

STUDENT CONVICTED OF CAMPUS ATTACK ACCUSED IN TWO MORE CASES

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CHARLESTON, W.Va. (AP) — A student allowed to stay at Marshall University in West Virginia after a conviction for attacking a female student on campus in 2016 is now facing charges of sexually assaulting two more women, court documents show.

Joseph Chase Hardin, 22, has been indicted on second-degree sexual assault charges involving two women stemming from September and October 2018 incidents, according to court records filed Thursday. Hardin was jailed the following day, accused of violating probation for the earlier case in which he was accused of raping a student in her dorm room in February 2016.

A court hearing is scheduled Wednesday on the probation matter.

Hardin was originally charged with sexual assault in the 2016 case though he ultimately entered a Kennedy plea to a lesser charge of battery, allowing him to be convicted without admitting guilt. He was sentenced to a year in jail but the sentence was suspended and he was given three years' probation.



His court-appointed lawyer, Kerry A. Nessel, said he is representing Hardin for his probation case but said it was unclear who would be his lawyer for the assault charges. Nessel said he doesn't know Hardin and declined to comment further.

An ongoing federal lawsuit filed by the woman against the university describes a botched disciplinary process after the alleged 2016 rape as well as a pattern of harassment by Hardin. It says Hardin's continued attendance at Marshall forced the first victim to leave the college.

After the woman reported the attack, the college expelled Hardin but he was allowed to remain on campus during an appeal process. The college didn't place any restrictions that would prevent the woman from encountering Hardin, according to the lawsuit. The suit also says that in one instance, Hardin wore one of her headbands at a basketball game to mock her and that his friends taunted her on social media.

During a student conduct panel, the woman was aggressively cross-examined by Hardin's private attorneys when she didn't have a lawyer present, according to the lawsuit. No physical evidence was allowed because of the separate criminal trial against Hardin, it added. When the panel eventually cleared him, he winked at the woman as he walked by her, according to the suit.

Then, after reviewing the hearing process, college administrators reversed course and suspended Hardin from the campus grounds until his criminal case was resolved while still allowing him to take online classes. He unsuccessfully appealed that decision, but was allowed back at the school after he pleaded to the downgraded battery charge.

The woman's lawsuit against the university seeks unspecified compensatory and punitive damages.

Marshall spokeswoman Leah Payne said Tuesday that Hardin is still enrolled and that the more recent charges didn't occur on campus and didn't involve the school's police department. The college also released a statement saying it is weighing disciplinary action against Hardin.

The newer charges of sexual assault against Hardin involve alleged rapes of two women last year in the same county where Marshall University is located, according to an indictment.

Marshall University is a public college with about 13,000 students located in Huntington near the West Virginia line with Kentucky.