

Leaked 'rape' report sparks new Strauss-Kahn furor
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NEW YORK, Aug 17 — Opposing lawyers disputed the meaning of a medical report that said "rape" caused injuries sustained by the woman who has accused former IMF chief Dominique Strauss-Kahn of sexual assault.

L'Express magazine yesterday reported the contents of a medical file from the woman's first hospital examination in New York shortly after the May 14 incident.

"Cause of the injuries: assault. Rape," the report said, according to the French translation in L'Express.

A lawyer representing the accuser said the report proves the attack occurred.

But defense lawyers for Strauss-Kahn criticized her team for releasing the report, calling it "misleading and deceitful" because it was based almost entirely on her account.

Nafissatou Diallo, 32, a hotel maid from Guinea, alleged Strauss-Kahn, 62, emerged naked from the bathroom of his luxury suite at the Sofitel hotel on May 14 and sexually assaulted her — charges that Strauss-Kahn has vehemently denied. He is formally charged with attempted rape and sexual assault.

The report described Diallo's hospital examination when, "in tears," she told doctors at New York's St. Luke's Roosevelt Hospital that a man grabbed her crotch forcefully, leaving red marks on her vagina, and forced her to perform oral sex. The struggle also injured her shoulder, L'Express said.

Reuters could not confirm the medical report because Diallo's lawyer, Kenneth Thompson, was unable to make it immediately available. But Thompson said the report proves the attack occurred and belies the suggestion by Strauss-Kahn's defence team that any sexual encounter was consensual.

"The medical records are pretty powerful," he said. "Forensics don't lie. That's the bottom line."

But Benjamin Brafman and William Taylor, Strauss-Kahn's attorneys, said in a statement that using the medical reports was "misleading and deceitful." Moreover, they said the report confirms that the accuser did not have any injury caused by a forcible encounter.

"The hospital report's conclusion is based almost exclusively on the word of the complaining witness, who has been proven, time and again, not to be credible," they wrote.

"The physical descriptions of the complainant in the medical reports are not injuries at all, and are common conditions consistent with many possible causes other than a sexual assault, including consensual sexual activity days before the incident," the statement said.

The case pitting an illiterate hotel maid against a powerful politician has been filled with dramatic and unexpected turns.

The accusation upended the French presidential race and forced Strauss-Kahn to resign as managing director of the International Monetary Fund. Then Diallo was put on the defensive

when prosecutors disclosed she had lied about her past, undermining her credibility as a witness.

Diallo filed a civil lawsuit against Strauss-Kahn last week, seeking unspecified damages.

The lawyers' latest spat comes one week before Strauss-Kahn's next court date on August 23, which has been postponed twice to give prosecutors more time to investigate.

Questions about her credibility have forced Manhattan District Attorney Cyrus Vance's office to reconsider whether to pursue charges of sexual assault and attempted rape against Strauss-Kahn, once seen as a contender for the French presidency. In the meantime, he has been released from house arrest, though he must stay in the United States.

The District Attorney's office declined to comment on yesterday's report.

Strauss-Kahn has denied the allegations, and his lawyers have called on Vance to dismiss the charges. Thompson has insisted that Diallo's story of assault has remained unchanged and demanded that prosecutors move forward with the case. — Reuters

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