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VIA E-MAIL

The Board of Trustees
The Hotchkiss School
11 Interlaken Road
Lakeville, CT 06039

Re: Supplement to the Report to the Board of Trustees of the Hotchkiss School Issued in August 2018

Dear Members of the Board:

In February 2018, Locke Lord was retained by the Board of Trustees (the "Board") of The Hotchkiss School ("Hotchkiss" or the "School") to conduct an independent investigation into instances of sexual misconduct by faculty or staff against Hotchkiss students that occurred at any time in the school's history. Our written report was made public in its entirety in August 2018 (the "2018 Report"). In connection with the release of the 2018 Report, the Board announced to the community that our investigation remained open and the hotchkissinvestigation@lockelord.com email address and reporting hotline number remained live. Following the release of the 2018 Report, we continued to take in and investigate accounts of alleged sexual misconduct. This letter sets forth our findings to date. We received no accounts of misconduct or other boundary crossing regarding current faculty or staff.

I. Introduction

A. The 2018 Report

In February of 2018, Hotchkiss announced that it had engaged Allison O'Neil of Locke Lord LLP to conduct an investigation into reports of sexual misconduct against Hotchkiss students by Hotchkiss faculty and staff from anytime in the history of the school. Over the course of our investigation, Locke Lord spoke with over ninety former students as well as faculty and staff and reviewed thousands of pages of documents including Hotchkiss personnel files, yearbooks, rulebooks, policies, letters, depositions, notes from prior investigations, articles, books, and other materials provided by those we interviewed. On August 17, 2018, we presented our findings at a meeting of the Board and shortly thereafter, the report in its entirety was released to the public. Hotchkiss posted the report along with a joint letter from the President of the Board and the Head

of School on its website. Hotchkiss also sent out the report via email to the Trustees, Board of Governors, faculty, staff, former employees, parents, alumni, and current students. A hard copy of the letter regarding the 2018 Report was mailed to alumni and former employees for whom the School did not have an email address. These recipients were invited to contact the School for a paper copy of the report.

B. The Investigation Remained Open

In their letter accompanying the release of the 2018 Report, Hotchkiss's Head of School and Board President informed the community that the School would keep the investigation open and that Locke Lord remained available to receive further accounts through the reporting hotline, Allison O'Neil's direct phone number, and the investigation's email address.

Upon release of the 2018 Report, Hotchkiss posted a permanent link on its homepage to a page dedicated to student safety. This page provides access to the 2018 Report and to our contact information. Our contact information also was provided in connection with a letter to the community regarding the *Roe* lawsuit. In addition, the investigators' information was included in the January 2019 alumni version of the e-newsletter *Hotchkiss Happenings* in which alumni were invited to submit letters and comments regarding the 2018 Report as part of an open forum. Hotchkiss responded to those submissions in the April 2019 and June 2019 alumni *Hotchkiss Happenings* and indicated that Locke Lord continued to be available to receive reports of adult sexual misconduct. Finally, our contact information was included in every issue of the Hotchkiss Magazine since the 2018 Report was issued.

C. The Ongoing Investigative Process

Throughout the ongoing investigation, we have followed the same investigative process set forth in the 2018 Report. We spoke with any individual who wished to speak with us. We reviewed additional documents including Hotchkiss personnel and student files, handbooks, yearbooks, letters, court documents, and any other materials provided to us. When necessary, we revisited materials reviewed in connection with the 2018 Report.

As in the 2018 Report, we informed each individual we interviewed that his or her identity would be kept confidential to the extent possible. In addition, we continued the practice of refraining from reaching out to alleged survivors of sexual misconduct if they did not first reach out to us directly or through friends. On certain occasions, we spoke with individuals who provided the names of others suspected of being survivors of sexual misconduct. Although we did not contact possible survivors who did not reach out to us, where appropriate we asked those who personally knew and shared possible survivors' names with us to encourage the survivor to reach out so that we could speak with them about any experienced misconduct.

We continued to have full authority to investigate any accounts shared with us. This included the ability to take in and investigate any accounts related to former Hotchkiss faculty member Roy Smith. We received several calls from alumni informing us that a complaint had been filed in another lawsuit, *Roe v. The Hotchkiss School*, also alleging abuse by Roy Smith. We reviewed the complaint and other publicly available information in that case, as we did for the *Doe* case. To our knowledge, we have not spoken with the plaintiff in either matter. Nor has

anyone shared any information with us that corroborated the allegations in the complaint. We therefore have not made any findings about Roy Smith.

D. Naming Principles

We adhered to the same naming principles that are set forth in the 2018 Report. Those criteria are:

1. The severity of the misconduct, including but not limited to whether it involved sexual intercourse or sexual contact, as those terms are defined under Connecticut law;¹
2. Whether the individual's conduct involved coercion/grooming behavior;
3. Whether the individual engaged in sexual misconduct with more than one student;
4. Whether the individual was the subject of one or more direct reports in the investigation;
5. Whether Hotchkiss received an earlier report of potential sexual misconduct by the individual and how it handled that report;
6. Whether the School was aware of misconduct at the time the individual left Hotchkiss and assisted the individual in getting another job;
7. Whether the incidents could be corroborated and the amount and quality of this corroborating evidence; and
8. Whether there exists an ongoing current risk to students at the School or elsewhere.

Based on these criteria, we are naming an additional former faculty member in this supplemental report, against whom we have substantiated allegations of sexual misconduct.

II. Substantiated Reports of Sexual Misconduct

Following the release of the 2018 Report, we received a total of sixty-nine additional submissions to our investigative team. The majority of the reports we received concerned the existence of general rumors of sexual misconduct on campus without providing information about a specific allegation.

We received eighteen firsthand accounts of alleged sexual misconduct. Of those, most described single instances of behavior that amounted to boundary crossing. These reports are discussed in Section III below. We received additional firsthand accounts regarding individuals

¹ Sexual intercourse means vaginal sex, anal sex, or oral sex. Conn. Gen. Stat. § 53a-65 (2). Sexual contact means contact with the intimate parts of a person for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person. Conn. Gen. Stat. § 53a-65 (3).

who were included in the 2018 Report, which are described in Section II.A. We received one account regarding an individual who is not referenced in the 2018 Report and who we name here subject to the naming principles. That account is included in Section II.B.²

A. Individuals Included in the 2018 Report

We received additional reports of boundary crossing about certain individuals identified in the 2018 Report. We also received the following additional firsthand accounts about sexual misconduct perpetrated by individuals identified in the 2018 Report.

1. Dr. Peter Gott

We received a number of communications from female former Hotchkiss students indicating they too had uncomfortable examinations by Dr. Gott. We received the following firsthand account of misconduct, which was consistent with the conduct on which we reported in the 2018 Report.

a. *Student 20's Account*

Student 20 enrolled at Hotchkiss in the 1990s. She reported that she went to see Dr. Gott and during the ensuing exam, Dr. Gott commented that her underwear was very attractive. Student 20 recalled immediately feeling uncomfortable and knowing that Dr. Gott crossed a line. Student 20 recalled telling her parents and a classmate about the incident at the time. After this incident, Student 20 refused to be examined by Dr. Gott and was driven into town to see a local doctor for her required follow up appointments.

2. Damon White

Following the release of the 2018 Report, we received allegations that were consistent with and followed a pattern of previous reports of misconduct by Damon White. We spoke with White generally about Student 21's allegations, described below. White responded by stating that Student 21 "is one of the finest people on the planet but beyond that [he had] no comment."

a. *Student 21's Account*

Damon White was employed by Hotchkiss when Student 21 enrolled as a 14-year-old prep. In the fall of Student 21's prep year, White befriended her and took her on walks in the woods where he kissed her. Student 21 also would visit White's on-campus apartment in the evening. During her prep year, White took Student 21 on a trip off campus, gave her alcohol and had sexual intercourse with her. Prior to this trip, Student 21 had told White that she did not want to have sexual intercourse.

Later that same year, White drove Student 21 off campus to meet one of her friends. White provided Student 21 with alcohol in the car, and pulled over to the side of the road and had sexual intercourse with her.

² We received one additional account regarding an individual who met the naming principles. We have not included that account here, however, to honor the specific confidentiality request by the survivor.

Student 21 broke off any relations with White at the end of her prep year. During her first year in college, Student 21 learned that White was dating her college roommate and that they had begun dating when her roommate was a high school student at a different school.

b. *Witness 1 Account*

Witness 1 attended college with Student 21. She was roommates with Student 21 freshman and sophomore years. During their freshman year, Student 21 shared with Witness 1 what had transpired with White at Hotchkiss and that he had had sexual intercourse with her at the age of fourteen. Witness 1 was dating White at the time and shared with Student 21 that she had begun having sexual intercourse with him while she was a student at a day program at which he taught when she was sixteen. Witness 1 recalled Student 21's telling her of what occurred with White and their discussing it at the time. Following this conversation, Witness 1 began seeing less of White and eventually broke off their relationship.

3. Faculty 1

We received additional accounts of boundary crossing by Faculty 1 and an additional account of sexual misconduct, described below. While we credited this account and the survivor, unlike the accounts described above, we were unable to obtain corroborating information, and so could not satisfy the naming criteria with respect to Faculty 1. We interviewed Faculty 1 for the supplemental report. He spoke freely with us and denied the allegations.

a. *Student 22's Account*

Student 22 attended Hotchkiss in the early 1980s. During her senior year, Faculty 1 was Student 22's advisor. Student 22 recalled that Faculty 1 did not provide much in the way of advising except that he offered alcohol and marijuana and told her that if she or other students ever wanted to use his house, it was open and available to them.

Student 22 recalled going over to Faculty 1's home and drinking alcohol on several occasions. Then, on one occasion, right after her eighteenth birthday, Student 1 went to Faculty 1's home and became intoxicated. She recalled the "fishbowl" sized wine glasses that Faculty 1 used to serve her alcohol. Student 22 was the only student there. As she became more intoxicated, Faculty 1 began to touch her sexually. Student 22 recalled that both oral and vaginal sex occurred. Student 22 recalled feeling outside of her body. She recalled the weight of Faculty 1 on her and that he was in control.

After this encounter, Student 22 did not return to Faculty 1's home, but he continued as her advisor. She avoided being alone with him, but it was not possible to stop seeing him completely. Student 22 recalled a time, after she graduated from Hotchkiss, when Faculty 1 attempted to contact her and invited himself to have lunch with her and her mother. Student 22 recalled doing everything she could to get out of that lunch, short of telling her mother what had occurred with Faculty 1, but was unsuccessful. Student 22 recalled that she avoided being alone with Faculty 1 when he came for lunch and that she made sure her mother was nearby at all times. After this encounter, Student 22 had no further contact with Faculty 1.

B. Individual Not Included in the 2018 Report

1. Frederic F. Wesson

Frederic F. “Fred” Wesson worked in the admissions office at Hotchkiss from 1978 through 1984, eventually serving as Director of Admissions. Prior to coming to Hotchkiss, Wesson was an instructor and admissions director at a day school for one year. Wesson left Hotchkiss in 1984 to pursue a Master’s Degree in Schooling and School Leadership at Harvard. He went on to hold positions at various schools in the United States and abroad. Currently, he works as a Search Associate who has helped to place heads of school at domestic and foreign private schools.

a. *Student 23’s Account*

Student 23 met Wesson when she was fourteen years old and a student at the day school where he taught prior to working at Hotchkiss. Student 23 spent time with Wesson while they worked together on the school yearbook. Wesson was very complimentary of Student 23 and they began spending more and more time together. Student 23 reported that as the year progressed, Wesson began giving her alcohol when they met. Eventually they started touching and kissing. On the day of Student 23’s graduation from the day school, she and Wesson had sexual intercourse. She had never had sexual intercourse before. She was fifteen years old at that time.

The next year, Student 23 enrolled at Hotchkiss as a lower-mid and Wesson began working in Hotchkiss’s admissions department. Student 23 recalled going to Wesson’s apartment on campus and having sexual intercourse there. She recalls that Wesson would leave his door propped open so she could get in. Student 23 reported that Wesson would give her alcohol and marijuana when they were together. She recalled that it was not difficult to go to spend time with Wesson.

Student 23 recalled Wesson taking her out to eat and going on trips off campus with him. He took her camping one weekend and took her for a weekend trip to Hartford. Student 23 stated that this was done without her parents’ permission or knowledge.

Wesson often told Student 23 that he was concerned about being caught. Student 23 recalls that Wesson suggested that she should see other boys her age. Student 23 understood that Wesson was suggesting a cover for them to be able to continue seeing each other and having sex. Student 23 did begin seeing a boy her age. Student 23 recalled that Wesson seemed jealous and that they would get into fights about this.

Wesson and Student 23 stopped seeing each other sometime during her upper-mid year. Student 23 recalled there were instances of sex during that year, but not many and eventually she stopped seeing him altogether.

b. *Student-Witness 5’s Account*

Student-Witness 5 was a classmate of Student 23’s at Hotchkiss. They did not know each other that well during Student 23’s lower-mid year but became close friends while at Hotchkiss. Student-Witness 5 recalled walking with Student 23 on campus one Sunday during their lower-

mid year. Student-Witness 5 recalled that it was Sunday because it was the only day during the week when you had the day to yourself, and that she believed it was in the spring. They were walking across campus when Student 23 told her that she needed to stop by Wesson's apartment to pick up something. Student-Witness 5 recalled feeling confused about how comfortable Student 23 was in the apartment, even when he was not there.

Student 23 then told Student-Witness 5 that she had had a relationship with a teacher whom Student-Witness 5 did not know personally but knew by sight. It was clear that Student 23 meant that she and Wesson were having sex. Student 23 told Student-Witness 5 that the relationship was over, but Student-Witness 5 recalled being dubious given how comfortable Student 23 was in his apartment. This was the only time they talked about Student 23's encounters with Wesson.

c. Student-Witness 6's Account

Student-Witness 6 was a friend and classmate of Student 23's while at Hotchkiss. She recalled being "very aware" of Student 23's relationship with Wesson at the time. Student-Witness 6 stated that Student 23 told her that she had sexual intercourse with Wesson and that she knew of this from early on in their lower-mid year. When she pressed Student 23 on what was going on, Student 23 told her that Wesson was constantly telling her how beautiful and wonderful she was and that he made her feel good. Student-Witness 6 also recalled that Student 23 had access to Wesson's apartment on campus in order to come and go. She recalled an instance when she was with Student 23 and waited outside while Student 23 stopped by his apartment.

d. Student-Witness 7's Account

Student 23 was a classmate of Student-Witness 7's at Hotchkiss. Student 23 told Student-Witness 7 that she was having a sexual relationship with Wesson. Student-Witness 7 recalled that the relationship began at the day school prior to Student 23's arrival at Hotchkiss. Student-Witness 7 recalled that Student 23 had access to Wesson's apartment and recalled accompanying her to Wesson's apartment.

e. Fred Wesson's Account

In response to the above accounts, we reached out to Wesson to request an interview. We initially spoke with his attorney and provided background on the report and a summary of the allegations we received. We subsequently interviewed Wesson in the presence of his counsel.³

Wesson confirmed that he had sexual intercourse with Student 23, first while they were both at the day school, and continuing after they both moved to Hotchkiss. Wesson recalled a specific number of sexual encounters. He recalled two instances of sexual intercourse at the day school, two at Hotchkiss and one when Student 23 came back from college one time. Wesson did not specifically recall but did not dispute that he would provide alcohol or marijuana to Student 23 when they were together.

³ We requested that the interview be conducted via Zoom, but Wesson declined and we proceeded via telephone.

Wesson stated that he counted Student 23 as a friend. He recalled that they worked on the yearbook together at the day school. Wesson did not recall that Student 23 often came to his apartment but noted that his door was generally open during the day for students to stop by.

Wesson did not recall speaking to anyone about his interactions with Student 23 at the time. He did not specifically recall being concerned about someone finding out that he was having sexual intercourse with Student 23, but did not dispute Student 23's recollection that he told her that they needed to be careful about others finding out about their relationship.

Wesson could not recall why the sexual contact with Student 23 ended. Wesson had some recollection that Student 23 started a relationship with another student and so he told her that they would no longer see each other. Wesson stated that Student 23 is the only student with whom he has had sexual contact.

III. Other Reports

We received ten additional firsthand reports of former faculty or staff failing to observe appropriate boundaries with students and engaging in conduct that made students uncomfortable. Unlike the reports described above, the conduct reported was not as serious as the conduct described earlier in this report. These reports ranged from male teachers visiting female students' dorm rooms unannounced in the evenings, to uncomfortably long hugs, to backrubs, to making alcohol available to students.

IV. Conclusion

We are grateful to all members of the Hotchkiss community who participated in this supplemental report. We particularly want to extend deep thanks to those who spoke with us about their experience of sexual misconduct. We recognize that there may be additional students who have yet to share their experiences. We continue to keep open the reporting phone line (800-403-7138) and email address (hotchkissinvestigation@lockelord.com) and remain available to take in information from anyone on sexual misconduct of adults with students at The Hotchkiss School.

Very truly yours,



Allison M. O'Neil