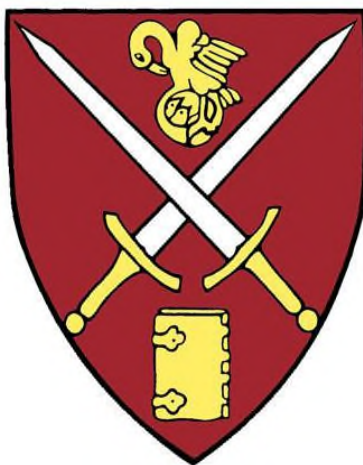


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FINAL REPORT – CODED FOR DISTRIBUTION

**INDEPENDENT INVESTIGATION OF
SEXUAL MISCONDUCT AT
ST. PAUL'S SCHOOL**



MAY 20, 2017

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PREFACE TO FINAL REPORT

On April 21, 2017, Casner & Edwards, LLP submitted a “Confidential Final Report - Not For Public Distribution” to counsel for St. Paul’s School (“SPS”). In response, counsel for SPS instructed us to code all victim and witness names, and to exclude the Appendices (some of which contained witness identities), prior to counsel’s submission of the report to the SPS Board of Trustees at their meeting on April 28, 2017. That coded report was submitted to counsel for SPS on April 25, 2017 (hereinafter “April 25th Coded Report”).

Following the Board meeting, SPS counsel instructed us to code certain faculty names, which were specifically identified by SPS counsel, and to continue to make every reasonable effort, without sacrificing substantive content, to minimize individualized identification of victims and witnesses we interviewed. SPS counsel also requested that we conduct a further investigation, described as Phase Four below, as expeditiously as reasonably possible.

Upon completion of Phase Four, SPS counsel informed us that this report will now be made available for public distribution. As such, SPS counsel instructed us to code specific additional information in order to further protect the identity of individuals. In addition, given the timing of the distribution of this report to the public, we have independently coded the names of certain faculty members alleged to have committed sexual misconduct for which we await further information.

I. INTRODUCTION

In May of 2016, SPS engaged Casner & Edwards, LLP to conduct an independent investigation of Reverend Howard Willard “Howdy” White Jr., a former faculty member in SPS’ Sacred Studies department from 1967 to 1971. Mr. White had been recently identified in newspaper accounts as a former faculty member at St. George’s School in Rhode Island who had allegedly sexually abused St. George’s students from 1971 to 1974.

In January and April of 2016, and again while we were conducting our investigation of Mr. White, SPS Rector Michael Hirschfeld invited and encouraged the SPS alumni/ae community to report on their own experiences with, or knowledge of, Mr. White and any other faculty and staff who may have been engaged in inappropriate behavior and/or sexual misconduct. As a result, our investigation expanded beyond the investigation of Mr. White to additional faculty members and staff who were reported to us by SPS alumni/ae. This report explains the scope of our engagement by SPS in each of the four (4) phases of our investigation, and our findings as to the alleged conduct of thirty-four (34) faculty members and staff, who have been reported to us to date.

We have grouped our findings as to the thirty-four (34) faculty members and staff into three (3) categories, based on the following criteria: (a) the nature and severity of the sexual misconduct involved, including whether the faculty member or staff engaged in activities such as rape, sexual intercourse or sexual assault; (b) the degree of harm and lasting impact to the

victim(s) resulting from the sexual misconduct; (c) whether the faculty member engaged in repeated sexual misconduct with one student or a pattern of misconduct with multiple students; (d) whether the alleged misconduct, if committed today, would violate SPS' written policies concerning faculty conduct and expectations; and (e) the availability and reliability of oral or written victim accounts, corroborating witness accounts, admissions by faculty or students, or other documentary evidence to substantiate sexual misconduct. We applied these criteria to the information provided and available to us to date, and then assigned each faculty member to one of the following categories:

A. Substantiated Sexual Misconduct

- Thirteen (13) former faculty and staff

B. Other Reports Of Sexual Misconduct

- Ten (10) former faculty and staff

C. Unsubstantiated Allegations Of Sexual Misconduct

- Eleven (11) current and former faculty and staff

As our report demonstrates, based on our interviews and investigation, we were able to substantiate a range of credible and very disturbing historical information about the conduct of certain faculty and staff at SPS. Put simply but starkly, several former faculty and staff sexually abused children in their care in a variety of ways, from clear boundary violations to repeated sexual relationships to rape. While there was no single pattern or type of methodology used by former faculty and staff who committed these sexually abusive acts, the conduct collectively, the impact on the students, and the tolerance by those who had some understanding of the acts, as well as the total lack of awareness expressed to us by most of the other faculty and leadership, is all equally troublesome.

Despite the range of incidents and forms of abuse, we did learn of three (3) cases that were similar in that they each culminated in the marriage of a faculty member and a student almost immediately following the student's graduation from SPS. In one case, a married faculty member engaged in sex with the student, then got divorced and married the student within two months of the student's graduation from SPS. In another, the faculty member met the student while she attended SPS under a foreign exchange program, and after graduation he followed the student to her home country where they married. Within months of their marriage, the faculty member died at age forty-eight (48), and the student committed suicide at the age of nineteen (19).

The allegations of sexual misconduct we investigated spanned a period of forty (40) years, from 1948 to 1988. Aside from the incidents that were reported to us or to the Rector in response to his 2016 letters, and those incidents that were reported to SPS by a group of alumni/ae from the Forms of 1975 and 1976 which led to an investigation by the law firm of Ropes & Gray LLP in 2000 (*See Section II* below), we have not received reports about, nor have we investigated, any allegations of faculty-student sexual misconduct that occurred at SPS since

1988. Whatever the reasons for the absence of reports may be, it is clear to us that, beginning in 1995, SPS leadership began to undertake efforts to establish written policies on boundaries and sexual abuse and harassment, and to educate faculty on mandatory child abuse reporting laws. (*See* Faculty Handbook excerpts for 1992-93 compared to 1995-96, Appendix G). In response to the disclosures of sexual misconduct in 2000 by the Form of 1975 and 1976 group, SPS went a step further by creating an ongoing task force which, over the next decade, implemented additional changes in policies, practices, reporting and training. (*See* Faculty Handbook for 2016-17, Appendix G). We expect that these efforts led to improvements in adult behavior and in empowering faculty and students to report faculty-student sexual misconduct in any form.

While we have substantiated many acts of sexual misconduct by former SPS faculty and staff, other allegations we received could not be substantiated under our criteria due in part to decisions by alleged victims, witnesses and/or those accused who declined to speak with us. Additionally, the lack of contemporaneous reporting of allegations of sexual misconduct, along with what we consider to be a very limited amount of documentation recorded and/or maintained on these topics, contributed to our inability to substantiate additional allegations of sexual misconduct during this period.

Despite the many troubling allegations we received, and information that we have been able to substantiate, we have also learned a great deal about the individuals who have attended SPS and remain a part of the extended SPS alumni/ae community. Each person we have encountered, from alumni/ae to former SPS Board members to the current leadership, has impressed us with his or her commitment to uncovering this history and to repairing the impact of the harm done to individuals by a full investigation, and by renewing a commitment to ensure that systems are in place to keep SPS students safe now and in the future.

In particular, we could not have completed our work without the commitment and support of Rector Hirschfeld, and the full cooperation of SPS leadership who assisted us with access to files, alumni/ae, faculty and staff. We are especially appreciative of the alumni/ae who courageously contributed to our investigation, despite how painful in many instances this active participation may have been. We also understand and respect the wishes of other alumni/ae in the SPS community who declined our request to speak with them.

A. The Stages Of The Investigative Process

Led by Senior Counsel and former Massachusetts Attorney General Scott Harshbarger, our team included Litigation and Special Investigations Partner and former Massachusetts Assistant Attorney General Edward V. Colbert III and Special Investigations Associate Carmen F. Francella III. This Team conducted all of the interviews and document/file reviews referenced and/or relied upon during the course of this investigation and in preparation for this report.

During the course of our investigation, we reviewed a total of thirty-seven (37) faculty and staff personnel files, and eight (8) alumni/ae files. We conducted interviews by telephone, Skype, or in person, with forty-six (46) alumni/ae. We interviewed ten (10) former faculty and

staff members, and two (2) current faculty and staff members. We also interviewed one (1) former Rector, the current Rector, and fourteen (14) former members of the Board of Trustees. In total, we have attempted to or did contact eighty-nine (89) individuals.

Along with our interviews, we were given complete access to all faculty and staff personnel files, to the extent they existed, as well as to any alumni/ae files, yearbooks, and SPS publications. We were also given contact information for any former faculty, staff, and alumni/ae that was available. SPS also arranged for the law firm of Ropes & Gray, LLP to grant us access to the files developed during its investigation in 2000.

B. Phase One: Investigation Of Former Reverend Howard Willard “Howdy” White Jr.

On January 7, 2016, following the series of Boston Globe articles on the investigation of incidents of sexual abuse concerning former Reverend Howard Willard “Howdy” White Jr. at St. George’s School in Rhode Island, Rector Hirschfeld wrote to alumni/ae informing them that Mr. White had also been a teacher at SPS from 1967 to 1971, prior to teaching at St. George’s.¹ The Rector wrote that while SPS had not identified from its records any misconduct committed by Mr. White while at SPS, any alumni/ae who may have received inappropriate attention from Mr. White should feel encouraged to contact SPS. (*See* January 7, 2016 letter, Appendix A).

Four alumni/ae from the forms of 1969 to 1973 contacted SPS. One male alumnus referred to Mr. White as a “predatory individual,” and stated that Mr. White “molested” a friend of his while at SPS. Another male alumnus expressed concern about other former faculty members being predators. Two female alumnae noted Mr. White’s misogynistic tendencies, but also indicated that there were far worse individuals on the faculty at the time.

On April 1, 2016, the Rector again wrote to the SPS community referencing the media’s ongoing investigation and reporting of sexual abuse at independent secondary schools by the Boston Globe. The Rector again invited others who may have been harmed to come forward. (*See* April 1, 2016 letter, Appendix A).

Following the alumni/ae reports on Mr. White, SPS engaged Casner & Edwards, LLP in May 2016 to conduct an independent investigation of Mr. White’s time at SPS. SPS turned over all of the communication from alumni/ae related to Mr. White or the issues raised by the media’s coverage of the St. George’s School allegations. SPS also provided Mr. White’s personnel file and other limited records available from that time period on Mr. White, including news releases regarding White’s travels and theater work at the School excerpted from SPS’ newspaper, The Pelican.

We began our investigation by contacting every alumni/ae who had written to SPS with any allegation regarding Mr. White. The alumni/ae included Student 1, Student 2, Student 3, and

¹ Howard Willard “Howdy” White Jr. was permanently deposed from the ordained ministry of the Episcopal Church on October 10, 2016. (*See* Notice of Accord, Appendix B).

Student 4. We also interviewed four (4) alumni who, according to the records we received, had traveled with Mr. White as students. Those alumni were Student 1, Student 5, Student 6, Student 7, and Student 8. We attempted to speak with Student 9 and Student 10, who we believed might have knowledge to share on Mr. White, but they did not respond to our requests for interviews. We also interviewed any former faculty members or staff known to have worked closely with Mr. White during his tenure at SPS. These former faculty included Andre Oscar Hurtgen, Faculty 35, and Faculty 36.

Following our interviews and review of the written materials, we issued the following reports to SPS: (1) "Report on Interviews with [Student 8]" dated August 16, 2016; (2) "Supplemental Notes to [Student 8] Report" dated August 30, 2016; (3) "Final Report on Howard Willard 'Howdy' White Jr." dated November 2, 2016. (*See Reports, Appendix C*).

In those reports, we documented Mr. White's extended sexual abuse of Student 8, who was a fifteen (15) year-old SPS student at the time.

As a result of our reports, SPS reported Mr. White to the Concord Police Department in August of 2016 pursuant to New Hampshire law.

C. Phase Two: Investigation Of Additional Faculty

On August 5, 2016, during the submission of our Phase One findings, Rector Hirschfeld wrote his third letter to the SPS community explaining our findings and the fact that SPS reported the findings to the proper authorities. (*See August 5, 2016 letter, Appendix A*). The Rector went on to reemphasize SPS's "commitment to making the School as safe as it can be" and wrote, "we will continue to retain Mr. Harshbarger as an added resource for alumni to contact about any adult boundary violations."

Following the Rector's letter, Phase Two of our investigation began. We received additional allegations from alumni/ae relating to sexual misconduct by former faculty and staff in addition to Mr. White. We then contacted those alumni/ae, and any witnesses to any such misconduct, and reported to counsel for SPS on each allegation and our findings in the event that mandatory reporting was required under New Hampshire law.

D. Phase Three: Review Of The 2000 Investigation And Report

During Phase Two of our investigation, we were contacted by several members from the Form of 1975 who reported to us that SPS had undertaken, at their request, a similar investigation into allegations of sexual misconduct by former faculty and staff in the fall of 2000. Several alumni/ae told us that they had participated in that investigation conducted by the law firm of Ropes & Gray, LLP, but said they had never seen any reports, findings, or conclusions from that investigation. As a result, we requested that SPS give us the opportunity to review the Ropes & Gray report and files from 2000 to determine whether there was any additional

information relating to alumni/ae or former faculty and staff that would assist in our investigation.

Per our request, SPS provided us all of the material in its possession related to the 2000 investigation, which included a report from Ropes & Gray in November 2000 to then Rector, Reverend Craig B. Anderson. SPS also arranged for us to review the investigative files at Ropes & Gray's offices in Boston.

Following our review of all of the 2000 materials, we learned that the Form of 1975 presented the SPS leadership with ten (10) typed accounts as to six (6) former faculty members who were alleged to have engaged in sexual misconduct with students, and offered to provide many more, including up to twenty (20) in total. We also learned that only three (3) of those six (6) – Robert Maurice Degouey, Steven David Ball, and Jose A.G. “Senor” Ordonez – were investigated and included in the Ropes & Gray report. We further learned the names of several of the twenty (20) or so former faculty and staff that were known to the Form of 1975 group, but who were neither shared with nor investigated by SPS and its counsel at Ropes & Gray.

At that point, we expressed our concern to SPS that several alumni/ae who were victims of sexual misconduct did not seem to know whether and to what extent SPS was aware of their abusers. For example, one of the victims who contacted us had asked whether there were any other victims of Reverend Douglas Thomas Archibald Haviland. In fact, there was an allegation made by someone else against Reverend Haviland as part of the 2000 investigation, but the allegation was never investigated. Other alumni/ae asked whether Mr. Ordonez had been investigated, despite the fact that the 2000 investigation revealed that he admitted to repeated sexual misconduct with students which led to his removal from the School in 2001.

The current SPS leadership was unaware of the scope of the 2000 investigation until after our review of the materials in Ropes & Gray's possession. Once informed, SPS leadership agreed that the limited nature and reporting of the 2000 investigation was a legitimate concern, given the expressed intent of the current Rector and SPS leadership to review the historical record of faculty-student sexual misconduct. Therefore, in late November of 2016, SPS requested that we, with all deliberate speed, continue our engagement and expand our investigation into Phase Three, which focused on the 2000 investigation and report (*See Section II* below).

E. Phase Four: Interviews With Members Of The 2000-2002 Board Of Trustees

Following their review of our April 25th Coded Report, the current SPS Board, through counsel, requested that we determine what each Board member in the 2000-2002 period knew about the Form of 1975 allegations, the Ropes & Gray investigation and report, the identities of faculty and staff members alleged to have committed sexual misconduct and investigated, and the so-called “List of Sexual Harassment Accounts” containing twenty-two (22) names compiled by the Form of 1975 group. Following this request, we engaged in an aggressive outreach effort to reach and interview every living former trustee who served on the board from 2000-2002.

The results of our Phase Four investigation are set forth in the revised version of **Section II** of this report.

II. THE 2000 INVESTIGATION AND REPORT

The 2000 investigation was conducted by Attorney Robert B. Gordon and his former law firm, Ropes & Gray, LLP in Boston. Mr. Gordon is currently a Justice of the Massachusetts Superior Court. At the time, Mr. Gordon and his law firm were already engaged by and acting as outside counsel to SPS, handling a range of legal matters since 1997, and they did not consider themselves to be, in any respect, “independent” counsel or that they were engaged to be “independent” investigators.

In September 2016, we visited SPS where we reviewed the SPS files on the 2000 investigation for the first time. We reviewed the Ropes & Gray report of November 2000 along with a list of alumni/ae accounts alleging sexual misconduct by twenty-two (22) former faculty members and staff, which were included together in the SPS files. The list was not dated, but was filed with the original 2000 report by Ropes & Gray. Following our review of these materials at SPS, we were given access to the complete set of investigative files which we reviewed at the law firm of Ropes & Gray on October 31, 2016.

Subsequently, during Phase Three of our investigation in early 2017, we spoke by telephone with Mr. Gordon; Reverend Craig B. Anderson, who was the Rector of SPS in 2000; Benjamin R. Neilson, who was the Chairman of the SPS Board of Trustees in 2000; and Administrator 1. We also requested to speak with Dr. Sharon D. Hennessy, who was the Vice Rector of SPS in 2000, but she sent a response email in which she declined to speak with us.

Based on our review of the Ropes & Gray files, we concluded that: (a) contrary to the express statement of Reverend Anderson to the Form of 1975 group that the investigation would be “far ranging and the chips will have to fall where they may,” the scope of the 2000 investigation, from the outset, as far as SPS and their counsel were concerned, was intended to assess risks of liability, to determine if any living faculty member posed a safety risk to others, and to preserve the reputation of SPS and any deceased former faculty member who was unable to defend himself; (b) several former faculty members and staff alleged by the Form of 1975 group to have committed sexual misconduct were not investigated because they were deceased or believed to be deceased; (c) the specific findings and conclusions of the 2000 investigation appear to have been reported only to the Rector, Vice Rector, and the Executive Committee of the SPS Board of Trustees; and (d) the members of the Form of 1975, and other alumni/ae who requested information about and/or participated in the investigation, were highly dissatisfied with the manner in which the findings and conclusions of the investigation were communicated, if at all, to them or to the wider SPS community.

In our discussion with Mr. Gordon, he recalled quite clearly the agreed upon scope, as well as the findings, of his investigation and essentially confirmed the information contained in the written records. In particular, he indicated that he could never have been considered to be

“independent counsel” to SPS in this investigation, as he had previously handled for SPS legal matters in the areas of educational policies, labor and employment policies, its non-profit status, and student disciplinary matters. He also indicated that if he were to do the investigation today, he would probably not limit the scope of the engagement to investigating only those former faculty members who were alive.²

In our discussion with Mr. Neilson, he similarly recalled the scope of the investigation, its findings, and the manner in which he shared Mr. Gordon’s report with the Board of Trustees and/or its Executive Committee. In our discussion with Reverend Anderson, his recollection of the details and results of the investigation were far less clear, due in part to the fact that he said he delegated the day-to-day work on this project to the then Vice Rector, Dr. Hennessey. In our discussions with members of the 2000-2002 Board of Trustees, they, in general, had no recollection of receiving anything more than a summary, if that, of the scope and results of the investigation. They were fully prepared to rely on counsel, the Rector, and the Executive Committee to make decisions about the appropriate way for the Board to proceed.

A. The Scope Of Investigation Was Limited

On August 14, 2000, a group of twenty-six (26) members from the Form of 1975, who later grew to thirty-seven (37),³ (hereinafter “The Group”) wrote to then Rector Reverend Craig B. Anderson following their twenty-fifth (25th) reunion to discuss incidents of sexual misconduct committed by SPS faculty members and staff against students during their years at SPS. (*See* Letter, Appendix D).

On September 16, 2000, five (5) representatives from The Group met with Rector Anderson and Vice Rector Dr. Hennessey, and presented them with detailed accounts of sexual abuse committed by former faculty members Edward Lawrence “Larry” Katzenbach III, who at the time was deceased, and by Jose A.G. “Senor” Ordonez, who at the time was retired from the SPS faculty but still working as the School’s archivist. At that time, some of The Group began calling this the “KO Project” after Katzenbach and Ordonez. However, the representatives said that they had about twenty (20) additional reports including other faculty members. There is conflicting evidence as to whether The Group was willing to share those reports with the Rector and Vice Rector in September 2000.

Two (2) members of The Group who attended the September 16, 2000 meeting told us that the Rector and Vice Rector stated that they did not want to see these reports. However, other correspondence from The Group to the Rector, including a letter dated October 3, 2000, demonstrates that The Group was clearly concerned about sharing the names of victims and witnesses with SPS without knowing whether those identities would remain confidential. (*See*

² At the outset of the 2000 investigation, the Form of 1975 approached the Rector and questioned Mr. Gordon’s “independence” and whether he could represent the interests of the victims since he was serving as counsel for the School.

³ The initial group of twenty-six (26) were comprised of Form of 1975 alumni/ae, however when the group grew to thirty-seven (37) members it then included alumni/ae from the Form of 1976 and beyond.

Letter, Appendix D). On September 19, 2000, Rector Anderson informed The Group that SPS had hired Mr. Gordon and Ropes & Gray to investigate the allegations, and he requested “a list of names and numbers for people willing to be contacted by our attorneys.” The Rector also informed The Group that there would be “no foreordained outcome, and the chips will have to fall where they may.” (*See* Letter, Appendix D).

On September 21, 2000, Rector Anderson wrote to Mr. Gordon confirming SPS' retention of Ropes & Gray. In the letter, Rector Anderson stated that SPS wanted him “following wherever the facts may lead, and to present conclusions that are consistent with the evidence regardless of who may be involved or affected.” Rector Anderson told Mr. Gordon that he wanted “the full truth.” (*See* Letter, Appendix D).

On September 25, 2000, Mr. Gordon wrote to then Vice Rector Dr. Hennessy that in his view SPS had “no alternative under law but to undertake an immediate investigation of the matter ... with the paramount goal being to get to the truth.” Mr. Gordon further stated:

“This investigation should be promptly and professionally conducted, with the paramount goal being to get to the truth and take whatever corrective action might be required to ensure the well-being of your students. Failure to do so could expose St. Paul's to enormous legal risks.

In the course of this inquiry, the accusers should be given every opportunity and encouragement to come forward with their concerns; and your investigators should be vigilant in pursuing any corroborative witnesses or other evidence that may be identified. At the same time, any accused person must be given a fair opportunity to confront and respond to the allegations registered against him. It is only in the crucible of a thorough investigation of this nature that the truth can be expected to emerge. While I know that you and the Rector are eager to do the right thing, the law requires no less.

At this point, the alumni group's allegations are just that – allegations. They must be taken seriously, and attention must be paid to the School's legal reporting obligations. That said, however, the accused have rights as well, and the School should do all it can to maintain as much confidentiality as circumstances allow. To this end, I recommend that a disclosure of the investigation's preliminary and ultimate findings be confined to the Rector, the Vice Rector, and a single member of the Board of Trustees. This will limit any reputational damage the accused might suffer, and thus mitigate liability risks on that end of the matter.” (*See* Letter, Appendix D).

On September 29, 2000, Rector Anderson and Mr. Neilson informed the full Board of Trustees about The Group, the investigation to be undertaken by Ropes & Gray, and the formation of a task force to review SPS policies on sexual harassment and abuse. (*See* Letter, Appendix D).

B. Only Three (3) Former Faculty Members Were Investigated

Beginning in the summer of 2000, The Group began communicating with one another, and with other SPS alumni/ae, about incidents of sexual misconduct which were reduced to writing. The list of those incidents, which was entitled "List of Sexual Harassment Accounts," eventually contained the following twenty-two (22) former faculty members and staff:

1. Edward Lawrence "Larry" Katzenbach III
2. Jose A.G. "Senor" Ordonez
3. Gregory DuBuclet
4. Robert Maurice Degouey
5. Steven David Ball
6. Reverend Douglas Thomas Archibald Haviland
7. Faculty 22
8. Faculty 19
9. Faculty 25
10. Faculty 23
11. Faculty 16
12. Faculty 24
13. Faculty 21
14. Faculty 31
15. Faculty 17
16. Faculty 34
17. Faculty 15
18. Faculty 18
19. Unnamed faculty member
20. Faculty 14
21. W. Douglas Renfroe
22. Dr. Terrence M. Walsh

As noted previously, this list was maintained at SPS, in their files, with the Ropes & Gray report, and The Group had made clear in 2000 that this list, in one form or another, existed and could be made available to SPS leaders. During Phase Four of our investigation, we discovered that the "List of Sexual Harassment Accounts" existed in two (2) versions: a coded version concealing the identity of faculty members and victims; and a partially coded version concealing only the identity of victims. During our interview with Student 13, a primary member of the Building Healthy Relationships Committee since 2011, he told us that the fully coded version concealing both the identity of faculty members and victims was received by SPS on November 5, 2011. Student 13 was not aware of the second partially coded version concealing only the identity of victims, which was not provided to SPS until March 2016 when it was received by the then Dean of Students, Administrator 2.

Neither Rector Anderson, Board Chairman Mr. Neilson nor the other fourteen (14) former Board members we interviewed, had any recollection of ever having seen the "List of

Sexual Harassment Accounts,” in either form. Mr. Gordon was also unaware of the list, and we confirmed that neither list was in Mr. Gordon’s files at Ropes & Gray.

Outside of The Group, the only individual known to have received the list prior to November 2011 was an unnamed attorney for Vanity Fair magazine, who requested the list from a member of The Group prior to the publication of an article in the January 2006 edition of the magazine referencing “29 masters” at SPS who had sexually abused students over a fifty-year period.

As for the 2000 investigation, the Ropes & Gray files we reviewed demonstrated that the firm had received ten (10) typed accounts from SPS alumni/ae alleging sexual misconduct by the following six (6) faculty members:

1. Edward Lawrence “Larry” Katzenbach III
2. Jose A.G. “Senor” Ordonez
3. Gregory DuBuclet
4. Robert Maurice Degouey
5. Steven David Ball
6. Reverend Douglas Thomas Archibald Haviland

The Ropes & Gray files show that only the following three (3) faculty members were investigated:

1. Jose A.G. “Senor” Ordonez
2. Robert Maurice Degouey
3. Steven David Ball

When we spoke with Mr. Gordon, he confirmed that, as with SPS, he was not given the “List of Sexual Harassment Accounts” in 2000, and that he was given only the ten (10) typed statements by alumni/ae regarding the six (6) former faculty members. He also confirmed that his investigation was confined to Messrs. Ordonez, Degouey, and Ball, because they knew or believed at the time that the other three (Reverend Haviland, Mr. Katzenbach and Mr. DuBuclet) were deceased⁴ and therefore could not defend any accusations made against them.⁵

C. Ropes & Gray Findings

On November 29, 2000, Mr. Gordon and Ropes & Gray issued a final report to Rector Anderson with regard to the three (3) former faculty members who were investigated. Attached to the report were detailed descriptions of the interviews that were conducted with fourteen (14) alumni/ae and with three (3) former faculty members. (See Report, Appendix D).

⁴ Mr. DuBuclet was not deceased in 2000, however SPS records indicate that then Vice Rector Dr. Sharon D. Hennessy believed he was deceased at the time.

⁵ Former Board Chairman Mr. Neilson also recalled that deceased former faculty members such as Mr. Katzenbach were not investigated.

1. Jose A.G. "Senor" Ordonez

Mr. Gordon found that Mr. Ordonez had essentially admitted during his interview to all of the allegations made by The Group. Mr. Ordonez acknowledged that he engaged in "romantic kissing, hugging and genital touching (through clothing) with students on numerous occasions during his career at [SPS]," and that he "engaged in far more explicit sexual behavior with multiple students over prolonged periods of time during the 1980's." Mr. Gordon recommended that SPS "completely sever its ties with Ordonez" including his resignation as archivist, divestiture of all privileges that attach to his status as faculty emeritus, and that it "permanently terminate its financial connection between the two."

SPS banned Mr. Ordonez from participating in School activities available to other faculty emeriti, terminated him as an employee, and required him to vacate his nearby condominium that was paid for by a fund created specifically for Mr. Ordonez by SPS alumni. SPS also funded a lifetime annuity intended to provide him with sufficient cash for room and board in another location. Mr. Ordonez died on February 26, 2008.

According to correspondence in the Ropes & Gray files, counsel for SPS, Attorney David Wolowitz of McLane, Graf, Raulerson & Middleton, sent a letter to the Concord Police Department on November 20, 2000 stating that allegations had been made by The Group against two former faculty members, one retired and the other deceased (presumably the retired teacher was Mr. Ordonez). (*See* Letter, Appendix D). In the letter, Mr. Wolowitz stated that he had also reported the matter to the New Hampshire Division of Children, Youth and Families (DCYF), and that DCYF informed him that there was no obligation to report the matter. In follow-up correspondence on December 4, 2000, Mr. Wolowitz provided the police more specific descriptions of the misconduct ascribed to Mr. Ordonez, stating in the letter that the accounts did not meet the definition of felonious sexual assault as there were no reports of personal injury. He further stated that the statutory exemption and the School's written agreement with the Concord Police Department stated that simple assaults were not routinely reported, but that he wanted to forward the information out of an abundance of caution. (*See* Letter, Appendix D).

2. Steven David Ball

Mr. Gordon found that there was a "substantial conflict of evidence" as to whether Mr. Ball had sex with Student 11 when Student 11 was a fifteen (15) year-old SPS student in 1974. Given that Mr. Ball denied having had sex with the former student, Mr. Gordon concluded that the evidence "strongly preponderates in favor" of Student 11's version that the two had sexual relations, because among other reasons he found that Mr. Ball's rebuttal allegations were "inherently unbelievable." Mr. Gordon recommended that SPS write a letter to Mr. Ball denouncing his behavior, and divest him of his faculty emeritus status and bar him from all school-related functions. He also suggested that SPS consider terminating Mr. Ball's remaining payout under a voluntary separation incentive plan at SPS, based on Mr. Gordon's findings that

Mr. Ball did not contractually cooperate with SPS by providing truthful testimony during the investigation.

In response to Mr. Gordon's letter, Rector Anderson wrote to Mr. Ball in December 2000, stating that the results of the investigation were "most disturbing" in that the evidence strongly suggested that he had engaged in fully consummated sexual encounters with a former student on two occasions. He also informed Mr. Ball that he gave inconsistent statements to Mr. Gordon about the incidents. Rector Anderson allowed Mr. Ball an opportunity to give "a full and truthful account" of his behavior before he would "make a final judgment." On December 29, 2000, Mr. Ball wrote back to Rector Anderson denying any sexual misconduct. In a letter to Mr. Ball on January 5, 2001, Rector Anderson stated that he had determined that Student 11's claim of sexual abuse by Mr. Ball could not be "conclusively credited," despite the findings of Mr. Gordon that Mr. Ball's explanation lacked credibility. Rector Anderson instructed Mr. Ball to have a "renewed sensitivity" to the issue of sexual abuse in future interactions with the School.

When we spoke with Rector Anderson, he said he recalled Mr. Ball well but could not recall the details of the incident that was investigated. Although he remembered Mr. Gordon's conclusion that Mr. Ball lacked credibility, he also incorrectly stated that he banned Mr. Ball from the campus.

According to correspondence in the Ropes & Gray files, Mr. Wolowitz reported this incident to the Concord Police Department during a meeting with the department on November 1, 2000. (*See Letter, Appendix D*).

3. Robert Maurice Degouey

Mr. Gordon found that there was substantial and credible evidence that Mr. Degouey had engaged in some fifty (50) episodes of oral sex with Student 11 when Student 11 was a fourteen (14) year-old SPS student in the fall of 1973. Mr. Degouey was deceased at the time of the report, so no further action was taken.

According to correspondence in the Ropes & Gray files, Mr. Wolowitz reported this incident to the Concord Police Department during a meeting with the department on November 1, 2000. (*See Letter, Appendix D*).

D. Report On Findings

On December 13, 2000, Rector Anderson circulated the Ropes & Gray report (without the attached descriptions of interviews) to the members of the Executive Committee of the Board of Trustees, along with additional materials, in advance of a conference call to take place two

days later.⁶ Rector Anderson stated in a cover memorandum that the purpose of the call was to keep them informed of the “difficult and troubling situations and to seek your approval of the arrangement of the annuity for Jose [Ordonez]....”

On January 9, 2001, Rector Anderson circulated another status memorandum to the Executive Committee describing a separation agreement that SPS entered into with Mr. Ordonez which provided that he would be removed from his School-purchased condominium and would enter permanent retirement out of state without the ability to participate in future SPS activities. Rector Anderson also described how, despite Mr. Gordon’s recommendation to denounce Mr. Ball’s behavior and divest him of other privileges as a retired faculty member emeritus, Rector Anderson had concluded that the allegations against Mr. Ball could not be “conclusively credited.”

In a meeting of the full Board of Trustees on January 26, 2001, the minutes reflect that Mr. Neilson reported on behalf of the Executive Committee that:

“Senor Ordonez has decided to leave New Hampshire and take up residence in Miami. Because the School owns the condominium in Concord and there exists a fund for his living expense, the School has purchased an annuity to provide him \$700 monthly living expense in Miami. This was done by the Executive Committee of the Board with the approval of those who initiated the fund for him originally.”

There is no mention of The Group’s allegations or the Ropes & Gray investigation and findings in the January 2001 minutes of the Board, or in the May 2001 meeting minutes of the Board. During our interviews of 2001 Board members, those members recalled very little about the 2000 investigation other than that Mr. Ordonez was removed from SPS in this time period.

Further, there is no record of any public statements to The Group, or to the larger SPS community, describing the actual scope of the investigation or the specific findings, conclusions, and actions taken in response to the report. For example, neither members of The Group nor any other alumni/ae seemed to have been notified as to the reasons why Mr. Ordonez was barred from SPS for life, or why the allegations against Mr. Katzenbach were not investigated and, some of the victims and witnesses who gave statements were not interviewed.

The only formal correspondence we saw from SPS to The Group regarding the Ropes & Gray report came in February 2001, when Rector Anderson mailed each member who submitted a statement or was interviewed by Mr. Gordon one of two (2) form letters. In one of the form letters, which went to the victims of Ordonez, Ball and Degouey, the Rector stated that SPS had concluded its investigation and that it had “gotten to the bottom of the matter and has taken appropriate corrective action.” (*See* Letter, Appendix D). In the other form letter, which was sent to those individuals who submitted statements accusing former faculty who were then

⁶ The Executive Committee was identified on a cover memorandum as having been comprised of Benjamin R. Neilson, Esq.; George F. Baker III, Elizabeth P. Munson, Esq.; Albert Francke, Esq.; and Winthrop “Wynn” Rutherford, Jr., Esq.

deceased (Katzenbach, Haviland) or thought to be deceased (DuBuclet), the Rector wrote that the events described were “unacceptable” but that he was “not in a position to know of or speak of your specific situation firsthand, and the lengthy passage of time and unavailability of many essential parties make investigation of the matter today a practical impossibility.” (*See* Letter, Appendix D).

Later in 2001, SPS and The Group agreed to collaborate on an article that was to appear in the spring 2002 edition of SPS's Alumni Horae, and would describe the 2000 investigation and work of the SPS Task Force to study the policies on sexual misconduct and boundaries. Student 12, a member of The Group, drafted the article, which Rector Anderson objected to due to among other things, its “confessional quality.” In a memorandum to the SPS Task Force in June 2001, Rector Anderson stated “[w]e live in litigious times, and in a press environment where the virtue of candor is easily warped into the vice of recrimination.” He added, “it is my judgment that an explicit confession of past sins ... would be unjustifiably destructive to the interests of the School.”

Rector Anderson commissioned a draft of two (2) different articles, without Student 12's involvement. The first, a “Letter from the Rector” which appeared in SPS Today in June 2002, referenced the investigation by Mr. Gordon without identifying any of the faculty or the findings and actions taken in response to the November 2000 report. (*See* Article, Appendix D). The second, a “Letter from the Rector” which appeared in the summer 2002 edition of the Alumni Horae, did not identify any of the faculty but did describe the investigation, some of the allegations, and the findings in general terms. The Rector stated “[w]hile we have expelled wrongdoers from our institutional life, we see no reason to rain public ignominy upon them.” The Rector also offered “to meet with any alumni who feel that they have experienced sexual abuse with the promise that we will investigate any and all charges and provide the necessary and appropriate pastoral support to address injury.” This article resulted in further disharmony between Rector Anderson and The Group. (*See* Article, Appendix D).

As far as other external communications relating to the report, the Ropes & Gray files did contain a six (6) page, confidential “Communication Plan” to assist with any public statements or interest in the 2000 investigation. The objectives set forth in that plan were to: protect the reputation of SPS; minimize media coverage; compartmentalize the issue as much as possible; and protect individuals' reputations.

In our interview of Mr. Gordon, he stated that he had no involvement in whether his report or his findings would be shared with anyone outside of the SPS Board. He also stated that it was made very clear to him that the SPS Board, led by Mr. Neilson, was not going to allow the findings as to Mr. Ordonez to be shared with anyone outside of the SPS Board.

E. Aftermath: Response By SPS Leadership And The Group

After hearing that SPS had taken action only against Mr. Ordonez, members of The Group began writing Rector Anderson and the Board of Trustees in 2001 complaining that “the

School has issued no communication regarding the outcome of this investigation” particularly to The Group which had “followed developments in this matter with keen interest and concern.” (See Letter, Appendix D). In response, Rector Anderson wrote that “no stone was left unturned” during the 2000 investigation, and that Mr. Gordon interviewed every member of The Group who expressed a willingness to speak on the record. Based on our own interviews, and the Ropes & Gray files that were reviewed, this statement was not true. Mr. Gordon clearly did not speak to every member of The Group that came forward and was willing to speak, because some of those members made allegations against deceased faculty members who were not being investigated. As to the lack of disclosure, Rector Anderson wrote:

“I understand your discomfort with the fact that the School has not been more publicly forthcoming about the results of the investigation. However, I hope you can appreciate the balance I have tried to strike between the interests of the St. Paul’s community in bringing closure to this issue and the interest of basic fairness to faculty members of otherwise distinguished service. In my view, we found the right balance – protecting the safety of our students and staff while doing what I said we would do from the beginning, e.g., protect the dignity of all persons involved in these matters to the greatest extent possible.” (See Letter, Appendix D).

In October 2001, The Group wrote a letter to the SPS Board of Trustees, explaining its desire to have more disclosure in order to “bring this history to light.” The Group asked the Board of Trustees to conduct “further research and outreach to alumni to understand the full history of the problem.” The Group stated that it presented Mr. Gordon with accounts from fifteen (15) alumni/ae who were sexually harassed in the 1970’s and implicated at least six (6) different teachers, with additional anonymous accounts by former students implicating an additional six (6) teachers. The Group asked the Board of Trustees to acknowledge “the evidence of the past,” and to understand “the importance of institutional memory and long-term accountability.” (See Letter, Appendix D).

It is unclear whether the full Board received the October 2001 letter. During our interviews, some members of the Board vaguely recalled receiving a letter from The Group. The author of the letter also did not recall whether or not he mailed individual copies to each Board member. In our review of the Board’s meeting minutes of October 18-20, 2001, the topic of the October 2001 letter was discussed, and it was determined that Mr. Neilson would draft a response on behalf of the full Board, circulate it to the Executive Committee, and then full Board prior to sending it to The Group.

Although it is unclear whether a draft was circulated, Mr. Neilson did send a response to The Group on January 21, 2002. In his response, Mr. Neilson wrote that SPS received reports from The Group regarding four (4) former faculty members (previous correspondence from SPS acknowledged only three (3) former faculty members); that SPS hired Ropes & Gray who contacted each individual who had made an allegation against “a living person” (previous correspondence from SPS said “all” individuals who made allegations were contacted regardless

of whether a teacher was alive or deceased).⁷ As to revisiting the “full history” of past sexual misconduct by teachers at SPS, Mr. Neilson wrote:

“As for the past, the persons found to have engaged in misconduct have been banished from the grounds and life of the School. The other faculty members are dead. The Trustees are satisfied that the School has acted swiftly, fairly decisively and appropriately with respect to the misconduct reported. We can never excuse violations of the boundaries between faculty and student. We can only express profound regret and extend the institution’s apology to the individuals involved ... Your group has urged a specific, detailed, activist probing into past wrongdoing beyond what has been done. The Trustees see no benefit in such an exhumation of the past, but only the possibility of considerable damage to the institution and its work with the current and future students.” (*See* Letter, Appendix D).

On May 2, 2002, certain members of The Group, which had written to the Board of Trustees in October 2001, wrote another letter to the Board of Trustees. The Group took exception with Mr. Neilson’s statement in his January 2002 letter that the Board saw “no benefit in such an exhumation of the past, but only the possibility of considerable damage to the institution.” (*See* Letter, Appendix D). The Group said it saw “great benefit from such a quest for vital information, and the opportunity to show admirable leadership by the institution.” The Group criticized the 2000 investigation further by stating:

“The School, through its lawyer, spoke with those alumni among our ranks who accused a current employee of the School. But that is different than publicly inviting past victims to come forward. To resist making such an invitation is to assume the events reported by members of the Forms of 1975 and 1976 were isolated incidents, and it is clear to us that such a conclusion, if it has been made, flies in the face of the stories we have gathered.”

The Group closed the letter by stating that it “strongly believed we need more open discussion about these matters, not less, if we truly hope to learn from our history and mind its lessons.” (*See* Letter, Appendix D).

In response to the May 2, 2002 letter, Mr. Neilson drafted a memorandum to the Board which, although undated, appears, according to him, to have been saved to his computer on May 15, 2002. In the memorandum, Mr. Neilson purported to attach The Group letters from October 2001 and May 2002, along with a “summary” report. He also explained in the memorandum that Mr. Katzenbach was not included in the investigation or report because he was deceased. Mr. Neilson cautioned the trustees in the memorandum not to speak to the media about any of the information, and to destroy the “summary” report and memorandum after they reviewed them.

⁷ In suggesting this correction to make clear he did not follow up on each allegation presented to him, Mr. Gordon reminded Mr. Neilson that his rationale for not investigating deceased individuals was because “[i]t was and remains my view that no fair investigation can be conducted when the accused cannot speak for himself to answer the charges.” He also stated that his own role as counsel to SPS was “more akin to policeman than historian—trying to find out what happened so that corrective (and protective) justice could be administered ... [o]ur purpose was never to conduct an inquiry merely to create a historical judgment on our own wrongdoing. Herein lies our core disagreement with [The Group].”

(See Letter, Appendix D). Mr. Neilson stated to us that he was fairly certain that if he drafted the memorandum, it would have been sent with the accompanying materials to the full Board. We found a version of this undated memorandum in the Ropes & Gray files, with a stamp signature by Mr. Neilson. However, no other member of the Board of Trustees in that period recalled ever seeing the memorandum or the attached "summary" report.

Additionally, there is no reference to any discussion about The Group's May 2, 2002 letter, the 2000 investigation, or the Ropes & Gray report, in the minutes of the Board meetings on May 2-4, 2002.

On May 20, 2002, Mr. Neilson responded to The Group's May 2 letter and confirmed that the Board had its letter. He defended the Rector who "repeatedly invited to contact him any person who believes that as a student he or she was ever damaged by sexual harassment or similar inappropriate conduct from a teacher at St. Paul's." He explained that as a result of the 2000 investigation "[t]he living persons found to have engaged in past misconduct have been banished from the grounds and life of the School. The other faculty members accused are dead." Mr. Neilson closed by stating that [w]e share your view that an institution should meet misconduct, even decades-old, with candor...[a]nd we believe that the School, through its public communications with alumni and the widely acknowledged work of the task force, has fully honored that principle." (See Letter, Appendix D).

F. Conclusion

There was a disconnect between SPS and The Group over the goals of the 2000 investigation. While the goal of SPS was to protect its reputation (and those of the individuals involved) and reduce the risk of claims being made against the School, the goal of The Group was to uncover the full extent of sexual misconduct by former faculty members and staff and to use it as a vehicle to prevent such misconduct in the future. This is evidenced by the fact that of the six (6) former faculty members alleged to have committed sexual misconduct in the ten (10) typed accounts provided to Ropes & Gray, only three (3) were investigated and reported on to SPS (Mr. Ordonez, Mr. Degouey, and Mr. Ball). The other three (3) were not investigated at all (Mr. Katzenbach, Reverend Haviland, and Mr. DuBuclet). The reason for not investigating these three (3) former faculty members appears to be because they were deceased (Mr. Katzenbach and Reverend Haviland) or believed to be deceased (Mr. DuBuclet), and thus posed no further risk to SPS other than potential litigation through the further disclosure of their past misconduct. As to the other faculty members that were either known by The Group to have allegedly committed sexual misconduct, including the twenty-two (22) identified in the "List of Sexual Harassment Accounts," it does not appear that these additional names of faculty and staff were shared with SPS or with Ropes & Gray for purposes of its investigation.

III. FINDINGS AND CONCLUSIONS

As described in the introductory section of this report, our findings and conclusions as to the thirty-four (34) faculty members and staff identified to date are contained in three (3)

separate categories. Each faculty member was placed in a category based on our evaluation of the following criteria: (a) the nature and severity of the sexual misconduct involved, including whether the faculty member or staff engaged in acts such as rape, sexual intercourse or sexual assault; (b) the degree of harm and lasting impact to the victim(s) resulting from sexual misconduct; (c) whether the faculty member engaged in repeated sexual misconduct with one student or a pattern of misconduct with multiple students; (d) whether the alleged misconduct, if committed today, would violate SPS' written policies concerning faculty conduct and expectations; and (e) the availability and reliability of oral or written victim accounts, corroborating witness accounts, admissions by faculty or students, or other documentary evidence to substantiate sexual misconduct.

In applying all of these factors to the incidents reported to us, we assigned thirteen (13) former faculty members and staff who meet several of the criteria to category A, Substantiated Sexual Misconduct.

We assigned an additional ten (10) former faculty members and staff who do not meet as many of the criteria to category B, Other Reports Of Sexual Misconduct,

The eleven (11) current and former faculty members and staff in category C, Unsubstantiated Allegations Of Sexual Misconduct, are individuals whose names were reported to us as being associated with sexual misconduct, but we have not received sufficient victim or witness accounts, or discovered any documentation, to support the allegations to date.

Throughout our descriptions of the incidents below, we frequently use the terms "sexual misconduct" or "sexual abuse" to describe actions by former faculty and staff against students. The terms, we believe, best encompass generally the wide range of actions by faculty and staff against students in their care which were intended to lead to, or in fact resulted in, sexual contact, sexual assault, felonious sexual assault, aggravated felonious sexual assault, or sexual penetration as those terms are defined in N.H. Rev. Stat. § 632-A; those forms of assault defined and incorporated into the Safe School Zones Act, N.H. Rev. Stat. § 193-D; and the definition of "sexual abuse," without limitation as to age, contained in the Child Protection Act, N.H. Rev. Stat. § 169-C. (*See* Addendum, Appendix E). For purposes of external evaluation of our definition, and also our distinction of acts by category, we also detail the specific acts committed by each of the former faculty and staff identified below, including, where known, the impact on the victims. Each of these acts, where substantiated, should be deemed to constitute equally violations of the rights and safety of students. They are explicitly so defined today in the current SPS Faculty Handbook. (*See* Addendum, Appendix G). While not so explicitly defined or understood historically in SPS policies or rules, in particular prior to 1995, the faculty involved in the actions described were undoubtedly fully aware of the boundaries they were crossing and the sexual nature and intent of each regarding students in their care and custody over whom they had a clear control and superiority in age and position. Therefore, we categorize all of the wrongdoing under the general category and definition of "sexual misconduct."

A. Substantiated Sexual Misconduct

We have identified and substantiated thirteen (13) former faculty and staff who engaged in sexual misconduct against one or more alumni/ae.

1. Edward Lawrence “Larry” Katzenbach III

Edward Lawrence “Larry” Katzenbach III was a teacher of English and history at SPS from 1971 to 1995. He was also the School’s debate coach, student council faculty advisor, and at one time head of their Advanced Studies Program. He graduated from Princeton University and received his law degree from Harvard Law School. Mr. Katzenbach had brief teaching positions at Deerfield Academy and in Barcelona, Spain from 1988 to 1989. As a faculty member at SPS, Mr. Katzenbach lived in dormitory apartments in the Infirmary, Armour, North Upper, and Nash, at times with his wife Marion Elizabeth “Betsy” and his daughter, Student 14. Mr. Katzenbach died on August 12, 1997 at the age of fifty-three (53).

Based on the following victim and witness accounts, we have determined that Mr. Katzenbach committed the following ten (10) acts of sexual misconduct: (1) having a sexual relationship with a female student at SPS; (2) having a sexual relationship with a former student and then teaching intern in SPS’ Advanced Studies Program; (3) “grabbing” a female student’s breast underneath her shirt; (4) “squeezing” a female student’s lower back while staring at her breasts; (5) pulling his pants down, exposing his penis, and telling a female student to “touch it” while in his dormitory apartment; (6) exposing his penis to another female student in his dormitory apartment; (7) propositioning four female students on separate occasions to go away with him alone for weekends; (8) speaking with female students about his personal sex life with his wife; (9) making sexual comments to one female student about another female student’s appearance; (10) imitating the sounds of a fellatio during classroom instruction.

Victim Account 1: Student 15

Out of respect for the privacy of a victim, pages 23-25 of the Final Report – Coded for Distribution are redacted. These pages describe Katzenbach **Victim Account 1: Student 15** and the corroborating evidence of **Victim Account 1** obtained from interviews with **Witnesses 17-21**. Student 15 requested privacy of her victim account in which Student 15 confirmed she was the victim of repeated sexual misconduct by Mr. Katzenbach during the 1970’s.

THIS REPORT HAS BEEN CODED TO PROTECT THE IDENTITIES OF ALL VICTIMS AND WITNESSES, AS WELL AS THE IDENTITIES OF CERTAIN FACULTY AND STAFF PER THE DIRECTION AND PURSUANT TO THE CRITERIA IDENTIFIED BY ST. PAUL'S SCHOOL. CASNER & EDWARDS, LLP HAS MADE NO INDEPENDENT DETERMINATION AS TO THOSE WHO REMAIN UNCODED.

Out of respect for the privacy of a victim, pages 23-25 of the Final Report – Coded for Distribution are redacted. These pages describe Katzenbach *Victim Account 1: Student 15* and the corroborating evidence of *Victim Account 1* obtained from interviews with *Witnesses 17-21*. Student 15 requested privacy of her victim account in which Student 15 confirmed she was the victim of repeated sexual misconduct by Mr. Katzenbach during the 1970's.

Out of respect for the privacy of a victim, pages 23-25 of the Final Report – Coded for Distribution are redacted. These pages describe Katzenbach **Victim Account 1: Student 15** and the corroborating evidence of **Victim Account 1** obtained from interviews with **Witnesses 17-21**. Student 15 requested privacy of her victim account in which Student 15 confirmed she was the victim of repeated sexual misconduct by Mr. Katzenbach during the 1970's.

Victim Account 2: Student 22

During our interview with Student 22 on February 9, 2017 she told us that as a fifth form student, in the fall of 1974, she had missed an English class taught by Mr. Katzenbach. Due to her absence, Mr. Katzenbach asked her to meet him in his apartment to discuss a poem that had been covered in class that day. During their discussion, Mr. Katzenbach went underneath her shirt and “grabbed” her left breast. Student 22 said, “It was mid-October ... I was at his

apartment ... We were both leaned over a table and I recall that I was wearing a lower cut blouse ... I was looking at the book when the next thing I know his hand had slipped down into my shirt and he was grabbing my left breast.” Student 22 described being “shocked” and said that she “froze,” unable to say or do anything, as Mr. Katzenbach’s actions had “[taken her] breath away.”

Student 22 told us that once Mr. Katzenbach had removed his hand from her shirt, she fled his apartment and went directly to then administrator and coach John Buxton’s office to report Mr. Katzenbach. She knew Mr. Buxton from her relationship with SPS alumnus Student 23, whom she had dated during his fifth and sixth form years while he was a varsity wrestler and lacrosse player on teams coached by Mr. Buxton. Believing that she could trust Mr. Buxton, she reported the details of her incident with Mr. Katzenbach to him, but said that Mr. Buxton responded by asking her, “What did you do to make him [Mr. Katzenbach] behave that way?”

Student 22 told us that she “couldn’t believe” that Mr. Buxton had responded in this manner to her report about Mr. Katzenbach’s sexual misconduct. She said, “I am a lot more angry about Buxton than Katzenbach ... Someone you trust and confide in turns it on you like you’re some little whore.” She also reported her incident with Mr. Katzenbach to her parents that night, but said that they did not believe her and told her that she “must be mistaken.”

We discovered and reviewed an email from Student 22 to then Rector Reverend Craig B. Anderson on May 28, 2001, in which Student 22 explains Mr. Katzenbach’s sexual assault, as well as the subsequent report she gave to Mr. Buxton.

Several years later, sometime after the 2000 investigation, she attended a dinner at then Rector Bill Matthews’ house. During the dinner she overheard Rector Matthews and then SPS Board of Trustees member Eric Jacobsen say that none of the alumni/ae who were involved in the Form of 1975 allegations and 2000 investigation had ever come forward before. Student 22 said she corrected that remark by informing the entire dinner party that she came forward in 1974 when she told Mr. Buxton about her experience with Mr. Katzenbach. Then Board of Trustees member, James “Jim” Waterbury, who also attended the dinner, apparently later told Rector Hirschfeld about her experience and Rector Hirschfeld contacted her to express his sympathies.

Student 22 has sought clinical therapy during her adult life to deal with issues derived from her incident with Mr. Katzenbach. She said, “I have seen therapists. I have gone through the four levels of clinical therapy ... to learn how to not ... trigger any of my past feelings from St. Paul’s.”

Witness: John Buxton, former faculty member, administrator, coach and Vice Rector (1969-1999)

Mr. Buxton, a former SPS faculty member, administrator, coach and Vice Rector for thirty (30) years, was interviewed on January 17, 2017. Mr. Buxton, who worked as Director of Admissions in 1974, had “no memory” of any conversation with Student 22 regarding Mr.

Katzenbach. He acknowledged that he knew Student 22 “well” as a student but said, “I’m not saying that [Student 22] didn’t come to me to report such and such about Katzenbach ... Maybe she did, it’s possible. I just have no memory of it.”

Witness: Student 23

We interviewed Student 23 on February 24, 2017 regarding his relationship with Student 22 as a student and his recollection of her allegation against Mr. Katzenbach. Student 23 learned of the allegation after he had graduated from SPS and was visiting Student 22 to celebrate her birthday. As an SPS student, however, he had “witnessed nothing” and had “no knowledge” of Mr. Katzenbach committing any acts of sexual misconduct. Student 23 also stated that he had “no recollection” of Student 22 telling him about any conversation she had with Mr. Buxton about Mr. Katzenbach. He acknowledged that he knew Mr. Buxton well as a student, as Mr. Buxton was his varsity wrestling and lacrosse coach, and further acknowledged that Student 22 would have known Mr. Buxton also, but said that he had no knowledge of any conversation between Student 22 and Mr. Buxton about the incident with Mr. Katzenbach.

Victim Account 3: Student 24

In our interview with Student 24 on February 14, 2017 she reported that as a sixth form student, in the spring of 1975, after babysitting for Mr. Katzenbach’s infant daughter, Student 14, Mr. Katzenbach returned to his apartment where he pulled his pants down around his ankles, faced Student 24, and with his penis in his hand said, “Touch it ... Touch it ... Just touch it!” Student 24 immediately fled Mr. Katzenbach’s apartment, running deep into the woods, as she was “shaken” by the incident. After that night, Student 24 did all that she could to avoid Mr. Katzenbach.

As a student, Student 24 did not report her incident with Mr. Katzenbach to any SPS faculty or staff because she was a “scholarship student” and feared that had she accused “the most celebrated master” of sexual misconduct, it would have resulted in his not only denying it, but also her losing financial aid which, she believes would have caused her to leave SPS and not attend college.

Student 24 provided Student 25 with an account of this incident in 2000, which is consistent with her report to us. Student 25 subsequently provided that account to SPS and to Ropes & Gray. Student 24 was not contacted by Ropes & Gray.

Victim Account 4: Student 19

During our interview with Student 19 on February 27, 2017 she reported that as a sixth form student, in the spring of 1976, Mr. Katzenbach asked her to meet with him alone in his apartment to discuss student council matters. From the outset of their meeting, Mr. Katzenbach told Student 19 how smart and mature she was, and also about how she was different from all of the other girls. Student 19 said, “He was persuasive and could make you feel special ... He

made you feel as though you were receiving special privileges by being with him.” Mr. Katzenbach then asked her to sit with him on his chair. She said, “he sort of pulled me onto it with him.” With Student 19 by his side and his arm wrapped around her, Mr. Katzenbach propositioned her by saying, “Let’s go away together.” Mr. Katzenbach added, “There will only be one bed for the two of us, but nothing has to happen.”

Not long after, Student 19 told Student 20 about Mr. Katzenbach’s proposition and, according to Student 19, Student 20 said, “he did the exact same thing to me.” With that knowledge, Student 19 confronted Mr. Katzenbach in his apartment by asking him if he had ever taken another female student away for a weekend. Mr. Katzenbach denied ever doing so, and, according to Student 19, told her that she was the only one. She called him a “liar” and told him that she would “never go anywhere with him.”

Following her graduation from SPS, Student 19, while in college, called Student 16 to tell her what had happened with Mr. Katzenbach. According to Student 19, Student 16 told her that Mr. Katzenbach had done the “exact same thing” to her when she was a student.

On another occasion, also during Student 19’s sixth form year, in the spring of 1976, she again found herself meeting alone with Mr. Katzenbach in his apartment when this time he exposed his genitals to her. Mr. Katzenbach was seated in a chair and wearing, what Student 19 describes as, “his famous robe” when he “slipped his robe open and exposed himself.” Mr. Katzenbach said nothing during the incident, but Student 19 viewed his actions as his way of “seducing” her. Student 19 said that, in an effort to avoid having to go to Mr. Katzenbach’s apartment alone, she told some of her fellow students about Mr. Katzenbach’s “inappropriate” conduct and proposition, but said, “they just didn’t believe me.”

For many years after her graduation from SPS, Student 19 was “scared” to attend reunions for fear that she might see Mr. Katzenbach. Once during her first semester of college, Student 19 saw a Volkswagen bus resembling the one she recalled Mr. Katzenbach as driving. She immediately ran to hide, explaining that she had a “weird” feeling that Mr. Katzenbach was “hunting her.” While she knew in reality that it was not Mr. Katzenbach’s Volkswagen bus, she was still “freaked out.” Not long after that episode, Student 19 suffered depression and left college. She “absolutely” relates the depression she suffered to her experience with Mr. Katzenbach, and said that it was because of him that her “self-esteem was crushed.”

Student 19 provided Student 25 with an account of this incident in 2000, which is consistent with her report to us. Student 25 subsequently provided that account to SPS and to Ropes & Gray. Student 19 was not contacted by Ropes & Gray.

Witness: Student 16

In our interview with Student 16 on February 22, 2017 she confirmed being told by Student 19 during college that Mr. Katzenbach propositioned Student 19 in the spring of 1976.

Victim Account 5: Student 20

We interviewed Student 20 on April 18, 2017 and she reported being propositioned by Mr. Katzenbach in the fall of 1975, during her sixth form year. As an SPS student, Student 20 was close to Mr. Katzenbach. She explained that it was not unusual for the two of them to be alone in his on-campus apartment. On one occasion, however, Student 20 recalled being alone with Mr. Katzenbach in his apartment in the Infirmary when he asked her to go away with him for a weekend. She said, "he wanted to go somewhere where no one would know where we are." Student 20 recalls Mr. Katzenbach perhaps mentioning Canada as the location. According to her, she "got out of there as quick as I could."

In the spring of 1976, Student 20 was approached late one evening by Student 19 and told that Mr. Katzenbach had propositioned her. Student 20 remembered Student 19's propositioning being approximately four (4) months after her own. She said, "once [Student 19] came to me, I said, 'that's exactly what that son of a bitch did to me.'" Upset with the fact that Mr. Katzenbach had propositioned another female student, Student 20 decided to report Mr. Katzenbach to then SPS administrator, John Buxton. She said, "I told Buxton exactly what had happened, about how he had propositioned me and [Student 19]." According to Student 20, Mr. Buxton said he would "handle it" but she does not know what, if anything, Mr. Buxton did. Student 20 stated that she only told Mr. Buxton about Mr. Katzenbach's propositioning, and that the two never spoke of Mr. Katzenbach making inappropriate comments. (See **Witness Account 2** below).

Student 20 did not speak to Mr. Buxton or anyone about Mr. Katzenbach again, until 1991 when she met with then Vice Rector Roberta Tenney. After being at her fifteenth (15th) SPS reunion, and hearing from Student 16 that Mr. Katzenbach propositioned her (See Victim Account 6 below), she decided to speak with Ms. Tenney. According to Student 20, Ms. Tenney said that she would bring the allegations to then Rector, David Hicks. Sometime thereafter Student 20 received calls from attorneys for SPS asking her whether or not she was planning to file a lawsuit against SPS related to Mr. Katzenbach's sexual misconduct. Student 20 said, "I told them that I loved the School and was not going to sue, but I said, '[Katzenbach] should not be teaching there.'"

It was not until 2000 that Student 20 again heard about Mr. Katzenbach, when she gave an account of her allegations to Student 25. Student 20 did not receive a call from Mr. Gordon or Ropes & Gray during that time. She said, "I remember feeling that they were merely worried about their liability." She added, "I did not get the sense that they cared, and no one asked, if I was okay." Student 20 acknowledges that she was okay, and said that she did not suffer the way others did. According to her, other people, however, like Student 19, were "really, really damaged." She said, "I didn't get the sense in 2000 that the School cared about anything but covering their backside."⁸

⁸ In a letter from then Rector Reverend Craig B. Anderson to Student 20 dated February 2, 2001, the Rector stated his anguish over her experience, and thanked Student 20 for her courage in coming forward. He also acknowledged that he had read her letter to SPS from back in 1992, and stated that she should be assured that those who spoke out

Victim Account 6: Student 16

In our interview with Student 16 on February 22, 2017 she said that as a sixth form student, in the spring of 1975, Mr. Katzenbach propositioned her to go away with him for a weekend. Student 16 knew Mr. Katzenbach well, and spent a lot of time in his apartment. When he propositioned her to go away with him for the weekend, he told her about another student, Student 15, whom Mr. Katzenbach said he had once taken away for a weekend. Mr. Katzenbach proceeded to, “in graphic detail,” describe to Student 16 how he and Student 15 had spent the weekend together having sex. Mr. Katzenbach then said, “So let me know what weekend works best for you.”

Student 16 said that she was not interested at all in spending a weekend with Mr. Katzenbach, and “actively avoided” him for several days after his proposition. She then ran into him one day on campus and told him that she was not interested in his offer. Mr. Katzenbach said, “No worries,” and proceeded to leave Student 16 alone. Student 16 did not report Mr. Katzenbach’s sexual misconduct to any SPS faculty member or staff because she felt that “there was no outlet” for such reporting. Student 16 noted what schools are doing today to prepare incoming students to recognize inappropriate behavior by faculty and staff. She said, “We didn’t have that guidance as students.”

Student 16 provided Student 25 with an account of this incident in 2000, which is consistent with her report to us. Student 25 subsequently provided that account to SPS and to Ropes & Gray. Student 16 was not contacted by Ropes & Gray.

Victim Account 7: Student 26

In our interview with Student 26 on February 10, 2017 she reported that as a fourth form student, in the spring of 1975, she was walking with Mr. Katzenbach across campus when they passed a sixth form student, Student 27, who was wearing a white t-shirt with no bra. Student 26 described Student 27 as “absolutely gorgeous” and said that as she walked past them, Mr. Katzenbach “grabbed [Student 26] from behind,” stopping both of them, and “gawked” at Student 27 saying, “Don’t you ever do that! That is such a cock tease move!” Student 26 said she immediately “froze” and felt “so uncomfortable.” Once Mr. Katzenbach released her, Student 26 began walking in another direction to get away from him.

On another occasion, as a fifth form student and a member of Mr. Katzenbach’s debate team, Student 26 found herself in a one-on-one conversation with Mr. Katzenbach in Memorial Hall following a team practice. Mr. Katzenbach put his hand on Student 26’s lower back and leaned in to give her a word of advice. According to Student 26, when Mr. Katzenbach did, he was staring directly at her breasts, never raising his eyes, and then suddenly “squeezed” her lower back.

in the early 1990’s about Mr. Katzenbach were “indeed heard loud and clear” because Mr. Katzenbach left the school “within 18 months” of her 1992 letter.” (See Letter, Appendix D).

Student 26 said that there were no avenues at the time to report Mr. Katzenbach's sexual misconduct. She said, "the two male psychologists, [Dr. Walsh] and [Faculty 21], [were there] for anti-depressants, not to talk about this sort of thing." In fact, Dr. Terrence M. Walsh, SPS's human relations counselor at the time, was Student 26's faculty advisor. Student 26 said that she once reported Mr. Katzenbach's sexual misconduct to Dr. Walsh, who said, "Oh, [Mr. Katzenbach] has his problems." Student 26, believing that she could safely confide in Dr. Walsh, was quickly made equally "uncomfortable" by him when he began asking her about her "love life." He said, "Let's talk more about sex." The conversation with Dr. Walsh did not help Student 26 deal with her problems with Mr. Katzenbach, but instead made her feel more "shameful."

Victim Account 8: Student 29

In our interview with Student 29 on February 24, 2017 she reported having "very inappropriate" experiences with Mr. Katzenbach. Student 29 would occasionally babysit Mr. Katzenbach's infant daughter, Student 14, and when Mr. Katzenbach returned to his apartment in Armour, he would begin talking with Student 29 about sex. Mr. Katzenbach would tell her that he and his wife were not having sex, and would also tell her about their sex life given the fact that Mr. Katzenbach was "so big" and his wife was "so small." On one occasion, Mr. Katzenbach asked Student 29 to spend a weekend away with him and his daughter.

Student 29 acknowledged having a close relationship with Mr. Katzenbach, even seeking out his classes, and later being a member of the student council. Student 29 recalled Mr. Katzenbach visiting her family's cabin during the summer of 1974. Mr. Katzenbach brought his daughter with him, and Student 29's sister, Student 30, was also in attendance. Student 29 could not remember whether or not their parents were at the cabin at the time. It was on this visit to Student 29's family cabin that Mr. Katzenbach told her about a relationship between Student 32 and Faculty 15. (See **Section I, A (15)**).

Victim Account 9: Student 31

In our interview with Student 31 on February 9, 2017 she reported that as a fifth form student, in the fall of 1974, she met with Mr. Katzenbach alone in his apartment. At the time Student 31's parents were going through a divorce, and she had just spent the summer helping her mother relocate. Mr. Katzenbach was her teacher who she said, "definitely cultivated a relationship with [her]. He would ask me to come to his apartment." On that occasion, she was sitting with Mr. Katzenbach alone in his apartment telling him about her summer and how she hoped to move away after graduation. Mr. Katzenbach began asking her about sex, he asked, "are you interested in sexual experimentation or the sexual revolution?" Student 31, who acknowledged Mr. Katzenbach's "brilliance," said that she felt Mr. Katzenbach appreciated her intelligence, but was made "very uncomfortable" by his questions about sex. She said, "I never went back to his apartment again." That conversation with Mr. Katzenbach, according to

Student 31, turned their “positive” relationship into something that “felt dirty and shameful” to her.

As a student, Student 31 did not report Mr. Katzenbach’s sexual misconduct to any SPS faculty or staff. She did, however, report it to a group of women from the Forms of 1975 and 1976 during an alumnae retreat in 1996, on which many of the women began discussing sexual misconduct at SPS and sharing notes about their different experiences with Mr. Katzenbach.

Student 31 provided Student 25 with an account of this incident in 2000, which is consistent with her report to us. Student 25 subsequently provided that account to SPS and to Ropes & Gray. Student 31 was not contacted by Ropes & Gray.

Victim Account 10: Student 33

According to documentation in Mr. Katzenbach’s personnel file, on November 25, 1993, Student 33, a former SPS Advanced Studies Program student, wrote to then Rector David Hicks about a sexual affair she had with Mr. Katzenbach. The affair began in the summer of 1984, when Student 33 was eighteen (18) years old and attended a reunion with other ASP students. The affair continued for two (2) years thereafter, during which time Student 33 was an intern for Mr. Katzenbach in the ASP program. Student 33 provided Rector Hicks with copies of “love letters” she received from Mr. Katzenbach during this period. Rector Hicks wrote to Student 33 in February of 1994 thanking her for her willingness to come forward, but explaining that he felt Mr. Katzenbach was not an issue with regard to any students’ safety at the time. Student 33 later retained counsel who filed a demand against SPS. It is unclear from Mr. Katzenbach’s file how that demand was resolved. (See further description of the allegations and SPS’ response in **Section IV** below).

Witness Account 1: Student 34

In our interview with Student 34 on February 28, 2017 she reported that Mr. Katzenbach read a poem one day in her creative writing class. Student 34 said that it only took a few minutes before “everyone suddenly realized that the poem was erotic.” The poem was about oral sex and Mr. Katzenbach read it in its entirety, even “slurping” and making “gross sounds” which, according to Student 34, made everyone in the classroom “uncomfortable.” Student 34 surmised that Mr. Katzenbach may have been reading the poem as “an expression of art,” but said, “I only remember the graphic sounds and the dawning realization that it was about oral sex.”

Witness Account 2: John Buxton, former faculty member, administrator, coach and Vice Rector (1969-1999)

Mr. Buxton, a former SPS faculty member, administrator, coach and Vice Rector for thirty (30) years, was interviewed on January 17, 2017. Mr. Buxton reported that Student 20 once came to him as a student to report “inappropriate comments” made by Mr. Katzenbach. Student 20 reported that Mr. Katzenbach “made comments to students about sex [and] was

referencing sex constantly.” She told Mr. Buxton that everything Mr. Katzenbach said was about sex.

Mr. Buxton told us that he brought this information to then Rector William A. Oates. Mr. Buxton said that Rector Oates instructed him to meet with Mr. Katzenbach. Not wanting to face Mr. Katzenbach alone, telling us that he was “only twenty-four [years old] doing all of this,” Mr. Buxton said that he asked Faculty 15, a “close friend” of Mr. Katzenbach, to join him.

According to Mr. Buxton, he warned Mr. Katzenbach that this was “very serious stuff” and that his sexual comments “needed to stop.” He also told Mr. Katzenbach that he would be reporting to Rector Oates on the outcome of their meeting. Mr. Katzenbach said, “this is ridiculous” and called Mr. Buxton “all sorts of things.” Mr. Buxton said, “Larry was pissed off ... He said he couldn’t trust me ever again.” After his meeting with Mr. Katzenbach, Mr. Buxton said that he told Rector Oates that he had warned Mr. Katzenbach. Mr. Buxton said he and Rector Oates then never spoke of it again.

Mr. Buxton told us that, years later, he learned about the account that Student 20 provided to Student 25, and The Group, in 2000. Mr. Buxton said that while at SPS he was never made aware by Student 20, or anyone else, of anything more than Mr. Katzenbach making inappropriate comments. He said, “The things I heard ... about Mr. Katzenbach were appalling ... I always assumed this thing with [Mr. Katzenbach] was more about inappropriate comments than anything else.”

A review of Mr. Katzenbach’s personnel file substantiated the fact that Mr. Buxton did meet with Mr. Katzenbach to discuss his inappropriate comments. However, in a letter written in September 1994 by SPS’ then outside counsel, William L. Chapman of the law firm Orr & Reno, Mr. Chapman wrote that Mr. Buxton told him he had not informed the SPS administration. Instead, according to Mr. Chapman, Mr. Buxton said that he told Mr. Katzenbach that if he received a similar complaint that he would then inform the administration. This information in Mr. Katzenbach’s file is in contrast to what Mr. Buxton told us personally about his meeting with Rector Oates prior to his conversation with Mr. Katzenbach.

Witness Account 3: Administrator 1, former faculty member, administrator and coach (1982-2008)

Administrator 1, a former SPS faculty member, administrator and coach for twenty-six (26) years was interviewed on April 12, 2017. Administrator 1 recalled incidents with Mr. Katzenbach “rearing its ugly head” prior to the 2000 investigation. Administrator 1 said, “Larry’s behavior was consistently awful and reported on, yet he remained revered by the St. Paul’s community.” Administrator 1 remembered being aware of Mr. Katzenbach’s “digressions,” and said, “they were occurring at the start of my career and continued until [Mr. Katzenbach] left in the nineties.”

Administrator 1 recalled Mr. Katzenbach as being in “constant pursuit of older girls.” He remembered Mr. Katzenbach having an attraction to fifth and sixth form female students. Administrator 1 also recalled Mr. Katzenbach making inappropriate comments to Administrator 1’s wife. He said, “He would tell my wife about his sexual prowess. He made sexual comments to her ... about how he was a stud in the bedroom.”

Administrator 1 said that after hearing students talking about Mr. Katzenbach’s inappropriate behavior, he passed it along to Mr. Katzenbach’s department head, but said, “I was new to the School and there was a hierarchy in place that ... didn’t allow for young faculty to speak up.”

Witness Account 4: Roberta Tenney, former faculty member, administrator and Vice Rector (1970-1997)

Ms. Tenney, a former SPS faculty member, administrator and Vice Rector, who was the Dean of Faculty from 1987 to 1988 and Vice Rector from 1989 to 1995, was interviewed on April 19, 2017. She recalled multiple allegations of sexual misconduct made against Mr. Katzenbach in the 1990’s. She said, “I reported many things to Rector David Hicks about Katzenbach.” She added, “I told [Rector Hicks] that I could not defend [Mr. Katzenbach] in a court of law.” Ms. Tenney recalled meeting with Student 20 in 1991 to discuss allegations she made to former faculty member and administrator John Buxton in 1976. Ms. Tenney said, “my feeling of disgust had been awakened by [Student 20].” Ms. Tenney further recalled the matter involving Student 33. She said, “David Hicks told me we needed three allegations, and I brought him three.” The three (3) allegations involved Student 20, Student 19, and Student 33.

Ms. Tenney said, “I told Rector [David Hicks] that [Mr. Katzenbach] had to leave.” Ms. Tenney explained that the Board of Trustees Executive Committee at the time was composed of Walker Lewis, George F. Baker III, and Dr. Edmund “Ted” Pillsbury. She said, “I heard Walker Lewis was very upset, and told Katzenbach, ‘if you go, I go.’” Ms. Tenney remembered this as being a “hard time” for her, and said, “I didn’t sleep for six months.” Ultimately, according to Ms. Tenney and the records we reviewed, Mr. Katzenbach was not terminated by SPS due to the allegations of sexual misconduct made against him, but resigned from the School due to his ailing health.

2. Jose A.G. “Senor” Ordonez

Jose A.G. “Senor” Ordonez was a teacher of history at SPS from 1952 to 1987. He was also the School’s cross-country coach, and later its archivist from his retirement in 1987 to 2001. He graduated from Trinity College at the University of Toronto, where he also received his master’s degree in history. Mr. Ordonez was once a visiting teacher at Eton College in England from 1977 to 1978. As a faculty member at SPS, Mr. Ordonez lived in an apartment in Center Upper. Mr. Ordonez died on February 26, 2008 at the age of eighty-five (85).

Based on the following victim and witness accounts, along with those victim interviews conducted by Ropes & Gray in 2000 describing acts of sexual misconduct which were admitted to by Mr. Ordonez, we have determined that Mr. Ordonez committed the following seven [7] acts of sexual misconduct: (1) kissing, hugging, and mutual genital touching with a male student; (2) lying partially unclothed with and propositioning a male student to trust him "all the way" while alone in his dormitory apartment; (3) climbing on top of a partially unclothed male student and giving him a "rubdown" while alone in his dormitory apartment; (4) climbing on top of another male student and approaching him as if he were going to kiss him; (5) giving a massage to a male student and asking him to "feel comfortable" while alone in his dormitory apartment; (6) hugging and holding a male student's hand while on a long walk in the woods around SPS' campus and ordering the male student to return to his dormitory apartment in his pajamas; (7) kneeling a male student in the groin and kicking him in the buttocks in a state of anger.

Victim Account 1: Student 35

During our interview with Student 35 on November 14, 2016 he reported that in the fall of 1978 he joined Mr. Ordonez's Shavian Society, a group of "elite students" dedicated to the study of the works of George Bernard Shaw. Student 35 described Mr. Ordonez as "charismatic" and "influential," and said that he was "well-known by the older boys" which is why Student 35 felt he needed to "befriend" Mr. Ordonez in order to "be on his good side." After Shavian Society meetings in Mr. Ordonez's apartment, Student 35 would remain behind to help Mr. Ordonez clean up. Student 35 said that by doing so things started to progress and it became clear to him that Mr. Ordonez was being "more than friendly" when he said things like, "You can come by and make a sandwich in my kitchen."

Student 35 said, "I don't remember when the first physical contact came, but that winter [in 1978] he kissed me ... That was the start of it." He told us that his relationship with Mr. Ordonez lasted for four (4) months, wherein Mr. Ordonez would come to his dorm room or he would go to Mr. Ordonez's apartment, and consisted "primarily of kissing" with the exception of one time when Mr. Ordonez "grabbed [Student 35's] genitals" and indicated to Student 35 that he wanted him to do the same with his genitals. Student 35 told us that after about five (5) minutes of mutual genital groping that he "drew a line" and "could not go further." He said that Mr. Ordonez never forced anything on him, nor did he ever threaten him, but described their relationship as a "very big horrible secret." Student 35 told us that he felt "shameful" and had "no one to tell."

While Student 35 described Mr. Ordonez as a "predator" because Mr. Ordonez knew that Student 35 had divorced parents and struggled academically, he also said, "I was manipulative ... I knew that the relationship was getting me things that I wanted." Student 35 received "preferential treatment" for both him and his friends, in that Mr. Ordonez would write college recommendation letters for them and give them the room assignments of their choice. Student 35 further suspected that Dr. Terrence M. Walsh, the School's human relations counselor and Student 35's advisor, knew about Mr. Ordonez, as Student 35 recalled receiving similar preferential treatment from Dr. Walsh.

Student 35 did not tell anyone about his relationship with Mr. Ordonez until 2000 or 2001 when he was receiving EMDR therapy and disclosed the details of his experience with Mr. Ordonez to his therapist. Around that same time, Student 35's mother received a call from a Form of 1975 alumna concerning the 2000 investigation and subsequently asked Student 35 if anything had happened between him and Mr. Ordonez. Student 35 said that in the early 1980's, after he had graduated from SPS, his mother found letters that Mr. Ordonez had written to him. At the time, Student 35 told his mother to disregard those letters, but then in 2000 or 2001 he decided to finally disclose to his mother the truth about his past relationship with Mr. Ordonez.

A confidential memo on this account of sexual misconduct was submitted to counsel for SPS, Michael Delaney, on November 16, 2016.

Victim Account 2: Student 36

During our interview with Student 36 on January 19, 2017 he reported that as a fifth form student, in the fall of 1973, he was invited alone to Mr. Ordonez's apartment. Student 36 said that he and Mr. Ordonez wound up with their shirts off, lying on their stomachs on Mr. Ordonez's rug, when Mr. Ordonez placed his arm around him and asked, "[Student 36], do you trust me all the way?" Student 36 described Mr. Ordonez as having "serious cachet," and said that because he was not one of the "wealthy influential" students who Mr. Ordonez "cultivated" it was easier for him to be "preyed" upon. Student 36 acknowledged that it was "flattering" for a teacher of Mr. Ordonez's stature to talk to him or invite him to his apartment.

Student 36 thought about Mr. Ordonez a lot after graduating from SPS. In fact, he recalled once seeing Mr. Ordonez at a reunion and instantly hiding out of sight. Student 36 said that he was standing with Student 12 by a tree when Mr. Ordonez walked by. He said, "I remember I hid behind [Student 12] or the tree so that [Mr. Ordonez] wouldn't see me."

Student 36 reported that he has been in therapy. While he does not attribute all of his issues to Mr. Ordonez, he said, "My experience with him was a significant factor in my inability to trust people." He added, "scarred is a strong word, but probably not too strong ... I really do feel scarred."

Witness: Student 12

We interviewed Student 12 on December 7, 2016 and he confirmed that Student 36 once hid out of sight from Mr. Ordonez. Student 12 said that Student 36 saw Mr. Ordonez and said, "Stand in front of me!" Student 12 did and Student 36 stood behind him out of view from Mr. Ordonez. Student 12 added that Student 36 then said, "Ordonez tried to rape me." Student 12 said he was shocked by the entire situation and added that it was the first time he had heard anything about Mr. Ordonez's sexual misconduct.

Student 36 was interviewed by Ropes & Gray on October 31, 2000 and a summary of his account, which is consistent with his report to us, was included in the Ropes & Gray report to SPS on November 29, 2000.

Victim Account 3: Student 37

During our interview with Student 37 on August 18, 2016 he reported that as a fifth form student, in either the fall of 1974 or the spring of 1975, he was invited on a run with Mr. Ordonez in the woods around SPS. During their run Student 37 suffered some muscle soreness, which led Mr. Ordonez to invite Student 37 back to his apartment in Center Upper. Once alone with Mr. Ordonez in his apartment, Student 37 found himself on the floor being straddled and given a “rubdown.” Student 37 said, “it wasn’t just a rubdown ... he came on to me.” Student 37, fearing that Mr. Ordonez was attempting to seduce him, immediately got up from the floor and told Mr. Ordonez that he had to leave. Mr. Ordonez said nothing and allowed him to leave. Student 37 said, “I recognized what was going on ... I wasn’t going to have it.” Student 37 described Mr. Ordonez as a “drunken Cuban,” who he said, “was terrible to boys.”

A confidential memo on this account of sexual misconduct was submitted to counsel for SPS, Michael Delaney, on September 8, 2016.

Student 37 was interviewed by Ropes & Gray in 2000 and a summary of his account, which is consistent with his report to us, was included in the Ropes & Gray report to SPS on November 29, 2000.

Victim Account 4: Student 38

We reviewed interview notes from the 2000 Ropes & Gray investigation of Student 38 who described that on two (2) occasions Mr. Ordonez invited him to his apartment alone. While there, Mr. Ordonez served Student 38 tea, and gave him gentle massages on his back, shoulders and neck. Mr. Ordonez reportedly told Student 38 that he wanted him to “feel comfortable” around him, which Student 38 interpreted along with the massages to have been sexual invitations.

We have attempted to contact Student 38 by email and telephone, but have not received a response to date.

Victim Account 5: Student 39

We reviewed interview notes from the 2000 Ropes & Gray investigation of Student 39. Student 39 said that in 1973, Mr. Ordonez invited him to his apartment alone each Wednesday over the course of a couple of months so that he could receive help with his homework. While there, Mr. Ordonez put on music and served him tea. After a period of time, Mr. Ordonez would join Student 39 on the sofa, sit very close to where their bodies were touching, and talk about X-rated movies contained in the theater section of the newspaper. Student 39 also said that in the

spring of 1974, Mr. Ordonez invited him for a long walk in the woods. After an hour of their walk up Jerry Hill, Mr. Ordonez hugged Student 39, and would not let him go. When Student 39 eventually wriggled loose, Mr. Ordonez told him to “loosen up” and not “be such a baby.” He then forced him to hold his hand for approximately one hour while they walked back to campus, and then ordered Student 39 to return to his apartment in his pajamas. Student 39 returned to Mr. Ordonez’s apartment in his clothes, and Mr. Ordonez was visibly angry at him.

At the request of SPS, we did not attempt to contact Student 39.

Victim Account 6: **Student 40**

We reviewed interview notes from the 2000 Ropes & Gray investigation of Student 40, who described that on one occasion Mr. Ordonez invited him to his apartment alone. While there, Mr. Ordonez served Student 40 hot chocolate, and then climbed on top of him while Student 40 was lying on his back in front of the fireplace and placed his face against Student 40’s as though he was about to kiss him. Student 40 believed that Mr. Ordonez’s lips may have touched his cheek. The next day Mr. Ordonez apologized, and asked if Student 40 held grudges, to which he responded that he did not.

We attempted to contact Student 40 by telephone, but have not received a response to date.

Victim Account 7: **Student 41**

During our interview with Student 41 on August 30, 2016 he reported that he was a victim of sexual misconduct by a former faculty member, one who he said, “You have the name of.” Student 41 added, “but I can tell you that the incidents are more extensive than you will ever know.” Student 41 said he knows of three (3) other alumni who were also “harmed” by this same faculty member. He said, “there’s a lot more abuse ... there are guys out there who have suffered and chosen to keep their mouths shut.”

We have reason to believe that Student 41 was referring to Mr. Ordonez as Student 41 more than once mentioned taking routine runs with Mr. Ordonez in the woods around SPS followed by statements such as, “the same rules should still apply to after school and summers as [they do] during the school year ... hands should always be off.” He also said, “tea becomes something more than tea.” Mr. Ordonez’s one-on-one runs with male students in the woods around the SPS campus and his invitations to have tea in his apartment have been common themes throughout our investigation. Student 41 explained how teachers would “make their friendships with [students] ... build trust ... [and then] abuse that trust.”

A confidential memo on this account of sexual misconduct was submitted to counsel for SPS, Michael Delaney, on September 7, 2016.

Victim Account 8: Student 42

During our interview with Student 42 on March 2, 2017 he reported that as a fourth form student, in the fall of 1973, he was living in Center Upper where Mr. Ordonez was the house master. Student 42 said that it was mid-October on a Saturday night when he was on the first floor of Center Upper from 9:55PM to 10:10PM talking with another student. Student 42's room was on the second floor of Center Upper and he was supposed to check-in at 10:00PM.

Once Student 42 realized the time and began to make his way to his second floor room, he noticed that Mr. Ordonez was sitting on the stairs to the second floor waiting for him. Mr. Ordonez asked, "Where were you?" Student 42, who described Mr. Ordonez as "irate," responded, "I was downstairs." Mr. Ordonez then stood up, walked down the stairs, and "right through" Student 42, lifting his knee into Student 42's groin as he passed. He then turned around and "kicked" Student 42 "in the ass" before walking away through a door. Student 42 acknowledged that Mr. Ordonez was "definitely" bigger than him, but said that he was not physically hurt by the incident.

The following morning, while Student 42 was lying in his bed in his dorm room, Mr. Ordonez walked in and apologized to him, saying, "I'm sorry." Student 42 said that Mr. Ordonez never bothered him again after that incident. He suspects that Mr. Ordonez had "a drink or two" on the night of the incident.

Student 42 was interviewed by Ropes & Gray on November 6, 2000 and a summary of his account, which is consistent with his report to us, was included in the Ropes & Gray report to SPS on November 29, 2000.

Victim Account 9: Student 43

During our interview with Student 43 on January 23, 2017 he reported that as a sixth form student, in 1988, Mr. Ordonez invited him on an off-campus car ride to discuss college. Mr. Ordonez had been his European history teacher, and had told Student 43 that he had a connection to Eton College in London, England where Student 43 had an interest in applying. Mr. Ordonez asked Student 43 to meet him on Pleasant Street by the SPS sign where he would pick him up in his car. Student 43 said, "I thought that was unusual ... that I had to meet him there."

Student 43 "by chance" mentioned his planned car ride with Mr. Ordonez to another faculty member, who said, "you should not go with him. One of your classmates went off-campus with him and [Mr. Ordonez] put his hand on his leg which forced the student to jump from the car." After learning of this incident, Student 43 did not meet Mr. Ordonez as planned. Student 43 declined to provide the name of the faculty member who warned him not to take the car ride, saying, "the faculty member is still at [SPS]. I don't want to jeopardize their standing with [SPS]." Once the faculty member had warned Student 43, he began to consider Mr. Ordonez's conduct leading up the car ride invitation. He said, "It made sense. I was able to put

it in perspective ... things started to seem to me like grooming. I realized that he had been trying to get one-on-one with me.”

Student 43 confirmed knowing the name of the alumnus from the incident reported to him by the unnamed faculty member, but would not provide the name to us. He did, however, contact that alumnus and reported to us on March 5, 2017 that the alumnus “did not remember any such incident.”

Victim Account 10: Student 44

During our interview with Student 44 on January 23, 2017 he reported that as a sixth form student, in the spring of 1969, he did an independent study with Mr. Ordonez. Student 44, a former member of the SPS Board of Trustees, said, “Any charges around [Mr.] Ordonez ... are believable to me.” He added, “I always felt uncomfortable with [Mr. Ordonez].” Student 44 described Mr. Ordonez as a “functioning alcoholic” and said that Mr. Ordonez “came onto” him once when he was “drunk.”

Mr. Ordonez’s advances toward Student 44 were not physical, but Student 44 said that they made him “uncomfortable.” He said that Mr. Ordonez had “had a few martinis and made some comments” to him. Today, Student 44 views Mr. Ordonez as a “tragic case of a man who abused alcohol” and said that even when Mr. Ordonez was “exiled” from SPS in 2000 that it was Student 44 who encouraged the Board of Trustees to pay for his living expenses in Miami, Florida.

Witness Account 1: Administrator 1, former faculty member, administrator and coach (1982-2008)

Administrator 1, a former SPS faculty member, administrator and coach for twenty-six (26) years was interviewed on April 12, 2017. Administrator 1 remembered Mr. Ordonez as being known amongst the faculty as “Gay Jose.” Administrator 1 was not directly aware of any sexual misconduct by Mr. Ordonez, but did recall Mr. Ordonez inviting male students to his apartment where Administrator 1 infers they were groomed.

Administrator 1 said that Mr. Ordonez “made friends” with the School’s most wealthy and influential students in order to “protect himself.” He said, “he put himself in with the right people.” When allegations surfaced against Mr. Ordonez in 2000, Administrator 1 said, “believe me there was no surprise among the Board when ... allegations came forward about Ordonez.”

3. Steven David Ball

Steven David Ball was an English teacher at SPS from 1963 to 1999. He graduated from Princeton University and received his master’s degree from Wesleyan University. Mr. Ball is believed to be alive and currently residing in France. Due to the fact that he was investigated by Mr. Gordon and Ropes & Gray in 2000, we did not attempt to contact Mr. Ball.

Victim Account 1: Student 11

During our interview with Student 11 on March 6, 2017 he reported that as a fourth form student, in the spring of 1975, he engaged in sexual relations with Mr. Ball. From the time he arrived at SPS, Student 11 said, "I had been told by others to make sure that I was never in a room alone with [Mr. Ball]."

Student 11's first sexual encounter with Mr. Ball was in the spring of 1974 when Student 11 was fourteen (14) years old. Student 11 described the encounter as him being "physically seduced" by Mr. Ball. He said that Mr. Ball was holding him down on the ground, but that he was able to "escape" when Mr. Ball's tea kettle blew.

Approximately one year later, in the spring of 1975, Student 11 returned to Mr. Ball's apartment one night after consuming alcohol. On that night he and Mr. Ball "experimented sexually." Student 11 said that he performed oral sex on Mr. Ball. The next afternoon, on a Sunday, Student 11 returned to Mr. Ball's apartment. According to Student 11, Mr. Ball was surprised to see that Student 11 had returned. Mr. Ball said that he had to leave and go to the School House. Student 11 told Mr. Ball that he "just wanted to do it again" and Mr. Ball "pulled him" inside, "shut the blinds," and the two began masturbating each other.

Neither sexual encounter lasted very long, and Student 11 said, "at no time was I being beaten, forced, or raped." He did, however, say that Mr. Ball "initiated" the first encounter in the spring of 1974, but added, "the second and third times, I initiated it."

Student 11 was interviewed by Ropes & Gray on October 23, 2000 and a summary of his account, which is consistent with his report to us, was included in the Ropes & Gray report to SPS on November 29, 2000.

Mr. Ball was also interviewed by Ropes & Gray, and he denied seducing or having any sexual relations with Student 11. Mr. Gordon, of Ropes & Gray, did not find Mr. Ball to be credible and substantiated Student 11's version of the incidents to SPS. (*See Section II* above).

4. Robert Maurice Degouey

Robert Maurice Degouey was a French teacher at SPS from 1967 to 1978. Educated in France at Lycee de Chambéry, he was also an accomplished violinist. As a faculty member at SPS, Mr. Degouey lived in Manville and Drury. Mr. Degouey is deceased.

Victim Account 1: Student 11

During our interview with Student 11 on March 6, 2017 he reported that as a third form student, in the fall of 1973, he had a two (2) to three (3) month consensual sexual relationship

with Mr. Degouey. Student 11 described Mr. Degouey as “quiet and sad,” and said that Mr. Degouey “liked him.” Student 11 said, “I felt I could help him.”

Between October and December of 1973, Student 11 and Mr. Degouey engaged in a consensual sexual relationship at SPS that consisted primarily of oral sex. Student 11 said, “we had an affair for a few months.” Student 11 said that his relationship with Mr. Degouey ended once he returned from Christmas break in January of 1974. He said, “over Christmas break I asked myself what I was doing ... when I got back I stopped talking to him.”

As a sixth form student, from 1976 to 1977, Student 11 befriended a student from another boarding school, Witness 1. According to Student 11, Witness 1 told him that she was having a relationship with one of her teachers. Student 11 then confided in Witness 1 about his past relationship with Mr. Degouey. According to Student 11, Witness 1 must have told someone else, because one year later, when Student 11 was living with his parents in and attending theatre school, he received a call from SPS asking him to meet with then Rector William A. Oates.

Student 11 told us that he was “too busy with theatre” to go to Concord, New Hampshire, and so he told SPS that he did not wish to meet with Rector Oates. SPS insisted, however, and called him a month or so later to say that Rector Oates was scheduled to fly out of Logan Airport in Boston, Massachusetts over the weekend. SPS requested that Student 11 meet Rector Oates at the airport. Student 11 agreed and met Rector Oates. According to Student 11, during their meeting in August 1978, Rector Oates accused him of “boasting” about a sexual relationship with Mr. Degouey. Student 11 said, “I told him that I hoped I had not put [SPS] in a bad light.” Rector Oates allegedly told Student 11 that he needed to “use discretion.” Student 11 said that Rector Oates did not ask him about any of the details regarding his past relationship with Mr. Degouey, but only expressed concern about how it reflected on the reputation of SPS.

We discovered a letter in Student 11’s student file from Rector Oates to Faculty 21 and Dr. Terrence M. Walsh, which is dated August 21, 1978. The letter states that Rector Oates met with Student 11 at Logan Airport on August 19, 1978 from 9:15 to 10:00AM. Rector Oates wrote that he and Student 11 had a “satisfactory discussion of the troubling reports that reached [Rector Oates] last April.” On August 29, 1978 Rector Oates wrote himself a “reminder” to discuss the matter with the Board of Trustees at their October meeting. (*See Section IV* below).

Mr. Degouey left SPS in the spring of 1978. A letter dated January 31, 1978, discovered in Mr. Degouey’s personnel file, shows Mr. Degouey applied to the Buckley School in New York, New York and that he, and SPS, felt “a more urban area” would best suit him for the remainder of his teaching career.

Student 11, who acknowledged telling his parents about his relationship with Mr. Degouey by the time Rector Oates had met with him, said that his mother, a teacher at the time, reported Mr. Degouey to her school’s headmaster who knew the headmaster at the Buckley School. When she learned of Mr. Degouey’s hiring in 1978 she asked her headmaster to contact

the headmaster at the Buckley School, which, according to Student 11, he did and the Buckley School headmaster “warned” Mr. Degouey about what had been conveyed to him.

Student 11 was interviewed by Ropes & Gray on October 23, 2000 and a summary of his account, which is consistent with his report to us, was included in the Ropes & Gray report to SPS on November 29, 2000.

5. Reverend Douglas Thomas Archibald Haviland

Reverend Douglas Thomas Archibald Haviland was a chaplain, teacher, and house master in the lower school at SPS from 1947 to 1950. Reverend Haviland graduated from the University of King’s College and received his master’s degree from Columbia University. Reverend Haviland died on July 5, 1971 at the age of fifty-eight (58).

Reverend Haviland was terminated by SPS in May 1950. According to his personnel file, two (2) male students at SPS told then Rector Henry C. Kittredge that Reverend Haviland, their dorm head, had touched their private parts on several occasions. Reverend Haviland admitted to Rector Kittredge to having done so. On May 5, 1950, the Rector sent a letter to the parents of the students in Reverend Haviland’s dorm, where first form students lived, informing them that Reverend Haviland was being dismissed from SPS because of “homo-sexual advances towards certain of the boys under him.” Reverend Haviland wrote a confessional letter to Rector Kittredge the next day, apologizing for his behavior.

Victim Account 1: Student 45

During our interview with Student 45 on August 24, 2016 he reported that as a second form student, from 1948 to 1949, he lived in a dormitory with Reverend Haviland. Student 45 described the dormitory as being arranged in cubicles, “with curtains separating each.” Student 45 said, “There would be twelve or so boys in one large room ... with one bathroom to share.” Student 45 explained that Reverend Haviland slept in the same room as the students, but in his own cubicle, which students would have to pass in order to use the restroom.

Student 45 said Reverend Haviland would sometimes enter his cubicle “at night ... after dark ... when the lights were out.” He said, “you could hear [Reverend Haviland] creeping around ... you would hear a curtain pulled open and hope that it wasn’t yours.” Student 45 told us that Reverend Haviland would enter his cubicle, lay on top of him and kiss him on the forehead. Reverend Haviland always remained on top of the sheets, however, while the student was under the sheets. Student 45 described these incidents as “weird” and “creepy.” He said Reverend Haviland entered his cubicle about ten (10) to twelve (12) times during his second form year, and that each incident lasted about five (5) to ten (10) minutes.

Student 45 also said that Reverend Haviland would sometimes “greet students at night when they got up to pee.” Reverend Haviland would tell the students, “if it gets cold you can come to my bed.” Student 45 remembered going to the bathroom one night, he said, “I had to

pass [Reverend Haviland's] bed." When Student 45 came out of the bathroom, Reverend Haviland was standing in front of him with his penis in his hand. Reverend Haviland was not nude, but had pulled his pajamas down and pulled out his penis. Reverend Haviland said nothing to him and Student 45 returned to his bed.

Student 45 recalled students in the lower school referring to Reverend Haviland as "Havi the Homo." He said they would routinely write it in chalk on the concrete floors of SPS buildings in an effort for the administration to take note of Reverend Haviland. Student 45 also recalled Reverend Haviland taking students off-campus, five (5) or six (6) at a time, including him, for one to two-hour car rides on which Reverend Haviland would buy them ice cream.

Reverend Haviland also once showed up unannounced to Student 45's family's home, and ended up staying with them for two (2) to three (3) nights. Student 45 said that, as a result of Reverend Haviland's visit, his father wrote to then Rector Henry C. Kittredge and requested that neither Student 45 nor his brother, Student 46, ever be in any of Reverend Haviland's classes or live in a dormitory with him again.

A confidential memo on this account of sexual misconduct was submitted to counsel for SPS, Michael Delaney, on August 28, 2016.

Witness Account 1: Student 47

In a written statement submitted to Student 25 as part of the 2000 investigation, Student 47 wrote that during his second form year in 1949 he learned one morning after breakfast that a first form student, Student 48, who lived across the hall from Student 47's dorm, had committed suicide. According to Student 47's statement, Student 48 was in Reverend Haviland's dorm, and other first formers told Student 47 that Reverend Haviland would regularly massage Student 48 and take him off to his room for late night "prayer sessions." The other male students in the dorm allegedly hazed Student 48 about having been molested by Reverend Haviland to the point where he hung himself.

We contacted and left a voicemail message for Student 47 on April 19, 2017, but have not received a response to date.

6. Reverend Robert L. Zell

Reverend Robert L. Zell was a teacher of sacred studies from 1951 to 1953. He was terminated by SPS in September of 1953.

Victim Account 1: Student 49

In our review of the Ropes & Gray files, we came across a letter to then Rector Reverend Craig B. Anderson in May 2002 from Student 49, who attended SPS in the 1950's but did not graduate. Student 49 wrote in his letter that Reverend Zell was his teacher in a confirmation

class. On one occasion, Reverend Zell drove a number of students including Student 49 to a stock car race on the ice of Lake Winnepesaukee. Student 49 and a friend, Student 50, sat in the front seat. Neither boy wanted to sit in the middle, but Student 49 wound up sitting next to Reverend Zell. During the ride, Reverend Zell put his hand on Student 49's left thigh and began stroking it. Student 49 was too embarrassed to say anything, so he tried shifting positions so that Reverend Zell would stop. When Reverend Zell did not stop stroking his thigh, Student 49 poked him in the ribs with his elbow which caused him to stop. Although Student 49 never told anyone, he remembered this incident more than anything else from his SPS experience. Student 49 decided to write the letter to Rector Anderson in 2002 because he had a terminal illness and was "trying to tie up some loose ends in [his] own head." Student 49 died on June 11, 2002.

In our review of Reverend Zell's file, we found correspondence indicating that Reverend Zell had been accused of "irregularities of behavior of a very serious nature, namely homosexuality." In September 1953, then Rector Henry C. Kittredge demanded that Reverend Zell see a physician, who after examining Reverend Zell wrote to Rector Kittredge stating that he found his behavior to be "categorically normal." Nonetheless, the Rector terminated him, stating in a letter that Reverend Zell's "churchmanship differed too sharply from that of St. Paul's School."

7. Former Reverend Howard Willard "Howdy" White Jr.

Howard Willard "Howdy" White Jr. was a chaplain and teacher of sacred studies at SPS from 1967 to 1971. He was also involved in the School's Master Players theatre group. He graduated from West Virginia University and the Virginia Theological Seminary. As a faculty member at SPS, Mr. White lived in an apartment in Ford House where he was an assistant house master. Mr. White is alive, and on May 15, 2017 pled guilty to sexual abuse in Suffolk County, Boston, Massachusetts. The sexual abuse charges stemmed from his time at St. George's School in Rhode Island. He was sentenced to eighteen (18) months in prison. We did not attempt to contact Mr. White.

Victim Account 1: Student 8

Various reports related to Student 8's account of sexual abuse have been submitted to SPS and its counsel. Student 8 was repeatedly sexually abused as a student while on a six-week summer trip with Mr. White. Student 8 regularly shared a bed with Mr. White during the course of their trip, which allowed Mr. White to routinely sexually abuse and rape Student 8, who was fifteen (15) years old at the time.

Please see our August 16, 2016 report titled "Report on Interviews with [Student 8]" and our supplemental report titled "Supplemental Notes to [Student 8] Report" submitted on August 30, 2016.

Please also see our formal report titled, "Final Report on Howard Willard 'Howdy' White Jr." submitted on November 2, 2016. (*See Reports, Appendix C*).

8. Richard Hideki Okada

Richard Hideki Okada was a teacher of Asian studies at SPS from 1981 to 1984. He graduated from Pomona College and received his Ph.D. from the University of California, Berkeley. As a faculty member at SPS, Mr. Okada lived in an apartment above the Hargate Fine Arts Center. After SPS, Mr. Okada taught Asian studies at Princeton University from 1985 until his death on April 4, 2012 at the age of sixty-six (66).

Victim Account 1: Student 51

During our interview with Student 51 on August 24, 2016 she reported that as a sixth form student, in the spring of 1982, she had a sexual relationship with Mr. Okada. Student 51 said her relationship with Mr. Okada began when she and her "best friend," Student 52, began going to Mr. Okada's apartment to "eat snacks" while he played guitar. Student 51 said that she initially attended these gatherings along with a "small group" of fellow SPS students, but eventually began "going alone."

Once Student 51 was alone with Mr. Okada in his apartment they began "flirting" and discussing "more personal things." Their relationship then progressed to "kissing and hugging," which Student 51 said lasted for a while, until April 1982 when Student 51 and Mr. Okada had "full sex" for the first time. During April and May of 1982, Student 51 said that she and Mr. Okada had sexual intercourse "probably two times a week."

Student 51 would typically visit Mr. Okada's on-campus apartment at night, but said, "really though I could go at any time." Student 51 had a dorm curfew that required her to check-in by 10:00PM, but said, "[Mr. Okada] would sometimes write a note or call my house master so that I could be out later." Mr. Okada also took Student 51 off-campus for rides in his Volkswagen bug.

Student 51 recalled taking a trip to Student 52's family home in the spring of 1982, and said that Mr. Okada joined them. On that trip, Student 51 said that she and Mr. Okada went into Washington, D.C. where Mr. Okada introduced her to an "older Japanese man." Mr. Okada then left Student 51 with the Japanese man so that the two could have lunch and tea. During the lunch, which Student 51 described as "an interview," the Japanese man "grilled" her with questions to evaluate her as a prospective wife for Mr. Okada. Student 51 said that Mr. Okada "wanted to get married."

Student 51 described having a "tearful goodbye" with Mr. Okada at her SPS graduation. After graduation Student 51 said that Mr. Okada would regularly write her letters and added, "He was freaking out that I wasn't responding to him."

A confidential memo on this account of sexual misconduct was submitted to counsel for SPS, Michael Delaney, on August 25, 2016.

Witness: Student 52

We interviewed Student 52 on August 29, 2016 and she confirmed that Student 51 and Mr. Okada did have an ongoing relationship at SPS, but could not confirm whether or not it was sexual. She also recalled Mr. Okada visiting her family's home with Student 51, but could not recall the circumstances surrounding the visit.

9. Andre Oscar Hurtgen

Andre Oscar Hurtgen was a French and Spanish teacher at SPS from 1960 to 1997. He graduated from Wimbledon College in London and the Universite de Louvain in Belgium, and received his master's degree from the University of Vermont. Mr. Hurtgen was house master in Ford House from 1965 to 1969. Mr. Hurtgen was interviewed on March 6, 2017.

Victim Account 1: Student 51

During our interview with Student 51 on August 24, 2016 she reported that she received "love letters" from Mr. Hurtgen after she graduated from SPS. The letters began in 1987 not long after Student 51 graduated from college. Mr. Hurtgen wrote that he wanted to see Student 51 "in a kimono wearing red lipstick." Student 51 told her father about the letters and, according to her, he spoke to an SPS representative. She said, "My father took an alumni representative from [SPS] up to ... and told him that he wanted the love letters to stop." The love letters did stop and, while Student 51 recalled Mr. Hurtgen being her "favorite teacher" at any level of her education, she did say that she wrote to him years after he had sent the love letters to tell him that he misused his "position of trust."

Former Faculty Member Account: Andre Oscar Hurtgen

During our interview with Mr. Hurtgen on March 6, 2017 he said that he "vaguely" remembered Student 51, and said that he never communicated with her by letter or otherwise after SPS. He did however acknowledge writing love letters to Student 53, during a time in his life that he referred to as "complete turmoil." Student 53 was going abroad to perform an independent study and asked Mr. Hurtgen to be her faculty advisor, which meant that she had to write him weekly. Mr. Hurtgen said that he "got carried away" and wrote "stupid things" to her during their correspondence. He said, "It was the stupidest thing I've ever done." Mr. Hurtgen said he was "embarrassed" and "ashamed" of it.

Student 53 filed a demand against SPS and ultimately reached a confidential agreement and settlement. Mr. Hurtgen was subsequently banned from SPS's campus.

10. Gregory "Gregor" DuBuclet

Gregory "Gregor" DuBuclet was a music and German teacher at SPS from 1980 to 1982. He received his bachelor's degree from the University of New Hampshire in 1979. Mr.

DuBuclet, who now goes by "Gregor," currently resides in Berlin, Germany where he is a professional musician and composer. We interviewed Mr. DuBuclet by telephone on April 11 and April 19, 2017.

Victim Account 1: Student 54

Student 54 provided an account of her allegations of sexual misconduct against Mr. DuBuclet to Student 25 in 2000. On April 1, 2016, in response to Rector Hirschfeld's letter to the SPS community, Student 54 emailed him restating her allegations. We interviewed Student 54 on April 19, 2017.

Student 54 told us that she was sexually assaulted by Mr. DuBuclet during her third and sixth form years. In the first instance, as a third form student, one month into her time at SPS, Student 54 described being "fondled" by Mr. DuBuclet on a bench in the spring of 1979. She said that Mr. DuBuclet was sitting on a bench between Student 54 and her friend, Student 55, when he began talking about how the "problem with our culture" was that people were "too uptight" and "didn't touch enough." Student 54 said that Mr. DuBuclet then began "fondling" her with "gentle caresses." She felt "uncomfortable" and "disoriented," and acknowledged that she did not object due in part to Student 55's "apparent" lack of objection.

In the spring of 1982, during Student 54's sixth form year, Mr. DuBuclet caught Student 54 outside of her dormitory one night after hours. Student 54 recalled being about one hundred feet from the entrance to her dormitory. She said that Mr. DuBuclet was sitting in his car in front of the building and told her to "get in." Student 54, believing that she was in trouble and recognizing Mr. DuBuclet as an authority figure, followed his orders and got in. Student 54 said, "he could have busted me for being out after hours." Student 54 recalled having a curfew at eleven, but it being close to midnight.

Once alone with Mr. DuBuclet in his vehicle, he reached over and began rubbing Student 54's inner thigh. He then worked his hand between her legs, and then up to her waistband where he tried to slip his hand between her waistband and down into her pants. Student 54 immediately asked Mr. DuBuclet to stop, but he did not and continued. As Student 54 repeated her commands for him to stop, Mr. DuBuclet asked, "Are you sure?" After multiple requests to stop, Mr. DuBuclet did stop and Student 54 got out of his vehicle. Mr. DuBuclet then said, "I won't tell anyone that you were out late."

Student 54, who holds no animosity toward SPS for these incidents, feels that Mr. DuBuclet abused his position of power. She recalled Mr. DuBuclet having similar experiences with other female students as well. By the time she was a sixth form student, she said, "Girls just knew that's how DuBuclet was." She remembered hearing him in her neighbor's dorm room one evening, and listening to her female classmate say, "Stop it. Get off of me. Get out." Student 54 said that he was always making passes at female students.

Student 54 provided Student 25 with an account of this incident in 2000, which is consistent with her email to Rector Hirschfeld and her interview with us. Student 25 subsequently provided that account to SPS and to Ropes & Gray. Student 54 was not contacted by Ropes & Gray.

Victim Account 2: Student 56

We interviewed Student 56 on May 4, 2017 and she told us that there was “definitely inappropriate behavior” between her and Mr. DuBuclet. Student 56, who referred to herself as a victim, was active in theatre and music, and said Mr. DuBuclet was her music teacher and theatre director. She recalled two (2) or three (3) occasions in which Mr. DuBuclet was “flirtatious” and “touching” her.

Student 56 told us about an off-campus car ride she took with Mr. DuBuclet during her fifth form year, which involved the two of them driving around New Hampshire and Maine. During the trip, which was intended to be for looking at costumes and scenery for an upcoming play, Student 56 was seated in the passenger seat of Mr. DuBuclet’s car. According to her, Mr. DuBuclet “kept putting his hands on [her] back and shoulders then on [her] legs and thighs.” She said, “He was attempting to go up my skirt for most of the drive.”

On that same trip, Mr. DuBuclet and Student 56 stopped at Student 56’s family home in Maine. Student 56 described it as “unusual,” but said her parents never brought it up to her afterward. Student 56, who as a student assumed Mr. DuBuclet had permission from the School to take her off-campus, said she “rebuffed” and “fought off” his advances when he was putting his hands under her skirt. She recalled Mr. DuBuclet saying, “come on ... I have driven you all over the place ... You should let me do this.” She felt Mr. DuBuclet wanted a relationship with her, but she kept it from going there.

On another occasion, Student 56 told us that Mr. DuBuclet kissed her. She and Mr. DuBuclet were on-campus near the smoking area, which she believes to now be the Tuck Shop. She referred to the kiss as “nonconsensual,” but “negotiated” in that Mr. DuBuclet said, “if you kiss me, I will stop bothering you.” She did not feel threatened to kiss him and, while she “might have mentioned it to friends,” she did not tell any adults.

Former Faculty Member Account: Gregory “Gregor” DuBuclet

During both of our interviews with Mr. DuBuclet on April 11 and 19, 2017, he denied the allegations made against him. Mr. DuBuclet said that he never touched any female students on a bench on the SPS campus, nor did he ever have any female students alone in his vehicle. He said, “there are no grounds for these accusations and they did not happen.” He added, “this one hundred percent did not happen.”

Mr. DuBuclet did admit to being “only two years older than some of the students.” He also recalled “hanging out” with students at their parties, and driving them off-campus for pizza.

Mr. DuBuclet remembered “rumors” circulating around SPS about him while he was a faculty member, but said that he never engaged in any relationship, sexual or otherwise, with any student.

The “rumors,” which Mr. DuBuclet recalled, pertained to male students in his music class telling him that female students had a “crush” on him. He remembered there being about twelve (12) or thirteen (13) occasions where male students would tell him, “so and so is hot on you” or “you’re hot on so and so.” Mr. DuBuclet said there was no truth to any of the rumors, and stated that they were just “jokes” by male students in his band and music classes.

Mr. DuBuclet explained that he left SPS in 1982 due to a disagreement with then music teacher and department head, Faculty 31, regarding Mr. DuBuclet’s teaching style. He said, “I was the cool, young guy. I wanted to teach jazz and rock, the students liked it, but [Faculty 31] did not approve of it.” He left SPS and moved to Germany shortly thereafter where he has remained since.

11. Heather Ellen (Couch) Lloyd

Heather Ellen (Couch) Lloyd was the Assistant Director of Admissions and a group master in Alumni House at SPS from 1979 to 1980. She was also an intern in the Advanced Studies Program during the summer of 1978. She graduated from Mount Holyoke College in 1979. We attempted to contact Ms. Lloyd on multiple occasions. With the help of a private investigator, we were able to locate her sister who told us that Ms. Lloyd currently resides in an assisted living facility and would not be able to speak with us.

During our interviews with three (3) alumni/ae, they all reported a sexual relationship between Ms. Lloyd and Student 57. Student 57 was not interviewed but did email us on November 9, 2016 to say that he had nothing to report.

Victim Account 1: Student 57

On November 9, 2016 we contacted Student 57 by e-mail to request an interview with him to discuss sexual misconduct at SPS. Student 57 responded immediately, and said that there was “no need” as he had nothing to report. He also said that it was “sad to see all these great prep schools becoming full employment acts for law, crisis, and communications firms.” He added, “makes it hard for an alum to ever want to donate again despite the schools trying to do the right thing, but only in response to things they always knew existed, yet looked the other way and now come to light decades later.”

Witness: Student 58

During our interview with Student 58 on October 7, 2016 he reported that Ms. Lloyd and Student 57 had a sexual relationship during Student 57’s sixth form year in the spring of 1980. Student 58 would only speak with us on the condition of anonymity.

Student 58 told us that he had attended a birthday party for another SPS alumnus in 2015 and that during the party Student 57, who, as a student, had been rumored to have “dated” Ms. Lloyd, disclosed to the guests of the party that he had in fact “dated” her as a sixth form student. Student 58 told us that Student 57 was “envied” as a student and that it was well known, at the time, that he was in a relationship with Ms. Lloyd. Student 58 described Ms. Lloyd as “young” and “around twenty-two or twenty-three years old,” and said that he believed she was “moved on by [SPS]” as she was only employed by the School for one year. Student 58 also said that he suspected Ms. Lloyd’s sudden departure was a result of her relationship with Student 57.

Witness: Student 59

During our interview with Student 59 on November 14, 2016 he confirmed that as a sixth form student, in the spring of 1980, Ms. Lloyd “came on to” Student 57 and they had a “two-week fling during the last two weeks of school.” Student 59 would only speak with us on the condition of anonymity.

Student 59 described Ms. Lloyd’s relationship with Student 57 as “fairly blatant and out in the open.” Student 59 said that Ms. Lloyd was new to the School and working in the admissions office. Student 59 added that in the mid-1980’s, after graduating from SPS, he attended a dinner party on Block Island at another SPS alumnus’ parents’ house. Student 59 told us that during the party Ms. Lloyd’s name was mentioned, and that Student 57 “took the bait” and “told everyone the story about him and [Ms. Lloyd].” Student 59 said, “[Student 57] was celebrated for this. Everyone thought it was awesome.”

A confidential memo on this account of sexual misconduct was submitted to counsel for SPS, Michael Delaney, on November 17, 2016.

Witness Account 1: Administrator 1, former faculty member, administrator and coach 1982-2008)

During our interview with Administrator 1, a former SPS faculty member, administrator and coach, on April 12, 2017, he recalled arriving at SPS in 1982 as a teacher in the math department and learning from other faculty and staff members that Ms. Lloyd had been recently “moved on” by SPS for engaging in “regular sex” with sixth form male students.

Witness Account 2: Student 54

During our interview with Student 54 on April 19, 2017, she told us that “everyone knew” about Ms. Lloyd and Student 57. She remembered Student 57 as being two forms ahead of her, but said his relationship with Ms. Lloyd was “known” to be “intimate.”

12. Dr. Terrence M. Walsh, Ph.D.

Dr. Terrence M. Walsh was a psychological counselor and teacher of human relations at SPS from 1974 to 1982. He graduated from Davis and Elkins College, earned his master's from McMurray College, and received his Ph.D. from the University of Massachusetts, Amherst. Dr. Walsh died on December 4, 1982 at the age of forty-eight (48).

Victim Account 1: Student 62

According to Dr. Walsh's personnel file, he married Student 62 in Tokyo, Japan in the spring of 1982. At the time, Dr. Walsh was forty-seven (47) years-old and Student 62 was nineteen (19) years old. Dr. Walsh's relationship with Student 62 began prior to the summer of 1980, when Student 62, who was then seventeen (17) years old, exchanged multiple letters with Dr. Walsh from her home in Tokyo.

In two (2) letters, in June and July of 1980, Student 62 described how she was spending the summer in Tokyo preparing audio tapes for SPS to use as part of its new Japanese language program. She repeatedly told Dr. Walsh in her letters that she "missed" him "very much," that she wished he would visit her, and she signed the letters "Love [Student 62]."

Dr. Walsh shared Student 62's two (2) letters with then Rector William A. Oates in the summer of 1980, and Rector Oates shared them with others at SPS. Rector Oates wrote back to Dr. Walsh in August 1980, commending him by saying "how great of you to keep up with [Student 62] and to continue to help her and support her during the summer." According to a letter from Rector Oates, Dr. Walsh was "the moving force in helping [Student 62], a member of our Sixth Form, to organize and teach a course in beginning Japanese [that] year."

Following her graduation from SPS, Dr. Walsh and Student 62 traveled to Tokyo in the summer to take part in an international presentation. Over the winter holiday in 1981, Dr. Walsh wrote to Student 62's parents explaining their relationship, which he described to Rector Oates as one of "mutual caring and very forceful respect and love for each other."

It appears that Student 62 went to college in Tokyo in the 1981-1982 academic year. In the summer of 1982, while on a sabbatical from SPS at the Seikei School in Tokyo, Dr. Walsh announced his marriage to Student 62 by letter to Rector Oates. On October 7, 1982, a new Rector, Reverend Charles H. Clark, terminated Dr. Walsh's employment at SPS.

On December 7, 1982 it was announced by Rector Clark to the Board of Trustees that Dr. Walsh had suffered a heart attack and died in Tokyo. It was also announced that on that same day, Student 62 committed suicide leaving a note "declaring she could not go on living without Terry."

Witness Account 1: Roberta Tenney, former faculty member, administrator and Vice Rector (1970-1997)

Ms. Tenney, a former SPS faculty member, administrator and Vice Rector, was interviewed on April 19, 2017 and emotionally recalled Student 62. She said, "that little girl was in my dorm. I loved that little girl. My heart broke for her." According to Ms. Tenney, Student 62's suicide also broke the heart of former Rector William A. Oates. She said, "Bill Oates trusted Terry Walsh with her." Ms. Tenney remembered Student 62 as the "sweetest little girl," and said that she was brought to SPS by her father from Japan to receive an American education.

13. W. Douglas Renfroe

W. Douglas Renfroe was a music teacher at SPS for one year from 1975 to 1976. He graduated from the Westminster Choir College and received his master's degree from the Catholic University of America. Mr. Renfroe currently lives in Fort Myers, Florida where he is a music director. We contacted and left voicemail messages for Mr. Renfroe on April 10 and April 18, 2017, but have not received a response to date.

Various alumni/ae interviewed reported Mr. Renfroe's marriage to Student 63 shortly after her graduation from SPS. Student 63 is an attorney in Athens, Georgia. We interviewed her on April 18, 2017.

Victim Account 1: Student 63

During our interview with Student 63, she acknowledged her former marriage to Mr. Renfroe and explained that their relationship began while she was a student at SPS. Student 63 recalled Mr. Renfroe joining the SPS faculty as a music teacher in 1975, during the fall of her sixth form year. She said, "I was in choir, and took a music course with him." Mr. Renfroe was married at the time and lived off-campus with his wife.

Student 63 said that it was during her "private," one-on-one voice sessions with Mr. Renfroe that their relationship began. Her parents were going through a "nasty" divorce, and Mr. Renfroe became someone that Student 63 could both trust and talk to. Student 63 said, "it went from me being able to just rely on him to him making it more." Their relationship became "physical" immediately, and included "everything" from hugging to kissing to sexual intercourse. Student 63's frequent sexual encounters with Mr. Renfroe occurred both on and off campus. The two would have sex in the music practice rooms on the SPS campus, as well as in Mr. Renfroe's off-campus home when his wife was not around. She described their relationship as being a "secret" from SPS, she said, "Doug wanted it to be a secret from Bill Oates."

After Student 63 graduated from SPS, Mr. Renfroe told her that he was leaving his wife. Mr. Renfroe then proposed to Student 63, and they were married in August of 1976. She recalled her father telling Mr. Renfroe that he should quit his job if they were going to be together after her graduation from SPS, which Mr. Renfroe did.

After leaving SPS, Mr. Renfroe took a job as a music teacher at Exeter High School in New Hampshire. The two then moved to Beaufort, South Carolina with their infant daughter, where Student 63 gave birth to twins. According to Student 63, Mr. Renfroe took a teaching position in South Carolina, but eventually was caught by her in a sexual relationship with one of his students. They divorced in 1982. Mr. Renfroe then went on to teach at two (2) more schools. To this day, Student 63 is upset with the fact that Mr. Renfroe continued his career as an educator after having multiple sexual relationships with his students.

Student 63 recalled SPS being a “beautiful place,” and said, “I loved it.” While she remembers then Rector William A. Oates fondly, and said, “I was close to him,” she admits that she never reported Mr. Renfroe to any faculty member or administrator at SPS.

Witness Account 1: Student 20

During our interview with Student 20 on April 18, 2017 she recalled the relationship between Student 63 and Mr. Renfroe. She said, “Their relationship was inappropriate while she was at St. Paul’s.” Student 20 recalled it being “obvious” because they were “physical” with each other on-campus in public view. Student 20 was also friends with Student 63, and said, “[Student 63] told me things.” Student 20 did not report Student 63 and Mr. Renfroe’s relationship to any SPS faculty member or administrator but believes it was known by them.

B. Other Reports Of Sexual Misconduct

We have received reports of ten (10) former faculty and staff who allegedly engaged in sexual misconduct that do not fit the criteria for category A.

1. Faculty 14

Faculty 14 was a teacher and dorm master at SPS during the 1970’s. We have not interviewed Faculty 14, but did receive an email with an enclosed letter from him on April 29, 2017.

Various alumni/ae interviewed reported Faculty 14’s marriage to Student 32 after Student 32’s freshman year of college. We contacted and left voicemail messages for Student 32 on multiple occasions. Aside from the letter we received from her and Faculty 14, we have not interviewed Student 32.

The April 29 letter, which acknowledged our investigation, stated that “any allegations of inappropriate behavior while [Student 32] was a student at St. Paul’s School are baseless and untrue. The facts are that we did nothing inappropriate while we were at SPS.” They stated that their relationship began after Student 32’s graduation, and said, “any suggestion that the story of [Student 32] and [Faculty 14] fits into a larger narrative of abuse and dereliction of duty at New England boarding schools is simply false.”

Having recently received the above-referenced two-page letter, this account is currently under further investigation.

Witness Account 1: Student 29

During our interview with Student 29 on February 24, 2017 she reported that as a student Mr. Katzenbach spoke to her about Faculty 14 and Student 32's relationship. She said, "[Mr. Katzenbach] first told me about [Student 32] and [Faculty 14] ... in the summer of 1974." She recalled Mr. Katzenbach expressing his feeling of "surprise" to her that Student 32 was still a virgin at the time and that her and Faculty 14 were "not yet having sex." Student 29 was a "close friend" and roommate of Student 32's at the time. Student 29 recalled Student 32 studying abroad in France during her senior year, 1975 to 1976, and remembered Faculty 14 going to France to visit her at Christmas. She said, "It was certainly common knowledge that [Student 32] spent a lot of time with [Faculty 14] on [SPS's] campus."

Witness Account 2: Student 42

During our interview with Student 42 on March 2, 2017 he reported that Faculty 14 married Student 32 not long after her graduation from SPS. Student 42 said, "It was assumed that things must have been going on at [SPS]" in light of the fact that Student 32 married Faculty 14 so soon after leaving SPS.

Witness Account 3: Student 26

During our interview with Student 26 on February 10, 2017 she reported seeing Faculty 14 going into Student 32's dorm room window at night and Student 32 "jumping" into Faculty 14's apartment window as well. Student 26 also said that she once witnessed Faculty 14 and Student 32 walking together over a bridge on SPS's campus to the gymnasium. She said, "[Faculty 14] put his hand on [Student 32's] shoulder and then slowly brushed his hand down her back." Student 26 recalled witnessing this in the spring of 1976 and said that she was not surprised by it because "their relationship was a joke around campus." Student 26 also believed that SPS faculty and staff likely knew of the relationship given the perceived wide knowledge amongst the students. Student 26 believes the relationship between Faculty 14 and Student 32 lasted for multiple years at SPS.

Witness Account 4: Roberta Tenney, former faculty member, administrator and Vice Rector (1970-1997)

Ms. Tenney, a former SPS faculty member, administrator and Vice Rector, was interviewed on April 19, 2017 and recalled learning about the marriage of Student 32 to Faculty 14 in 1977. She said, "it brought tears to my eyes." Ms. Tenney was upset about it, and recalled speaking to former faculty member, administrator and Vice Rector John Buxton. According to

Ms. Tenney, Mr. Buxton said, "well, they're almost the same age." She remembered Mr. Buxton being a "close" friend of Faculty 14.

2. Faculty 15

Faculty 15 was once an intern at SPS in the late 1970's. We contacted and left a voicemail message for Faculty 15 on April 27, 2017, but have not received a response to date.

During our interview with Student 60 he reported a sexual relationship between Faculty 15 and Student 61.

We continue to seek to confirm location of and contact with Faculty 15, thus this account is currently under further investigation.

Victim Account 1: Student 61

On December 9, 2016 we mailed a letter to Student 61's last known address. We then received a telephone call from Student 61 on December 16, 2016. She said, "I just received a letter regarding St. Paul's School and an investigation regarding allegations of inappropriate conduct by faculty and whether I have information ... To be honest with you I do not remember my four years there with great fondness and do not know where it's coming from [sic] and have not given them a great deal of thought in nearly forty years. I would appreciate it if you do not contact me any further."

Witness: Student 60

During our interview with Student 60 on September 12, 2016 he reported that, as a sixth form student in the spring of 1977, his girlfriend at the time, Student 61, had a sexual relationship with Faculty 15. Student 60 said that Faculty 15 was twenty-two (22) or twenty-three (23) years old and a recent college graduate when he arrived at SPS to serve on the faculty as an intern. Student 60 further stated that while he could not remember her exact birthday, he was nonetheless certain that Student 61 was eighteen (18) years old at the time the sexual relationship occurred between her and Faculty 15. Student 60 said that Student 61 confirmed the sexual relationship to him at the time and told him that she and Faculty 15 had sex on campus on a few occasions. Student 60 said that the sexual relationship between Student 61 and Faculty 15 was "well-known" amongst his circle of friends as he disclosed it to his "best friends" because he "associated a lot of trauma with it."

Student 60 described Student 61 as having a "rough family life." He said, "she didn't have much family support [and] didn't know what the future held for her after [SPS]." In referencing her sexual relationship with Faculty 15, Student 60 said, "I think all of that led her to do things that she may not have normally done." Student 60 told us that, at the time of the relationship between Student 61 and Faculty 15, he "confronted" Faculty 15 about it. He said, "he seemed like a perfectly nice guy."

A confidential memo on this account of sexual misconduct was submitted to counsel for SPS, Michael Delaney, on September 21, 2016.

3. Faculty 16

Faculty 16 was teacher at SPS for over two decades. Faculty 16 is deceased.

Victim Account 1: Student 64

During our interview with Student 64 on August 31, 2016 he reported that as a sixth form student, from 1963 to 1964, he experienced acts of sexual misconduct by Faculty 16. Student 64 would only speak with us on the condition of anonymity.

Student 64 said Faculty 16 taught his advanced placement French class for four (4) years, from 1960 to 1964. During his sixth form year, Student 64 would consult with Faculty 16 in his apartment in Center Upper. At the conclusion of each consultation, Faculty 16 would take Student 64 by the shoulders, turn him around so that his back was facing Faculty 16's chest, and proceed to wrap his arms across Student 64's torso and then "press" their bodies together. Student 64 did not understand Faculty 16's misconduct at the time, and said that it caused him to seek psychiatric help later in life due to the unhappiness resulting from those experiences.

Student 64 also reported being aware of a fellow student who experienced his own "strange" encounter with Faculty 16. According to Student 64 this other alumnus reported recently by e-mail that Faculty 16 had once come into the other alumnus' room one night with a pair of nail clippers and proceeded to cut the other alumnus' toenails. The other alumnus woke up during this and Faculty 16 quickly fled the room.

A confidential memo on this account of sexual misconduct was submitted to counsel for SPS, Michael Delaney, on August 31, 2016.

4. Faculty 17

Faculty 17 was a teacher at SPS in the 1970's. We interviewed her by telephone on April 19, 2017.

Victim Account 1: Student 65

During our interview with Student 65 on February 14, 2017 he reported that as a third form student, in the fall of 1972, he experienced sexual misconduct by Faculty 17. Student 65 went to Faculty 17's on-campus apartment one evening to receive tutoring. When Faculty 17 answered the door she was wearing only a nightgown. Student 65 said that once inside he and Faculty 17 sat on the floor of her living room. He said, "she sat on the floor in her very short nightgown and showed me that she clearly had no underwear on." Student 65 described himself

at the time as a “pretty naïve fourteen year old boy” and said, “I was too naïve ... to realize that she was coming on to me.”

Student 65 believes that Faculty 17 was “probably” only in her twenties at the time. Student 65 recalled that Faculty 17 “kept her physical distance” from him, and said, “she didn’t physically throw herself at me or anything like that.” Due to Faculty 17’s lack of physical contact and the fact that she did not say anything sexual or inappropriate to Student 65, he did not immediately view her actions as sexual misconduct. Looking back on the incident as an adult, however, he said, “she definitely represented herself to me inappropriately.”

Former Faculty Member Account: Faculty 17

During our interview with Faculty 17 on April 19, 2017 she denied all of the allegations made against her. She certainly recalled tutoring students, both one-on-one and in groups, in her apartment in Alumni House. The tutoring sessions in her apartment were conducted on a regular basis from 6:30 to 8:30PM. Faculty 17 tutored male and female students from all form years, third through sixth. She did not remember tutoring or teaching Student 65.

With respect to Student 65’s allegations of sexual misconduct, Faculty 17 said, “he’s a liar.” Faculty 17 asserted that she never engaged in any relationship, sexual or otherwise, with any students. She also said that no students ever flirted with or came on to her, and that she never flirted with or came on to any students. Faculty 17 acknowledged that when students would come to her apartment for tutoring that she would occasionally be in her pajamas. She said, “it would be late and they would just knock on my door ... I’m not going to stay in my work clothes all night.”

Faculty 17 also made clear that she was never reprimanded or spoken to by the SPS administration for any reason during her tenure. Faculty 17 left SPS in 1977 of her own accord because she wanted to do something else with her life.

5. Faculty 18

Faculty 18 was a teacher at SPS in the 1970’s. We interviewed her by telephone on April 10, 2017.

Victim Account 1: Student 37

During our interview with Student 37 on August 18, 2016 he reported that as a fourth form student, in the fall of 1974, he went to Faculty 18’s on-campus apartment to “get a haircut.” He said, “she was a lonely woman ... in an attic apartment on a fall day drinking white wine.” Student 37 said that Faculty 18’s conduct became sexual and inappropriate. He said, “She’s asking me to take my shirt off.” Student 37 said that Faculty 18 was known to have done the same with other male students also.

Victim Account 2: Student 66

During our interview with Student 66 on March 15, 2017 he reported that as a fifth form student, in the spring of 1975, he went to Faculty 18's on-campus apartment, "in one of the female quads," to receive tutoring. Student 66 said, "She was supposed to tutor me ... but she wanted more than that." Student 66 told us that Faculty 18 was "inappropriate" with him, in that he sensed she "wanted something more intimate" to happen between them. He said, "I think she wanted a date with me."

Student 66 said that Faculty 18 touched his shoulder, but told us that he had "the wisdom" to "shut her down." Student 66 said after a couple of visits to her apartment that he decided to avoid her; though he did recall that Faculty 18 continued to invite him back to her apartment even after he declined to go. Student 66 recalled "feeling sorry" for Faculty 18. He felt she was lonely and "out of place" at SPS, and he remembered her "prematurely leaving" shortly after his encounters with her. He also reported that he "probably" told Student 37 about Faculty 18 at the time.

Former Faculty Member Account: Faculty 18

During our interview with Faculty 18 on April 10, 2017 she denied all of the allegations made against her. Faculty 18 described herself as "psychologically not well" during her two years at SPS. She said, "I was extremely lonely and dealing with a rigorous teaching schedule. During my last year there, I had a complete breakdown. I was put into a hospital." Faculty 18 left SPS in 1977, but continued on as an educator elsewhere for the remainder of her career.

6. Faculty 19

Faculty 19 was a teacher at SPS in the 1970's and early 1980's. After multiple attempts to contact him by telephone and email, Faculty 19 contacted us by email on April 16, 2017.

Victim Account 1: Student 36

During our interview with Student 36, he reported that as a third form student, from 1971 to 1972, he had Faculty 19 as a teacher. Student 36 said that he and Faculty 19 would have dinner together in the SPS dining hall, and that on occasion he would visit Faculty 19's on-campus apartment where they would have "private conversations." Student 36 said that all of their conversations were one-on-one, he recalled feeling that Faculty 19 went out of his way to engage him.

Student 36 said that Faculty 19 offered to take him on off-campus drives. He said, "I did go for a ride ... at least once." Faculty 19 would tell Student 36 about his "camp" regularly, and while he never directly offered Student 36 an invitation, he did "dance around" it." Faculty 19 would also tell Student 36 about his "friend," who Student 36 described as sounding "strange," and how Faculty 19 and his "friend" had such a "great time" at his "camp" together.

Student 36 said, “The incidents I had with [Faculty 19] would be creepy to any child.” He said the conversations and encounters with Faculty 19 eventually came to end when Faculty 19 likely realized that Student 36 was “not interested.” Student 36 said that as a student he likely told a friend or two about Faculty 19, but could not be certain.

Witness Account 1: John Buxton, former faculty member, administrator, coach and Vice Rector (1969-1999)

During our interview with Mr. Buxton on January 17, 2017 he reported that in the spring of 1980 or 1981 at SPS’s annual commencement, Faculty 19 kissed a male student in front of the entire School. At one point, in the early 1980’s, Faculty 19 had made it clear, according to Mr. Buxton, that he wanted to leave SPS. Mr. Buxton said, “he made it known that he did not want to be [at SPS] anymore.” Mr. Buxton then said, “during graduation weekend he made a public display of affection by kissing a male student in front of everyone.”

In describing Faculty 19’s actions, Mr. Buxton said, “It was sort of this middle finger to [SPS].” Mr. Buxton viewed it as Faculty 19’s way of saying, “You don’t want me here and I don’t feel accepted here.”

After SPS, Faculty 19 went on to teach at another New England boarding school. According to Mr. Buxton, Faculty 19 was later fired from the school for “having inappropriate relationships with students.” Mr. Buxton said, “[They] called me once and said, ‘Why didn’t you tell us about [Faculty 19]?’” Mr. Buxton told us that he responded by asking, “Why didn’t you contact us about him?” Mr. Buxton told us the school’s response was, “we didn’t check his references because he was coming from St. Paul’s.”

Witness Account 2: Faculty 27, current faculty member

During our interview with Faculty 27 on September 14, 2016 she reported that there were “very creepy people” around SPS over the years. She said, “like [Faculty 19].” Faculty 27 told us that Faculty 19 was fired from SPS for “boundary issues with boys.” Faculty 27 said, “[Faculty 19] was [at SPS] in 1978 when I arrived, but was gone by the early eighties.” Faculty 27 recalled witnessing Faculty 19 taking photos of “a certain boy.” Faculty 27 could only remember the male student’s first name, and said that it was in the early eighties that she saw this.

Former Faculty Member Account: Faculty 19

After receiving our inquiry email regarding our independent investigation of SPS, Faculty 19 replied by email. He wrote: “At no time during my tenure as a faculty member at St. Paul’s did I ever have sex with, attempt to have sex with, or even suggest that I wanted to have sex with a member of the St. Paul’s School student body.”

When asked specifically about the incidents reported above, Faculty 19 wrote that as to the kiss:

“My friendship with the man in question was a close one, and it was also public and well known on campus. There was nothing we did that was illegal, immoral, or to be ashamed of. Our relationship was completely non sexual. As far as the kiss was concerned, (a) it did not take place ‘in front of the entire school,’ but in an area in the Quadrangle where some families were packing up their cars. Specifically, the kiss was (b) a good-bye kiss on the cheek until we were to see each other later in the summer at his family's farm (c) mutual (d) between consenting adults (e) with an alumnus (f) in the company of and directly in front of his parents who were well aware of our friendship. Our friendship continued for several years afterward.”

As to the photographs, he wrote:

“I had been an enthusiastic photographer in my own high school days but for some long years had had no camera and had been away from the hobby. Wanting to get into photography again I purchased in the late 1970's an expensive camera and wanted to experiment with it. I took a lot of photographs at school, of the buildings and grounds, of course, and I wanted to try out making portraits, so I made portraits of several people on campus, both students and faculty, both male and female.”

As to the statements referencing a camp, he wrote:

“During the period of my tenure at St. Paul's I did not own any real estate. The ‘cabin’ in question was a large house owned by a distant cousin and normally occupied in the summers by four or more families simultaneously. Over the years there have been a large number of visitors coming to see various people there. There were a few from St. Paul's, including students, alumni/ae, faculty and their families.”

Faculty 19 concluded by writing: “Nothing in what you have written or I have described to you here suggests, even remotely, that I had sex with, tried to have sex with, or suggested that I wanted to have sex with any member of the St. Paul's School student body.”

7. Faculty 20

Faculty 20 was a teacher at SPS in the late 1960's. Faculty 20 is deceased.

Witness Account 1: Student 2

During our interview with Student 2 on July 25, 2016 he reported that Faculty 20 “molested” an SPS alumnus from the Form of 1971 while he was a student at SPS. Student 2 said that in 2012 he learned about this incident from the alumnus at a reunion. Student 2 refused to provide the name of the alumnus.

According to Student 2, the alumnus, as a student at SPS, was asked by Faculty 20 to go for an off-campus drive. Student 2 said that Faculty 20 ended up driving the car to a farm field where he “molested” the alumnus in the “front seat of the car.” The alumnus allegedly “fought off or rejected” Faculty 20 who ultimately stopped the attack and drove the alumnus back to SPS.

Student 2 said that although he only learned of this incident in 2012 that he still “feared” Faculty 20 as a student. In fact, he recalled being assigned to live in a dormitory one year where Faculty 20 was the assistant house master. He said, “I refused ... I told my mother I would rather withdraw from [SPS] than live in that house.” Student 2 and his mother met with then Rector Matthew Warren and Student 2 again said, “I will withdraw from [SPS] if I am not moved from that dorm.” Student 2 said that he did not provide his mother or Rector Warren with an explanation, but did make clear that he was adamant. Rector Warren did allow Student 2 to switch dorm assignments.

Student 2 further recalled Faculty 20 holding dorm meetings in the nude with “all of the boys” also nude in his on-campus apartment. Student 2 said other students described it as “liberating.” Student 2 never attended one of these meetings.

8. Faculty 21

Faculty 21 was a teach and counselor at SPS in the 1970's and 1980's. We interviewed Faculty 21 by telephone on April 10, 2017.

Victim Account 1: Student 18

During our interview with Student 18 on March 2, 2017 she reported a “difficult” incident with Faculty 21 that occurred in either the summer or early fall of 1976 after she graduated from SPS. As a student at SPS, Student 18 saw Faculty 21 “regularly” to deal with various issues stemming from her “tough” family situation. Student 18 said, “I saw [Faculty 21] a lot during my time at [SPS] ... he was always very professional and helpful.” Student 18 said that nothing inappropriate ever occurred with Faculty 21 while she was a student.

After Student 18 left SPS, she endured quite a challenging freshman year due to her father's sudden death and her mother's subsequent “breakdown.” Shortly thereafter Student 18 dropped out of college. She said, “It was a horrible time in my life.” Trusting that Faculty 21 would be of help, Student 18 decided to fly to New Hampshire in order to visit Faculty 21. Student 18's friend, and SPS alumna, Student 67, picked her up at the airport and drove her to SPS where she had arranged to meet with Faculty 21.

Student 18 met with Faculty 21 in his office and had a “very understanding and helpful” counseling session. As the session ended, however, and Student 18 stood to exit Faculty 21's office, he walked up to her without saying a word and “grabbed her,” pulling her into a “full body bear hug.” Student 18 said that Faculty 21 “mushed his body” up against hers, “squeezing”

her tight, which allowed her to feel that he had an erection. She said, "It was a huge betrayal of all the faith I had put into him over the years." After that incident, Student 18 and Faculty 21 never spoke or saw one another again. She said, "It negated my faith that he was the one person at St. Paul's who cared about me."

Victim Account 2: Student 21

During our interview with Student 21 on February 22, 2017 she reported an incident that occurred with Faculty 21 after she graduated from SPS. She had been visiting her sister's apartment and Faculty 21 visited also. Student 21 was "grieving" about something at the time and, as she had done as a student, confided in Faculty 21 for guidance. She said, "he turned it into something else." Student 21 said Faculty 21 began to hug her and touch her. She added that she was "over eighteen" at the time and does not consider the incident to be a "violation."

Witness Account 1: Student 3

During our interview with Student 3 on January 30, 2017 she reported that as a student she was "sent by [SPS]" to meet with Faculty 21 because SPS believed she was having sexual relations with her boyfriend at the time, Student 9. Student 3 recalled her counseling sessions with Faculty 21 as "very creepy," but said that he did not touch her. She remembers feeling that Faculty 21 was not helpful at all.

Former Faculty Member Account: Faculty 21

During our interview with Faculty 21 on April 10, 2017 he did recall Student 18, but said that he never counseled her as an SPS student or alumna. Faculty 21 also recalled Student 21 who he said he "liked" and found to be "very interesting." He admitted to meeting Student 21 after she had graduated from SPS and to expressing his feelings for her, but said that Student 21 was not interested and "nothing came of it."

9. Faculty 22

Faculty 22 was a faculty member with no clear title at SPS for forty-five (45) years. Faculty 22 is deceased.

Various alumni/ae interviewed mentioned Faculty 22. We were told about Faculty 22's alleged trips to New York City where he procured prostitutes for male students. We received various second-hand accounts but were unable to substantiate any first-hand accounts from someone who had traveled with Faculty 22 or who knew him well.

Victim Account 1: Anonymous

On March 22, 2017 we received an anonymous letter from an SPS alumnus who wrote that he was a student at SPS in the 1960's. He wrote that Faculty 22 invited him and "other

boys” to his apartment in Hargate for “tea and toast,” and arranged a “quid pro quo” with them which required them to take photographs of their genitals and deliver them to Faculty 22. The alumnus also said that he traveled once with Faculty 22 to New York, New York where he “visited” with prostitutes. The anonymous alumnus was seventeen (17) years-old at the time and said he was “glad when the experience was over,” adding that he recalls feeling a sense of depression from it.

The alumnus said that he once told his family about his experiences with Faculty 22. During a Thanksgiving holiday at his family’s home, the alumnus wrote, “The table went silent and then my father ... said, ‘That’s OK. I had the same experience.’”

Witness Account 1: Student 44

During our interview with Student 44 on January 23, 2017 he reported that Faculty 22 was “legendary” at SPS. He said, “I know nothing first-hand, but [Faculty 22] makes those other characters ... look absolutely J.V.” Student 44 doubted our prospects of ever getting a first-hand account of Faculty 22’s sexual misconduct because in his estimation Faculty 22 ran “an entire fraternal organization.” Student 44 recalled Faculty 22 having a “club” of male students at SPS who were known as “Toad Boys.” He said, “[Faculty 22] took them to visit brothels in Europe and New York ... He would get the boys prostitutes and then he would sit and watch ... He took photos of the boys with these prostitutes.”

Student 44 called his account to us “hearsay,” but said that he heard about these trips from fellow SPS students who were on them. Student 44 told us that Student 68, who was Student 44’s classmate at Princeton University, was one of the students who traveled with Faculty 22 while at SPS. We interviewed Student 68 on February 13, 2017 but he denied ever going on any trips with Faculty 22.

Student 44 further recalled Faculty 22 being involved with the varsity hockey team. He said that Faculty 22 chose male students from the “most prominent families.” He further recalled hearing that Faculty 22 remained in touch with many of these male students after they graduated from SPS, visiting them at their family homes from time to time.

10. Faculty 23

Faculty 23 was a teacher at SPS in the late 1960’s and early 1970’s. Faculty 23 is deceased.

In 2000 Student 25 received a witness account from Student 69 about an incident that occurred at SPS in the spring of 1972 where Faculty 23 was in another male student’s dorm room and rubbed Vaseline on the student’s testicles. The male student was offended and requested that Faculty 23 stop. Faculty 23 allegedly threatened the student and said, “You can’t tell me what to do, I’m a teacher.” The student allegedly called his parents who “severely chastised” Faculty 23 and the student did not return to SPS the following year.

We contacted Student 69 by email on February 28, 2017, but have not received a response to date.

C. Unsubstantiated Allegations Of Sexual Misconduct

We reviewed personnel files and other documentation for eleven (11) current and former faculty and staff whose names were given to us as being associated with rumors of sexual misconduct.

Based on our investigation to date, there is an insufficient amount of information to support any sexual misconduct as to the following:

1. Faculty 24
2. Faculty 25
3. Faculty 26
4. Faculty 27
5. Faculty 28
6. Faculty 29
7. Faculty 30
8. Faculty 31
9. Faculty 32
10. Faculty 33⁹
11. Faculty 34¹⁰

IV. SPS KNOWLEDGE OF SEXUAL MISCONDUCT

Given the historical context of our investigation, beginning with the tenure of Howard Willard "Howdy" White Jr. at SPS, it seemed important to try to determine whether any SPS administrator or faculty member knew about the sexual misconduct or allegations described in this report. Therefore, in addition to our review of SPS and Ropes & Gray files, we repeatedly

⁹ During our investigation, we heard from alumni about an arrest of Faculty 33, which took place in 2009. Faculty 33 had been at SPS for forty-seven (47) years as a math teacher, coach and administrator. The alumni who mentioned the arrest to us had no personal knowledge of the incident leading to the arrest, and we were not contacted by any individual with personal knowledge of the incident. We have learned through newspaper accounts that Faculty 33 was arrested for allegedly assaulting a student during a tutoring session on June 3, 2009. He was immediately terminated by SPS for violating its sexual harassment policy.

¹⁰ During our interview with Roberta Tenney, a former SPS faculty member, administrator and Vice Rector, on April 19, 2017, she recalled being Vice Rector in 1989 and terminating Faculty 34 from SPS. She explained that other faculty members had reported to then Rector Reverend Charles H. Clark that Faculty 34 was "strange" and had "kissed female students on their hands," though she had no personal knowledge of these allegations. Ms. Tenney recalled meeting with Faculty 34 and telling him that he was not to be alone with any female students at any time. Faculty 34 was then found alone in a study room with a female student and terminated for not following orders. Ms. Tenney recalled Faculty 34 being at SPS for one year and only being terminated for failing to follow orders. She recalled no other issues regarding Faculty 34's brief tenure at the School.

asked those we interviewed whether SPS administrators were made aware of the incidents of sexual misconduct at the time they were committed, or while the faculty members and staff remained at SPS.

The vast majority of our interviewees, both victims and witnesses alike, told us that they did not inform other faculty or administrators about the incidents of sexual misconduct that they knew about or had experienced. As described in the individual accounts in **Section III** above, the reasons for not reporting sexual misconduct were varied, but tended to be explained by one or more of the following reasons:

- The faculty member who committed the abuse was so prominent and revered at SPS (Mr. Katzenbach and Mr. Ordonez in particular) that the student would not be believed, and would risk being punished or otherwise have their own standing at the School, or their educational opportunities, harmed or adversely affected, if they reported the abuse;
- The designation and deference accorded to the faculty position of “Master” at SPS was considered to be clearly superior to that of a mere student, such that a student never felt she/he was allowed to question the behavior of a “Master;”
- There were no formal procedures, policies or methods in place (until at least 1995) to facilitate or encourage reporting;
- The “counselors” at the School in the mid-1970’s, namely Dr. Terrence M. Walsh and Faculty 21, were not designated formally as persons to whom students could or should report on these types of issues, and themselves were either suspected of sexual misconduct or inappropriate behavior, or otherwise unwilling to consider reports of sexual misconduct by adults on students to be credible, serious, or part of their role to report;
- Students were usually both shocked by the behavior and/or ashamed, and questioned their own behavior in allowing an adult to sexually abuse or harass them;
- Their parents, faculty, and adults they respected or were close to, and even fellow students, often did not or would not believe them.

In addition, and as potential explanations for the lack of reporting or awareness by faculty and SPS leadership, we heard repeatedly that: (a) during the 1970s and 1980s, SPS adults were more concerned about the prevalence of drug and alcohol use by and among students, and student-on-student sexual intimacy than they were about faculty-student relationships; (b) close faculty-student relationships (as coaches, mentors, masters, and advisors) were encouraged and deemed by students as well as faculty to be one of the very positive features of SPS educational life; and (c) there was absolutely no formal training or orientation of faculty about so-called “boundary issues,” let alone specific codes of conduct relating to adult-student sexual harassment, abuse or misconduct, nor any formal reporting or other methods of oversight. (*Note:* The first reference to policies, procedures and the applicable law on these topics in the SPS Faculty Handbook appears in years 1995-96.) (*See Appendix G*).

Despite the general lack of reporting of sexual misconduct to SPS administrators, at least as to those incidents reported herein, we did discover instances where sexual misconduct was reported, or became known, to SPS administrators while the faculty member was still at SPS.

1. Edward Lawrence “Larry” Katzenbach III

As reported above (*See Section III, A (1)*), former faculty member, administrator, coach and Vice Rector John Buxton was told by victims about sexual misconduct by Mr. Katzenbach as early as 1974. Mr. Katzenbach was never fired nor, as far as we can tell, investigated for any wrongdoing until a demand was made against SPS by Student 33 and her counsel in 1993. Mr. Katzenbach resigned from SPS in April 1994, but SPS agreed to continue paying him for the next year while he was on a “terminal sabbatical.” In 1997, three (3) years after his so-called resignation, the Interim Rector of SPS, Clifford J. Gillespie, wrote letters of recommendation for Mr. Katzenbach to several schools in Washington D.C. and Virginia. Prior to his resignation in 1994, SPS had been notified of Mr. Katzenbach’s actions on the following occasions:

- **1974** – Student 22 said that she told Mr. Buxton, then Dean of Admissions, in the fall of 1974 that Mr. Katzenbach grabbed her left breast while they were in his apartment. Mr. Buxton, who neither recalled nor denied the conversation with Student 22, purportedly responded to Student 22 by asking what she had done to make Mr. Katzenbach behave that way. No action was taken against Mr. Katzenbach.
- **1976** – Student 20 submitted a written statement in 2001 as part of the Ropes & Gray investigation in which she claimed that in the spring of 1976, she was told by Student 19 that Mr. Katzenbach had propositioned Student 19 to go away with him for the weekend. Since Student 20 had also been propositioned by Mr. Katzenbach to go away with him for a weekend the previous fall, she and Student 19 agreed to report the incidents to SPS faculty. Student 20 wrote in her statement that she reported to Mr. Buxton, and later told us that Student 19 reported to Faculty 15. During our interview with Mr. Buxton, he recalled Student 20 reporting to him that Mr. Katzenbach made inappropriate sexual comments in class. Mr. Buxton told us that he reported Mr. Katzenbach to the then Rector William A. Oates, who in turn told Mr. Buxton to meet with Mr. Katzenbach about Student 20’s report. Mr. Buxton said that he asked another teacher, Faculty 15, to also attend the meeting with Mr. Katzenbach, where Mr. Katzenbach denied having said anything sexually inappropriate to students.

Mr. Buxton told us that he reported back to Rector Oates about the discussion. In our review of Mr. Katzenbach’s files, we confirmed that Student 20 had reported to Mr. Buxton about Mr. Katzenbach, and that Mr. Buxton met with Mr. Katzenbach. However, according to a letter in September 1994 by SPS’ outside counsel handling a claim against SPS relating to Mr. Katzenbach (*See below*), Mr. Buxton explained that Student 20 and Student 19 approached him and Faculty 15 in confidence, and did not want the School to know of their reports about Mr. Katzenbach. As a result, Mr. Buxton said that he and Faculty 15 warned Mr. Katzenbach about the reports and told him that if it ever happened again they would inform the SPS administration.

- **1991** – In the same 2001 statement, Student 20 wrote that during her fifteenth (15th) SPS reunion several of her female classmates described similar incidents they had with Mr. Katzenbach during their time at SPS. Given these similar experiences, Student 20 concluded that her report to Mr. Buxton in 1976 apparently did not stop Mr. Katzenbach's behavior. Because Mr. Katzenbach was still teaching at SPS in 1991, Student 20 reported the incident once again to SPS Vice Rector, Roberta Tenney. No further action appears to have been taken.
- **1992** – Student 20 wrote another letter to then Rector David Hicks in October 1992 describing the incident with Mr. Katzenbach. A copy of the letter is in Mr. Katzenbach's file. No further action appears to have been taken.
- **1993** – Student 33, a former student of SPS' Advanced Studies Program (ASP) in 1982, wrote a letter to Rector David Hicks in November 1993 describing a sexual affair she had with Mr. Katzenbach that began in 1984. According to Student 33, Mr. Katzenbach convinced her to come back to his apartment after an ASP reunion in 1984. Mr. Katzenbach then convinced her to be his ASP intern the next year, and the sexual affair continued for the next two (2) summers. The affair began when Student 33 was eighteen (18) years old. Student 33 attached to her letter to Rector Hicks several "love letters" written to her by Mr. Katzenbach during their affair. Student 33 also recounted a similar sexual affair that Mr. Katzenbach had with another ASP student, who anonymously confided in Student 33 that the affair began when she was sixteen (16) years old. Student 33 copied the Merrimack County Attorney on her letter to Rector Hicks, and her private attorney communicated with SPS' outside counsel to pursue the removal of Mr. Katzenbach from SPS. Student 33 made clear that she was writing the letter as a means of protecting current SPS students from any harm at the hands of Mr. Katzenbach.
- **1993** – During the investigation of Student 33's reported incident, SPS' outside counsel prepared a memorandum which included two (2) other reports related to Mr. Katzenbach in the 1992-1993 school year. Student 70, and another anonymous student, reported to SPS faculty that Mr. Katzenbach acted sexually inappropriate and made sexually inappropriate statements. The faculty brought the reports to the attention of then Vice Rector Roberta Tenney, and then faculty member Clifford J. Gillespie.

In December 1993, SPS' outside counsel, William L. Chapman, wrote a letter to Rector Hicks recommending that Rector Hicks or someone else speak with Mr. Katzenbach and "take further action" or else Student 33 would likely "give further publication to her charges."

On February 8, 1994, Rector Hicks wrote a letter to Student 33, stating that SPS had "looked into the issues [she] raised in a deliberate, serious and thorough manner." Rector Hicks informed Student 33 that SPS had concluded that Mr. Katzenbach "[did] not pose a threat or danger to any [SPS] students, and that he [would] not expose them to risk in the future" because he did not live in a girls' dormitory and would not be assigned to one in the future," and "his apartment [was] not in a student dormitory." Rector Hicks also stated that Mr. Katzenbach had

given them “assurances that he [was] not to invite any female students to his apartment for any reason whatsoever.” (*See* Letter, Appendix F).

Despite any such assurances and the decision made by Rector Hicks to allow Mr. Katzenbach to remain at SPS, we have been informed by then Vice Rector Roberta Tenney that it was the SPS Board of Trustees that played a major role in the decision to keep Mr. Katzenbach. When Ms. Tenney refused support for keeping Mr. Katzenbach during this period, she was removed from her position at SPS and eventually forced to resign from a long period of employment at the School.

SPS offered Mr. Katzenbach a position for the 1994 to 1995 school year. In April 1994, however, Mr. Katzenbach submitted a letter of resignation, stating that it was “important” that he make the decision to resign himself. He stated that his reason for resigning was “for personal, professional, and philosophical reasons on which [he] would rather not elaborate.” In his letter, Mr. Katzenbach requested that he continue to be paid and provided insurance coverage for he and his child for the next year, and that he be placed on a “terminal sabbatical.” (*See* Letter, Appendix F). By letter dated April 29, 1994, Rector Hicks accepted Mr. Katzenbach’s resignation and agreed to his request for a “terminal sabbatical.” (*See* Letter, Appendix F).

In August 1994, Student 33’s counsel wrote a demand letter to SPS, seeking a settlement meeting in lieu of formal litigation. SPS’ counsel submitted the claim to SPS’ insurance carrier for coverage, which was denied. It is unclear from the files we reviewed at SPS how Student 33’s claim was resolved.

It is clear from the files, however, that in 1997 Mr. Katzenbach applied for several teaching positions at other schools in Washington D.C. and Virginia, and that the Interim Rector at SPS, Clifford J. Gillespie, wrote him glowing recommendations.

2. Robert Maurice Degouey

As described above (*See* **Section III A, (4)**), Student 11 informed Ropes & Gray in 2000 that he had a sexual relationship with former faculty member Robert Maurice Degouey in the fall of 1973 when he was fourteen (14) years old.

Student 11 also told Ropes & Gray, and us during our interview, that he informed then Rector William A. Oates of this sexual relationship in the summer of 1978 when the Rector contacted Student 11 and asked him to meet him at Logan Airport to discuss the matter. Rector Oates had heard from a colleague that Student 11 had revealed his relationship with Mr. Degouey to other students in the study abroad program. During the meeting at Logan Airport, Student 11 told us that Rector Oates was not concerned about Student 11’s well-being resulting from a sexual relationship with a faculty member, but was only concerned with the information being publicly disclosed by Student 11 and causing harm to SPS’ reputation. According to the Ropes & Gray files, Student 11 said that Rector Oates expressed his concern for Student 11 as a result of the sexual relationship and said that he did not put anything in Student 11’s file relating to the relationship.

In our review of Student 11's file, we reviewed notes of Rector Oates confirming his meeting with Student 11 at Logan Airport in August 1978, and his plan to consider discussing the matter with the SPS Board of Trustees in the fall of 1978. According to Rector Oates' notes of August 21, 1978, he learned about "the troubling reports" relating to Student 11 "last April." It is unclear whether Rector Oates meant that he learned of the relationship between Student 11 and Mr. Degouey in April of 1977 or April of 1978. According to Mr. Degouey's file, he left SPS in 1978 to pursue teaching positions elsewhere. SPS prepared written recommendations for Mr. Degouey despite Rector Oates' knowledge of the sexual relationship he had with Student 11 while he was fourteen (14) years-old.

3. Jose A.G. "Senor" Ordonez and the Form of 1975 Disclosures

As described above in **Section II**, the Form of 1975 during their twenty-fifth (25th) reunion in 2000 presented SPS with a number of accounts of former students who were sexually abused by Mr. Ordonez in the 1970's. Mr. Ordonez was working as the SPS archivist in 2000. As reported above, the investigation by Ropes & Gray, documented Mr. Ordonez's behavior as well as his admission to multiple acts of sexual misconduct with students over many years. Based on that report and investigation, SPS leadership terminated him as archivist and banned him from the SPS campus.

Finally, as we have noted periodically in this report, the SPS files, at least for the period of 1948 to 1988, are, by and large, devoid of any information relating to faculty conduct except with regard to academic or other faculty responsibilities. It does appear, however, that with the exception of Mr. Ordonez and Mr. Katzenbach, the most prominent, longstanding faculty who were by all accounts "revered" by alumni/ae and leadership alike, newer or less prominent faculty or staff discovered or perceived to have engaged in sexual relationships of any kind with students were "moved on," without reasons or publicity within or without the SPS community, and with appropriate references for the next potential employer.

V. CONCLUSION

This Final Report sets forth our findings and conclusions about allegations of historical faculty-student conduct at SPS, based on our independent investigation from May 27, 2016 to the present. It is based on information we have received and/or documents we have reviewed to date. We do have additional requests for interviews still outstanding. From our experience, it is possible that, in the event of further reporting to the SPS community by the Rector or otherwise, additional alumni/ae, former or current faculty and staff or others may come forward with additional information. We will gladly respond to any questions the current leadership of SPS may have or information they may wish to have clarified.

In closing, we again wish to commend the Rector and SPS leadership for being willing to re-open and explore this historical aspect of the School, its faculty and students and for their full cooperation and commitment. We also cannot fail to again commend the alumni/ae who have been willing to revisit the experiences they have shared with us in the interest of ensuring that the historical record is clear, but, also, so that the lessons to be learned will protect and enhance the health and safety of those who entrust their educational and social lives to SPS, an institution

THIS REPORT HAS BEEN CODED TO PROTECT THE IDENTITIES OF ALL VICTIMS AND WITNESSES, AS WELL AS THE IDENTITIES OF CERTAIN FACULTY AND STAFF PER THE DIRECTION AND PURSUANT TO THE CRITERIA IDENTIFIED BY ST. PAUL'S SCHOOL. CASNER & EDWARDS, LLP HAS MADE NO INDEPENDENT DETERMINATION AS TO THOSE WHO REMAIN UNCODED.

most of those we spoke with continue to respect and value as a critically important part of their life.

Respectfully submitted by,
Casner & Edwards, LLP

A handwritten signature in black ink, appearing to be "S. Harshbarger", written over a horizontal line.

Scott Harshbarger
Edward V. Colbert III
Carmen F. Francella III