

# Report to the Board of Trustees of Choate Rosemary Hall



CHOATE  
ROSEMARY HALL

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Nancy Kestenbaum  
Covington & Burling LLP  
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I.	Introduction.....	1
II.	Prelude to This Investigation .....	7
III.	Investigative Process .....	9
IV.	Substantiated Reports of Sexual Misconduct .....	13
V.	Other Reports.....	46
VI.	Conclusion .....	48

## **I. Introduction**

### **A. The Nature and Scope of This Report**

In an October 11, 2016 letter, Choate Rosemary Hall announced our independent investigation to members of the Choate community. The letter explained that Choate had hired an experienced investigator and former prosecutor, Nancy Kestenbaum of Covington & Burling LLP, to conduct this investigation, and that our mandate was to conduct an independent factual investigation of “reports of adult sexual misconduct with students at Choate Rosemary Hall, The Choate School, and Rosemary Hall.” The letter “strongly encourage[d] anyone with possible knowledge of sexual misconduct by faculty or staff at Choate” to contact us.

The letter explained that we would:

investigate the specific reports recently received by the School, receive and investigate any new reports of adult sexual misconduct against any student by Choate faculty or staff, review records of misconduct previously reported to the School, and do additional investigation or follow-up as Ms. Kestenbaum decides is warranted. Ms. Kestenbaum will have full access to School files, records, and personnel in order to support her investigation.

This report therefore focuses on instances of sexual misconduct by Choate faculty and staff members. Consistent with the school’s policies dating back to the 1970s, which explicitly forbid “sexual relationships or deep emotional attachments” with students, we have interpreted the term “sexual misconduct” broadly and use that term in our report to include a range of inappropriate behaviors. We recognize that other terms, like “sexual abuse,” “sexual harassment,” or “rape,” might also be appropriate in describing certain incidents discussed in our report. We did not investigate reports of student-on-student sexual misconduct, which were outside the scope of our mandate.

### **B. Reports Received in This Investigation**

As described below, we received numerous calls and emails in response to the October 11 letter, in which incidents of sexual misconduct of varying degrees of severity were reported to us. We received additional reports of sexual misconduct from individuals we contacted and interviewed in the course of our investigation. Some of the reports we received were first-hand accounts in which graduates described sexual misconduct that they experienced while at Choate. Others were reports from individuals who described misconduct that they had witnessed or, in some cases, had heard about from others. We also reviewed additional accounts of sexual misconduct received by the school over time.

The earliest reports we received concerned conduct from the 1960s, before the merger of The Choate School and Rosemary Hall. We also reviewed a few reports from earlier decades. For ease of reference and because we did not substantiate any specific reports related to incidents at pre-merger Rosemary Hall, we generally use the terms “Choate” or “the school” when referring to Choate Rosemary Hall and its predecessors.

The reports we received from the 1960s through the present were distributed in a rough bell curve, with the greatest number of reports concerning incidents in the 1980s, with roughly half that number in the 1970s and 1990s, and with significantly smaller numbers in the 1960s and 2000s. We received a handful of reports of sexual misconduct in the 2010s. We neither received nor reviewed a report related to a current Choate student, and we did not substantiate any reports of sexual misconduct involving current faculty members or staff.

Certain Choate graduates described themselves as having been flattered, at the time, by attention they received from faculty or staff, but told us they later recognized that the conduct had been abusive. They described Choate faculty and staff engaging in acts with them that included intimate kissing, intimate touching, and sexual intercourse. Other graduates told us of contact that they recognized as abusive at the time, including forced or coerced intercourse, as well as other incidents of unwanted contact that led students to feel betrayed by faculty or staff they had trusted and admired. Regardless of how the graduates felt at the time, many reported to us that these physical or sexual encounters with faculty or staff, who had occupied positions of authority and trust, disturbed them throughout their adult lives.

As explained below in Section III-E, we are not naming in this report any individuals who reportedly experienced sexual misconduct as Choate students. Instead, we are referring to the former Choate students whose reports are summarized in Section IV with numerical identifiers such as “Student 1.” We are also not naming Choate graduates who reported incidents of sexual misconduct involving others. Other principles we followed when deciding whether to name individuals in this report are set forth in Section III-E.

\* \* \*

Choate is a special place; many with whom we spoke described how much Choate meant to them and how much they had gained educationally and personally from the close relationships between adult and student that are core to a boarding school such as Choate. The inherent intimacy of a boarding school environment, however, in which faculty advisers live in student dorms and are expected to visit students in their rooms, in which teachers have students into their apartments on occasion, and in which adults and adolescents sometimes travel off campus together, requires particular vigilance.

In making this report, we draw no comparison between Choate and other similar institutions. Comparing Choate and other schools is not within our mandate, and we have no basis on which to assess whether Choate experienced more or fewer instances of sexual misconduct than its peer schools. Nor do we assess how its response to individual incidents or the topic of adult sexual misconduct more broadly compares with other schools.

## **C. Choate's Response to Adult Sexual Misconduct**

### **1. The School's Approach to Issues of This Kind**

The incidents and the school's responses we describe below took place during the tenures of four Choate Headmasters: Seymour St. John, who served as Headmaster from 1947 until 1973; Charles Dey, who served from 1973 to 1991; Edward Shanahan, who served from 1991 to 2011; and Alex Curtis, who assumed the role in 2011. St. John is deceased, but we interviewed the three other Headmasters. (As noted above, we did not substantiate any specific reports related to incidents at pre-merger Rosemary Hall.) Each of the Headmasters we interviewed affirmed that Choate has never sanctioned relationships of a sexual or romantic nature between faculty or staff and Choate students.

Since 1976, Choate has prohibited "sexual relationships or deep emotional attachments" between faculty or staff and students. Choate adopted a "Policy on Discrimination and Harassment" in 1991, which included "harassment of any member or group based on such factors as ... sex." The policy was revised in 1993 to address and define "sexual harassment" specifically. The policy underwent significant changes in 1997, when it was revised to include detailed new complaint and resolution procedures. Among other changes, Choate revised the policy specifically to recognize adult-on-student sexual harassment and to articulate a specific procedure for making a complaint about a sexual harassment incident. In 2013, Choate added a section to its Faculty Handbook describing mandatory reporting obligations.

Although, as we explain below, an assessment of Choate's policies and training, and recommendations for improvement, did not fall within our mandate, we observed that the school has worked to focus in a more concerted and transparent way on these issues over time, with more comprehensive policies and more frequent training. For example, during Shanahan's tenure, the school brought increased focus to issues of sexual misconduct. As described by Shanahan and other administrators, Shanahan was the first Headmaster to articulate a philosophy and to address these issues at an institutional level. He communicated to faculty, consistent with long-standing school policies, that a deep emotional attachment between a faculty member and a student was itself grounds for termination.

Soon after Shanahan became Headmaster, he dealt with an incident of sexual misconduct described in Section IV-I below. Although we have seen evidence suggesting that Shanahan focused attention on sexual misconduct issues – including holding a faculty sexual harassment workshop – even before the school learned of that incident, Shanahan and other administrators cited it as a trigger for increased focus on these issues. Shanahan required all faculty and later trustees to participate in sexual harassment training given by the school’s counsel. Choate informed us that, by 2002, the school was conducting annual trainings for new faculty and summer school faculty. The school also informed us that over the past 15 years, the training program for new faculty members was updated and addressed sexual harassment, boundary crossing, and mandated reporting. The school also has required returning teachers to be retrained on these topics, with the schedule recently changing from triennial to annual retraining.

Shanahan said that he had regular and frequent conversations with the Chairmen of the Boards of Trustees during his tenure and stated that he raised issues of potential sexual misconduct when those issues were brought to his attention. Where pertinent to a particular incident in our report, we describe below the Chairman’s or the Board’s involvement. Shanahan also told us and Choate has confirmed by letter that it was the school’s practice to consult outside counsel with respect to incidents of adult sexual misconduct as they arose; the school identified approximately 20 occasions over the past 25 years on which it consulted with counsel regarding specific incidents. Because Choate has not waived its attorney-client privilege, we do not know the nature of the advice sought or received.

During Curtis’s tenure, the school has continued its efforts to address these issues. In the summer of 2012, the report regarding the Penn State child sex abuse scandal and the *New York Times Magazine* article regarding sexual misconduct at the Horace Mann School were published. Curtis described how those reports were catalysts for Choate to discuss and examine sexual misconduct issues. An outside expert on risk management for independent schools delivered a presentation to the Board during its June 2013 retreat. Further, following the school’s recently-completed Strategic Plan, the school decided to “creat[e] a single document that defines ... the expectations we hold of everyone at Choate.” Choate shared that new document – the Statement of Expectations – with its community in the January 2014 issue of the *Bulletin*, the school’s alumni magazine. In a letter introducing the Statement of Expectations, the school explained that it “reaffirms our collective responsibility to promote a culture defined by integrity, honor, ethical behavior, and good decision-making, as the Strategic Plan delineates.” The Statement of Expectations includes this instruction: “Adults are expected to identify and report suspicions of harassment, abuse, and sexual or other misconduct and will not engage in such behaviors themselves.” The Statement also includes a section on “Interpersonal Boundaries and Power Dynamics,” which notes that “[a]dults must not lean on students for emotional support, share personal information with

students to an inappropriate degree, or engage in any behavior that blurs the lines between adult and student.”

## **2. Choate’s Responses to Particular Incidents**

We have paid particular attention to Choate’s responses to the incidents we describe in our report. Many of the Choate graduates who reported incidents to us did not tell any adult at the school at the time of the incidents. Some did not report because they did not recognize the conduct as abusive at the time and/or did not want the school to find out. Others expressed the view that the culture at the time made it difficult to report and that, at the time, they could not identify an administrator whom they believed would be sympathetic to a report. In other instances, the school was informed, but not until many years later. We also learned of situations when administrators or faculty learned of sexual misconduct in real time. In nearly all the incidents we describe in this report, when a faculty or staff member who was still employed by Choate was found to have violated school policy, that individual was required to leave, usually by way of resignation.

Our interviews and school records showed that sometimes the school moved quickly and decisively. In other cases, it was slower to respond and allowed the faculty member to remain at the school, sometimes with restrictions on his or her activity, for a considerable length of time. When a faculty member was a long-term and admired teacher, action sometimes came more slowly. On at least one occasion, a faculty member remained until his voluntary retirement, some ten years after a student reported an incident of sexual misconduct.

Our investigation further showed that when reports of sexual misconduct were substantiated by the Choate administration, sexual misconduct matters were handled internally and quietly. Even when a teacher was terminated or resigned in the middle of the school year because he or she had engaged in sexual misconduct with a student, the rest of the faculty was told little and sometimes nothing about the teacher’s departure and, when told, was cautioned to say nothing about the situation if asked. Individuals we interviewed cited the impact on affected students and their parents’ concerns for privacy, as well as protection of the faculty members in question and potential risks to the school, as reasons why the school followed this approach. Some of the former students and parents with whom we spoke were satisfied with how the school responded at the time, although some, looking back, felt that more communication about the issues might have benefitted both teachers and students or thought that the school should have notified government authorities. Others said that they felt that the school had not responded as it should have. In a few instances, the school entered into settlement agreements with the student or graduate, some of which are confidential.

Our mandate was factual reporting, not legal analysis, and we have not analyzed whether Choate or any individuals affiliated, or previously affiliated, with

the school violated any laws. For context, however, we highlight certain provisions of Connecticut law potentially relevant to the incidents described in this report.

The age of consent in Connecticut for sexual intercourse has been 16 since 1985, and before that, it was 15. Connecticut also has criminalized sexual intercourse (since 1969) and sexual contact (since 1975) between a minor and his or her guardian or a person “otherwise responsible for the general supervision of such person’s welfare.” Since 1994, Connecticut also has separately criminalized sexual intercourse and sexual contact between school employees, including employees of private secondary schools, and their students. “Sexual intercourse” in these circumstances is punishable as sexual assault in the second degree. “Sexual intercourse” is defined to include vaginal sex, anal sex, and oral sex. It is a class B felony if the student or minor is under 16 years old and a class C felony if the student or minor is over age 16. “Sexual contact” in these circumstances is punishable as sexual assault in the fourth degree. “Sexual contact” is defined to include contact with the intimate parts of either the actor or the other person for the purpose of sexual gratification of the actor or for the purpose of degradation or humiliation of the other person. It is a class D felony if the student or minor is under age 16 and a class A misdemeanor if the student or minor is over age 16.

Since 1965, Connecticut has had a statute designed “to require the reporting of suspected child abuse or neglect” to the Connecticut Department of Children and Families (“DCF”) by certain individuals who care for or interact with children (described as “mandated reporters”). Teachers have been mandated reporters since 1967. Under the current version of the law, a mandated reporter “shall [make a] report” when he or she has “reasonable cause to suspect or believe” that a child under the age of 18 has suffered abuse, which is defined to include “a condition that is the result of maltreatment, including, but not limited to, ... sexual molestation or exploitation, ... emotional maltreatment or cruel punishment.”

Choate did not make any reports to DCF regarding adult sexual misconduct prior to 2010. It made one such report in 2010, in connection with the incident described below in Section IV-L. In July and December 2016, the school filed a number of reports with DCF, some of which concerned incidents described in this report, based on information then available to the school. DCF responded to the 2016 reports by stating that they had not been accepted for DCF response, sometimes indicating that the reason was that the former student was no longer a minor.



## **II. Prelude to This Investigation**

A series of events over the past several years focused Choate's attention on the issue of adult sexual misconduct on campus and resulted in the school's decision to commission our independent factual investigation.

### **A. Sexual Misconduct Reports in 2013**

In addition to the reports regarding Penn State and Horace Mann described above, Choate's receipt in the spring of 2013 of reports from two graduates who recounted incidents they experienced as students was a catalyst for the school's examination of the issue of adult sexual misconduct. Student 1, a member of the class of 1963, made his report in a 2013 reunion yearbook submission and Student 12, a member of the class of 1988, made her report in a 2013 reunion weekend survey. These two graduates' reports, and the school's responses to them, are discussed in Sections IV-A, IV-E, and V below.

### **B. Appointment of Kathleen Lyons Wallace**

In the summer of 2013, at Curtis's direction, Associate Headmaster Kathleen Lyons Wallace and another administrator began reviewing relevant school records to aggregate information regarding prior potential incidents of adult sexual misconduct. Wallace's work was extremely helpful to us in identifying certain incidents to investigate. As described below, we built upon Wallace's work to conduct our own investigation.

Also in the summer of 2013, Curtis decided that Wallace should be the point person for receiving reports of past or present sexual misconduct at Choate. Wallace's role, as well as a commitment to handling reports of sexual misconduct confidentially, was announced to the Choate community in January 2014. Wallace told us that Choate faculty members and administrators began coming to her with concerns about possible adult sexual misconduct, but she did not receive any direct reports from Choate students or graduates regarding adult sexual misconduct they had experienced while at the school. We confirmed through our interviews that Wallace was, and continues to be, a key person to whom faculty and administrators have turned with concerns or questions about sexual misconduct issues.

In March 2016, the *Boston Globe* began making inquiries to Choate regarding incidents of potential sexual misconduct at the school. Two months later, the *Globe* published the first of a series of articles on the issue of sexual abuse at New England private schools.

### **C. Appointment of Judge Richard Holwell**

According to Curtis, the questions from the *Globe* and investigations by other schools prompted Choate to consider whether it was doing enough to encourage individuals to come forward with reports regarding adult sexual misconduct. An April 2016 email to the Choate community reiterated that Wallace was the school's point person for reports of "inappropriate behaviors or boundary crossings," but stated that the school recognized that community members might wish to speak to someone independent of the school; Choate announced that the Honorable Richard Holwell, a former federal judge now in private practice, would be available for that purpose.

In the first several weeks after that announcement, Judge Holwell received a report regarding an unidentified former faculty member that could not be substantiated and a voicemail from another graduate who did not call Judge Holwell back after he returned the call. Judge Holwell worked with Wallace to follow up on these contacts. In addition, shortly before our appointment, Judge Holwell received an email from a graduate, which he shared with us for follow-up.

### **D. Events Prompting This Independent Investigation**

In May of 2016, Curtis received another email from the *Globe*, this time inquiring about four former faculty members. The reporter shared, in part, a report from Cheyenne Montgomery (Student 18) that two of those teachers had sexual intercourse with her while she was a student in the early 1990s. Wallace soon reached out to Montgomery to begin a dialogue. Montgomery's report, Choate's response, and our findings are discussed below in Sections IV-H and IV-I.

On August 11, Montgomery wrote a post on the Choate Rosemary Hall Alumni Association's Facebook page describing these two former teachers' sexual misconduct, the impact it has had on her life, and her desire to see Choate take action with respect to reports of sexual misconduct, including her own. Curtis sent a letter to Montgomery in response to her Facebook post. He apologized for what had happened to Montgomery while she was at Choate and thanked her for her bravery in coming forward. He invited Montgomery to meet with him and Wallace when she felt the time was right.

On August 19, a group of Montgomery's classmates wrote to Curtis and the Board of Trustees, expressing support for Montgomery and concern about reports of sexual abuse at Choate more generally. They asked that the school detail its actions in addressing such reports and that it take a number of specific steps, including appointing an independent investigator. On August 24, the Chairman of the Board of Trustees replied to this alumni letter. He wrote that the school's priority was Montgomery, and that the school was actively engaged in doing many of the things that the graduates had requested. He asked that the group of Choate

graduates “be patient with us as we take the necessary time to get this right and address the many issues presented.”

On October 1, the *Globe* published an article that referenced Choate. In an October 2 letter to the Choate community responding to that article, the school apologized that the misconduct described by the *Globe* had occurred, and promised to write again soon to share the school’s specific plans related to addressing the issue of sexual misconduct. Choate announced our appointment nine days later.

### **III. Investigative Process**

#### **A. The Independence of Our Investigation**

None of the Covington attorneys who worked on this investigation had prior direct connections to, or previously worked for, Choate. In addition, a search of Covington’s database did not reveal any prior work that the firm had done for the school. Covington also agreed not to represent Choate for a period of five years after the conclusion of this investigation. Choate did not impose any limitations on our work and gave us wide latitude to conduct a thorough, independent investigation. Other than certain specific assertions of attorney-client privilege, the school gave us access to all documents we requested and helped us locate and contact individuals with whom we wished to speak. We describe our investigative process in greater detail below.

#### **B. Outreach to the Choate Community**

Choate informed us that it sent the October 11 letter announcing our investigation to a total of 22,187 recipients drawn from all of Choate’s communication lists. The letter was sent to alumni (including former students who attended Choate, regardless of whether they graduated); current, former, and life trustees; current faculty, administrators, and staff; parents of current students; and parents of alumni who remain involved with the school in some way. Choate also posted the letter on its website, and current students received an email directing them to the copy of the letter posted there.

The October 11 letter encouraged “anyone with possible knowledge of sexual misconduct by faculty or staff at Choate” to contact us through a dedicated email address and hotline phone number we set up to receive reports from the Choate community. A total of 42 Choate graduates, parents, and current and former faculty members contacted us regarding our investigation. We did not receive any emails or phone calls from current Choate students. We generally refrained from reaching out to a Choate graduate who reportedly experienced adult sexual misconduct but who did not come forward to us, even if we received a report about that graduate from another source.

### **C. Interviews and Review of Relevant Documents**

In addition to speaking to those individuals who contacted us, we also conducted interviews with more than 50 current or former members of Choate's faculty, staff, administration, and Board of Trustees, including every living current or former Headmaster, Dean of Students, and Dean of Faculty for the combined Choate Rosemary Hall. All told, we interviewed more than 100 individuals, some more than once. Although we had no means to compel former Choate faculty or administrators to talk with us, everyone agreed to speak with us, some multiple times, with the exception described in the next paragraph.

We contacted and attempted to interview all living former Choate faculty members who were the subject of a report of sexual misconduct whom we considered naming in this report. We interviewed three of the nine living former faculty members named in Section IV. Five of the living former faculty members named in that section declined to speak with us, and one former faculty member did not respond to our request for an interview. We have noted in Section IV if we interviewed a particular individual accused of sexual misconduct, if the individual declined or did not respond to our request for an interview, if he declined to answer our questions but his counsel provided us with a statement, or if he is deceased. If an individual accused of misconduct agreed to be interviewed, we have summarized his response.

We also reviewed approximately 23,000 pages of documents, including materials related to Choate's receipt and investigation of reports of adult sexual misconduct; policy handbooks for Choate faculty, staff, students, and advisers; training materials related to sexual misconduct; and other materials. Most of these documents came from Choate, but we also received documents, including letters and diaries, directly from individuals we interviewed.

### **D. RAINN's Separate Review of Policies, Procedures, and Practices**

Our mandate was to conduct a factual investigation into reports of adult sexual misconduct, not to assess Choate's current policies, procedures and practices related to sexual or other misconduct. In the October 11 letter, Choate announced that RAINN (Rape, Abuse & Incest National Network) would conduct such a review and would provide sexual assault prevention and response training to Choate. We understand that RAINN interviewed administrators, faculty members, and students, and reviewed handbooks, policies, and other key documents, and that the school expects to receive RAINN's report and recommendations presently. The October 11 letter also announced that the school would work with RAINN to provide graduates who experienced adult sexual misconduct at Choate with crisis counseling and funds to pay for therapy.

## **E. Confidentiality and Naming Principles**

As the October 11 letter explained, we committed to keep confidential the identity of anyone who contacted us by email or phone and reported information to us, unless the reporter provided consent, we were required by law to disclose their identity, a report to government authorities was mandated by law, or, in our judgment, a report was necessary to protect a minor from harm.

We are not naming any of the individuals who contacted us to report sexual misconduct they experienced as Choate students, with one exception. One graduate, who had already appeared by name in the *Globe*, specifically requested that her name also be included in this report. We are also not disclosing the names of any former Choate students who reportedly experienced sexual misconduct, but who did not contact us directly. Instead, we are referring to these former Choate students whose reports are summarized in Section IV using a numerical identifier such as “Student 1.” We are also not naming Choate graduates who reported incidents of sexual misconduct involving others.

Where appropriate, given their involvement in responding to incidents or reports of sexual misconduct described below, we are naming certain current or former senior Choate administrators.

One issue we confronted when preparing this report was whether to name adults accused of sexual misconduct. We carefully considered this question for each individual we investigated and reached different decisions based on the scope of our mandate and the information we learned. When making these decisions, we weighed a number of factors. We made a holistic assessment regarding each individual’s conduct, rather than trying to follow a strict formula.

The factors we weighed when deciding whether an adult accused of sexual misconduct should be named in Section IV are as follows:

- The severity of the individual’s conduct, and whether it involved sexual intercourse or sexual assault, as those terms are defined under Connecticut law.
- Whether the individual’s conduct involved either physical or emotional coercion.
- Whether we received credible reports of the individual having engaged in incidents of sexual misconduct with multiple students.
- Whether the individual was the subject of one or more direct reports in our investigation or if our information about the individual came from other sources.

- Whether we were able to corroborate the incident(s) we are describing and the amount and quality of this corroborating evidence.
- Whether Choate received an earlier report of potential sexual misconduct by the individual, either at the time of the incident or at a later point, and whether we believe that the school’s handling of that earlier report is particularly relevant.
- Whether the individual taught at other secondary schools or other educational institutions after leaving Choate and whether Choate assisted the individual in finding other employment and/or the individual currently works in education.

This report describes conduct by individuals who were reported to us and who were not the subject of a prior report to Choate, as well as individuals about whom Choate had received one or more prior reports and about whom we received additional information. We have also included information about certain individuals about whom the school had received reports but we did not, in part because these individuals were the subject of press inquiries. This is consistent with our mandate, which was to “build upon the work previously conducted” by Wallace and Judge Holwell described above in Sections II-B and II-C.

In the course of our investigation, we reviewed certain Facebook posts by Choate graduates to help determine what to investigate or to corroborate other evidence we received, but we did not name any former faculty members in Section IV based purely on those posts. Instead, those posts provided additional details regarding former faculty members about whom we had received other evidence.

We received credible reports regarding sexual misconduct by certain individuals, but we did not obtain sufficient corroborating evidence to make us comfortable naming them in Section IV below. We also received credible reports of sexual misconduct that we decided did not merit inclusion in Section IV after we weighed the other factors listed above. Some of the reports in these two categories are summarized briefly, without providing the names of those individuals accused of sexual misconduct, in Section V below. At the end of Section V, we also provide examples of reports that were of conduct that, in our judgment, did not rise to the level of the “sexual misconduct” we were asked to investigate, and vague reports and/or rumors heard by individuals who contacted us.

\* \* \*

We are extremely grateful to everyone who contacted us and provided us with leads to investigate, especially those former students who chose to report incidents in which Choate faculty engaged in sexual misconduct with them, whether or not we ultimately decided to include the information they provided.

## **IV. Substantiated Reports of Sexual Misconduct**

Below we describe 12 former Choate faculty members who engaged in substantiated instances of sexual misconduct with Choate students. We have organized this section in rough chronological order, but some of the conduct by these former faculty members and/or responses by the school spanned a number of years, such that certain subsections overlap in timing.

### **A. John Joseph**

John Joseph was a Choate faculty member from 1944 to 1977, when he retired. He died in 1984. Over the years, Joseph taught subjects including Latin, Greek, etymology, and English and served as a housemaster. Joseph was a revered teacher, as reflected in his eulogy published in the summer 1984 issue of the *Bulletin*. The Student Activities Center, a scholarship, and an endowed faculty chair were named for him.

Since Joseph's death, three male graduates, from the classes of 1963, 1967, and 1970, reported to Choate that they had experienced various forms of improper conduct by Joseph when they were students, ranging from backrubs in his bedroom to fondling of the student's genitalia and Joseph asking to be masturbated. The first of these reports was in the mid-1980s, shortly after Joseph's death, and that graduate reiterated his concerns over subsequent years; the second came forward in the mid-1990s; and the third in 2013. None of these graduates appears to have made reports about Joseph while they were students, but in later years some of them raised the issue with the school on several occasions. In 2016, Choate removed Joseph's name from the Student Activities Center and other honors.

#### **1. Student 1's Report in the Mid-1980s**

In September 1984, Student 1, a member of the Class of 1963, wrote to Choate's Alumni Giving Department, stating that he would have made a substantial contribution to the school "but for the school's continuing and totally misguided infatuation with John Joseph" and that he was "ashamed that Choate should choose to worship him." Alumni Director Edward B. "Ted" Ayres, who is deceased, replied and acknowledged that Joseph had been a "controversial character," but urged Student 1 to contribute.

In early August 1987, Student 1 wrote again to Ayres, referencing a letter Ayres sent him the prior month: "After several years of expressing the same concern, I am glad to see that someone finally asked the question." He wrote that he was "astounded to see a classbook and annual report dedicated to [Joseph], as well as the student activities center named after him." He described instances in which he said Joseph slapped students around, and then added: "The activity that disturbs me much more, though, was his fondness for giving little boys backrubs in his bedroom, complete with sweet smelling lotions. I know because I was there." In

response, later in August, Ayres wrote, in part, that “[i]n retrospect, I suppose any bachelor faculty member was suspect,” but that he had not heard of the conduct Student 1 described. Ayres wrote: “[A] batch of alumni & parents have contributed several hundred thousand to set up a memorial fund for him. And how do I explain that? Damned if I know, but his teaching did reach a lot of kids since 1944, and I’d rather let it go at that.” We are not aware of whether Ayres ever passed along these exchanges with Student 1 to other Choate administrators.

## **2. Reports by Students 1 and 2 in the Mid-1990s**

Student 1 informed Executive Director of Development and Alumni Relations Daniel Courcey in 2013 that in approximately 1993, he had been shouted down at a Class of 1963 reunion dinner when he described his experiences with Joseph. We have not seen evidence that Ayres, who was reportedly present at the dinner, conveyed that information to others in the Choate administration.

In July 1995, another graduate, Student 2, a member of the Class of 1970, wrote a letter to “the Choate School,” and sent copies of the letter and handwritten cover notes to Shanahan and the school’s development director. In the cover note to Shanahan, Student 2 wrote: “Probably you did not know John Joseph; certainly you have heard of him. To many he was larger than life, a hero. I know now he was a dangerous man.”

Student 2’s letter stated:

John Joseph invited me to his Gables’ apartment for late night dinners. He asked me to bath[e] and then would massage my body, fondling my genitalia, laying next to me, kissing me on the mouth and putting his tongue in my mouth. Later, he asked me to masturbate him.... Probably, I was not the only student treated this way.... For 25 years I have carried this confusion and shame in silence. The shame does not belong to me. It belongs to John Joseph and to the Choate School. I am giving it to you now.

In the notes to Shanahan and the development director, Student 2 gave permission to print his letter in the *Bulletin*.

Shanahan wrote to Student 2 in August 1995, expressing his regret, his hope that sharing the information with the school would be helpful to Student 2 in moving forward, and assuring him that the school was now a different place.

The following year, in June 1996, Student 2 again contacted the school, this time in a letter to the Board, addressed to its then-Chairman. Student 2 wrote that he was enclosing his prior letter, asked that the school acknowledge that what had been done to him was criminal, and expressed his hope that his letter would “help



[e]nsure such abuse does not happen again at the school.” His letter also stated that he had reported Joseph to criminal authorities and to a survivors’ organization. The school’s records contain a Wallingford police report marking the case as closed; according to that report, Joseph’s misconduct with Student 2 occurred on approximately six occasions during Student 2’s sixth form year. (Choate uses the term “form,” rather than “grade,” to refer to a class of students. The third form is ninth grade, the fourth form is tenth grade, the fifth form is eleventh grade, and the sixth form is the twelfth grade and postgraduates.)

By handwritten cover note to the Board Chairman, Student 2 asked that all members of the Board receive copies of his letter and its enclosures. The Chairman told us that he recalled that the school reached an agreement with Student 2 that an apologetic response to his letter would be sufficient, rather than printing the letter in the *Bulletin* or otherwise offering a public apology. The Chairman further recalled that Student 2’s report and its resolution had been shared with the Board in summary fashion. Shanahan wrote back to Student 2 in July 1996, stating that the Board of Trustees had asked him to respond: “Mr. Joseph, as you know, is deceased and the incidents you describe occurred more than 25 years ago. Under these circumstances, a proper investigation of your claims is not possible.” Shanahan again expressed his regret as well as that of the Board and assured Student 2 that the school now had a program to prevent sexual harassment and abuse, that all faculty received regular training, and that the policies were vigorously enforced. When we spoke to Shanahan, he recalled having received a letter from a graduate with a report regarding Joseph, but he did not recall speaking to Student 2 specifically, or the details of the report he received.

We did not find evidence that the school leaders who responded to Student 2 in 1995 and 1996 were aware of the previous reports from Student 1.

### **3. Reports by Students 1 and 3 in 2013**

In the spring of 2013, Student 1 renewed his allegations, writing in the Class of 1963’s 50th reunion yearbook about a “housemaster who delighted in giving little boys backrubs in his bedroom.” Courcay told us that he traveled to meet with Student 1, who then provided more detail to Courcay about his experiences with Joseph, which Student 1 described as having occurred while Joseph was his housemaster during his fourth form year. As described in Courcay’s notes of that April 2013 discussion, Student 1 commented that it was “sadly ironic” that the Activities Center was named for Joseph and conveyed that “he was really frustrated and appalled that the school took no action when he felt that they had been justifiably alerted to the issue/matter at hand.” According to Courcay, Student 1 said that further investigation was unnecessary given the passage of time, but that he would like to see Joseph’s name taken off the Student Activities Center at some point in the future. Student 1 also agreed that his original 50th reunion yearbook submission could be revised to indicate that the school had now been responsive to

his concerns. Curtis called Student 1 shortly thereafter. As described in notes of their call, Curtis apologized for what had happened to Student 1 and the lack of response earlier and told him that the Student Activities Center would be renamed and that the school was discussing that issue with relevant donors.

In November 2013, the school received a report about Joseph from a third graduate. Student 3, a member of the Class of 1967, reported to an alumni relations officer that there had been “homosexual faculty pursuing students” during his time at Choate. Wallace wrote to Student 3 in January 2014 and asked if he would be willing to speak with her. In a follow-up call, Student 3 told Wallace and the school’s communications director that Joseph had tried to seduce him. According to the notes of that call, Student 3 told them that he had heard that there were other teachers at the time who engaged in such behavior, describing it as “pretty obvious” and “rampant and widely known,” but that Joseph was “[t]he chief offender.” Student 3 questioned how Seymour St. John, the Headmaster at the time, could not have known that faculty members were engaged in sexually predatory behavior. On the call, Wallace apologized on behalf of the school and described the school’s efforts to address inappropriate faculty behavior and student safety and wellbeing, including introduction of the new Statement of Expectations.

#### **4. Steps Taken After 2013**

Curtis told us that after Student 1’s 2013 report, the school recognized that steps should be taken to remove Joseph’s name from the Student Activities Center, the scholarship, and endowed faculty chair. Curtis said that Courcey repeatedly reminded him of the need to address this issue. According to administrators, the school gradually modified its written materials to reflect those changes, and in the summer of 2014, removed a plaque with Joseph’s name from the building.

In January 2016, Curtis brought the Joseph renaming issues to the Board. In executive session, the Board voted unanimously to remove Joseph’s name from the Student Activities Center, scholarship, and faculty chair.

#### **B. William Maillet**

William (“Bill”) Maillet was a Choate faculty member from 1961 to 1983. He taught English, coached soccer and basketball, and served as a house adviser. He died in 2012. Prior to joining the Choate faculty, Maillet taught at the Kent School and Williston Academy (now Williston Northampton School). At Choate, Maillet was known as a popular, dedicated teacher to whom many students gravitated. He was praised for opening his apartment to students and for taking a keen interest in the students he supervised. In a 2000 article in the *Bulletin*, a graduate praised Maillet for supporting him as a gay student.

As described below, Dey instructed Maillet to resign in 1983 after a faculty member reported to Choate administrators that Maillet had made inappropriate

advances toward the faculty member's young son. In May 2016, a 1979 Choate graduate wrote a comment on his class's Facebook page referring to an inappropriate advance by Maillet. We also received several secondhand reports of possible sexual misconduct or questionable behavior by Maillet.

### **1. A Teacher's Report Regarding Maillet's Conduct, Resulting in Maillet's Departure**

According to a former Choate teacher, in early 1983, Maillet invited the teacher's son, who was approximately 12 years old at the time, to join him and some other boys on what was to be a group outing followed by a sleepover at Maillet's home. As it turned out, the teacher's son was the only boy in attendance. The next morning, the son reported to his parents that Maillet had made inappropriate advances toward him, which the boy had rejected.

The teacher recalled meeting with Dey, Dean of Faculty Charles ("Chas") Twichell (who is now deceased), and the school's chaplain, reporting what had happened, and conveying that he and his wife wanted Maillet to leave the school. The teacher told us that Maillet was fired, but that he was allowed to finish the school year, including the remainder of the winter and spring terms. The teacher also said that the school did not consult him on what, if any, action should be taken and said that he and his wife had felt that the school should have fired Maillet immediately.

Consistent with the teacher's recollection, school records indicate that Maillet "resigned" as of "June 1983." Administrators from the time remembered the timing of Maillet's departure from Choate differently, however. According to Dey, he told Maillet to leave and allowed him to stay only long enough to finish the last two weeks remaining in the term. Francelle Carapetyan, who was Dean of Students at the time, told us that Maillet agreed to leave campus immediately so long as administrators did not disclose why Maillet had had to leave. Carapetyan recalled a faculty meeting at which the administrators, as a result, were not able to provide faculty members with the reason for Maillet's sudden departure from campus.

Dey told us that Maillet was going to study at a university in Florida after he left Choate. Dey recalled telling Maillet that if the university contacted Dey he would have to disclose why Maillet left Choate. Dey told us that he was relieved when no schools called him. He did write a letter to Maillet dated June 23, 1983, praising his contributions to Choate. In the letter, Dey wrote, "In your unique way you have been father, uncle, counselor and friend" to Choate students. We have not seen evidence, however, as to whether this letter was sent or used.

At Maillet's request, Twichell wrote Maillet a letter of recommendation, dated March 9, 1983, for a graduate fellowship at the University of South Florida. Twichell's letter recommended Maillet "with enthusiasm." The letter did not

include any reference to the events leading to Maillet's departure from Choate, noting only Maillet's interest in obtaining a doctorate and the death of his father as motivation for the move. The letter is signed, but Choate has no record of whether it was sent.

## **2. Other Reports Regarding Maillet**

Student 4, a member of the class of 1979, referenced Maillet in a May 2016 comment to a post on his class Facebook page. Student 4 wrote that "one of the people [he] trusted most – [his] housemaster" – "made a pass at" him during his fifth form year. To our knowledge, Student 4 did not tell anyone at Choate about this incident while he was a student; however, Student 4 wrote that, at his 20th reunion, he described the incident to G. Edmondson ("Ed") Maddox, who was then the Assistant Headmaster and Dean of Faculty. According to Student 4's Facebook post, Maddox noted that Maillet was no longer at Choate and confirmed that someone had reported Maillet to the school.

Two former administrators told us they received two different reports indicating that boys on campus, who may have been students at the time, were targets of potential or attempted sexual misconduct by Maillet. These reports were not specific as to timeframe. In addition, several Choate graduates reported to us or recently to the Choate administration that they had heard reports about potential sexual misconduct involving Maillet, including that he invited individual boys to come to his room after hours. None of these reports included names of specific students or details regarding incidents of potential misconduct.

### **C. Kenneth Mills**

Kenneth Mills was a philosopher, college professor, and social activist who was married to a Choate faculty member and lived in Choate housing, including Choate dorms, from 1975 until his death in 1983. During that time, Mills occasionally served as an adviser to Choate students. In 1981 and 1982, Mills also served as the paid coordinator for Choate's Senior Spring Term Curriculum. We received or reviewed a number of reports of sexual misconduct by Mills. As we describe below, administrators at the time knew about certain of these reports, although it is not clear what specifically they knew.

A Choate graduate, Student 5, reported to us that in 1980, when she was 15 years old, Mills asked her to go away with him for a weekend to have sex. She declined the proposition. She also reported to us that another female student had warned her that Mills had open-mouth kissed that student without her consent after driving her to New Haven. Student 5 did not inform Choate about these incidents prior to our investigation.

A former administrator reported to us that, in the early 1980s, another Choate graduate confided in him that Mills had put her in a compromising situation

when she was a student at Choate in the 1970s. She asked that the administrator not reveal her name. The administrator told us that Dey may have separately learned of the report and that Dey later approached the administrator to discuss the issue. The administrator said that he shared what he knew with Dey but, as requested by the graduate, did not reveal her name despite requests that he do so from Dey and others. Mills, he said, was confronted with the allegation, but not told the girl's name; according to the administrator, Mills was outraged at the allegation. The administrator further reported that Twichell told him that there had been prior concerns of this nature about Mills that had been reported to the administration by students' parents. Twichell is deceased and Dey told us that he had no recollection of any incidents involving Mills.

In addition, Student 6, a 1981 Choate graduate, reported in an October 2016 Facebook post that she had been subjected to sexual misconduct by a man whom she did not name but who matches Mills's description. In the post, Student 6 reported that she was "sexual[ly] assault[ed]" by a "terminally ill" man in the late 1970s, when she was a sixth form student and a "minor." Student 6 wrote that she "would go to his home and, in the company of other students, have intellectual discussions with him." She wrote that "any contact with him was twisted and, afterwards, I would shake and have nightmares." When describing "his attempt at sexual assault," she wrote that she was "lucky his illness made him somewhat impotent but not completely." Student 6 also wrote, "Instead of informing all my dorm mates and protecting them ... I purposely created problems with my roommates to give the impression that I had to move out because of problems with them." A former administrator informed us that Mills was chronically ill and that and other aspects of the report indicated to him that the individual being described is Mills. School records corroborate that during Student 6's sixth form year she initially lived in the dorm in which Mills resided and then moved to different housing.

#### **D. Frederic Lyman**

Frederic ("Rick") Lyman was an English teacher, house adviser, and coach at Choate from 1980 to 1982. He joined Choate from Beaver Country Day School in Massachusetts. Prior to Beaver, Lyman taught at Cranston (Rhode Island) High School and Phillips Academy Andover. After resigning from Choate, Lyman taught at Kent Denver School. According to Lyman's LinkedIn profile, he has not worked in education since he left Kent Denver in 1984.

As described below, two 1983 Choate graduates, Students 7 and 8, separately reported to us that Lyman engaged in sexual relationships with them when he was a faculty member and they were fifth form students. Student 7 told us that her parents complained to the school after she contracted herpes from Lyman and that this led to his resignation at the end of that school year. Her report is corroborated by contemporaneous journal entries that she provided to us. Student 7's father also

confirmed her report to us; a number of former Choate graduates and other individuals also spoke with us and confirmed portions of Student 7's and Student 8's reports. Student 9, who was one of those former students, reported to us that she had herself received inappropriate attention from Lyman that made her uncomfortable; Student 10 also made a report to us of that nature.

Lyman, through counsel, declined to speak with us.

### **1. Student 7's First-Hand Account**

Student 7 reported to us that Lyman began a sexual relationship with her in the fall term of 1981, when she was a 16-year-old fifth form student. She said that she got to know Lyman that term because her friend was in his English class and that he encouraged her to join a team he would be coaching in the winter.

According to Student 7, Lyman would gather a coed group of students in his apartment and serve them tea spiked with rum. She reported that she would sometimes stay behind, alone with Lyman, after the other students had left. She told us that Lyman would take her off campus repeatedly for dinner and drinks and that the relationship eventually became sexual. She reported having sex with him in his car off campus and frequently visiting his apartment while school was in session and at least once when it was not. She also described Lyman having sex with her during a ski trip, when Lyman, Student 7, and other Choate students stayed at the home of Lyman's parents. She also said that Lyman left long romantic letters in her mailbox.

Student 7 told us that she contracted herpes from Lyman, which infected her eyes and caused her to go to Yale New Haven Hospital for emergency treatment in March of 1982. That month, Student 7's parents learned about Lyman's conduct. Her father confirmed to us that Student 7 contracted herpes and required treatment at the hospital. Student 7's parents went to Choate to discuss the situation with Choate administrators; her father told us that her herpes infection was discussed at that meeting and that he had insisted that Lyman be dismissed. Student 7 told us that her parents' visit led to Lyman's departure at the end of the school year and that she and Lyman were told not to speak with one another for the remainder of the year.

Student 7 recalled that their contact mostly stopped after Lyman left Choate, with the exception of at least one letter that he sent her, until he reengaged with her when she was a college freshman. She said that he bought her plane tickets to visit him in Denver, where he was a teacher at Kent Denver, and that she visited him in Colorado on several occasions. She said that Lyman moved to Boston, where she was in college, the following year and that he became increasingly threatening and eventually, physically abusive. There, she said, he stalked her at her college dorm, left her notes, and spoke with her friends. She told us that she became

scared and would “hide out” at her father’s house. Student 7 said, and her father confirmed, that Lyman came to their home looking for her. Student 7 described that her father confronted Lyman and threatened to report Lyman to the police. She told us that Lyman then asked her to give him back everything he had given her, including letters, jewelry, and photos. According to Student 7, Lyman then left her alone.

Student 7 provided us with copies of extracts from personal journals she kept from 1982 to 1986. These contemporaneous journal entries extensively document her experience with Lyman while she was at Choate and after she graduated. For example, in an entry dated early March 1982, the journal contains a reference to the school having learned about Lyman and another student and having “threaten[ed] his job” due to that accusation. The same month, journal entries describe Student 7’s herpes infection, the sexual nature of Lyman’s relationship with her, the discovery of the relationship by her parents and the school, and her parents’ involvement in Lyman’s departure. Throughout, the journal entries depict Student 7’s feelings for Lyman and her struggles with the relationship. Other entries describe Lyman’s continued contact with Student 7 after he left Choate, and an entry from Student 7’s first year of college includes an itinerary describing a week she spent visiting Lyman in Denver in April 1984. Later journal entries refer to Student 7 receiving a “shiner” from Lyman, where she writes of “[t]he humiliation of a black and blue” and her father’s help when he “stepped in and basically took charge” to enable her to end the relationship with Lyman in September 1984.

We spoke with five individuals, including Student 8 (whose own account is described below), who corroborated Student 7’s account, based on what they had heard from her or others or had directly witnessed at the time. Each was a classmate of Student 7 at Choate or in college. As an example, Student 8 told us that while she was at Choate, she had heard that Lyman was involved with Student 7 and had given her herpes which resulted in an eye infection requiring medical attention and that Student 7’s parents had found out about Lyman. As another example, one of Student 7’s college classmates recalled seeing Lyman visiting Student 7 in her college dorm.

## **2. Student 8’s First-Hand Account**

Student 8 was enrolled in one of Lyman’s English courses in 1981-82, when she was a 16-year-old fifth form student. Student 8 was in the same class year as Student 7, although she said that they did not know each other well. It appears that Lyman’s relationships with Students 7 and 8 took place during roughly the same period of time, with the relationship with Student 8 continuing into her sixth form year, when she flew to Colorado to visit him. As described above, Lyman reengaged with Student 7 during her freshman year of college, around the same time that Student 8 reported to us that she ended her relationship with him.

Student 8 told us that Lyman would take her and groups of students out in New Haven and that Lyman would buy drinks for them. She told us that Lyman began having sex with her during the winter of 1981-82. She described going to Lyman's apartment on Saturday mornings, where he would make breakfast for her and they would have sex. Student 8 also described going to the health center in the spring of 1982 with an outbreak on her chin. According to Student 8, the school treated the outbreak as impetigo, but she has since concluded that that infection was likely herpes, and that she, like Student 7, contracted it from Lyman.

Student 8 told us that Lyman continued to be in contact with her after he left Choate, calling her frequently and sending her letters. She said he also sent plane tickets to visit him in Colorado during her sixth form year at Choate, which she did. She also recalled visiting him in Colorado once during the summer after she graduated from Choate. Student 8 said that she tried to end the relationship, but that it was extremely difficult to extricate herself; she recalled that Lyman once threatened to kill himself because she did not want to talk to him anymore. Before contacting us, Student 8 had not previously informed Choate about the relationship with Lyman.

Two other Choate graduates described contact they saw between Lyman and Student 8 when they were all at Choate. One graduate told us that on her birthday during her fifth form year, Lyman drove her and Student 8 off campus, and bought them dinner and several drinks. She said that she lived with Student 8 during their sixth form year and that Lyman called Student 8 at least twice during that year. She told us that she also spoke to Lyman on the phone and said that Lyman asked her to "look out" for Student 8. Another graduate, Student 9, whose personal experience with Lyman is described below, recalled seeing Lyman with Student 8 in Student 8's dorm, either after he left Choate or when he was about to leave.

### **3. Reports From Other Choate Graduates**

Although they did not report sexual relationships with Lyman, two other Choate graduates contacted us to report that Lyman acted in ways that made them uncomfortable.

Student 9 told us that during the 1981-82 school year she went to Lyman's apartment for "extra help" in his class at his suggestion. She was a 16-year-old fifth form student at the time. She recalled that she was the only girl there, with about four other male students from Lyman's dorm, and remembered feeling very uncomfortable, like she was "on display" and "not in on the joke." She did not return, even though she said Lyman was "constantly encouraging" her to do so. She said that years later, she discussed the incident with a Choate classmate, who shared a similar experience.



Student 10 was enrolled in one of Lyman's American literature courses in 1980-81, when she was a 16-year-old fifth form student. She told us that Lyman often invited her and her friend to his apartment and eventually took them off campus for dinners where he bought them drinks and took them to a concert. She said that Lyman became "touchy-feely" and "clingy," and remembered being "grossed out." She recalled that Lyman slipped a note under her dorm room door, which she thought was "creepy," and told us that once, when she and her roommate were in bed in the middle of the night, someone entered their dorm room. She said she opened her eyes and saw Lyman, "spinning in circles." After he left, she said her roommate asked, "Was that Lyman in our room?" She recalled that she and her roommate were "freaked out." Student 10 told us that she "begged" school administrators to switch out of Lyman's course, though she never explained the reason to them. School records show that she was transferred to a different American literature class for the winter 1981 term.

#### **4. Lyman's Departure From Choate**

When we spoke with Dey and Carapetyan, who were administrators when Student 7's parents reported Lyman's sexual misconduct, neither could recall that event or remember who Lyman was. As noted previously, Twichell is deceased. School records, however, provide additional information regarding Lyman's departure.

Lyman resigned by letter dated March 27, 1982, but was allowed to remain until the end of that school year. The letter is addressed to "Charlie," who we believe is most likely Dey. Lyman wrote, "After giving much thought to your advice and that of others I have decided to resign from my position at the end of the 1981-82 academic year ... for the sake of Choate Rosemary Hall and for me." He continued, "In the meantime I hope to uphold the highest level of conduct that I possibly can. I promise not to be the source of any new rumors or incidents." Dey wrote a letter to Lyman, dated April 5, 1982, acknowledging Lyman's resignation. In that letter, Dey stated that he was confident that Lyman would "adhere to the conditions [they had] agreed to" for his remaining time at the school. Student 7 told us that Lyman was not to have contact with her for the remainder of the school year, but we do not know if that was one of the "conditions" Dey had referenced in his letter to Lyman or if there were any others.

Twichell wrote Lyman a letter of recommendation for teaching jobs. In a letter that is dated March 17, 1982 and date-stamped April 12, 1982, Twichell wrote a positive recommendation, but also referred to Lyman's "easy familiarity with students" and wrote that "[i]n this area, the 'social' one, he shows the reluctance to accept conventions often characteristic of those in college during the late sixties. Rick likes to meet his students on even terms, to mix with them as colleagues." Twichell also expressed his hope that "one day [Lyman] will learn the professional advantages of keeping a little more distance between the ranks." Lyman wrote an

undated letter to Twichell updating him on his job search and letting him know that Kent Denver appeared “to offer everything [he] could hope for.” Handwritten notes on the letter suggest that Twichell provided a phone reference for Lyman to Kent Denver. The notes are dated April 19, 1982 and read: “10' with Drew on phone. He asked good questions, which I could answer without any except very mild cautions about ‘distance.’” As noted, Lyman did take a teaching position at Kent Denver, where, according to his LinkedIn profile, he remained for two years.

As noted above, Lyman, through counsel, declined to speak with us.

### **E. Watson Lowery**

Watson (“Chip”) Lowery was at Choate from 1973 to 2016, and was an English teacher, soccer coach, and house adviser. He joined Choate after teaching at The Gunnery. He retired from Choate in June 2016. Lowery was a revered teacher and coach, as demonstrated by the awards he won from coaching associations and the glowing recommendations by faculty and students alike. According to one administrator we interviewed, Lowery was viewed as a “god by the students” and a “god with faculty.”

As described below, a 1983 Choate graduate, Student 11, reported to us that Lowery kissed her on several occasions and also touched her breasts. Three of her Choate classmates told us that she had contemporaneously described her experiences with Lowery to them, and one saw Lowery and Student 11 meet up in Paris. Choate investigated Lowery’s behavior in 2013, after a different graduate, Student 12, responded to an alumni survey with information about sexual misconduct at Choate and, in a follow-up conversation, mentioned Lowery’s name. The school confronted Lowery with Student 12’s report, and he denied the allegation.

Lowery did not respond to our letter stating that we were considering naming him in this report and asking to speak with him.

#### **1. Student 11’s First-Hand Account**

Student 11 graduated from Choate in 1983. Lowery was her fourth form English teacher. According to Student 11, Lowery showered her with a great deal of attention for two years, including by commenting on her “pretty” appearance and approaching her during meals in the dining hall to talk. During Student 11’s sixth form year, when she was 17 years old, she was enrolled in a directed study with Lowery, during which she and Lowery met weekly in his apartment. Student 11 reported that during that year, while she was in Lowery’s apartment, Lowery kissed her on one occasion, and kissed her and touched her breasts over her clothing on another occasion. She told us that the same year, Lowery took her out to dinner in Wallingford. Student 11 also said that after she graduated, Lowery sent letters to her and called her parents’ home. They also arranged to meet while they were both

in Paris in the summer of 1983, where she was traveling, and there, she said, he kissed her again. Student 11 did not inform Choate about these incidents.

Three classmates of Student 11 (Classmates A, B, and C) reported to us that Student 11 told them about incidents involving Lowery while they were enrolled at Choate (or in Classmate B's case, after she had transferred to a different school).

Classmate A reported that Student 11 told her, most likely during their sixth form year, that Lowery was having a relationship with her and that the relationship was a secret. Classmate A understood that the relationship was of a sexual nature, but Student 11 did not explicitly state that during their discussions.

According to Classmate B, she knew that Student 11 had a very close relationship with Lowery during Student 11's final three years at Choate. She said that Student 11 told her about her relationship with Lowery after Classmate B had left Choate to attend another school. In the summer of 1983, Student 11 and Classmate B were in Paris together. Classmate B described how, while they were in Paris, they met Lowery for dinner, and Lowery and Student 11 left together at the end of the dinner and Student 11 returned later that night. Classmate B also told us that she understood from her discussions with Student 11 at the time that Student 11 had kissed and "made out" with Lowery.

Classmate C informed us that Student 11 told her, while they were students at Choate, that Lowery had kissed her. Classmate C also recalled that Lowery had met Student 11 in Paris. Classmate C said that she told one of her teachers about Lowery's interest in Student 11, but, according to Classmate C, the teacher did not take the report seriously. That teacher told us that he did not recall Classmate C telling him about Lowery and Student 11.

## **2. Student 12's First-Hand Account**

According to Wallace, in May 2013, Student 12, a member of the Class of 1988, filled out a reunion weekend survey in which she stated that she had "several profoundly negative experiences while [at Choate], including sexual harassment by a faculty member." Curtis and Wallace met with Student 12 in July 2013. After reporting an instance of alleged sexual misconduct by another faculty member described below in Section V, Student 12 reported that when she saw Lowery for academic help on one occasion, he called her into his bedroom, near his bed. Student 12 told Wallace that she thought Lowery was asking her to do something more and that she said "no" and left.

## **3. Additional Reports About Lowery**

Wallace also told us that during the July 2013 meeting with Student 12, Student 12 reported, as recorded in Wallace's notes, that "it was known among certain students that certain teachers were having sex with students" and that

Lowery was one of these teachers. Wallace called Student 12 to follow up, and Student 12 told Wallace that she had heard that Lowery had had sex with Student 13. As part of their broader review, Wallace and another administrator then reviewed the school's records to see if they contained any evidence of inappropriate behavior by Lowery, which they did not. In correspondence with Student 12 in October 2016, Wallace told Student 12 that she was welcome to contact us, but we did not hear from Student 12.

Wallace told us that in early 2016, the school decided to contact Student 13, but Student 13 stopped responding to Wallace's messages. In March 2016, after Lowery had already decided to retire, Wallace confronted Lowery about Student 12's reports, without naming her. She said that Lowery denied any misconduct. Lowery retired in June 2016, as planned.

In addition to the reports described above, four other graduates made reports regarding Lowery's potentially inappropriate relationship with one former student, Student 14. Students 13 and 14 did not contact us and we were unable to substantiate those reports.

## **F. Adam Hardej**

From 1983 to 1985, Adam Hardej was a Latin and math teacher, coached several teams, and served as a dorm adviser. He joined Choate immediately after graduating from college. After leaving Choate in 1985, Hardej became a teacher at the Robert Louis Stevenson School in California. He left secondary education in the late 1980s. Student 15 reported to us that Hardej had a sexual relationship with her while she was a Choate student. Student 15's report is corroborated by a letter from Hardej which she provided to us, and by multiple individuals who described how, before Student 15 graduated from Choate, she told them of the relationship. As described below, Hardej, through counsel, denied Student 15's account.

### **1. Student 15's First-Hand Account**

Student 15 enrolled at Choate as a 16-year-old fifth form student in 1983. Hardej was not Student 15's teacher, coach, or adviser, but Student 15 informed us that shortly after both arrived at Choate, they encountered each other on the Choate campus and Hardej began to flirt with her. According to Student 15, the relationship quickly became a sexual one. She told us that during the course of her fifth and sixth form years, they had sex on numerous occasions. Student 15 would sneak out of her dorm and join Hardej in his apartment, where they would have sexual intercourse and oral sex. Student 15 said that Hardej suggested that they engage in a "threesome" with one of her friends, but that Student 15 declined. Student 15 also said that Hardej expressed interest in having a threesome with Student 15 and another male faculty member, but that it did not happen.

Student 15 told us that, while she was at Choate, she informed her family about her relationship with a Choate teacher and that during her sixth form year, she informed one of her friends at Choate about the relationship. That friend confirmed to us that, during their sixth form year, Student 15 told her about the sexual relationship with Hardej. Student 15's sister also confirmed to us that, at the time, Student 15 had informed her about her relationship with a teacher.

Student 15 provided us with a handwritten, sexually-explicit letter that Hardej sent her the year after she graduated from Choate, when Hardej was teaching at the Robert Louis Stevenson School. The letter was sent in a Robert Louis Stevenson envelope and is postmarked January 1986 from California. In the letter, Hardej noted, "As I write this, a faculty meeting occurs around me, I kind of like the fact that I'm writing to you, a former Choate student who I had sex with ... on numerous occasions, while seated amidst fellow teachers. It's fun to do things that nobody else would dare to do – I'll always remember our fling...." In the letter, he also wrote, "I often think about you and I and are [sic] relationship. We had a great set-up: sex, sex, and more sex!" Additional graphic content in the letter was consistent with Student 15's account to us. In the letter, Hardej also asked Student 15 to send him nude photographs and a written account of a recent sexual experience.

We spoke with the other male faculty member whom Student 15 said Hardej had proposed to her for a "threesome." He told us that in June 1984, before Student 15 graduated, she told him that she was having an "affair" with Hardej. Student 15 did not remember this conversation with the other teacher and did not recall informing any member of Choate's faculty, administration, or staff about Hardej's relationship with her. The former teacher told us he did not confront Hardej with this information and that he never spoke with Hardej about sexual relationships with students. He further said that at some later time, he described his conversation with Student 15 to Maddox. Maddox remembered the discussion and also recalled talking to Dey about the report. He told us that he and Dey agreed that there was nothing to be done since Hardej was no longer at Choate.

## **2. Hardej's 2017 Response**

Hardej's counsel contacted us after we wrote to Hardej to inform him that we were considering naming him in this report and to request an interview. Hardej's counsel initially informed us that Hardej "clearly denies any wrongdoing" and that Hardej did not understand the basis for the allegation that he had engaged in a sexual relationship with a Choate student. When Hardej's counsel noted this denial, we read him pertinent parts of the letter Hardej had sent to Student 15 in 1986. On a later call, Hardej's counsel told us that Hardej acknowledged to him that he had had a sexual relationship with a Choate graduate, but that Hardej said that the sexual relationship did not begin until after she had graduated from Choate. Hardej's counsel did not make him available to speak with us.

## **G. Jean-Marc Dautrey**

Jean-Marc Dautrey was a member of the Choate faculty from 1983 to 2002. He taught French, coached various sports, and served as a house adviser. As described below, during Dautrey's tenure as a faculty member, Choate received reports of sexual misconduct or potential sexual misconduct involving him and two students. In the early 1990s, two Choate faculty members reported a possible inappropriate relationship between Dautrey and Student 16. Then, in March 2002, Student 17, a graduate of a different secondary school, reported that Dautrey had had a sexual relationship with her during the summer of 1990, when Dautrey was a staff member at a study abroad program run by a retired Choate teacher.

As described below, Dautrey resigned from the Choate faculty in the summer of 2002 after the school administration confronted him with Student 17's allegations. We interviewed Dautrey in March 2017, and he acknowledged to us that he had engaged in the sexual misconduct described below, except as noted.

### **1. Faculty Reports of Dautrey's Inappropriate Relationship with Student 16**

Two Choate faculty members reported to us that in the early 1990s, they witnessed Dautrey visit Student 16 in her dorm room with the door closed, even though he was not affiliated with that dorm. At that time, Student 16 was a 17-year-old sixth form student. One of the faculty members described to us that she was on "dorm duty" and saw Dautrey enter Student 16's room and close the door behind him. She went into Student 16's room and saw Dautrey sitting on the bed with Student 16. She said that she instructed Dautrey to leave, and he complied. That faculty member also saw Student 16 riding on the back of Dautrey's motorcycle with her arms around his waist. The two faculty members said that they reported the incidents to Maddox, who was Dean of Faculty at that time. Maddox told us that he recalled having a conversation with Dautrey about boundaries around that time. Maddox thought the discussion about boundaries may have been prompted by a report from a faculty member, but he could not remember the name of that teacher.

Dautrey acknowledged to us that he had had an extended "improper relationship" with Student 16 and that it had been wrong. He told us that the relationship had been sexual for two to three months and that he and Student 16 had been close over a longer period of time. He recalled that a female teacher had seen him go into Student 16's room and that the next day, Maddox called him to his office. Maddox, he said, told him that he could not take girls on his motorcycle or talk alone with them in their rooms. According to Dautrey, Maddox did not directly ask him about the nature of his relationship with Student 16. Dautrey's view is that if the school knew what was happening between him and Student 16, "they

should have fired me right away.” He assumed that the school lacked sufficient evidence to do so.

## **2. Student 17’s Report of Sexual Misconduct, Resulting in Dautrey’s Departure**

In March 2002, Shanahan received a letter from Student 17, a graduate of another independent school, reporting sexual misconduct by Dautrey 12 years earlier. In her letter, Student 17 told Shanahan that, in the summer of 1990, she participated in a summer program in France that was not a Choate program but was run by a former Choate faculty member. Dautrey was a staff member at the program. According to Student 17, Dautrey, “who was 35 years old at the time, encouraged [her] to engage in a romantic liaison with him during the last part of the trip in Paris.” Student 17 reported that she “was 15 years old and had no previous sexual, or even dating, experience” at the time. She stated that “[t]he encounters [with Dautrey] did not involve intercourse, but other sexual acts leading up to [intercourse].”

According to Student 17, Dautrey “warned [her] not to [discuss their relationship] with any of the other [program’s] staff members or with [her] parents.” She complied and did not report what Dautrey had done at the time to Choate or, to our knowledge, others. She said that Dautrey’s relationship with her ended upon their return to the United States. Despite her attempts to continue their relationship, “Dautrey made it clear from phone conversations that he was no longer interested.”

Shanahan responded to Student 17’s letter, noting that he was “deeply concerned about the events” she described. Shanahan asked her to speak with a Choate counselor so that the school could learn more information about the events she reported. Student 17 gave the Choate counselor additional details, which the counselor recorded in her notes.

After the Choate counselor spoke to Student 17, the school recalled Dautrey from his summer travel in France. On July 2, 2002, Shanahan and Dean of Faculty Donald Firke met with Dautrey and confronted him with Student 17’s allegations. According to notes of the meeting, Dautrey initially denied the allegations, but then conceded that he may have paid special attention to Student 17, held her hand, and kissed her. Dautrey was told that there would be a thorough investigation, including meeting with Student 17. The next day, Dautrey again met with Shanahan and Firke and resigned. Notes of this meeting indicate that Dautrey said that he would teach only at boys schools in the future and that Shanahan offered to support Dautrey as he looked for a position at a boys school. The notes conclude with the following “summary”: “JM resigned with no finding on the part of the school in this matter. He is engaged, finishing work on a house in France, and he wants a year off to get his life organized.”

In our interview, Dautrey acknowledged that he had kissed Student 17 and fondled her breasts but denied that there had been sexual activity beyond that. He recalled that after the summer in France, he spoke to Student 17 several times. He said that he explained to her that “it was the wrong thing,” and she stopped calling. Dautrey told us that after he left Choate, he applied for a position at another school but failed to get it because a Choate faculty member, now deceased, would not recommend him. Dautrey said that he moved abroad; he was teaching at a university in Thailand when we spoke with him in March 2017.

## **H. Angus Mairs**

Angus Mairs was a Choate faculty member from 1985 to 1990. He joined Choate directly after graduating from college and taught math and served as a house adviser and coach. He resigned from Choate in 1990. We do not have information about all of Mairs’s post-Choate employment, but he appears to have gone on to work at the Branson School in California, in the Chicago and Highline (Washington) public school systems, as well as at two education-related nonprofit organizations.

As described below, in 2016, Cheyenne Montgomery (Student 18), a 1992 Choate graduate, reported to the school, to the *Boston Globe*, and in a post on the Choate Rosemary Hall Alumni Association Facebook page that while she was a student at Choate, Mairs had a sexual relationship with her. Her report is corroborated by letters Mairs sent her while she was a student at Choate. Mairs’s attorney informed us that Mairs declined to be interviewed, based on the advice of counsel.

### **1. Montgomery’s First-Hand Account**

In 1989, Montgomery started at Choate as a 15-year-old fourth form student. Montgomery told us that Mairs was her dorm adviser for most of that year and her math teacher in the spring term. According to Montgomery, Mairs began cultivating a close relationship with her, first helping her with math, then asking her personal questions and sharing personal information about himself, as well as taking her on off-campus trips. She also told us that she shared sensitive, personal information about her upbringing with Mairs. Eventually, after her 16th birthday in April 1990 but before that school year ended, he began engaging in sexual intercourse with her and treating her, in Montgomery’s words, like “his girlfriend.”

Mairs left Choate after the 1989-90 school year, but according to Montgomery, their relationship continued for approximately two years after his departure from the school. Mairs spoke with Montgomery by phone and sent her money to cover her phone calls to him. According to Montgomery, Mairs paid for her to visit him three or four times in Seattle, where he moved after leaving Choate.



After Montgomery's fourth form year ended, Mairs wrote her a series of letters, which she shared with the school in 2016. We reviewed over 50 pages of letters and notes from Mairs to Montgomery, dating from June 1990 to July 1992. Those letters demonstrate the sexual and emotional nature of the relationship, as well as Mairs's frequent admonitions to hide or be careful with his letters and not to reveal anything about what was going on between them. In a June 10, 1990 letter, shortly after Montgomery's fourth form year, Mairs wrote: "PLEASE be careful with this letter ... they'll put me away if they find out." The next month, he wrote that his therapist had asked him "when was the last time I had great sex and I thought to myself 'if only he knew!' I told him about how only a couple of people I've ever gone out with had that certain sensuality that made it obvious that they knew how to touch me ... I thought of you then, too." In a September 2, 1990 letter, Mairs wrote: "I know what it's like to be touched by you, to touch you. That we'd talked for hours and hours and slept pressed so hard against each other." In that letter, he also told Montgomery, "I love you ... you're always on my mind."

Montgomery told us that although Mairs asked her to dispose of his letters, she kept them. She also told us that Mairs sent her a "fake" letter to show people in case their relationship was discovered, and she provided us with a copy of that letter. She said that she was supposed to say that she had a crush on Mairs, and the letter was written to suggest that he had let her down gently. In Mairs's more typical letters to Montgomery, he signed off with "Love, Angus" or "I love you, Angus." In contrast, the "fake" letter closed with "Love, Mr. Mairs." In that letter, Mairs discussed Montgomery's "crush." He wrote that he "worried about the extent of your feelings about me," and explained that he (purportedly) had not kept in touch with her because he felt "some breathing room would be best." Continuing, he wrote: "Please don't feel foolish about it all ... this may sound typical but I was (am) extremely flattered and moved by what I felt coming from you." Similarly, an October 1990 postcard from Mairs to Montgomery contained no intimate language and signed off with "I hope all is well with you ... Take care, Mr. Mairs."

Montgomery said that at some point in 1992, she told Björn Runquist, another Choate teacher with whom she was later in a sexual relationship (described below), about her relationship with Mairs. Beginning in the summer of 1992, Runquist sent her multiple letters that referred to "Angus." We did not find evidence that anyone else at Choate knew until 2016 about Mairs's relationship with Montgomery.

Montgomery told us that Mairs's relationship with her ended after she first ignored him for a period and then told him she did not want to see him anymore. According to Montgomery, Mairs was angry about this. In the last letter to her that she provided, dated July 12, 1992, Mairs professed to feel "betrayed" and wrote, "I don't know why you choose to treat me this way after all we've meant to each other and all I've done for you."

## **2. Mairs's Responses in 2016**

In June 2016, a *Globe* reporter reached out to Mairs, writing: "I am looking into several cases at Choate, including a relationship between you and Cheyennethat began while she was a student at the school. I read some letters from that period that you wrote to her and had some questions for you." In response to the reporter's question, "Did you have sexual relationships with any other students at Choate?" Mairs responded, "Not with Cheyenne or any others."

In August and November 2016, Curtis informed the education-related nonprofit organization where Mairs was working that Choate had received a credible report from a former student that Mairs had an inappropriate sexual relationship with her in the early 1990s. As noted above, Mairs's attorney informed us that Mairs declined to be interviewed, based on advice of counsel.

### **I. Björn Runquist**

In 2016, Montgomery also reported to the school, to the *Globe*, and in her Facebook post referenced above, that another Choate faculty member, Björn Runquist, had a sexual relationship with her when she was a student and after she graduated. Runquist was a faculty member at Choate from 1981 to 1993; he taught French, directed the French play, and served as a house adviser. According to Montgomery, their relationship began during her sixth form year. Choate learned of Runquist's relationship with Montgomery in the fall of 1992, shortly after she had graduated. This prompted Runquist's departure from the school at the end of that academic year. He then returned to the Kent School, where he had taught before joining the Choate faculty, and from which he retired in 2013.

Runquist, through counsel, declined to speak with us and denied any sexual misconduct with any student while he was a member of the Choate faculty.

#### **1. Montgomery's First-Hand Account**

During her sixth form year, 1991-92, Montgomery lived in and served as a house counselor in a dorm where Runquist was the house adviser. During that year, she babysat Runquist's children and Runquist became increasingly close with her. According to Montgomery, she told Runquist about difficult experiences in her past.

Montgomery told us that, in the spring of 1992, after her 18th birthday in April, but before the end of the school year, their relationship became physical and Runquist engaged in sexual intercourse with her on campus.

Montgomery's report is generally corroborated by letters Runquist sent her after she had graduated from Choate and which she provided to the school. We have reviewed over 275 pages of such letters, dating from June 1992 to October

1993. In addition, Montgomery provided us with a note that included an apology Runquist sent her in 2016, after someone sent him a link to her Facebook post.

## 2. Runquist's Departure From Choate

In the summer of 1992, after graduating from Choate, Montgomery visited Runquist at an artists retreat in Vermont and at his family home in Maine. That summer, a Choate faculty member saw Runquist and Montgomery together in Vermont and reported this information to Shanahan in the fall of 1992.

We have reviewed a series of letters that Runquist wrote to Montgomery, which she shared with the school and with us in late 2016 and early 2017. The letters began immediately after her graduation from Choate on June 7, 1992 and continued for more than a year. Although not explicit in describing when sexual activity began, Runquist's letters suggest that the physical relationship with Montgomery commenced before she had graduated. For example, in a letter dated June 8 and 9, 1992, right after Montgomery had graduated, Runquist told her that he was writing her a "love letter" and described how "the last six weeks have been the most intense weeks of my life, culminating in this past week with you, as intense as the first week, just completely different, like badly matched book ends." Runquist told Montgomery that he was "count[ing] the days" until he could see her in Vermont. "I would give anything to have you walk through the door and be able to hold you in my arms," he wrote. In a September 11, 1992 letter, Runquist wrote from campus that he was now able "to go to the dumpster and return without stopping in the parking lot and thinking 'Here Cheyenne and I stood in the pouring rain, at night, and kissed.'" In a January 9, 1993 letter, Runquist wrote that he had "lost" Montgomery several times, including when she graduated from Choate ("that was one relationship") and when they left Vermont ("that was another relationship").

Shanahan recalled that, in the fall of 1992, Runquist told him that he had not had a physical relationship with Montgomery while she was a Choate student. But, Shanahan said, after speaking with Runquist, he came away with the understanding that there had been an intense personal and emotional relationship before Montgomery's graduation. Shanahan viewed this as crossing a line, and it caused him to lose trust in Runquist's judgment. Neither Shanahan nor others at the school attempted to speak with Montgomery, who by then had graduated, about what had occurred with Runquist. Shanahan told us that had he understood the relationship to have been physical prior to Montgomery's graduation, he would have sought to speak with her and would have terminated Runquist immediately.

At the school's request, Runquist submitted his resignation in a November 2, 1992 letter, to be exercised at Maddox's discretion, but no later than June 11, 1993. He was permitted to continue teaching through the end of the school year but prohibited from working alone with female students. He was also permitted to

remain a house adviser, but his wife was to handle any duties that would have brought him into student rooms. Shanahan told us that his decision to allow Runquist to finish the school year was influenced by a visit from Runquist's wife, who pleaded with Shanahan not to terminate her husband's employment in the middle of the school year.

Maddox told us that his understanding in the fall of 1992 was similar to Shanahan's – that Runquist and Montgomery did not have a physical relationship while she was at Choate. Maddox wrote Runquist a recommendation letter in which he stated that he would "enthusiastically recommend" Runquist "to any school," that Runquist was "one of our finest classroom teachers," and that he "was one of those rare professionals who has mastered the multi-faceted role of boarding school teacher." Maddox told us that his general practice would have been to write a letter of recommendation if a teacher requested a reference, and to either address the letter to a specific prospective employer or leave it general if it were going to an agency. In either case, he said that his practice was to make a notation of where the letter had been sent. The recommendation letter for Runquist bears no addressee and does not indicate if it was sent out. Maddox also said that he would write a recommendation letter for a teacher's file if a teacher requested one. Such a letter to the file could be sent out if the teacher later made a request for a reference. Kent, the school to which Runquist returned after leaving Choate, informed the *Globe* that Choate's recommendation letter was not found in its files. Maddox told us that he would not have written this letter without informing Shanahan; Shanahan told us that he did not know at the time that a letter of recommendation had been written for Runquist.

Runquist's letters to Montgomery and a document in school records indicate that Choate may have considered permitting him to stay at Choate for another year if he was unable to find a teaching job at another school. In a letter to Montgomery dated March 25, 1993, Runquist wrote that he was "somewhat on pins and needles because Maddox is going to see if he can talk Shanahan into letting me stay. I should know Monday if there is any possibility." In a May 12, 1993 letter, he wrote, "I so desperately want to get out of here and make a fresh start but it's becoming clearer that I will be here for another year. ([I]t seems the longer I have to wait for Kent the less likely I will get the job ....)"

We located an unsigned contract, dated April 1, 1993, that begins, "Dear Bjorn," and states: "I am pleased to offer you a contract as a faculty member of Choate Rosemary Hall for the 1993-94 academic year." In addition to setting out compensation, benefits, and duties, it provides: "This contract assumes that you will reside in off-campus housing, for the convenience of the school, for the coming academic year." The signature block is for Maddox, but neither he nor Runquist signed or dated it, and the word "VOID" and a slash mark are handwritten across the document. Maddox told us that the handwriting on the contract looked like his but that he has no recollection of the document. Neither he nor Shanahan

remembered having considered allowing Runquist to stay beyond the 1992-93 school year. Shanahan said that he would not have permitted it, and Maddox said he could not have made such an agreement with Runquist without Shanahan's approval. As noted above, Runquist ultimately left Choate at the end of the 1992-93 school year to rejoin the Kent faculty.

After Runquist received a copy of Montgomery's 2016 Facebook post, he sent her a Facebook message in which he explained that he "fell in love, desperately in love" with her and apologized that "what happened between us" had caused her pain. In an October 1, 2016 article, the *Globe* wrote that Runquist had emailed the newspaper and "said his relationship with [Montgomery] 'was an extremely painful, utterly isolated event in my life.'" As noted above, Runquist, through counsel, declined to speak with us. His attorney provided us with the following statement: "Mr. Runquist has denied and continues to deny any sexual misconduct with any student while he was a member of the Choate faculty."

## **J. William Cobbett**

William ("Bill") Cobbett was a faculty member at Choate from 1969 until his retirement in 2010. After his retirement, Cobbett taught classes at Choate as an adjunct faculty member during the 2010-11 school year. During his four decades at the school, Cobbett taught courses in a variety of subjects, including history, art history, and economics. He also served as both a housemaster and adjunct adviser in the school's dorms, and he coached several teams. Cobbett was a beloved faculty member and the recipient of many outstanding teacher awards.

As described below, we identified two reports of sexual misconduct involving Cobbett and Choate students. Student 19 reported to us that Cobbett physically and emotionally coerced her into a sexual relationship in the mid-1990s. She did not report that information to the school prior to our investigation. In late 2000, Student 20 reported to the school that Cobbett kissed her. A school administrator we interviewed told us that the school considered having Cobbett retire at the end of the school year due to that report, but instead allowed him to remain on the faculty, which he did for another decade.

Cobbett, through counsel, declined to be interviewed in our investigation.

### **1. Student 19's First-Hand Account**

Student 19 was a student of Cobbett's in the mid-1990s. Student 19 said she developed a close relationship with Cobbett through his classes and that he supported her as she struggled with disciplinary issues at the school. According to Student 19, beginning in the fall of her sixth form year, Cobbett flirted with her. That winter, he invited her to his house to discuss some classwork. As Cobbett drove her to his home, he asked her to hide under a blanket so that she would not be seen. She told us that Cobbett attempted to seduce her at his house, and when

she resisted, he forced her to have oral sex and intercourse with him. She was 17 years old at the time.

According to Student 19, over the next few months, Cobbett took advantage of her disciplinary issues with the school to pressure her to have sex with him on a regular basis. Cobbett used both positive encouragement and negative comments to exert influence over her. When she complied, he would shower her with praise and profess his love for her, both verbally and through symbolic postcards with pictures of lovers that he would send her. When she protested or tried to end the relationship, he would demean and intimidate her. She reported that Cobbett told her that she had not earned her good grades in his classes and he could change them and threatened to retract letters of recommendation he had sent to colleges on her behalf. According to Student 19, during this time, they would have sex once or twice a week. She said Cobbett would usually collect her from campus and drive her to his home. She also said that Cobbett refused to use condoms and sent her to the Choate health center to get birth control pills. She told us that she complied with Cobbett's demands and engaged in a sexual relationship with him for four months until she had her college acceptance and financial aid in place. She then stopped responding to Cobbett's demands, despite Cobbett's anger over her refusal and her fear of the consequences.

Student 19 told us that she had told her husband about her experience with Cobbett shortly after she met her husband. We interviewed her husband, who confirmed that, in 2001, Student 19 told him about her experience without identifying the teacher by name. Student 19's husband said that she described how an art history teacher groomed her, forced himself on her, coerced her into a sexual relationship, hid her under a blanket when he was driving her to his house, and forced her to use birth control. He also said that Student 19 told him that she broke off the relationship once she was admitted to college.

## **2. Student 20's First-Hand Report**

Student 20 was a fifth form student at Choate in 2000-01. Cobbett was Student 20's adviser and coach. In November 2000, when she was 17 years old, Student 20 reported to her form dean that Cobbett tried to kiss her. The form dean reported the incident to Maddox, who was then Dean of Faculty. Student 20's parents made a similar report to Shanahan.

The form dean informed us that Student 20 said that she had gone to Cobbett's house on a Sunday afternoon for some help with a class. Student 20 and Cobbett were petting Cobbett's cat when Cobbett began petting Student 20 and stroking her hair. Cobbett then took Student 20's face in his hands and asked her to kiss him. The Form Dean could not recall whether Student 20 said that Cobbett had then kissed her, but both Shanahan and Firke told us that they understood that Cobbett had kissed Student 20. According to Firke, Cobbett later

acknowledged the kiss, telling Firke in 2002 or 2003: “It was just a little smooch, she overreacted.”

According to school records, following Student 20’s report, Cobbett was removed from his role as Student 20’s adviser and no longer coached her. Firke told us that as a result of the incident with Cobbett, Student 20 was distraught during an end-of-term exam, and that he worked with her teacher to change her grade.

According to Student 20’s form dean, the school initially decided that Cobbett would be allowed to retire quietly at the end of the year. After the school spoke with Student 20’s parents, who expressed concern about the impact of Cobbett’s departure on their daughter, however, it allowed Cobbett to remain. Shanahan said that Cobbett received a letter of reprimand and warning as a result of this incident, but we did not locate such a document. We have seen no evidence that school personnel involved in responding to the incident with Student 20 were aware of the misconduct that Student 19 reported to us.

As noted above, Cobbett, through counsel, declined to speak with us. His attorney informed us that Cobbett has “no memory of any events that might relate to the accusations” of sexual misconduct, and noted that Cobbett is experiencing some age-related cognitive confusion.

#### **K. Jaime Rivera-Murillo**

Jaime Rivera-Murillo was a Spanish teacher at Choate from September 1998 to October 1999. Rivera came to Choate from The Gunnery, where he taught from 1996 to 1998. Rivera was the on-site Choate faculty leader of its fall 1999 study abroad program in San José, Costa Rica. Late in the evening and early in the morning of October 8-9, 1999, while he was chaperoning a weekend excursion, Rivera touched Student 21 inappropriately and sexually assaulted Student 22. When students on the trip reported what had happened to Choate, the school promptly terminated Rivera for “just cause.”

We spoke with Students 21 and 22 and with two other Choate graduates who witnessed the events of that night, Classmates X and Y. The accounts of those four Choate graduates are substantially corroborated by a written summary of interviews of them that the school conducted promptly after these incidents. We interviewed Rivera in March 2017, in the presence of his counsel, and he denied that he engaged in sexual misconduct with any Choate students.

#### **1. Four Graduates’ 2017 Accounts of the Events of October 8-9, 1999**

In October 1999, Student 21 was a 15-year-old fourth form student and Student 22 was a 17-year-old sixth form student. Late in the evening of October 8, Rivera, five Choate students, and others were “hanging out” in and around a resort

swimming pool and nearby bar; Rivera and some of the students were consuming large amounts of alcohol. Student 21 told us that Rivera was “handsy and grabby” while dancing with her and told her, “I shouldn’t be dancing with a student like this.” Student 21 said that she then broke away from him. Later that evening, while they were both in the swimming pool, he grabbed her breast. Student 22 and Classmate X told us that they saw Rivera touching Student 21 inappropriately, and Classmate X and Classmate Y recalled that the students commented to one another about Rivera’s behavior.

Rivera’s assault of Student 22 occurred later that night, when Rivera and the Choate students were in and near the swimming pool, which had an island in its center. Student 22 described how Rivera approached her and held her up against a wall in the pool. She recalled that Rivera had removed his shorts and pushed her clothing to the side. Student 22 told us that Rivera was trying to penetrate her from behind but was interrupted by Classmate X.

Classmate X told us that when he went into the swimming pool, he heard whispering and voices. He said he walked around the island in the pool and saw Rivera “thrusting” into Student 22 from behind. According to Classmate X, when he tried to separate Rivera and Student 22, Rivera “tried to take a swing at” him. Classmate X said he called for Classmate Y, and that when he turned back, Rivera had left the pool area.

Student 21 told us that she was in the pool with Classmates X and Y, and Classmate X asked where Rivera was. She told us that she and Classmate X started walking around the island in the pool and saw Rivera having sex with Student 22 from behind. She told us that they took Student 22 out of the pool and that Rivera left the area.

Classmate Y told us that he noticed that Rivera and Student 22 were missing and that he and Classmate X began walking in opposite directions around the pool to look for them. He then heard Classmate X yell something. As Classmate Y came around the pool island, he saw Student 22 in the pool and Rivera “running off into the jungle around the pool area.” Classmates X and Y said Student 22 then told them that Rivera had been having anal sex with her.

The morning of October 9, the students called the school’s nurse/counselor back in Wallingford and told her what had happened; she told them that she needed to inform others at the school. The students on the trip also confronted Rivera that morning. Classmate X said that he told Rivera that he had found him having anal sex with Student 22 and said that Rivera’s first response was, “Why did you go over my head, why didn’t you come to me first?” Student 21 told us that Rivera “just denied everything, said nothing like that happened, he didn’t remember and it didn’t happen.” Student 21 also said that after Classmate X told Rivera that Rivera had grabbed Student 21’s breast, Rivera apologized to her.



## **2. Students' Contemporaneous Accounts of the Events of October 8-9, 1999**

As soon as Choate learned of the incident, it immediately sent Dean of Students Elinor Abbe to Costa Rica, and Abbe told us she arrived the evening of October 9, less than 24 hours after the incident. On October 9 and 10, Choate personnel spoke to Students 21 and 22, Classmates X and Y, and another Choate student on the trip. Those interviews are memorialized in an internal school memorandum, dated October 11, 1999. These contemporaneous statements provide additional details about Rivera's actions.

Regarding Rivera's actions with Student 21, the memo reflects the students' contemporaneous accounts that Rivera "became 'overly friendly'" and "touchy-feely" with Student 21, "kept touching" her, "put his hand on [her] leg," and "[t]ouched her breast."

With respect to Rivera's assault of Student 22, the memo reflects that Student 22 said that while she and Rivera were in the pool, he "told her he and his wife were separated [and said,] 'I have these problems. I am a man.'" She said that Rivera "kissed her on the lips," "put his hands in her underpants," and "put her hand on his penis." Rivera "moved her to a dark area of the pool," "removed his shorts," and "entered her anus with his penis." Classmate X said that he "saw him in her" and that "it was anal sex," and he "[y]anked them apart." The memo also reflects that one student saw Rivera in the pool with Student 22 "kissing her neck."

## **3. Rivera's 2017 Denial of Sexual Misconduct**

When we interviewed Rivera in March 2017, he acknowledged drinking with the students at the swimming pool that evening, but he denied engaging in any sexual misconduct. Rivera told us that he drank two beers and swam in the pool with the Choate students and others. He said that he then left to go to a bar in a different area of the resort, where other teachers were congregated. Rivera said that he drank "local moonshine" liquor at that other bar and "started feeling dizzy." He said that he left and walked back to his room.

Rivera told us that when he received a phone call from Choate the next morning, he did not know why the school was calling him. He said he asked the students, and Classmate X described the incident from the previous night and said he had reported it to a counselor. According to Rivera, the students were "apologetic," but he told them not to apologize, because it was important to find out what had happened.

#### **4. Choate's Response to the Contemporaneous Reports**

Abbe told us that Rivera called her the day she arrived in Costa Rica. He did not discuss what had happened, but sought her advice on what he should do. Abbe told us that she recommended that Rivera “call the school and confess.”

In Costa Rica, Abbe took Student 22 to a doctor to be examined. The school also informed Student 22's parents about the incident and offered to cover expenses for Student 22's mother to travel down to Costa Rica, which she did. Student 22's mother arrived in Costa Rica the day after Choate received the initial report, and she stayed with Student 22 for three or four days.

Abbe also spoke to the parents of the other students on the trip to assure them of the students' safety. Abbe did not recall sharing specific details with the parents; rather, she informed the parents that there had been an incident and that the school was handling it. Student 21 told us that her parents were informed only that there had been an incident involving alcohol and that therefore she, as a 15-year-old, had to tell her parents that the incident involved sexual misconduct.

The Choate administration summoned Rivera back from Costa Rica, and he arrived on campus on or about October 12. When Rivera was back on campus, Shanahan and Maddox confronted him. Shanahan told us that Rivera did not deny his actions at that meeting; instead, Rivera acted like he knew that he had done something wrong. Shanahan and Maddox had Rivera tested for sexually transmitted diseases before the school ended his employment; Rivera's “terminat[ion] for just cause” is reflected in school records.

Rivera confirmed to us that he returned to the Choate campus approximately three days after the incident, where he met with school administrators including Shanahan and Maddox. Rivera said that he denied the allegations of sexual misconduct at that meeting, but he agreed to leave the school because he was not prepared to fight a “huge institution” like Choate. He said that he also told administrators, “If I did something that bad, I honestly would remember it.”

#### **5. Events After Rivera's Termination**

Shanahan told us that he consulted with the Chairman of the Board of Trustees regarding the school's response to the incident. Shanahan notified the Board of Trustees about the incident in an October 15, 1999 memorandum, which referred to “some excessive drinking on the part of [Rivera] ... [and] some seriously inappropriate behaviors that sprang from this....” The memo stated that Shanahan would provide a full report during the Board's next scheduled meeting. Shanahan did not recall what additional details, if any, he provided to the trustees. The trustees we interviewed had differing recollections regarding whether, and to what extent, the incident was discussed at that meeting.

Choate sent an email to faculty members stating that Rivera was “no longer in the employment” of the school and “should have no further dealings with any member of the student body.” The email did not provide any details about the events leading to Rivera’s termination. The school’s communications office also prepared a statement and talking points about the incident, dated October 28, 1999, which focused on Rivera’s drinking and did not mention any sexual activity, but it does not appear that the school used those materials.

Shanahan also told us that he consulted with the school’s outside counsel regarding the school’s response to the Rivera incident; Choate confirmed that it consulted with counsel regarding that incident.

Choate did not report the assault to any government authorities at the time. Shanahan said that he was usually guided by parents’ wishes regarding whether to make such a report. In our conversations with Student 22 and her parents, they generally commended the school on its handling of the situation, but, with hindsight, believed that the incident should have been reported to authorities. Student 22’s parents recalled being concerned about their daughter’s privacy, but did not recall discussing with the school whether the assault should be reported.

To allow the students to continue with the program, the school sent another Spanish teacher to Costa Rica to supervise them. Student 21 told us that when the students returned to Choate the next term, a female administrator admonished them not to discuss what had happened. Student 21 told us that, other than an email from Shanahan to the students on the trip and the meeting where the students were told not to discuss the incident, the school never acknowledged what happened or offered the students counseling services to help them cope with what had happened. She told us that, to this day, she is upset at what she experienced and the school’s handling of the incident.

Although Choate did not provide a reference or recommendation letter for Rivera, he taught or worked as an administrator at schools including Henry Abbott Technical High School in Danbury, Connecticut; Harrison (New York) High School; and Newtown (Connecticut) High School. Until April 2017, Rivera was the Principal of Wamogo Regional High School in Litchfield, Connecticut. In March 2017, Choate wrote to the superintendent of Rivera’s school district and informed him about this matter. Rivera was placed on leave in March 2017, and he resigned on April 6, 2017.

## **L. Charles Timlin**

Charles (“Chuck”) Timlin was a Choate faculty member from 1981 to 2010. At various times, he taught English and Latin, served as a form dean, coached various sports, served as Athletic Director, and was a house adviser. Timlin was described to us as an extremely popular and effective teacher who had strong friendships with many people in the school’s administration and faculty.

As described below, we learned of two reports of sexual misconduct involving Timlin and Choate students. Student 23 reported to us that, in 2003, Timlin tried to kiss her and groped her. Student 24 reported to the school in June 2010 that a few months earlier, Timlin had on one occasion intimately kissed her and made inappropriate sexual comments to her. The school investigated Student 24’s report and initially decided to continue employing Timlin with conditions. In September 2010, however, Shanahan asked Timlin to resign and the school filed a report with DCF.

After leaving Choate, Timlin has taught at several local Connecticut colleges, as well as Maker’s Mark Academy, a summer program for high school students in Seoul, South Korea.

We interviewed Timlin in March 2017, and he acknowledged that he was asked to leave the school after kissing Student 24. He denied any other incidents with Choate students and told us that he “paid dearly for the mistake” with Student 24, which he regretted.

### **1. Student 23’s First-Hand Account**

Student 23 was a student in Timlin’s English class during 2002-03, her sixth form year. Student 23 told us that Timlin paid her particular attention, and late one evening during the winter, Timlin asked her to come to his house. There, she said, he tried to kiss her and he groped her. Student 23 said that she left Timlin’s house and tried to avoid him after that evening. She said that she thinks that Timlin had been drinking that evening and was tipsy.

Student 23 did not report the incident with Timlin to any faculty or administrators at Choate during her remaining time as a Choate student. She told us that she shared at least some of her experience with Timlin with her boyfriend at the time. We spoke with Student 23’s then-boyfriend, who confirmed that she told him during their sixth form year that she was uncomfortable with Timlin’s attention, but was upset about it and did not want to discuss it further with her boyfriend. At her tenth reunion in 2013, at the urging of several classmates, she spoke with a current Choate faculty member about Timlin. The faculty member, who had been Student 23’s fifth form adviser, told us that Student 23 said she had had some uncomfortable situations with Timlin. He explained that he did not encourage her to tell him more given the setting. According to the faculty member,

after the reunion, he told Curtis what he had heard, and Curtis directed him to reach back out to Student 23 to learn more details. The faculty member did so via a Facebook message in June 2013, asking Student 23 to call or text about “the whole Timlin thing.” He wrote: “If you are still not comfy about it, I understand, but perhaps you can give me a sense of how many other women in your class were impacted by Timlin.” Student 23 did not respond until October 2016, when she thanked the faculty member for having reached out and described the incident as “awful, classic predatory behavior.”

We spoke with Timlin, who said that he did not remember any inappropriate incident in the early 2000s with a student at his home and denied that such an incident had occurred.

## **2. Student 24’s Report, Resulting in Timlin’s Departure**

Student 24 was a 16-year-old sixth form student at Choate during the 2009-10 school year. As described to us by then-Dean of Students John Ford and reflected in Choate records, in June 2010, after Student 24 had left Choate, she called Ford and reported that three months earlier, Timlin had intimately kissed her and made inappropriate sexual comments to her. She also told Ford that she did not want her parents to be informed.

Student 24 was in the process of withdrawing from Choate at the time of the incident, and consistent with school practice, spent her last night on campus in the school’s health center. Student 24 reported to Ford that, at her request, Timlin came to visit her there and say goodbye. She reported that Timlin took her hand and “caress[ed] it” and that he leaned in and they “made out” three times while he was there. She also reported that Timlin said things like, “I wish I could make love to you right now” and “I always thought you were really sexy ... sexiest girl in class.” She told Ford that Timlin made her promise not to tell anyone what had happened, but she told a friend a few days after the incident. Student 24 also told Ford that she and Timlin exchanged “very personal” emails after that night.

Ford shared Student 24’s report with Shanahan on July 1, 2010, when Shanahan returned from a trip abroad, and they met with Timlin later the same day. Timlin acknowledged that the night before Student 24 was to leave Choate, he had gone to the health center after 11:00 p.m. to say goodbye to her and that there had been an intense hug and kiss on the lips, but he denied that the kiss had been intimate. Ford wrote to Student 24 the next day, saying that Timlin’s version of events was quite different from hers.

Student 24 wrote back the same day, stating that she was telling the truth and suggesting he speak with two friends with whom she had shared what had happened. Ford reached out to the two friends Student 24 suggested, both of whom corroborated Student 24’s account. Having received additional confirmation of

Student 24's account of the incident, Shanahan again met with Timlin. This time, Timlin acknowledged that he and Student 24 had exchanged "several" "intimate kisses" and that he had asked Student 24 not to tell anyone what had happened. Four days after the follow-up meeting, Timlin wrote an email to Shanahan "to articulate [his] responses in an ordered fashion" and acknowledged that "we hugged, and then fell into two kisses that she initiated more than I did. This moment of indiscretion took somewhere between 12-15 seconds total." Timlin also acknowledged in that email that he had had "several glasses of wine throughout [that] evening." Shanahan did not recall asking Timlin whether he had told Student 24 that he wanted to make love to her or made other inappropriate comments, stating that he was focused on what had happened physically.

Shanahan told us that as he thought through what to do, he considered that Timlin had been a "25-year faculty member, great teacher, great coach, great faculty member" and whether the conduct warranted ending his career at Choate. By mid-July, Shanahan and Timlin had agreed to certain conditions that would allow for Timlin's continued employment at Choate. Shanahan required Timlin to move out of the girls dorm where he was an adviser and to meet with a psychiatrist. Shanahan also asked Timlin to sign a resignation letter, which could become effective immediately if other allegations of misconduct surfaced or if the incident involving Student 24 became more of a public matter. Timlin signed such a letter on August 3, 2010. Shanahan described this condition as "perpetual probation."

Several days later, Student 24 emailed Ford and asked if Timlin would be returning to Choate. Ford responded affirmatively and stated that the school felt that it "ha[d] taken the appropriate action." After Student 24 wrote an email expressing her strong disagreement, Shanahan wrote and asked her to set up a time to discuss the school's response further. In a follow-up email, Shanahan asked Student 24 if he could discuss the issue with her parents. Documents reflect that at the same time, the school began considering whether to report the incident to DCF and consulted with the school's outside counsel about the issue.

On September 2, 2010, Student 24 informed Shanahan that she had told her parents what had happened with Timlin and that they were discussing their next steps. A few days later, Student 24's father contacted the school, and on September 7, Shanahan arranged to meet Student 24's father the following day. Also on September 7, the school made an initial telephone report to DCF about the incident and its investigation to date.

Shanahan, accompanied by Wallace, met with Student 24's father as planned. According to notes of the meeting, Student 24's father expressed his anger and his feeling that the school had not acted fairly. Shanahan apologized and proposed measures to address his concerns.

On September 9 and 10, Shanahan held meetings with small groups of faculty and administrators to consider again whether to allow Timlin to remain at Choate under the conditions already imposed or whether stronger measures were needed. Shanahan decided that Timlin would need to leave the school. Timlin's last day was September 10, but by signed agreement, he was to be paid his normal salary through the end of the school year; the school confirmed to us that Timlin was paid his salary for the remainder of the 2010-11 school year. The school then submitted its written report of the incident to DCF.

### **3. Events After Timlin's Departure**

According to notes taken at a mid-September meeting at which Shanahan reported to the faculty about Timlin's departure, the faculty was told that Timlin had "an overly close relationship with a student" but that "[n]othing remotely like" a sexual relationship had happened. The faculty was asked not to talk about Timlin's situation after leaving the room. Timlin's students were told that he had resigned for personal reasons.

On November 29, 2010, DCF issued a memorandum of its investigation, concluding that the allegations against Timlin "will be substantiated" and stating that Timlin would be "added to the central registry." DCF listed several concerns with the school's handling of the incident. It noted that Student 24's parents were not notified of the incident until more than two months after the allegations surfaced in June 2010. It noted that Timlin was moved out of the girls' dorm but remained a teacher at the school for several months after the allegations surfaced. It also described "a concern that school personnel did not report the alleged abuse to the Department within the 12 hours they are required to do by law." Further, it stated that Shanahan "was offered mandated reporter training for himself and Choate staff members by the Department," and "strongly recommended" that school staff "receive mandated reporter information related to the ramifications of failing to file a report [of] suspected abuse/neglect within the timeframes required by law." Shanahan did not recall being offered this training by DCF, and we have not seen evidence that the school accepted DCF's offer. We understand that by this point in time, the school was periodically training the faculty on mandatory reporting obligations, although we have not seen the content of that training.

Courcey told us that he helped Timlin find a teaching job at a local college. In addition, then-Dean of Faculty Stephen Farrell told us that he recommended Timlin to an administrator at Maker's Mark Academy. Both Courcey and Farrell told us that they had been aware that Timlin kissed a student, and Farrell said he told Maker's Mark about the incident involving Student 24; we have not seen evidence that either Courcey or Farrell was aware of the incident Student 23 reported to us. Until 2016, Maker's Mark's website included a biography of Timlin and a laudatory comment by Choate, which it attributed to Farrell. In October 2016, Curtis reached out to Maker's Mark to notify the program of the

circumstances of Timlin's resignation and asked that any reference to Choate be removed from Maker's Mark's website.

As noted above, Timlin acknowledged when we spoke to him in March 2017 that he was asked to leave the school after he kissed Student 24. He denied making any inappropriate comments to her and told us that his conversation with Student 24 in the health center was focused on her future and concerns about leaving Choate. Timlin acknowledged at least one kiss with Student 24 and conceded that there may have been two. He told us that Student 24 had initiated the kissing, that he was "stunned" and did not pull back for several moments, and that the entire incident was "terrible" and "awkward." Timlin also acknowledged that he corresponded with Student 24 by email after the incident.

## V. Other Reports

We also received a number of reports from members of the Choate community or learned of reports made directly to the school, to the press, or in Facebook posts that are not described above in Section IV. Some were first-hand reports of sexual misconduct that we received and decided not to include, even though we may have found them credible, after we weighed the factors described in Section III-E. In some cases, we did not include these other first-hand reports because we determined that they lacked sufficient corroboration and/or the reported conduct was not as serious as the incidents we chose to describe in detail. We also did not include by name individuals about whom we received second- or third-hand reports, even if numerous, if former students who were subjected to the misconduct did not come forward to the school or to us.

Below are examples of some of these other reports which we decided not to describe in greater detail. Unless otherwise stated, we do not have evidence that these incidents were known to the school.

- A Rosemary Hall graduate reported to the *Boston Globe* in 2016, and the *Globe* informed Choate, that in the early 1960s, a teacher groped and kissed her and that the teacher had engaged in similar misconduct with other students. A different Rosemary Hall graduate previously reported to Choate that this same teacher engaged in potential inappropriate behavior toward a student or students in the 1960s.
- A Choate graduate reported to us that when he was a student in the 1960s, a housemaster engaged in inappropriate conduct with the boys in his dorm, including digitally examining their genitals, ostensibly to check for measles during a campus outbreak.
- A Rosemary Hall graduate reported to us that in the mid-1970s, a teacher took her off campus, kissed her, and asked whether there was more he could teach her, to which she said no. Afterwards, he told her not to tell



- anybody about the incident. A Choate graduate from the 1970s reported to us that, when he was a student, he was aware of reports that this same teacher had an inappropriate relationship with at least one student.
- A Choate graduate reported to us that one of her classmates recently told her that she was in a sexual relationship with a teacher in the late 1970s. Shanahan told us that in the early 1990s, this same teacher admitted to him that when he had first started at Choate, he had fallen in love with a student. Shanahan said that he did not take disciplinary action because the conduct the teacher had admitted to was from at least 15 years earlier.
  - A Choate graduate reported to us that in the late 1970s, in separate incidents, two teachers touched her breasts and between her legs when she visited their homes for academic help.
  - A number of individuals we interviewed described two incidents when teachers were promptly dismissed or asked to resign after the school learned of romantic, and to at least some degree sexual, relationships between those teachers and students. One of these incidents, in the early 1980s, involved a female faculty member and a male student. The other incident, in the early 2000s, involved a male teacher and a female student.
  - A Choate graduate reported to us that in the early 1980s, an athletic coach repeatedly subjected her to unwanted attention and groped her on one occasion.
  - Student 12 reported to Choate in 2013 that when she was a student in the mid-1980s, she visited a faculty member's apartment, where he lifted his leg and exposed his erect penis to her. She reported that she had told a Choate counselor about the incident after it happened. In 2016, the graduate reported the incident to both the *Globe* and the school where the faculty member now works. His current school conducted an investigation and determined that it "could not find corroborating evidence of the allegation of misconduct."
  - A former faculty member reported to us that in the mid-1990s, a Choate staff member invited a student and one of his adult friends to his apartment on campus and left them alone, where they had sex. This information was reported to the school at the time, and the school asked the staff member to resign.
  - The school received reports that a former teacher had an inappropriate, and possibly sexual, relationship with at least one Choate graduate during the early 2010s.

We also received reports of various kinds of other conduct, which, although falling under a broad definition of “sexual misconduct,” was less serious than the conduct described in Section IV or in the bullet points above. These reports included accounts of teachers who made inappropriate comments to one or more students; kissed or attempted to kiss a student; or otherwise made students uncomfortable. Finally, we received various vague accounts of inappropriate or potentially inappropriate conduct by faculty or staff members, but we could not corroborate or gather additional detail about them.

## **VI. Conclusion**

We appreciate the cooperation and support that we received from Choate and from the current and former administrators, faculty, and staff with whom we spoke, some on repeated occasions. We particularly want to thank the Choate graduates who spoke to us, especially those graduates who made the difficult decision to describe to us sexual misconduct they experienced as students. For many of those graduates, this process stirred up painful memories. We thank them for the courage they demonstrated by participating in our investigation. We hope that this report will be of value to them, to the school, and to the greater Choate community.

With the submission of this report, our independent investigation has come to a close. However, we recognize that additional members of the Choate community may want to come forward with information about incidents of adult sexual misconduct at Choate. Members of the Choate community who wish to make such a report should contact Kathleen Lyons Wallace at [klw@choate.edu](mailto:klw@choate.edu) or 203-697-2496.