

Memo

To: Darryl Pernet Human Resources Director
From: Eric Cahan SHS Principal
cc: Shawn Stevenson
Date: 10/4/19
Re: Student Investigation Summary

It was reported to me by my Assistant Principal ("AP") John Loy a student, [REDACTED], had reported to him that he had been "sexually assaulted" prior to football practice on Tuesday, 9/17/19. AP Loy obtained [REDACTED] written statement on Tuesday, 9/24/19.

Set forth below is a summary of my investigation into the allegations brought forth by [REDACTED]

[REDACTED], as set forth in his attached written statement, reported that on 9/17/19 "someone ran up behind me and proceeded to slap both of my butt cheeks, spread apart my butt cheeks slightly with their fingers, slapped the back of my thighs and ran their hands across my (his) inner thighs before proceeding to run away." [REDACTED] also indicated he did not know who it was that touched him, and he was still trying to locate someone who may have an idea who had done this to him. [REDACTED] stated in his written statement that this assault occurred when he was "pinning" and wrestling [REDACTED] prior to football practice in the "mat room." It was later determined by me that approximately 50 other students were in the mat room at the time of the alleged incident. These students were members of either the Junior Varsity or C Team football teams.

After being informed of the situation and reading AP Loy's written statement (which is attached), I met with students that were reported to be in the mat room at the time of the alleged incident. On September 25, 2019, I also interviewed student [REDACTED], the student identified by [REDACTED] as the person wrestling with him at the time of the alleged assault. [REDACTED] who is deaf and has an adult interpreter, stated through the help of his interpreter, that on the day in question he did wrestle with [REDACTED] and that [REDACTED] had "pinned" him during the informal match. After the informal match had ended, while [REDACTED] was getting up off the wrestling mat,

he asked [REDACTED] if he saw anyone "slap him." [REDACTED] stated that since he was being pinned, he didn't see anyone slap [REDACTED]. [REDACTED] stated that student and teammate [REDACTED] was nearby and might have seen something. I asked if his interpreter might have seen anything occur during the informal wrestling match, and he stated he wasn't sure. [REDACTED] further indicated that he had a sub interpreter, Shara, on the day in question. ([REDACTED] statement is also attached.)

I then interviewed student [REDACTED] at 1:10 p.m. on 9/25/19. [REDACTED] stated that he did not see [REDACTED] get slapped but that he did hear a crisp "slap sound." He stated that he gave [REDACTED] his yoga mat and then turned away which is when he heard the slap. He stated he looked around and didn't notice anything unusual. I asked him if the slap sound was consistent with a slap that was "skin to skin." He replied that it did sound like a skin to skin slap. Prior to that he did not see [REDACTED] wrestling, but after he returned from getting a yoga mat, he spoke to [REDACTED] who didn't say anything to him about being slapped. [REDACTED] thought that Coach Armstrong was in the room at the time. ([REDACTED] statement is attached.)

I then met with Shara, [REDACTED] substitute interpreter, on 9/25/19 at 1:00 p.m. Shara stated that she was outside of the mat room at the time of the alleged incident and therefore has no firsthand knowledge of the allegation. She stated that she did not enter the mat room because she was not officially "on the clock." She continued that the students on the team always want to be early due to the coach's expectations that "on time is late." She faces this issue occasionally. She stated she didn't see anything unusual on the day in question. (My notes from this interview are attached.)

On 9/26/19 at 7:02 a.m., I met with Coach Jeff Armstrong about the incident. Coach Armstrong stated he did not recall any slapping or anything unusual on the day in question. He estimated that there would normally be around 25 to 40 students in the mat room prior to practice starting. He stated that there are normally students "wrestling around," but he didn't see or hear anything out of the norm, including a slap. (My notes from this interview are attached.)

I then met with [REDACTED] at 12:52 p.m. on 9/26/19. During the meeting I asked him to repeat the allegations he made to AP Loy. He stated that he was preparing for football practice and stretching with another student he didn't know or couldn't remember. He only knew [REDACTED] was in the room for sure, and that there were other students in the mat room as well. He thought Coach Armstrong was also in the room, but he was not sure about [REDACTED] interpreter. He stated that his previous written statement was accurate. He said that he was going to try and find out who his stretching partner was, but as of 10/1/19 I had not heard back from him. I then tried to contact Mr. [REDACTED] dad. I was not able to contact him directly and left a voice mail message.

After exchanging voice mail messages, on 9/26/19 at 1:15 p.m., I was able to speak to Mr. [REDACTED]. Mr. [REDACTED] stated that it sounded like typical locker room "hy-jinks," but that maybe [REDACTED] felt violated due to the fact that he was not able to see and determine the severity or seriousness of the "slap." Mr. [REDACTED] indicated he was going to talk to his son and get back to me. He stated that sometimes [REDACTED] doesn't understand "joking or playing around." (My notes from the conversation with Mr. [REDACTED] are attached.)

On 9/27/19 at 12:46 p.m., Mr. [REDACTED] replied via email that he had talked with [REDACTED] and that [REDACTED] understands a little better now. [REDACTED] made the comment that he is a little

sensitive to that “sort of thing” since an incident that had occurred last year. Mr. [REDACTED] explained that he and [REDACTED] had talked and that he had explained to him that it sounded more like a situation wherein one of his teammates was “squirreling around.” (A copy of the email from Mr. [REDACTED] is attached.)

In summary, based upon the evidence gathered during my investigation, I cannot determine by a preponderance of evidence that [REDACTED] was slapped on the rear-end or touched in an inappropriate manner on the day in question.