3 a.m., head spinning in an alcoholic haze, body sore and abused.

She had been pumped full of liquor and raped, she said. Her assailants: teenagers much older than herself.

"I think this is a story that needs to be told," she says, looking back over the months with the thousand-yard stare of a combat veteran. "I just don't know where to start."

But start she does, in a quiet voice that wavers every now and again, and in the end she tells is a moral for other young girls, for boys becoming men, and for parents as well. It is a story of how bad decisions can lead to worse decisions, and how bad decisions can change your life forever.

Hers is a story not often told. Rape victims seldom speak out, juvenile rape victims almost never.

"But I'm not the first girl this has happened to," she says, "and I won't be the last. That's why I need to talk about it."

Brianna's story begins at Bigfork High School, where she was the popular sophomore -- "I've never had a problem with my friends" -- scored good grades, played on the soccer team, ran with the Valkyries at track meets.

Hey! Hey!

Michael Jamison deftly handles a story that's not often told -- and I liked the editor's note (at bottom) that the paper's thinking in running the name of this rape victim. -- DAVID STOEFFLER

Like any school, Bigfork High is home to a degree of peer pressure, but until homecoming night in October, she had done a pretty good job of staying abc fray.

"I try very hard not to associate with people who pressure me," she said. "Of there's pressure; it's in every group -- jocks, bookworms, everyone. It's impor in. All of us at this age are trying to fit in. I want to fit in, but I work hard not to

Which is why she had never been to a "kegger," never partied, never knocke beer with friends on a Friday night.

"I heard about parties," she said, "but they sounded pretty unglamorous. It se like a lot of girls had regrets. The whole party scene didn't really impress me much."

But when she offered to give a young man, a family friend, a ride to the home game, "well, everything just kind of unfolded."

Unraveled might be a better word.

When it came time to leave the game, she discovered the boy had smugglec bottle and was supposed to bring it to a teenage party south of Bigfork, just a Lake County line. He needed a ride.

"I wasn't sure what to do," she said. "But I wasn't just going to leave him ther thought I might as well just drop him at the party."

The pebble had started rolling.

When she arrived at the party, she said, she saw one of her girlfriends, and s two were talking.

"Next thing I know someone asks me to hold their beer for a minute," she sai

She waited a while, she said, getting used to the idea that the party scene w bad as she might have thought.

"Then, I'm not just holding it; I'm drinking it."

The landslide was picking up speed.

"It was only half a beer," she said, "but it was an awful judgment call on my p

That half beer, she said, left her feeling pretty good.

"At first, it was just like being really happy and smiling and thinking everythin funny." She drops into the second person, as if she's telling a story about sor else. "You're buzzed, and you're obviously not going to drive yourself home. you're already grounded for life, so why not have another?"

Unaccustomed to alcohol, Brianna failed to appreciate the fact that her feel-c was affecting her decisions, and that it's but a few short steps from giddy to b

The 16-ounce cups slid down cold, she said, refilled each time by the boy wr says finally raped her. Before long, those same teenage boys had picked hei

ankles, hanging her upside down so they could shoot the keg straight into t

"It just went from bad to worse," she said. "One minute I was happy and bu then all of a sudden I'm disoriented. That was scary. I couldn't make sense was happening."

The rest of the night is a blur, she said, a foggy cloud punctuated by stark n that will not let go.

At some point, she's in a senior's car, fading in and out as he fumbles for a

When he is done, she said, she feels humiliated. She withdraws into hersel the landslide crashes around her, she has another beer.

Not long after, she says, she is pushing another boy away and screaming "I tears her jeans away to force himself upon her.

Later, in the wee hours, she's seeking some peace and quiet and trying to g from the crowd "passing the pipe." The bathroom is empty, and she lays he the cool floor as the beer churns in her stomach.

But the senior finds her, she says, and pulls out yet another condom. She c nothing, she said, as he has his way with her right there on the bathroom flc

"I had no control at all," she said. "It was like everything was happening to s else, and I was watching."

That was 3 a.m., four hours before her mother found her on that same bathr

"We spent the whole night looking for her," said Brianna's mom, Bridget. "W the party, the place looked like a battleground. I just walked into the trailer. I know if I was going to be shot or not be shot. I didn't really care. If my daug there, I was going to get her."

Then came the screaming and scolding, the questions and the anger. Briann parents did not know all that had happened. All they knew was that their dau drunk and stayed out all night, and theirs was not a household in which daug such things.

They ordered her to get to work, telling her that if she was old enough to driv was old enough to deal with the hangover.

"I went to work," Brianna said. "But things were getting progressively worse. keep something like that inside."

The story finally spilled out, Bridget said, in part from Brianna and in part fro family friend who had led her to the party. Soon, still hungover and without sl girl was at the hospital, stripping down for a rape assessment. Then, she wa with law enforcement, telling her story to a stranger.

The boys were questioned, and one has been charged. The other may be sc state attorney general's office is taking up the case. But the police interventic to shore up Brianna's crumbling world.

She went back to school that Monday -- "I was just going to pretend like noth happened. It's no big deal, right?" But within days, "I basically started to have

breakdown. The emotions were there, and they were going to come out whether they wanted them to or not."

She was angry at the boys, she said, and angry at herself. She was angry at the teens who did nothing to stop the situation, and angry at her parents for not being equipped to deal with her pain.

"We misread Bri," admits her father, Michael. "She sounded so buoyant and happy. She seemed to be getting past it. We didn't see she was in jeopardy."

But 10 days after the party, she was at a low ebb, angry, depressed, suicidal.

"I was really questioning my self-worth," she said. "There was a lot of self-loathing thought, if I don't hurt myself, I'm going to hurt somebody."

Which is how she landed in a residential treatment center for suicidal teens. It was the "dark spot."

By the time she got back to school, the two boys she had accused had been expelled by police, and she was not the most popular girl in her class. Her friends still talked to her as they did some of the kids who had been at the party, but that did not stop the

"I got the most mortifying comments," she said. "People called me a slut and said I was ruining (the boys') lives. When people look you in the eye and call you a slut or threaten you, it's a whole different ballgame than your average peer pressure. I stuck it all away in a part of my brain that I don't visit very often."

But it visits her.

Sit on a bench with Brianna at the local mall and she can tell you where the security guard is standing. She can tell you what the man on the bench behind you is

Her hyper-vigilance is a welcome self-preservation instinct, but that doesn't mean she doesn't resent it.

"I shouldn't have to feel that way," she says.

Her mother agrees. "She went to a party," Bridget said. "She got drunk. She made some really dumb choices. But getting raped is not part of the price of admission."

Brianna admits she kicked loose the landslide that buried her, "but what finally happened is not my fault," she said. "I didn't deserve it."

It helps, she said, that she hears that from her family.

"She got herself to a party," Bridget said. "That's all. She can't be made to feel that what they did is somehow her fault. It's not. It's not my fault, either."

At first, Bridget said, she, like her daughter, sank into self-loathing.

"I must be the worst mother in the whole world," she remembers thinking. "How have I failed to have taught her the tools of self-preservation?"

But that feeling of guilt, Bridget said, "is not healthy. It's what keeps families together about things like this. They think they've failed themselves, failed each other.

the cloak of shame that gets wrapped around the family, and I wasn't prepared. Getting to the point where you even feel like you have the right to be angry is difficult."

Now, she said, the family is finding some strength in the telling.

"It's given me more of a voice," Brianna said. "I have more of a reason to have a voice."

"Girls need to know they have the right to be propelled by righteous fury," he said. "You're entitled to be angry, but you have to be angry not just about what happened to you, but angry that this ever has or ever will happen to anyone."

That Brianna's story has compelled four other girls at Bigfork High to come forward with similar stories is a comfort; but it is telling that she speaks a full two hours using the word "rape." This story is not often told because it is not easily told.

When telling it to girls, she said, she wants them to understand that it's not them and they are not alone.

When telling it to boys, she wants them to know no means no, and, sometimes drunken silence means no. Boys, she said, could do with a few lessons in communication and empathy if they are to become strong men.

And to parents, she says remember that your children are still children, even if they don't always believe it themselves.

"Your child really needs you to be there when something bad happens," she said. "They don't need finger-pointing. Don't condone their behavior, but support the process. They need you."

They need you, she said, lest the landslide continue for a lifetime.

"The world's a beautiful place," said father Michael Michlig, "but it's not always beautiful for women. These things that happen to young ladies have got to stop. The people who are going to stop it are the young ladies themselves."

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Lake County attorney hands case to state

By MICHAEL JAMISON of the Missoulian

POLSON -- After six months of heated dispute, Lake County's top prosecutor agreed to pass a potential rape case over to the state attorney general's office.

"I'm going to hand this over lock, stock and barrel," said Lake County Attorney Long. "I'm betting they won't pursue the case either, but I'm willing to find out."

Despite Long's recent change of heart (he had for months refused to give the state prosecutors), the victim's family still will hold a rally Wednesday outside the county offices. But instead of focusing on Long, they said, the rally will now key on the fact that this is National Crime Victims' Rights Week.

"I don't want Bob Long's head on a stick," said Michael Michlig, father of the who says she was raped by an older teen. "I thank him for passing the case state. But my intention is to keep the pressure on this case."

He will not, however, unveil a recall petition aimed at Long during Wednesday as was planned.

"As far as I'm concerned," Michlig said, "there will be no talk of the petition at

Michlig initially pushed for the petition after being frustrated by Long's refusal prosecute a teenager for the alleged rape of Michlig's daughter.

"My wife and I called him incessantly for months," Michlig said. "But we were consistently screened, delayed and put off. And so we became a very vocal t Bob Long's side."

Long's recent reversal indicates the thorn may have finally become too painfi

"The lesson here is you don't have to take the first 'no' as the final 'no,'" said victim's mother, Bridget. "You can reclaim your dignity and your power over y You don't have to crawl back into your hole and live your life as a silent victim make a change."

The story dates back to Oct. 10, 2003, when Brianna Michlig went to a teena after the Bigfork homecoming game.

While there, the 15-year-old became drunk and two classmates, ages 16 and sexual relations with her. Neither was her boyfriend, and she had had little or previous contact with either boy.

Brianna and the two boys all have admitted to the basic facts, but there rema debate over what was "consensual" and what was not, according to police re

A "rape kit" examination by the local hospital showed vaginal tearing and bru consistent with forcible rape, and Brianna has claimed both boys raped her, 1 state.

Long agreed that the 16-year-old likely raped Brianna, and that youth goes to September for that crime. But Long was less willing to go after the 17-year-ol because of the known facts in the case and because of a new state law Long his hands too tightly.

The law, passed in the last legislative session, requires that 17-year-olds cha serious crimes, such as rape, be charged as adults in District Court rather th juvenile court.

Long says to charge the teenager in District Court "is just not fair. It's not righ totally disproportionate to what happened. Fifteen- and 16-year-olds are havi over this great state every damn day, and for me to pull this kid out of the thc and single him out, well, I'm not going to do it."

Nor was he willing to send the case to the attorney general's office, "because might prosecute the case, and I don't agree with that."

The problem, he said, is that Brianna Michlig's initial report to police did not i what he felt was enough information necessary to make a case for nonconse

Long admits that at age 15, Brianna cannot by law give consent for sex, no matter the age of the boy involved. But Long says that law is flawed. Consensual sex between a 17-year-old and 15-year-old being treated as a felony is not right, he said.

Likewise, he said, the law requiring him to treat the 17-year-old as an adult is flawed. If he could be sure the case would be heard in juvenile court, he said, he would be more likely to pursue it.

"I looked at the case," he said, "and I decided I wasn't going to put this boy in the position of a felony sex crime. It just didn't make sense."

Michael Michlig, however, thought Long's argument did not make sense. The judge admitted to supplying Brianna with alcohol, admitted to having sex with her, and admitted he knew she was 15. That, Michlig said, made for a "slam-dunk" case.

"By way of the law," Michlig said, "Brianna cannot give consent. By way of reality, she did not give consent. Nowhere has she ever said this was consensual. It was predatory."

If the state has determined that a 15-year-old is too young to give consent, how then "how can Bob Long argue that a drunk 15-year-old can give consent?"

For months the rancor built between Long and the Michligs, with the family convincing nearly two dozen state lawmakers, Montana's congressional delegation and the public to help force Long's hand.

Along the way, they met others who supported their opinion that Long was not pursuing cases of violence against women with the proper vigor.

"Nobody can understand why he has such a problem with women," said Sheela Green, a local victims advocate who founded Polson's Community Coalition Against Violence. "I think that in cases of rape and abuse against women, he tends to exercise too much prosecutorial discretion on behalf of the suspect."

Michlig agrees.

"Bob Long, I believe, has a broken moral compass," Michlig said. "He seems to have an inordinate amount of care and compassion for perpetrators."

Long will have none of that, and says his record as a prosecutor speaks for itself.

"If they want to pull all the case files, if anyone wants to go through the files, they can," Long said. "I know what they'll find. They'll find that I have always taken all sorts of cases very, very seriously. The record is clear. We nail these guys a lot harder than they do in other counties around here."

Nevertheless, he said, if a case is not strong enough, or if the law does not fit the crime, then he will use his discretion.

"This is an easy case," he said. "She's 15. By law, the boy cannot have sex with her. I can do that case with my eyes shut. It's like shooting fish in a barrel. But the principle of it is what this is about. It's the principle of it. He's a kid still, and the penalty is disproportionate."

But with the political kitchen getting hotter, Long has decided to flip this fish out of the frying pan and into the state attorney general's fire. If the state does not prosecute, Long will.

said, he will be vindicated. If the state pursues the case, then he will have le something.

Already, before the case has even hit the desk in Helena, Long said new info emerging that might make the case stronger.

"If something comes up that we don't have in a police report, then I'll be very to see what that is," he said.

Michlig, for his part, is just glad the case will receive a second hearing.

"For months we asked (Long) to prosecute this case," he said. "Now, my worst nightmare would be to have Bob Long prosecute this case. I'm very, very pleased the state will review this."

As for the recall petition, the drive to generate the needed 1,400 signatures is dead, despite Michlig's easing off. Others have said they might pick up the banner at the rally.

"Good luck to them," Long said. "It's the system at work. Not everyone can go along with everyone else, and some of that just comes with the territory."

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A note from the editor

It is the Missoulian's policy not to identify the victims of sexual crimes. That continues to be our policy, but obviously today's paper not only identifies -- but also pictures the underage victim of an alleged sexual assault.

We did not make the decision to run these stories or this photograph lightly, and we deserve some explanation about why we have not followed our policy in this case.

The Michligns -- Michael, Bridget and their now-16-year-old daughter, Brianna -- contacted Missoulian reporters and editors weeks ago about the possibility of publishing their story. They said they wanted their names to be printed as part of the story.

Obviously, the family was concerned about some of the legal issues the case highlighted -- but they also believed that their story could be useful to parents and teenagers, and they also understood that the story has additional power with names and faces attached.

Nevertheless, this is not a decision to be made lightly. We wanted to be sure the Michligns -- and particularly Brianna -- had thought through the implications of going public with such a private story. After repeated discussions with the family, in conversations held Monday night, we were assured that the family had done that.

These stories may offend and upset some of our readers; we recommend in that parents use discretion in sharing the stories with younger readers. We published the stories today for some of the same reasons why the Michligns came forward -- we hope that the stories trigger discussion between parents, teenagers and citizens throughout western Montana.

Mike McNally, editor