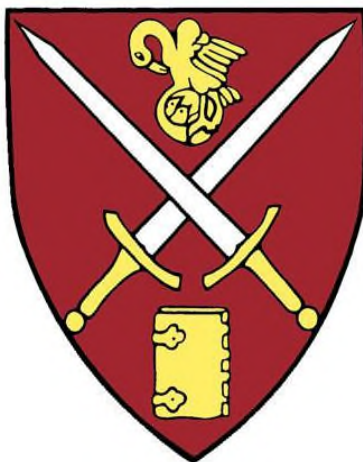




SUPPLEMENT TO THE FINAL REPORT – CODED FOR DISTRIBUTION  
DATED MAY 20, 2017

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



SEPTEMBER 25, 2017

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## I. INTRODUCTION

On May 22, 2017, St. Paul's School (SPS) issued a Final Report, Coded For Distribution, entitled "Independent Investigation of Sexual Misconduct at St. Paul's School" from Casner & Edwards, LLP.<sup>1</sup> In their cover letter to the members of the SPS community announcing the release of the Report and its findings, Rector Michael G. Hirschfeld and President of the Board of Trustees Archibald Cox, Jr. stated that the independent investigation resulted in a report that "we believe is important to share with you." They wrote, "Our decision to release this report is grounded in our belief that it is only through transparency that we can learn from our past."

Rector Hirschfeld and President Cox also stated that SPS would continue to retain Casner & Edwards "as a resource for any alumni who feel they were harmed by an adult during their time at the School." They acknowledged that others may come forward to share their experiences, and wrote, "Our invitation for survivors to come forward and our desire to foster healing are perpetual."

As a result, SPS, and its counsel, requested that we be available to speak with any alumni/ae who came forward to SPS and/or us with information to share about their experience at the School. Over the course of the past four months, we were contacted by a number of SPS alumni/ae and others relating to incidents that had not previously been reported to us. As a result, we have reviewed seven (7) faculty and staff files, and one (1) alumni/ae file. We conducted interviews by telephone, Skype, or in person, with forty (40) alumni/ae. We interviewed two (2) former faculty and staff members, and one (1) current faculty member. In total, we have attempted to or did contact fifty-five (55) individuals. Since May 22, 2017, we have interviewed fifteen (15) additional victims, and fifteen (15) additional witnesses.

This Supplemental Report explains our findings as to the alleged conduct of sixteen (16) faculty members and staff, reported to us since May 22, 2017, of which eleven (11) were previously known to us, three (3) having been named by SPS, and five (5) are being reported on for the first time. As we did in the Final Report of May 17, 2017, we grouped our findings as to the faculty members and staff into three (3) categories, based on the following criteria: (a) the nature and severity of the sexual misconduct involved, including whether the faculty or staff member engaged in activities such as rape, sexual intercourse or sexual assault; (b) the degree of harm and lasting impact to the victim(s) resulting from the sexual misconduct; (c) whether the faculty or staff member engaged in repeated sexual misconduct with one student or a pattern of misconduct with multiple students; (d) whether the alleged misconduct, if committed today, would violate SPS' written policies concerning faculty and staff conduct and expectations; and (e) the availability and reliability of oral or written victim accounts, corroborating witness accounts, admissions by faculty and staff or students, or other documentary evidence to

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<sup>1</sup> On May 17, 2017 Casner & Edwards produced a Final Report, which was submitted to counsel for SPS. Counsel for SPS then requested that Casner & Edwards produce a Final Report – Coded For Distribution pursuant to criteria identified by SPS. The Final Report – Coded For Distribution was submitted to counsel for SPS on May 20, 2017. On May 22, 2017 SPS released the Final Report – Coded For Distribution to the members of its community. This supplemental report is a Supplement to the Final Report – Coded For Distribution dated May 20, 2017.

substantiate sexual misconduct. We applied these criteria to the information provided and available to us to date, and then assigned each faculty or staff member to one of the following categories:

A. Substantiated Sexual Misconduct

- Seven (7) former faculty and staff

B. Other Reports Of Sexual Misconduct

- Five (5) former faculty and staff

C. Unsubstantiated Allegations Of Sexual Misconduct

- Four (4) former faculty and staff

Based on our interviews and investigation, we were able to substantiate a range of credible and disturbing historical information about the conduct of certain faculty and staff at SPS. The allegations of sexual misconduct we investigated in this phase spanned a period of fifty-three (53) years, from 1956 to 2009.

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

As was true with the Final Report, each person we encountered, from alumni/ae to the current leadership, has impressed us with his or her commitment to uncovering this history and to repairing the impact of the harm done to individuals by a full investigation, and by renewing a commitment to ensure that systems are in place to keep SPS students safe now and in the future.

We again note that our work could not have been completed without the commitment and support of Rector Hirschfeld, President Cox, and the leadership of SPS. We also appreciate all of the SPS alumni/ae who courageously came forward or responded to our inquiries despite how painful or disturbing it may have been, and respect the wishes of other alumni/ae and those in the SPS community who declined our request for an interview.

**A. The Team And Investigative Process**

Led by Senior Counsel and former Massachusetts Attorney General Scott Harshbarger, our team included Litigation and Special Investigations Partner and former Massachusetts Assistant Attorney General Edward V. Colbert III and Litigation and Special Investigations Associate Carmen F. Francella III. This Team conducted all of the interviews and document/file

reviews referenced and/or relied upon during the course of this investigation and in preparation for this report.

We began our investigation by contacting every alumni/ae who had written to SPS with any allegation or information following the release of our report on May 22, 2017. We received additional allegations from alumni/ae relating to sexual misconduct by former faculty and staff in addition to those who contacted SPS. We then contacted those alumni/ae, and any witnesses to any such misconduct.

## **II. FINDINGS**

We assigned seven (7) former faculty members and staff who meet several of the criteria to category A, Substantiated Sexual Misconduct. Three (3) of those former faculty members appeared in category A in the Final Report, while three (3) previously appeared in category B and one (1) previously appeared in category C.

We assigned five (5) former faculty members and staff who do not meet as many of the criteria to category B, Other Reports Of Sexual Misconduct. Three (3) of those former faculty members appeared in category B in the Final Report, while one (1) previously appeared in category C and one (1) is appearing for the first time.

The four (4) former faculty members and staff in category C, Unsubstantiated Allegations Of Sexual Misconduct, are individuals whose names were reported to us as being associated with sexual misconduct, but, to date, we have not received sufficient victim or witness accounts, or discovered any documentation, to support the allegations.

Throughout our findings, we incorporate the same definition of the often used phrase “sexual misconduct” contained in our Final Report (*See* Final Report, Section III).

### **A. Substantiated Sexual Misconduct**

We have identified and substantiated seven (7) former faculty and staff who engaged in sexual misconduct against one or more alumni/ae.

#### **1. Edward Lawrence “Larry” Katzenbach III**

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

**Victim Account 1: Student 70**

Student 70 contacted our office by telephone on May 23, 2017 to report similar allegations to those described in our May 20, 2017 report. She said that she could relate to what had been reported about Mr. Katzenbach.

During our telephone interview with Student 70 on May 25, 2017 she told us that she had “issues” with Mr. Katzenbach during her fifth and sixth form years. She said, “I can reiterate that the man was totally excited by talking about sex to our class.” She added, “I always thought it was awkward and gross.” Student 70 described one particular occasion in class when Mr. Katzenbach was lecturing on Hamlet. According to her, Mr. Katzenbach had just gone on a tangent about Ophelia being a “petite brunette with enormous breasts, who knew what her breasts did to seduce men” when he looked directly at her and said, “I want you to read Ophelia.” He approached Student 70’s seat and from behind slammed the book down in front of her. As she began to read, he stood behind her and said, “No, I want you to read it for real ... I want you to read it with your budding desire.” Student 70 described Mr. Katzenbach as leaning over her so closely that she could “feel the heat of his body” on the back of her neck.

Student 70 also recalled Mr. Katzenbach telling her class a story about a former student returning to campus to visit him. According to Student 70, Mr. Katzenbach told her class that the former student came up to him from behind and placed her hands over his eyes, and said, “Guess who?” When Mr. Katzenbach was unable to guess, the former student, according to the story, pressed her chest against Mr. Katzenbach’s back and said, “Now do you know?”

On another occasion, outside of the classroom, Mr. Katzenbach saw Student 70 in Center Upper. While talking with Student 70, Mr. Katzenbach said, “One day men are going to realize what you are, they will feel it in their pants.” Student 70 told us that Mr. Katzenbach began rubbing her shoulders and slowly made his way down her back, and then put his thumb underneath her bra strap. Student 70 recalled other occasions when Mr. Katzenbach would rub her shoulders in the classroom as well. She described it as “awkward” and “uncomfortable.” She remembered students laughing and rolling their eyes while Mr. Katzenbach stood behind her and rubbed her shoulders during his lecture.

Student 70 recalled seeing Mr. Katzenbach off-campus as well. She told us that she once ran into Mr. Katzenbach at a Burger King in Concord, and Mr. Katzenbach saw her and threw his change on the ground. Student 70 bent over to pick it up for him, and he said, “You did exactly what I wanted you to do. You bent over for me just like you were supposed to.”

In the spring of 1994, Student 70 recalled reporting Mr. Katzenbach to then Vice Rector Roberta Tenney. Student 70 said that she believes she initially told her faculty advisor, or someone else, during dinner, and as a result was summoned to Ms. Tenney’s office. Once Student 70 reported Mr. Katzenbach’s behavior to Ms. Tenney, Ms. Tenney was adamant that Student 70 speak to then Rector David Hicks, and even offered to accompany her. Student 70,

however, was reluctant because she felt Rector Hicks would expel her for making the allegations. Student 70 said, "It was obvious that [Ms. Tenney] wanted [Mr. Katzenbach] dealt with." She added, "The guy was a predator."

Student 70 told us that she did not come forward sooner to report Mr. Katzenbach to us, or the School, because he is deceased. She said, "I felt the danger was over."

### **Witness Account 1: Student 73**

Student 73's wife contacted our office by telephone on May 23, 2017 to confirm that our team had produced the report released by SPS on May 22, 2017. Once confirmed, she scheduled a follow up time for us to speak with her husband.

During our telephone interview with Student 73 on May 25, 2017 he told us that Mr. Katzenbach was his house master during his fifth form year, from 1975 to 1976, and described the year as "chaos." Student 73 recalled all fifth form students being housed together in the same dormitory. He remembered "heavy drug use" occurring there on a "daily" basis, and said, "Katzenbach knew all about it." From marijuana and cocaine use to alcohol consumption, Student 73 described the dormitory's environment as chaotic.

Student 73 became close to Mr. Katzenbach; he said, "Mr. Katzenbach took a particular interest in me. I spent a lot of time in his apartment." He added, "Katzenbach and I would have tea together often, and he would tell me things." Student 73 told us that Mr. Katzenbach told him about trips he had taken to Thailand, where he would encounter underage females in Bangkok. Student 73 said, "He told me about his sexual exploits with underage women in Thailand." He added, "[Mr. Katzenbach] told me that Thai women peed into a tea kettle on his belly."

While Student 73 made clear that Mr. Katzenbach never physically touched him, he did say that the inappropriate conversations they had together made him uncomfortable.

## **2. Andre Oscar Hurtgen**

Andre Oscar Hurtgen was a French and Spanish teacher at SPS from 1960 to 1997. He graduated from Wimbledon College in London and the Universite de Louvain in Belgium, and received his master's degree from the University of Vermont. Mr. Hurtgen was house master in Ford House from 1965 to 1969. He is alive and resides in Contoocook, New Hampshire.

### **Victim Account 1: Student 74**

Student 74 contacted our office by email on May 22, 2017 to report a "problem" that she had with Mr. Hurtgen after she graduated SPS, but which she kept undisclosed because she "didn't want to blame St. Paul's in any way."

During our telephone interview with Student 74 on May 26, 2017 she told us that Mr. Hurtgen had been her French teacher at SPS, and that the two had a “good relationship” while she was a student. After her graduation from SPS, Mr. Hurtgen wrote a note to Student 74’s parents in which he said that he had enjoyed having her as his student.

During the summer of 1998, after Student 74 completed her first year of college, she returned to Concord, New Hampshire to take a summer internship. In exchange for assisting with SPS’s Advanced Studies Program (ASP), a female faculty member allowed Student 74 to stay in her on-campus apartment for the summer. That summer Mr. Hurtgen was teaching a Japanese course in ASP, and invited Student 74 to his office where the two had a “nice” conversation. Student 74 said, “During our conversation I mentioned to him that I thought of him sort of as an honorary grandfather.” She added, “I said that maybe he and I could share a meal sometime while I was in town, and told him that I’d love to meet his wife.”

Student 74 said that she and Mr. Hurtgen later made plans for an off-campus dinner. The plan was for Mr. Hurtgen and his wife to drive Student 74 from SPS to dinner, and then back to SPS. According to Student 74, when Mr. Hurtgen arrived to pick her up, his wife was not in the car. Student 74 asked Mr. Hurtgen where his wife was, and he said, “Oh, you don’t want to meet her.” He then told Student 74 that he wanted to have dinner in Manchester rather than in Concord, to which she obliged.

Student 74 recalled dining at a “nice” restaurant with Mr. Hurtgen, where he ordered them a bottle of wine. She was only nineteen at the time, and therefore not yet of the legal age to consume alcohol, but she chose to have a glass anyway. During their dinner, Mr. Hurtgen began asking Student 74 about her plans for the remainder of the summer. She told him that she would be continuing her internship in Concord, and then traveling to visit friends, before returning to college. Mr. Hurtgen told her that he was “touched” that she thought of him as her “honorary grandfather,” and asked if he could come visit her sometime.

Student 74 told us that Mr. Hurtgen then looked at her and said, “I want you to have another glass of wine before I tell you this.” Student 74, who recalled being “nervous,” told Mr. Hurtgen that she did not want another glass of wine. Mr. Hurtgen then said, “I really want to get a hotel room with you, and take you to a show, and then we could be up all night together talking.” Student 74 said that Mr. Hurtgen didn’t push the idea for too long, but she did recall that he mentioned the two of them lying in one another’s arms.

After their dinner, Mr. Hurtgen drove Student 74 back to SPS. During the drive he reached over to hold Student 74’s hand. Student 74 said, “He told me that he wanted to hold hands. We did, but then I quickly took my hand back.” Once they arrived at SPS, and were parked in front of the dormitory Student 74 was staying in, Mr. Hurtgen leaned over and “grabbed” her face and kissed her “on the mouth.” In shock, Student 74 said nothing and immediately got out of his vehicle. A couple of days later Student 74 called Mr. Hurtgen and left him a voicemail to tell him that she did not want to see him again, and that he should never

contact her. Mr. Hurtgen returned her call, and left a voicemail saying that he was “sorry” for having “broken [her] trust.”

Student 74 told us that she never reported Mr. Hurtgen’s conduct to anyone at SPS, because she felt that he was not someone who would be “harmful” to students in his care. Years later Student 74 did tell her mother about her experience though, and her mother asked her to report it to SPS. Student 74, however, said that because it occurred after she graduated she viewed it as a “lesson learned.” After reading our report on May 22, 2017, however, she decided that it was time for her to disclose it.

### **3. Gregory “Gregor” DuBuclet**

Gregory “Gregor” DuBuclet was a music and German teacher at SPS from 1980 to 1982. He received his bachelor’s degree from the University of New Hampshire in 1979. Mr. DuBuclet, who now goes by Gregor, currently resides in Berlin, Germany where he is a professional musician and composer.

#### **Victim Account 1: Student 75**

Student 75 contacted us by email on May 30, 2017 to say that she saw Mr. DuBuclet’s name in our May 20, 2017 report, and to disclose that she had an encounter with him as a student.

During our telephone interview with Student 75 on July 20, 2017 she told us about an encounter she had with Mr. DuBuclet in her dorm room in the winter of 1981. Student 75, who was in her first year at SPS at the time, explained to us that she was put on “room bounds” for having a cold. According to her, “room bounds” meant that you were sick, but not sick enough to be sent to the Infirmary, so instead you were ordered to remain in your room while you overcame your illness. At the time, Student 75 said that she had a cold which kept her confined to her dorm room for the day.

While in her dorm room alone that afternoon, and while her roommate was in class, Mr. DuBuclet came by. Student 75 said, “He came into my room under the guise that he had seen my name on the ‘room bounds’ list and wanted to check on me.” While Student 75 knew who Mr. DuBuclet was, and had seen him around the school before, he was not her teacher. She was surprised to see him in her room, but initially thought that it was “nice” and that maybe it was “something the faculty did” when students were on “room bounds.” Once in her room, Mr. DuBuclet sat on the edge of the middle of her bed and asked her to roll over. As she rolled over, Mr. DuBuclet began rubbing her back. Student 75 was eventually face down in her bed when Mr. DuBuclet climbed on top of her, and continued to rub her back while straddling her. Student 75 said, “I was lying on my stomach, and he was straddling me from behind.” She added, “I definitely won’t ever forget that he straddled me.”

With Mr. DuBuclet on her back, Student 75 decided to yell, "If my boyfriend found out about this, he would beat the shit out of you." She told us, "I was only a fifteen year old girl, and the first thing that came to mind was my boyfriend." Mr. DuBuclet then immediately got off of Student 75 and left her room without saying anything. Student 75 recalled the back rub lasting for approximately a minute and a half. She told us that the encounter bothers her to this day because of the "precarious" situation she was put in by having a male faculty member in her dorm room. Student 75 did not report her encounter with Mr. DuBuclet to anyone at the time, but did tell her parents after she graduated. She recalled her parents being both "surprised" and "relieved" that she told them.

Student 75 told us that she remembered another female student, Student 76, once telling her that she went with Mr. DuBuclet to a stream off-campus. She said that Student 76 told her that "something happened" there, but Student 75 was unable to remember the facts. Student 75 has always speculated that Mr. DuBuclet was asked to leave based on misconduct. She said, "I always felt that he was not asked back, because he probably pushed it even further with someone else."

### **Victim Account 2: Student 76**

During our telephone interviews with Student 76 on August 29 and 30, 2017 she told us about an off-campus experience she had with Mr. DuBuclet in the spring of 1982. During our initial telephone interview on August 29, 2017 she said that she had read our report, and was "familiar" with what was reported about Mr. DuBuclet, and would be willing to speak with us on the condition of anonymity.

During our telephone interview with Student 76 on August 30, 2017 she said that she only attended SPS for two years. She initially met Mr. DuBuclet when she performed in a play that he directed. Student 76 said, "I was in the play, and everything was fine. Nothing unusual occurred with him during it." She added, "During the play, [Mr. DuBuclet] did take students off-campus in his car for pizza and to movies, but I never went."

Student 76 then recalled one Saturday evening in the spring of 1982 when a group of students decided to jump off the Kittredge Bridge into the pond on SPS's campus. After completing the jump, and while exiting the pond, Student 76 injured herself. When she returned to her dormitory, she was met by her house master, Faculty 27. She told us that Faculty 27 was "pretty upset" about the situation, but knew that Student 76 had to be taken to the hospital. She recalled Mr. DuBuclet being in her dormitory at the time, "for some reason," and offering to drive her in his car to the hospital. Student 76 said, "[Faculty 27] said okay, and [Mr. DuBuclet] picked me up and carried me to his car." Student 76 ended up receiving treatment at the hospital, and then Mr. DuBuclet drove her back to SPS. She said, "Nothing happened. He took me to the hospital and brought me back with no problem."

Not long after that incident, and just days prior to Graduation Weekend in 1982, Mr. DuBuclet pulled up in front of Student 76's dormitory in his car one afternoon and asked her to

take a drive to a lake. She said, "I thought about how he had taken me to the hospital without incident, so I decided to go." Once in his car, Mr. DuBuclet began driving to the lake. Student 76 could not recall the name of the lake, but said, "I remember that we drove down a dirt road to get to it." Student 76 remembered that it was approximately fifteen minutes or so from SPS. According to her, Mr. DuBuclet stopped along the way to purchase beer for the two of them. At the lake, she recalled drinking two beers and getting "pretty drunk," and said that Mr. DuBuclet consumed "way more" beers than she did. Student 76 also told us that aside from consuming beer with Mr. DuBuclet that nothing further happened at the lake. After finishing the beer, they eventually got back into Mr. DuBuclet's car in order to return to SPS.

Almost immediately after getting on the road though, Mr. DuBuclet, who was driving, began reaching over and rubbing Student 76's thigh as she sat in the passenger seat of his car. She said, "He was trying to go up my skirt. I was pushing him away." She remembered Mr. DuBuclet saying, "Oh come on, let me do it," but said that he was not "angry or aggressive." As Student 76 "physically" fought off Mr. DuBuclet's advances by "pushing his hands" off of her, the car began "swerving all over the road." She said, "He could not maintain the wheel when I was fighting him off."

Due to Mr. DuBuclet's failure to maintain proper lanes, he and Student 76 were stopped by the police. She said, "We ended up being stopped by the [New Hampshire] state police." During the stop, Student 76 said that the state police officer was able to ascertain that Mr. DuBuclet was a teacher at SPS and that she was a student. That being the case, Student 76 told us that the state police officer decided to follow Mr. DuBuclet and her back to SPS. She said, "I remember Mr. DuBuclet driving slowly as the police followed behind us the whole way back."

As soon as they safely returned to SPS, Student 76 immediately ran to her dorm room. A short time later, Faculty 27, her house master, came in and reprimanded her for drinking alcohol. Student 76 said, "[Faculty 27] said that she had received a call from the Rector about me, and was disappointed to learn that I had been drinking." Student 76 believes that the state police officer spoke to then Rector William A. "Bill" Oates about the situation. She did not speak to Rector Oates on the day of the incident, nor did she ever speak to anyone else at SPS about the incident. She did, however, recall her roommate at the time, Student 98, being present when Faculty 27 reprimanded her, and said that the two of them spoke about the incident. Student 76 did not tell her parents about the incident at the time, or later on.

A few days later, during Graduation Weekend in 1982, Rector Oates approached Student 76 and said, "Don't worry about what happened, he won't be back next year." Student 76 assumed at the time, and believes today, that Rector Oates meant that Mr. DuBuclet was "asked to leave." She said, "It was always my understanding that [Mr. DuBuclet] was dismissed by Rector Oates." She added, "I have always looked back on it and said well it happened to me, yes, but good that he was caught and good that Rector Oates fired him for it."

Student 76 referred to Mr. DuBuclet as "calculating." She compared her account to the accounts of other former students in our report of May 20, 2017, and said, "The fact ... that he

took us for off-campus drives and had a clear intention of making advances on us shows that he had planned things out.”

#### **4. Allen David Burdoin (Maunes)**

Allen David Burdoin (Maunes) was a math teacher at SPS from 1970 to 1981. Mr. Burdoin graduated from Harvard College. Mr. Burdoin is alive and currently resides in Chiang Mai, Thailand.

##### **Victim Account 1: Student 77**

During our telephone interview with Student 77 on June 29, 2017 he told us about “special treatment” he received from Mr. Burdoin as a student from 1980 to 1981. Student 77 first met Mr. Burdoin in the fall of 1980 when he began living in Mr. Burdoin’s dormitory. Mr. Burdoin was a dorm master, and, according to Student 77, that meant he “carried a great deal of power.”

Student 77 told us that Mr. Burdoin took a “specific interest” in him, and gave him “special treatment” which consisted in “going for off-campus drives in his automobile.” He told us that Mr. Burdoin “possessed a pretty unique and impressive, even by today’s standards, automobile.” Mr. Burdoin owned a vintage Rolls Royce, which Student 77 said was “amazing to any vulnerable fourteen year-old boy.” He took Student 77 on off-campus drives through rural New Hampshire that lasted for one to two hours. During those drives Mr. Burdoin would sometimes park in the “countryside,” so that he and Student 77 could have a picnic. Student 77 remembered the invitations for the car rides as being “pretty straight forward,” in that Mr. Burdoin would say “I’ll take you for a ride.” Student 77 was aware of Mr. Burdoin taking other male students on off-campus drives as well, but could not recall any of their names.

Mr. Burdoin also invited Student 77 to his cabin in Maine, and told him that he had taken other male students there before. Student 77 said, “[H]e spoke a lot about Maine. He referred to it as a special place that would be fun to go.” Mr. Burdoin also wrote “expansive” letters to Student 77, both while he was a student and after, about his travels to Maine and elsewhere.

Even on campus at SPS, Student 77 spent “a lot of time” alone with Mr. Burdoin in his apartment. While alone in Mr. Burdoin’s apartment, Student 77 recalls feeling a “heightened” sense of anxiety. He told us that Mr. Burdoin would often touch his leg or rub his shoulder while the two sat on the couch. He added, “He might have kissed me.” Student 77 said that as his relationship with Mr. Burdoin developed, he got a sense that it wasn’t completely appropriate in that Mr. Burdoin “wanted it to go somewhere.” He recalled hugs that lasted too long, and said, “Over time I began to try to avoid him, but without alarming him. I was trying to navigate away from him.”

Student 77 has undergone therapy to deal with his feelings from this experience. He said, “I am no longer his victim, and he cannot hurt me now, but I would like to know why he did

what he did.” Aside from discussing Mr. Burdoin during therapy, Student 77 had not reported Mr. Burdoin to anyone else prior to our interview. He said, “He’s been at the front of my mind for a while now, especially since I read your report.” He added, “I kept my account in isolation for so long, but your report has shown me that I no longer have to hide it. Your report showed me that I am not alone.”

### **Witness Account 1: Student 78**

Student 78 contacted us by email on May 24, 2017 to report that he was not a victim of sexual misconduct while he was a student at SPS, but that he “very easily could have been.”

During our telephone interview with Student 78 on May 31, 2017 he told us Mr. Burdoin was a close “social friend” of his parents while he attended SPS, which meant that he would drop by on occasion for “dinner and a cocktail.” He said, “He had these old Rolls Royce’s that he would drive, and I remember that he drove one to my parents’ house.”

Student 78 also recalled walking into Mr. Burdoin’s on-campus apartment as a student and, to his “shock,” witnessing Student 79 sitting on Mr. Burdoin’s lap. He said, “Both of them were fully clothed, but it was weird that [Student 79] was sitting on his lap.”

Student 78 remembered Mr. Burdoin “mysteriously” leaving SPS in the fall of 1981, and said that years later, in the early nineties, he learned that Mr. Burdoin had been terminated from another independent secondary school in New England.

### **Witness Account 2: Student 80**

Student 80 contacted Rector Hirschfeld by email on May 23, 2017 to report a one-time “low-key pass” that Mr. Burdoin made on him by rubbing his shoulders and lower back while he was a student at SPS. Rector Hirschfeld forwarded Student 80’s email to us on May 24, 2017.

During our telephone interview with Student 80 on June 1, 2017 he told us that he first met Mr. Burdoin in the fall of 1976, at a time when he was “emotionally not that strong.” He said, “Our contacts were really based around math, and I kept them that way.” One time, however, while studying math in Mr. Burdoin’s on-campus apartment, Mr. Burdoin “rested his hand” on Student 80’s back and “began rubbing.” Student 80 said, “I leaned forward and ignored his action. However, I knew it for what it was.”

Student 80 never reported Mr. Burdoin’s behavior to anyone prior to his conversation with us. He said, “This is the first time I have ever discussed David Burdoin with anyone.” He added, “The reason I wrote the email to the Rector is because it was harmful. I can look back now and see it for what it was ... I can see the vulnerability of children.” Student 80 said that SPS’ decision to release the report was “great.” He said, “I read the report and it told me that I wasn’t the only one. Others going on the record gave me the ability to go on the record.”

Student 80 recalled Mr. Burdoin's relationship with Student 79 and told us that Mr. Burdoin was their group master. He said, "I remember being in Mr. Burdoin's living room once for a dorm meeting, and seeing [Student 79] sitting in Mr. Burdoin's bedroom on his bed." Student 80 said, "When I left I mentioned it to other [students], but they just laughed and rolled their eyes."

We have attempted to contact Student 79 by telephone and email on multiple occasions, but to this date have not received a response.

## **5. Coolidge Mead "Cal" Chapin**

Coolidge Mead "Cal" Chapin, Form of 1935, was a staff member with no clear title at SPS from 1935 to 1980. Mr. Chapin died on January 14, 1992 at the age of seventy-seven (77).

### **Witness Account 1: Student 81**

Student 81 contacted us by email on June 7, 2017 to report concerns about Mr. Chapin and "how he operated."

During our Skype interview with Student 81 on June 9, 2017 he told us that he recognized the anonymous account in our May 20, 2017 report as being the account of Student 82. He said, "I read the account of [Student 82] in your report. [Student 82] told me that story once too." Given the fact that our team had, up until that time, not known the identity of Student 82, because we had only received an anonymous letter on March 22, 2017 disclosing his account, we asked Student 81 what more he knew.

Student 81 told us that he once attended a reunion event, and during the event had dinner with Student 82 and other members of their form. During the dinner, according to Student 81, Student 82 disclosed that as a student he would do things for Mr. Chapin like taking a photo of a pair of sunglasses resting on his genitals.

Student 81 was not a target of Mr. Chapin's because, in his view, Mr. Chapin only went after the "jocks" which Student 81 was not. He said, "Cal went after the lacrosse players, football players ... all of the jocks."

### **Victim Account 1: Student 82**

Having received Student 82's name from Student 81, we contacted Student 82 by email on June 14, 2017 to request an interview with him.

During our Skype interview with Student 82 on June 20, 2017 he told us that he had in fact mailed us the anonymous letter. He said that he remembered the dinner he referenced in his anonymous letter, which was over a Thanksgiving or Christmas break while he was a student at SPS. Student 82 said, "I confided in my sister about Cal Chapin and she blurted it out at the

dinner table.” He added, “My father told me not to worry, because Cal had done the same things with him when he was a student.”

Student 82 referred to Mr. Chapin as an “institution.” He said, “He had been doing this for years and years.” He told us that Mr. Chapin “recruited and collected” students who were good athletes and provided them with open access to his on-campus apartment in Hargate. He said, “After practices, on a Saturday or something, we would just go to Cal’s apartment and hangout.” In his apartment, the students would have “tea and toast” with Mr. Chapin. According to Student 82, Mr. Chapin never did anything inappropriate in his apartment aside from “joking about sex and masturbation.” He said, “[H]e would joke about masturbating a lot. He would say, ‘Let’s all get together and have a circle jerk.’”

Student 82 told us that his “major experience of sexual abuse” occurred when Mr. Chapin took him and another male student to a “whore house” in New York City. He recalled the name and location of the place where he said that he, another male student, and Mr. Chapin had sex with prostitutes. Student 82, who was in the sixth form at the time, and seventeen years-old, recalled being at home for winter break in 1969 when Mr. Chapin invited him and the other student to his residence. He said, “I told my parents I was visiting a friend.”

Student 82 would not provide the name of the other male student who was with him, but said that it was “weird” when they arrived at Mr. Chapin’s residence. He said, “He fed us roast beef sandwiches ... He made us take a nap beforehand ... It was like he wanted us to be up and ready to perform.” Student 82 recalled then going to a particular hotel in New York, where, upon arrival, Mr. Chapin took them to one of the hotel’s rooms. He said, “Cal knocked on the door ... I remember a voice on the other side asked, ‘Who is it?’ ... [Mr. Chapin] yelled, ‘It’s Cal, from New Hampshire.’” Student 82 told us that once inside the hotel room they were greeted by an “older woman,” whom he perceived to be “the madam.” They were then escorted by her into one of the hotel room’s bedrooms where three younger women were waiting for them. Student 82 said, “I remember Cal pretty quickly saying, ‘Well let’s get going.’”

Student 82, the other male student, and Mr. Chapin then removed their clothes, and the three women hand-washed their genitals. Student 82 said, “There were only two beds in the room, so we pushed them together to make one large bed.” He added, “The three women then laid down, and then the three of us went to work.” Student 82 told us that he could not ejaculate, and so Mr. Chapin and the other student left the room. Mr. Chapin eventually returned to assist by “tickling” Student 82’s buttocks. Student 82 said, “Cal came back in and started to tickle my ass, and eventually I ejaculated.” He added, “I climaxed. Cal was so proud of me.”

Later that night Mr. Chapin took Student 82 and the other male student out for drinks at a nightclub, but they never spoke of the prostitutes again. Later, Student 82 also went with Mr. Chapin to Boston once to visit SPS alumni attending Harvard. He said, “I got so sick from drinking that I threw up all over his new car.”

Student 82 acknowledged being a “Toad Boy,” and said, “[Mr. Chapin] made us take pictures of ourselves in order to remain Toad Boys.” Mr. Chapin never took the photos himself, but did ask Student 82 and other “Toad Boys” to take photos of their genitals. Student 82 said, “He had this Polaroid camera that he gave us, and he asked us to take pictures of our privates.” He added, “I remember one time we put sunglasses on the shafts of our penises to be funny.” Student 82 is not certain as to why Mr. Chapin selected him to be a “Toad Boy,” but said, “I have a sense that he picked out people whose parents he knew or had known. He picked out jocks. He picked out the sophisticated guys ... who had a lot of money.”

Student 82 told us that he felt depressed after his experience with Mr. Chapin and the prostitutes. He said, “I felt like I had done something that I didn’t want to do. I was mad at myself for it.” He added, “It was a rite of passage. I only did it once, and it scared the shit out of me.”

### **Witness Account 2: Student 83**

Student 83 contacted us by email on May 23, 2017 to report “specific rumors” about Mr. Chapin that he recalled learning while he was a student at SPS, and after he graduated.

During our telephone interview with Student 83 on August 1, 2017 he told us that he recalled rumors “flying around” during the spring of 1969 about Mr. Chapin and members of the varsity hockey team. Student 83 told us that he was aware of one former student who told him about engaging in sexual intercourse with prostitutes, “communally in one room,” with Mr. Chapin. Student 83 would not provide the name of that former student, because of his belief that the student has chosen not to come forward. Student 83 also recalled learning in college from other former students that they did “favors” for Mr. Chapin in return for things that he did for them.

## **6. Louis Anthony Grant, Jr.**

Louis Anthony Grant, Jr. was a history teacher and administrator at SPS from 1968 to 1974. Mr. Grant graduated from the New School for Social Research. He died on May 22, 1993 at the age of fifty-two (52).

### **Witness Account 1: Student 81**

During our telephone interview with Student 81 on June 9, 2017 he told us that Mr. Grant was a “real predator.” He told us that he knew of “two victims” who have “really suffered” because of incidents that occurred with Mr. Grant when they were students at SPS.

Student 81 told us that Student 84 was “sexually assaulted” by Mr. Grant. He said that Student 84 fought off Mr. Grant, and that Mr. Grant later retaliated against Student 84. Student 84 was then, according to Student 81, disciplined by SPS. Student 81 believes that Student 84 disclosed this to SPS years later.

In response to our email requests for an interview, Student 84 emailed us on July 12, 2017 to formally decline, and to say that he had nothing to add to our investigation and “knew to avoid Mr. Grant” as a student.

Student 81 also told us about Student 85 who he said was also “sexually assaulted” by and forced to “fight off” Mr. Grant. Student 81 told us that Mr. Grant retaliated against Student 85 as well by “flunking him,” which resulted in Student 85 being unable to participate in SPS athletics. Student 81 referred to Mr. Grant as a “monster,” and said that Mr. Grant knew that failing Student 85 would result in him being unable to compete in athletics.

### **Victim Account 1: Student 85**

We attempted to contact Student 85 by email on June 14, 2017 to request an interview with him. On June 21, 2017 he contacted Rector Hirschfeld and us by email to provide an account of his experience with Mr. Grant.

In his typed-written account, Student 85 said that he was assaulted by Mr. Grant in the spring of 1970. Student 85 became closely acquainted with Mr. Grant that spring. He wrote, “I was a frequent visitor to his apartment where he offered refreshments (soft drinks, cider, and cookies) and introduced me to jazz and black protest music.”

One night Student 85 was in Mr. Grant’s on-campus apartment when Mr. Grant suddenly “pinned” him to the floor. Student 85 wrote, “[Mr. Grant] started to rub against me with clear sexual intent.” While on his back, underneath the weight of Mr. Grant, Student 85 yelled, “Get off me!” According to Student 85, he also used a racial epithet while shouting for Mr. Grant to get off of him. He said, “it was the outcome of having been threatened ... it was not racially motivated.” After yelling for Mr. Grant to release him, Mr. Grant did and threw Student 85 out of his apartment.

The following day when Student 85 arrived for practice, his athletics coach told him that he was “not welcome.” Confused, Student 85 asked why, and his coach said, “You will not [participate in] this program until you learn how to treat with decency your fellow human being.”

Student 85 wrote that he has difficulty accepting even today that his coach did not allow him the opportunity to explain his side of the story. He is also embarrassed that he was unable to tell his parents or friends what had happened at the time.

Student 85 declined our request for a telephone interview by email on June 23, 2017.

## **7. William R. "Bill" Faulkner, Jr.**

William R. "Bill" Faulkner, Jr. was a math teacher at SPS from 1962 to 2009. He received his bachelor's and master's degrees from Harvard University. Mr. Faulkner is alive and currently resides in Concord, New Hampshire.

Our review of Mr. Faulkner's faculty file shows that he had been counseled and warned about his "approach with ... young female students" in February of 2005. A letter from then Vice Rector for Faculty Candice J. "Candy" Dale to Mr. Faulkner, dated February 4, 2005, cites three different female students coming forward during the 2004 to 2005 academic year to report "concern about [Mr. Faulkner] putting [his] arm around them and stat[ing] that it made them feel uncomfortable." It is evident from Ms. Dale's letter that she met with Mr. Faulkner days prior to discuss the incidents, and told him to "no longer put your arm around students." Ms. Dale's letter also indicated that female students were uncomfortable with going alone to Mr. Faulkner's house on Dunbarton Road for extra help in math. Consequently, she asked Mr. Faulkner to give female students the option of meeting in Moore for tutoring.

In response to Ms. Dale's letter, Mr. Faulkner wrote to Ms. Dale and then Rector Reverend Craig B. Anderson, on February 7, 2005, to express his "shock" and "surprise" that Ms. Dale wrote her February 4, 2005 letter, which Mr. Faulkner said, "frankly, scared [him]" and "seemed ... both unnecessary and to put [his] career in jeopardy." Mr. Faulkner wrote to "affirm [his] positive intent to connect with students," and to "deny any intent to cause discomfort or act inappropriately." He also wrote that he would "resolve to modify what has been perceived as my tendency to shoulder-hug or otherwise touch students."

On September 17, 2005, Ms. Dale emailed Mr. Faulkner to "apologize for not warning you that I would follow up the good conversation we had last February with a written letter." Ms. Dale explained that she had a "chance to catch up with" counsel to SPS, David Wolowitz, who is recognized nationally as an authority on procedures related to the protection of students from, among other things, harassment, sexual assault and related misconduct. Ms. Dale indicated that she asked Attorney Wolowitz about documenting conversations with a faculty member related to misconduct, and told Mr. Faulkner that Attorney Wolowitz advised her to document "every single incident ... in writing." Ms. Dale also referenced Attorney Wolowitz's training seminars with SPS faculty and staff, in which he trains them to "err on the side of formality and to put everything in writing." Ms. Dale wrote, "the welfare of [SPS] students [is] most important," and said that she felt after counseling Mr. Faulkner and warning him about his behavior that the matter was concluded.

On June 3, 2009, while tutoring Student 100 in his on-campus house, Mr. Faulkner placed his hands on Student 100's shoulders with his palms down toward her chest, and said, "Excuse me while I make my move." According to Student 100's account, as reported to SPS at the time, Mr. Faulkner then pulled Student 100 toward him and asked, "So if I undid the necklace, it would all come off of you?" Mr. Faulkner was referring to a beaded halter that connected Student 100's dress around her neck, and that if untied would undo her dress. Student

100 also reported that Mr. Faulkner was standing “very close” with his face “maybe a foot away” from hers, while her back was to a wall which made Student 100 feel “trapped.” Student 100 eventually made her way to a table in Mr. Faulkner’s house, where the two then discussed math. As Student 100 left Mr. Faulkner’s house, he apologized to her and said that he would “be weary for the next couple of days.” Student 100 then “quickly” left, and returned to her dormitory.

Within three hours of the incident, SPS’s then Vice Rector for Students Jason “Jay” Dorion was contacted by Student 100’s mother, who reported an “emergency situation” involving a “disturbing incident” between Student 100 and Mr. Faulkner. Mr. Dorion and SPS’s acting Vice Rector for Faculty that year, Dr. Theresa Gerardo-Gettens, immediately commenced an internal investigation and went to speak with Mr. Faulkner. During their conversation, Mr. Faulkner admitted to touching Student 100, but said that his hands were higher on her shoulders than Student 100 reported, and also admitted to making a comment about undoing her dress. Dr. Gerardo-Gettens reminded Mr. Faulkner that he had previously been warned not to conduct tutoring sessions with female students in his house. Mr. Faulkner acknowledged Dr. Gerardo-Gettens’ point, and apologized for his behavior.

The following day, then Rector William R. “Bill” Matthews, Jr. asked SPS’s Harassment Board to review the various accounts related to the June 3, 2009 incident between Mr. Faulkner and Student 100, and to determine if, “based on the policy written in the St. Paul’s School Policy’s and Procedure handbook, there was a violation of the School’s policy pertaining to Harassment and or Sexual Harassment.” On Saturday, June 6, 2009, the Harassment Board provided Rector Matthews with its findings, which included a determination that what “occurred at the extra help session on June 3<sup>rd</sup> was Sexual Harassment of a student by a faculty member.”

On Monday, June 8, 2009, Rector Matthews wrote a letter to Mr. Faulkner in which he explained that SPS’s Harassment Board had “concluded that [Mr. Faulkner’s] recent conduct with a student violates our sexual harassment policy.” Rector Matthews explained that he agreed with the Board’s findings, and wrote that he had “no other option” but to terminate Mr. Faulkner. SPS then contacted the Concord Police Department to report that Mr. Faulkner had sexually harassed a female student during a tutoring session. Mr. Faulkner was subsequently arrested on-campus that day, and charged with endangering the welfare of a child and simple assault. The following day, on June 9, 2009, Rector Matthews emailed the entire SPS faculty and staff to announce that Mr. Faulkner would no longer be employed by the School. Mr. Faulkner was subsequently banned from the campus of SPS.

On June 10, 2010, Mr. Faulkner was acquitted of endangering the welfare of a student, but convicted of simple assault for touching Student 100’s shoulders while commenting about her dress. Mr. Faulkner was fined \$1,000.00, and required to pay Student 100’s counseling costs. Following the decision of the Concord District Court, Mr. Faulkner filed an appeal with the Merrimack County Superior Court. However, on December 16, 2010, Mr. Faulkner withdrew his appeal and accepted the criminal conviction of simple assault, a misdemeanor offense in New Hampshire.

### **Victim Account 1: Student 99**

On August 30, 2017 our team received an email from SPS identifying Student 99, who came forward in February of 2013 to report that he was a victim of sexual misconduct by Mr. Faulkner in the early 1980's. SPS provided all of the email correspondence Student 99 had with Rector Hirschfeld in 2013, as well as recent email correspondence they had in August of 2017. SPS also provided internal email correspondence from 2013 between SPS and its counsel, David Wolowitz, as well as email correspondence with independent investigator, Martha "Marty" Van Oot, who was engaged by SPS to speak with Student 99 at the time.

Following the release of our May 20, 2017 report, Student 99 contacted Rector Hirschfeld by email on August 29, 2017 to say that he had read our report and was wondering why Mr. Faulkner was not named. Student 99 reminded Rector Hirschfeld of his disclosure in 2013. Rector Hirschfeld responded immediately to inform Student 99 that our investigation was ongoing, and that our team would be interested in speaking with him about Mr. Faulkner. Rector Hirschfeld then contacted our team to request that we contact Student 99.

We reviewed Student 99's student file, as provided by SPS, which indicated academic issues and social issues relating to other students, but nothing more. We also reviewed email correspondence from Student 99 to Rector Hirschfeld's assistant, Staff 3, on February 2, 2013, in which Student 99 requested that someone from SPS contact him. Student 99 wrote, "I have tried 5 previous [sic] over the last several years but have not heard back." Student 99 indicated that his request was in regard to "several incidents" with Mr. Faulkner that occurred in the early 1980's. Student 99 also wrote, "I am still having trouble today and would like to discuss with you. Please call me as soon as you can."

Rector Hirschfeld immediately contacted Student 99 by telephone as requested. On February 9, 2013, as a follow up to their telephone call, Rector Hirschfeld emailed Student 99 to request that he speak with Attorney Van Oot about his experiences with Mr. Faulkner. Rector Hirschfeld also acknowledged Student 99's "concerns about confidentiality," and indicated that the School was "tremendously grateful" to Student 99 for coming forward. Student 99 responded that day to confirm that he was willing to speak with Attorney Van Oot. Attorney Van Oot was then informed via email by Attorney Wolowitz that Student 99 would be expecting her call the following week, and was reminded that Student 99 was "very concerned about maintaining his privacy."

We reviewed a letter from Attorney Van Oot to Attorney Wolowitz, dated March 12, 2013, in which Attorney Van Oot summarized a telephone conversation she had with Student 99 on February 19, 2013. According to the letter, Student 99 told Attorney Van Oot that Mr. Faulkner "inappropriately touched" him as a student, and that he reported the matter to SPS's then psychological counselor, Faculty 21, at the time, as well as to then Vice Rector Thomas J. Quirk, Jr. Attorney Van Oot noted Student 99's interest in speaking with Faculty 21, and wrote that if SPS had any contact information for Faculty 21 that they may wish to provide it to Student 99.

Student 99 indicated no intention to request “a formal investigation of any complaint by him against [Mr. Faulkner] and/or St. Paul’s School,” according to Attorney Van Oot’s letter, but only came forward to “make St. Paul’s School aware.” Attorney Van Oot advised Attorney Wolowitz that no further investigation was necessary, but did suggest that SPS confirm with Student 99 that he desired no further action.

We contacted Student 99 by telephone on August 30, 2017, and he explained that he would only be willing to speak with us on the condition of anonymity. He told us that he reported Mr. Faulkner’s sexual misconduct to SPS in 2013, and expressed concern about SPS’s failure to notify us about him sooner in our investigation. We then requested the opportunity to interview Student 99 by telephone.

During our telephone interview with Student 99 on August 31, 2017 he told us that he was sexually abused by Mr. Faulkner from 1981 to 1982. It was Student 99’s first year at SPS, and he was in need of math tutoring. It was therefore suggested to him that he meet one-on-one with Mr. Faulkner. Student 99 began going to Mr. Faulkner’s on-campus house to receive math tutoring, and told us that “it was fine ... nothing happened.”

Eventually Mr. Faulkner invited Student 99 on several off-campus weekend fly fishing trips. Mr. Faulkner would tell him that other male students would be coming as well, but Student 99 always ended up being the sole student on the trips. Student 99 could not recall where Mr. Faulkner took him to fly fish, but said that it was “not too far” from SPS and was at a lake or river. Mr. Faulkner had a small raft that the two would fish from, and also brought wine for the two of them to share. After the two consumed some wine, Mr. Faulkner would sexually abuse Student 99 by fondling, rubbing, and masturbating his genitals. Student 99 said, “I would wake up and my clothes weren’t there.” Mr. Faulkner never requested that Student 99 perform any sexual act on him, and, aside from “using his hands,” he never performed any other sexual act on Student 99.

Student 99 recalled taking these trips with Mr. Faulkner approximately three to four times during the fall of 1981, and approximately four to five times during the spring of 1982. Eventually Student 99 confronted Mr. Faulkner about these trips. Student 99 said, “I confronted him. He had a camera with him, and he said, ‘Don’t worry, the pictures were just for fun.’” Student 99 believes that Mr. Faulkner, who he referred to as a “photo buff,” took photographs of him while he was unclothed and “passed out” from wine on Mr. Faulkner’s boat. Student 99 has never seen any photographs to confirm his belief, but said that he recalled Mr. Faulkner taking pictures of him on the trips.

As a student, he reported Mr. Faulkner’s conduct to SPS’s then psychological counselor, Faculty 21. Student 99 recalled having sessions with Faculty 21 somewhat regularly, and said that during one of those sessions he reported Mr. Faulkner to him. He said, “I told him what I am telling you.” According to the former student, Faculty 21 told him to, “be strong.” He does not believe that Faculty 21 did anything further in the form of reporting his disclosure to anyone

else. Student 99 told us that he reported Mr. Faulkner to Faculty 21 because he “felt the need to convey it to someone.” He also reported Mr. Faulkner to SPS’s then Vice Rector, Thomas J. Quirk, Jr. Mr. Quirk, according to Student 99, “rebuffed” his allegations against Mr. Faulkner, and treated him like he was “crazy.” Student 99 did not report Mr. Faulkner to his parents at the time, or later on.

Student 99 recalled his conversation with Attorney Van Oot in 2013, and told us that he reported Mr. Faulkner’s sexual misconduct to her. According to him, Attorney Van Oot asked him “where he wanted this to end up,” and he felt that to mean that she was wondering whether he was interested in filing a lawsuit against the School. Student 99 expressed no interest in doing so then, or now, but, according to him, did tell Attorney Van Oot that he would be interested in speaking to Faculty 21 if he were still alive. He said, “I told her that I wanted to talk to [Faculty 21] ... Then I never heard from her again.”

### **Victim Account 2: Student 86**

Student 86 contacted us by email on May 22, 2017 to say that he had read our report as released by SPS, and wanted to disclose a “very minor” incident that occurred with Mr. Faulkner when he was a student.

During our Skype interview with Student 86 on May 24, 2017 he told us that he was “surprised” that Mr. Faulkner was not named in our report. He said, “[E]specially since he was arrested, and that information was public knowledge.” Student 86 told us that his experience with Mr. Faulkner occurred on the day of his graduation ceremony at SPS. Student 86 was in his dorm room gathering some final belongings, when he walked into the hallway bathroom and tried to open a stall only to find that it was occupied. Student 86 said, “Sorry, excuse me, I didn’t realize anyone was inside.” The response he received is one that he will “never forget.” Student 86 told us that he suddenly heard an “older man’s deep voice” sternly ask, “Would you like to join me?”

Student 86 said that he immediately recognized the voice behind the bathroom stall door to be that of Mr. Faulkner. He was also able to slightly see Mr. Faulkner through the stall door’s separation. He said nothing, and quickly left the bathroom. Student 86 told us that he recognized at the time “what Mr. Faulkner was trying to achieve,” but didn’t want to let it ruin his graduation. He said, “I was a bit freaked out and traumatized after that episode, and wasn’t sure what to do.” He added, “I was literally about to graduate, so I really didn’t feel in a position to rock the boat or say anything.” Due to the serious tone of Mr. Faulkner’s voice, Student 86 does not believe that he was kidding. Nor does Student 86 understand why Mr. Faulkner was in the third floor bathroom of his dormitory. Student 86 told us that Mr. Faulkner did not live in his dormitory, nor was it in close proximity to the graduation ceremony, and there were bathrooms on the first and second floors as well. He said, “It’s always been a mystery to me why he was on the third floor of that building. It’s very peculiar.”

Student 86 views Mr. Faulkner's comment as a "passive attempt in the moment to do something inappropriate," and, while he has "no agenda," he does want SPS to know that it happened. He said, "[M]y experience should be added to the record."

**Victim Account 3: Student 87**

Student 87 contacted us by email on May 22, 2017 to tell us that she is "convinced" that Mr. Faulkner attempted to "groom" her, and that when she reported his behavior to her house parent that she was told he was "harmless."

During our telephone interview with Student 87 on May 30, 2017 she told us that she first encountered Mr. Faulkner during the summer of 2001 when he mailed her a card. At that time she had not yet had Mr. Faulkner as a teacher, but had seen him around campus. The following year Student 87 did have Mr. Faulkner as her algebra teacher. She said, "He was very touchy. His hands were all over me in class." She added, "He would come up behind me in the classroom, and just start massaging my shoulders while he was teaching." Student 87 also recalled Mr. Faulkner having one-on-one study sessions in his on-campus house, which she refused to attend unless she was accompanied by another student.

She did meet with Mr. Faulkner alone once for a make-up test, however, and she remembered his hands being "all over" her during that as well. While taking the make-up test she also recalled Mr. Faulkner commenting on her clothing, she said, "He said to me, 'You're little miss pink today,' because I had been wearing a pink sweater that day. He said, 'The other day when you came to my house you were in red, you can come over any time like that.'"

According to Student 87, she reported Mr. Faulkner's conduct to her house parent at the time, Staff 2. She said, "I told [Staff 2], but she dismissed it." She added, "I told her all of the details ... that Mr. Faulkner was touching everyone ... I told her what I've told you." Student 87 told us that Staff 2 referred to Mr. Faulkner as "harmless." She recalled that her friend, Student 88, was also present during the conversation with Staff 2.

Student 87 said that she is "horrificed" that Staff 2 did not contact her parents about her allegations against Mr. Faulkner at the time, though she admits that she did not tell her parents either.

**Witness: Student 88**

After receiving Student 88's name from Student 87, we contacted her by email on June 1, 2017 to request an interview.

During our telephone interview with Student 88 on June 7, 2017 she confirmed Student 87's account related to Mr. Faulkner. She said, "I was not present during the incident itself, but I remember [Student 87] being upset afterward." Student 88 confirmed that she was present when Student 87 reported Mr. Faulkner's conduct to their house parent at the time, Staff 2. She said,

"I remember [Student 87] telling ... [Staff 2] that he was inappropriate, and Staff 2 said that Mr. Faulkner was harmless." Student 88 recalled the conversation being "casual," and said, "[Staff 2 said] nothing to indicate that she was going to take any action."

**Witness Account 1: Student 89**

During our telephone interview with Student 89 on June 14, 2017 she told us that she had a "vague recollection" of Mr. Faulkner touching students during his math class, but that his touching was not limited to female students only. She said, "He was definitely a touchy feely kind of guy, and he would walk by and grab your shoulder or pat you on the head, but he did it to males and females." Student 89 never viewed Mr. Faulkner's behavior as sexual misconduct, nor did she recall any of her fellow students ever complaining about his behavior to her.

**Witness Account 2: Staff 2**

During our telephone interview on June 27, 2017 with Staff 2, who requested anonymity, we learned that Mr. Faulkner was discussed amongst the faculty and administration during meetings in the early 2000's.

Staff 2 did not recall any students ever reporting misconduct by Mr. Faulkner, but said, "I do remember having a conversation with one former faculty member in particular where she told me to make sure that none of my students went to his house for extra help." Staff 2 identified the former faculty member as Faculty 40, who worked in admissions at the time, and who, according to Staff 2, had been "aware of students receiving uncomfortable back rubs" from Mr. Faulkner in class.

We have attempted to contact Faculty 40 by email on multiple occasions, but to this date have not received a response.

**B. Other Reports Of Sexual Misconduct**

We have received reports of five (5) former faculty and staff who allegedly engaged in sexual misconduct that do not fit the criteria for category A.

**1. Faculty 16**

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

**Victim Account 1: Student 90**

Student 90 contacted Rector Hirschfeld and us by email on May 22, 2017 to report that Faculty 16 once attempted to kiss him as a student at SPS.

During our telephone interview with Student 90 on May 30, 2017 he told us that during his sixth form year he attended a one-on-one meeting to discuss homework in Faculty 90's on-campus apartment. He said, "We met in his apartment, which I remember as being quite dark with not much light at all." Student 90 said that Faculty 16 was seated across from him and providing feedback when he suddenly moved closer to Student 90, and eventually came within "six inches" of his face. Student 90 said, "I thought he wanted to kiss me, and pulled back away from him."

No physical contact occurred, and Student 90 could not remember if either of them said anything. Student 90 does not feel harmed by the incident, but feels that it was "odd." He recalled later bringing it up to other students, and remembered them laughing about it. He told us that one student told him a story about another student attending a one-on-one meeting in Faculty 16's apartment as well, and Faculty 16 asked to touch the student's abdominal muscles. Student 90 told us that he felt both of these incidents were "sexual advances" by Faculty 16. He said, "They were highly inappropriate."

## **2. Faculty 20**

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

### **Victim Account 1: Student 81**

During our telephone interview with Student 81 on June 9, 2017 he told us that he had an incident with Faculty 20 in the spring of 1969. Faculty 20 was Student 81's house master at the time. Student 81 told us that he "received an invitation to be intimate" from Faculty 20.

Student 81 said that he and Faculty 20 were alone in Faculty 20's on-campus apartment after a dorm meeting when Faculty 20 said, "Would you be interested in ever ...?" Student 81 told us that Faculty 20 did not complete his question, or make clear what he was asking, but that he then said, "Have you ever thought about ...?" While Student 81 admits that Faculty 20's comments were vague and open-ended, he said he knew what Faculty 20 meant by "the way he asked."

### **Witness Account 1: Student 91**

Student 91 contacted us by telephone on May 23, 2017 to say that he wanted to share information with us related to our May 20, 2017 report.

During our telephone interview with Student 91 on May 26, 2017 he told us that Faculty 20 was his group master. He said that Faculty 20's on-campus apartment had a "steady flow of boys" regularly. Student 91 said, "I went there one night and found the room full of boys, and I got out of there."

Student 91 also told us that on one occasion he saw Student 92 in Faculty 20's room. He said, "I think [Student 92] had a relationship with [Faculty 20]." While Student 91 did not have any facts to corroborate his belief, he told us the names of other students who he recalled sharing his belief at the time.

We have attempted to contact Student 92 by email on multiple occasions, but to this date have not received a response.

### **3. Faculty 21**

Faculty 21 was a teacher and counselor at SPS in the 1970's and 1980's. Faculty 21 is alive.

#### **Victim Account 1: Student 21**

Student 21, who we initially interviewed on February 22, 2017, contacted us on May 22, 2017 by telephone to discuss her account as it appeared in our report.

During our telephone interview with Student 21 on May 31, 2017 she told us that we had inaccurately reported her account related to Faculty 21. She said that she was not grieving at the time she saw Faculty 21 at her sister's apartment in Brighton, Massachusetts after her sophomore year of college. Student 21 said, "Just for the integrity of the report I want to make clear that I was not grieving." She then told us that she did not completely disclose all of the details of her account to us during our initial telephone interview on February 22, 2017. She said, "I don't think at the time, when we initially spoke, that I told you it all ... I think I minimized it."

Student 21 told us that Faculty 21 kissed her during the visit at her sister's apartment, which she had not disclosed before. She said that she and Faculty 21 were standing in the foyer of her sister's apartment building, and when she proceeded to give him a hug goodbye, he gave her a "full kiss on the lips." Student 21, who was not expecting the kiss, did not immediately say or do anything in an effort to prevent him from feeling uncomfortable. Faculty 21, however, said, "That was nice," to which Student 21 replied, "Yes, that was a nice visit."

Student 21 said, "I knew then in that moment that he saw me in a certain way, and I needed to end all communication with him." She added, "I did not know how to view [the kiss], but I knew I could no longer be my usual self around him."

### **4. Faculty 41**

Faculty 41 was a teacher and coach at SPS for over two decades. Faculty 41 is deceased.

Our review of Faculty 41's file shows that he left SPS under unusual circumstances. A letter from his brother to then Rector Reverend Matthew M. Warren cites Faculty 41's "coming out of himself." A letter in response from Rector Warren to Faculty 41's brother shows that

Rector Warren was “worried a great deal about [Faculty 41] and his problems.” Rector Warren wrote, “It has made me most unhappy to have to be ‘administrative’ with him.” It is evident from the file that Rector Warren and Faculty 41’s brother, agreed that Faculty 41’s decision to leave SPS would “prove to be a good one all around.”

### **Victim Account 1: Student 93**

Student 93 provided Rector Hirschfeld with a typed-written account of his experience with Faculty 41 by mail on July 26, 2017.

In his account, Student 93 wrote that at the time he began his third form year he was having trouble fitting in. Faculty 41 was his teacher that year, and Student 93 recalled him being “well-liked” by the students. Faculty 41, perhaps recognizing that Student 93 was having trouble fitting in, began asking him to take hikes or snow shoe in the forests of New Hampshire. The two began taking occasional weekday afternoon hikes off-campus when Student 93’s academic and athletic schedule permitted it. The hikes began in the fall, and lasted through the winter and into spring.

During the spring of 1957, Faculty 41 invited Student 93 to go on a Saturday “outing” to Portsmouth, New Hampshire. The plan, according to Student 93, was to drive the New Hampshire coast, explore an art colony, and have a picnic. After their picnic, Faculty 41 asked Student 93 to continue on a ride along the New Hampshire coast. Student 93 agreed, and the two headed off. After about thirty minutes of driving, Faculty 41 stopped at a convenience store where he purchased two six-packs of beer. According to Student 93, Faculty 41 then consumed several beers in “rapid succession” while driving. Eventually they happened upon a “grassy and secluded knoll” where Faculty 41 suggested they stop to do some “exploring.”

Student 93 recalled the alcohol beginning to take effect, and therefore decided to remain in the vehicle as Faculty 41 got out and began walking “slowly and somewhat unsteadily” up the knoll. Once atop the knoll, Faculty 41 turned to face Student 93, who was now seated in the driver’s seat of Faculty 41’s vehicle looking out of the open window, and began unzipping his pants. Student 93 assumed that Faculty 41 was going to proceed to urinate atop the knoll, but instead Faculty 41 said, “Come up here and help me.” Faculty 41 then suddenly exposed his fully erect penis to Student 93.

Student 93 was “feeling sick ... startled and anxious,” but said that he knew that he needed to take control of the situation. When Faculty 41 came down from atop the knoll and attempted to get into the driver’s side of the vehicle, Student 93 rolled up the window, locked the door and told Faculty 41 to go around to the passenger’s side. Student 93, who at the time did not possess a driver’s license, then “cautiously” drove Faculty 41’s vehicle back to SPS. As he began to drive, however, Faculty 41 reached across from the passenger seat and started to rub Student 93’s right thigh. Student 93 drove with one hand and fended off Faculty 41, telling him to “stop” and pushing his hand away. Eventually Faculty 41 “passed out,” and Student 93 was able to safely navigate his way back to SPS.

Student 93 “struggled” to carry Faculty 41 to his on-campus apartment once they arrived, but did so and then quickly ran to his dorm room. The following morning Faculty 41 found Student 93 and asked him to come to his apartment. Once there Faculty 41 apologized to Student 93, saying, “I am so sorry about what happened. I hope that you will forgive me. It won’t happen again, I promise.” Student 93 “nodded an acknowledgment” and left. He did not report Faculty 41’s conduct to anyone at SPS at the time, because he felt embarrassed by the incident.

During our telephone interview with Student 93 on August 2, 2017 he told us that he reported the incident to his parents during the summer of 1957. He said, “To the best of my knowledge, they did not tell the School.” He also told us that he reported the incident to then Rector William R. “Bill” Matthews, Jr. in 2008. He said, “He drove down from Concord ... and we met for lunch in Boston.” Student 93 said that Rector Matthews acknowledged that such behavior should not have been tolerated, and apologized for SPS’s “lack of awareness.” With Rector Matthews’ affirmation, Student 93 said that his healing began and continues today.

## **5. Faculty 42**

Faculty 42 was a teacher, house parent and coach at SPS during the 2000’s. Faculty 42 is alive.

Our review of Faculty 42’s file showed that he was warned on multiple occasions, as early as 2002, during his career at SPS to refrain from committing any act that could be perceived or categorized as a boundary violation. Faculty 42 met with counsel for SPS in the fall of 2004 to discuss boundary violations. We also learned from his file that Student 94 suffered an emotional reaction in 2008 to some action related to Faculty 42, but the facts of the matter are unclear.

### **Victim Account 1: Student 95**

Student 95 initially contacted Board President Archibald Cox, Jr. on July 19, 2017. After more than one conversation with Student 95, President Cox provided Student 95 with our contact information. Student 95 then contacted us on July 21, 2017, and requested an interview.

During our interview with Student 95 on July 26, 2017 she told us that Faculty 42 was her teacher while she was a student at SPS. She said, “All of my interactions with him came in the classroom.” She added, “He was an excellent teacher, gifted, but creepy too.” Student 95 recalled a few incidents that occurred with Faculty 42 that stand out in her mind to this day.

One incident occurred when Faculty 42 showed the film *American Beauty* during his class. Student 95 was uncomfortable with the film’s subject matter, a middle-aged man falling in love with his teenage daughter’s friend, and to make matters worse at the end of the film Faculty 42 privately asked Student 95 what she thought about it. Student 95 nervously “giggled,” and

asked Faculty 42 what he thought about it. Faculty 42 responded, "I was so busy watching the blush rise up your neck that I didn't pay attention to it." Student 95, who admittedly said she was "naïve" at the time, said nothing and immediately left his classroom. Student 95 later told her roommate Student 96 about Faculty 42's comments, and told us that Student 96 was not surprised at all.

That year, over winter break, Faculty 42 assigned each student in his class a different book to read. Student 95 was assigned a book about teen researchers who fall in love while researching two Victorian-era poets. She was uncomfortable with the fact that Faculty 42 chose to individually assign her that book. Student 95 also recalled Faculty 42 regularly giving her "full body" and "side" hugs. She never reported Faculty 42's behavior to anyone at SPS, but did recall her faculty advisor once telling her that she was "not a fan" of Faculty 42 because he had a "cult-like" following amongst his students.

Student 95 told us that Faculty 42 left unexpectedly in the middle of her sixth form year. She said, "When [Faculty 42] left he put notes in all of his students' mailboxes." According to her, the notes were to inform his students of his sudden departure. Following his announcement, Student 95 recalled three female students being emotionally distraught over Faculty 42's departure.

Student 95 identified one of those students as Student 94. Student 95 remembered Student 94 being "very close" to Faculty 42. During college Student 95 learned from her friend, and fellow SPS alumnus, Student 97, that Student 94 had confided in him that she was commuting from college to visit Faculty 42. Student 97 did not know the facts surrounding their visits, but speculated to Student 95 that they involved a sexual relationship.

Student 95 said that she recently learned from President Cox that Faculty 42 was terminated from SPS for "boundary violations."

### **C. Unsubstantiated Allegations Of Sexual Misconduct**

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

1. Faculty 43
2. Faculty 44
3. Faculty 45
4. Staff 4

## **III. CONCLUSION**

This Supplement to our Final Report sets forth our findings and conclusions about allegations of historical faculty-student conduct at SPS, based on our independent investigation from May 22, 2017 to the present. It is based on information we have received and/or

documents we have reviewed to date. We do have additional requests for interviews still outstanding. From our experience, it is possible that, in the event of further reporting to the SPS community by the Rector or otherwise, additional alumni/ae, former or current faculty and staff or others may come forward with additional information. We will gladly respond to any questions the current leadership of SPS may have or information they may wish to have clarified.

During this supplemental phase we received new information related to incidents of sexual misconduct that took place as recently as 2009. We therefore wish to commend the Rector and SPS leadership for being willing to continue to explore this historical aspect of the School, its faculty and students, and for their full cooperation and commitment. As noted in our findings, several individuals who came forward after May 22, 2017 did so because of SPS's decision to publicly release the report. That decision helped them recognize that they are not alone. We cannot fail to again commend the alumni/ae who have been willing to revisit the experiences they have shared with us in the interest of ensuring that the historical record is clear, but, also, so that the lessons to be learned will protect and enhance the health and safety of those who entrust their educational and social lives to SPS, an institution most of those we spoke with continue to respect and value as a critically important part of their life.

We appreciate the opportunity to conduct this independent investigation for SPS.

Respectfully submitted by,

Casner & Edwards, LLP

A handwritten signature in black ink, appearing to be "S. Harshbarger", with a long horizontal line extending to the right.

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