None of the Spruce Creek High School football players nor the athletic trainer from last school year, who police said had group sex at the trainer’s home, remain at the school. Citing a lack of evidence and inconsistent accounts from the accuser, police decided not to file charges against the players in the case.
After toxicology reports showed no traces of a date rape drug, after the accuser kept waffling on whether she really believed she was drugged, and after people came forward with stories that the accuser had a history of behaving inappropriately with male students, no charges were filed.

DAYTONA BEACH, Fla. — Nearly three months after being accused of drugging and raping an ex-teacher, four former Spruce Creek High School football players have been cleared by New Smyrna Beach police for lack of evidence.

After toxicology reports showed no traces of a date rape drug, after the accuser kept waffling on whether she really believed she was drugged, and after people came forward with stories that the accuser — a former athletic trainer and teacher at the school — had a history of behaving inappropriately with male students, no charges were filed.

Now the accuser is under investigation. Parents of at least one of the former players urged police to charge the teacher with contributing to the delinquency of minors for serving alcohol to the players at her home, records show. Prosecutors are reviewing that case, Managing Assistant State Attorney Spencer Hathaway said.

That doesn’t mean there weren’t consequences for the players. News of the case reached the university that one of the graduating players was attending on a football scholarship. As a result, that scholarship offer was rescinded, the player’s father told The News-Journal.

“This should’ve never come out,” the father said. “This should’ve never affected his scholarship. ... He’s been through enough.”

The incident was reported June 1, two days after the 23-year-old woman and players had group sex at her New Smyrna Beach home, according to police reports. The woman who made the allegations resigned from her position at Spruce Creek High effective June 5 and then moved out of state, authorities said. Efforts to contact her have been unsuccessful.
Because the case involves an accusation of sexual assault, The News-Journal has decided not to name the former Spruce Creek High employee or the students at this time.

The pages of documents reveal several contradictions during the accuser’s conversation with police on the day she came forward with her allegations. She told Detective Brittney Gonzalez she had taken “a sip or two” of her alcoholic drink after the players showed up at her house. Then afterward, she started to “blank out,” reports stated. Later during the same interview, Gonzalez asked the woman whether she was possibly drugged and raped, and she replied that she had spent the previous two days going “back and forth on that,” Gonzalez wrote.

The accuser also changed her story about how much she had to drink that night but stuck with the story that she probably had three servings of honey-flavored whiskey. She also flip-flopped on whether the players consumed any alcohol that night. Two of the players were 18 and the other two were 17, police said. Based on information obtained during a controlled call between the accuser and one of the 18-year-old players, at least one of them did drink alcohol that night.

During that same controlled call, which was set up near the end of the woman’s June 1 interview with police, the woman pointedly asked one of the players whether anyone had drugged her. He replied, “No! How would they drug you?” Gonzalez wrote in her report.

After the call ended, the woman said to Gonzalez, “Yeah, that didn’t help my case either,” according to the report.

Gonzalez conveyed skepticism with the woman’s story.

“Based on the totality of the information provided in her statement, it seems like the sex was consensual,” Gonzalez wrote. Nonetheless, the woman underwent rape and toxicology tests.

“This was all a complete injustice,” said the father of the player who lost his scholarship. “From the very beginning, even the detectives thought it was ridiculous.”
Two of the players who spoke to The News-Journal in July said the teacher, who was close to the football team because she also was an athletic trainer at the school, had been flirtatious with them throughout the school year.

The players and their parents also provided police with evidence that seemed to contradict the teacher's allegations. One of those pieces of evidence was a video that captured nine seconds of the sex among three of the participants. Investigators said the video showed the woman getting digitally penetrated by one of the players while giving oral sex to another. At one point in the video, the woman could be seen smiling toward the camera, according to police.

Gonzalez, during her June 1 interview with the accuser, told her she would have difficulty determining whether a crime had been committed. Later during the same interview, Gonzalez told her that if a rape did occur, they deserved to be punished for it. The woman began to cry and said, “They do deserve that,” reports state. Gonzalez interviewed the woman for about 90 minutes, according to the report.

At one point, the woman told Gonzalez she did not consent to have sex with all four players because “I know I’m not that dumb,” Gonzalez wrote in her report. The woman also admitted she and the players smoked marijuana at her home.

Gonzalez also stated the woman seemed to feel “pressure” about going to police, mainly from her father, whom she told about the incident and who accompanied her to the police station.

Earlier on the night of the incident, the woman had sex at her home with her ex-boyfriend, who left before the football players came over, reports stated. She may have willingly had sex with one of the players, but not all four, she told police. The players who were interviewed later by Gonzalez told her the woman had video-chatted with them earlier that night and flashed her breasts to them. Then she invited them to come over, according to police.

In one player's account to police, he said the woman pointed to one of the players and told him, “I want you,” a report states. She had sex with that player first in her bedroom, and soon after they were done, the woman called the others into the room so she could have sex with them, according to reports.

Gonzalez stated in her report that one of the players she interviewed on Aug. 7 remembered hearing her call them out individually by their names and
instructed them to undress. The woman told them, “If you’re not scared, strip,” the detective wrote.

The 18-year-old players graduated from Spruce Creek in June. The other two transferred to different schools.

After a News-Journal story about the case earlier this month, a recent female graduate of Spruce Creek came forward and spoke to police. She told investigators that her teacher, the same one who made the allegations against the four football players, would “openly flirt” with the male students in her class. She reported the incidents to the school during the school year, and when it became clear that nothing was being done, she withdrew from that teacher’s class, she said.

At one point, a student wrote a message on the board asking the teacher, “Did you sit in sugar? Because you have a sweet ass.” The message remained on the board and the teacher would laugh about it regularly, the student told police.

Tony Holt is a reporter for The Daytona Beach (Fla.) News-Journal.