

**INVESTIGATION OVERVIEW
AND
SUMMARY OF KEY FINDINGS**

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WARNING: THE CONTENT IS SENSITIVE, PERSONAL AND GRAPHIC.

IT IS NOT INTENDED FOR CHILDREN.

PARENTAL DISCRETION IS RECOMMENDED.

I. INVESTIGATION OVERVIEW

T&M was engaged to conduct an external investigation into allegations of sexual misconduct¹ between minors and Saint Thomas Church (“Saint Thomas Church” or the “Church”) and Saint Thomas Choir School² (“Saint Thomas” or “Choir School” or the “School”) employees, faculty members or Choir School employees, and to assess the response to any instances of such misconduct.

The investigation stemmed from two separate allegations that were brought to Saint Thomas’ attention in 2018 and 2020. In 2018, a former Choir School student alleged that he had been sexually abused by a former Choir School teacher in the 1980s, and in 2020, a former Choir School student reported that he was sexually abused by a former choir member in the early 2000s.³ In addition, in 2020, the Vestry became aware of allegations of child sexual abuse made against a lay person at another diocese who had been formerly employed at Saint Thomas in the mid-2000s.⁴

In response to the information reported, Saint Thomas sent an email, dated March 18, 2021,⁵ to the Saint Thomas community, including parishioners, alumni and the families of current students, notifying them that Saint Thomas was aware of these allegations and encouraged anyone with information about “possible misconduct against minors involving Saint Thomas Church parishioners or employees or involving Saint Thomas Choir School employees” to contact T&M. The email provided a dedicated email address and phone line for individuals to do so.

Methodology

T&M’s investigation took place over a period of approximately 14 months, from March 2021 until May 2022. In total, T&M interviewed 35 individuals, including some on more than one occasion, either in person, remotely via video conferencing (Skype or Zoom) or by telephone. These witnesses included former students, former and current members of the faculty, staff, and administration at the Choir School, former or current employees of the Church, and other individuals outside the community.

¹ Throughout this Report, the terms sexual misconduct, sexual abuse, sexual assault and unwanted touching of a sexual nature are used interchangeably. Each of these terms is meant to convey the sexual touching of intimate or private parts of the body whether by hand, mouth or both, and as a result of the boys’ ages when the touching occurred, without consent.

² Saint Thomas Choir School is a church-affiliated boarding choir school located in New York City for boys currently in grades three through eight.

³ This former student chose not to participate in T&M’s investigation and on August 11, 2021, filed a civil suit against the Episcopal Diocese of New York, Saint Thomas Church, Saint Thomas Choir School and the former choir member.

⁴ With respect to the sexual misconduct allegation that the Vestry became aware of made against a lay person in another diocese, T&M did not receive any reports of sexual misconduct about this individual. T&M did contact Church and Choir School employees who worked with this individual when he was employed at Saint Thomas Church. None of them observed, or received any complaints or reports of, any inappropriate conduct of a sexual nature by this individual towards members of the Saint Thomas community.

⁵ T&M was informed by Saint Thomas that they made additional efforts to ensure that students who attended the School during the relevant time period and for whom they did not have current email addresses or contact information received the March 18, 2021 communication by sending additional emails and letters to those individuals who had not received the communication.

All the witnesses were provided with the same information before their interviews, including by whom T&M was retained and for what purpose, the professional background of the T&M investigator, the goal of the interview and with whom the information provided in the interview would be shared. Individuals who contacted T&M to share information about misconduct were informed that their identities would be handled as confidentially as the reporter wished, and would not be shared without the reporter's consent, except in situations where a report to government authorities was mandated by law or other legal process required T&M to share the information. Almost all the former student witnesses requested that their personal information be kept completely confidential due to the sensitive nature of the subject matter. Some witnesses asked that any information that might lead to disclosure of their identities, including the dates of their attendance, the specific year or years of the incident and/or the specific location where an incident occurred, be omitted from any oral or written reports.

Notably, T&M did not engage in any proactive outreach to identified or believed to be victims of sexual misconduct by Saint Thomas employees. Out of respect for their privacy, T&M only interviewed self-identified victims who came forward to either Saint Thomas or T&M. In those instances in which a witness reported to T&M that another individual may have been victimized, T&M made efforts to ensure that the individual identified received the School's email so they could report information if they chose to do so. T&M did, however, identify and attempt to contact individuals associated with Saint Thomas at any level who may have knowledge of any sexual misconduct by Saint Thomas employees against students, and, reached out to those individuals who may have relevant information. T&M also contacted and attempted to interview those identified in reports as having engaged in sexual misconduct or boundary crossing behavior. Two of those individuals so identified, Former Choir School Employee #1 and Former Choir School Employee #2, were interviewed by T&M; Former Choir School Employee #3 and Former Choir School Employee #4 are deceased.

In furtherance of the investigation, the School and counsel for the School, also provided T&M with access to records and documents in their possession. T&M reviewed personnel and student files. However, due to the passage of time and a flood in the School's building, many records and documents could not be located. T&M also reviewed attorney files related to employees who were the subject of reports received by T&M and various other documents.⁶

Factual Findings and Credibility

To make the factual findings detailed herein, T&M reviewed all the information gathered and applied a preponderance of the evidence standard. This standard is often referred to as "more likely than not." To assess the credibility of witness accounts, T&M utilized various factors. Specifically, T&M examined, where

⁶ T&M also reviewed a report prepared by the independent firm Praesidium who in August 2019 at the request of counsel for the School, conducted a review of the Church and Choir School's employee files for any evidence of allegations relating to sexual abuse of a minor. The file review did not reveal any evidence of allegations relating to sexual abuse of a minor.

possible, the consistency or inconsistency of witness accounts of events given over time, witness demeanor during interviews conducted in person or by videoconference, witness interest, bias or motive to lie, whether corroborative or contradictory evidence existed, whether a version of events made sense or was plausible and, where relevant, the circumstances of witness disclosure.

After applying these common tests of credibility to each witness account, T&M found, with limited exception as detailed below, that the witnesses interviewed were credible. Indeed, T&M found witnesses to be generally forthright and careful in their recitations of what occurred. None of the witnesses appeared to T&M to be exaggerating or embellishing facts and all seemed genuinely concerned about being as precise as possible when answering questions regarding events that occurred many years ago. While some witnesses were quick to state that they were unable to recall specific details due to the passage of time, other witnesses recalled with significant detail the events in question. Importantly, T&M found nothing about the way they related their accounts to suggest that they were misrepresenting their recollections, nor could T&M find any ostensible motivation for witnesses interviewed to be untruthful about what occurred.

Moreover, in evaluating whether a conclusion or finding could be reached based upon the evidence gathered during the investigation, T&M carefully weighed a variety of factors, assessed each individual's conduct using the credibility factors previously mentioned and examined the totality of information obtained during the investigation, taking into account that all the reported incidents occurred many years ago, and that some of the witnesses were very young at the time of their occurrence. For the purposes of this investigation, a finding was made by T&M only in those instances where corroborating or supporting information existed for the accounts provided by witnesses.

In some cases, there was no firsthand account of an incident and a lack of corroborating evidence to sufficiently support a secondhand account. In other cases, T&M received allegations consisting of observations of behavior that did not rise to the level of sexually inappropriate behavior or were based solely on unsubstantiated rumors and speculation.⁷ In these instances, T&M could not make any factual assessment as to whether these incidents occurred, and therefore have not included any of this information in this Investigation Overview and Summary of Key Findings (“Overview and Summary” or “this Report”).

Naming Criteria

At the conclusion of this evaluation, applying a preponderance of the evidence standard, T&M reached findings about the conduct of four former Saint Thomas Church and/or Choir School employees and Saint Thomas' knowledge of such conduct and behavior. In evaluating whether T&M should identify these former employees by name who engaged in sexual misconduct or boundary crossing behavior, T&M considered a number of variables, including whether there were multiple credible accounts or repeated instances with more

⁷ T&M also reviewed information provided by the School regarding allegations that were previously fully investigated and found to be unfounded.

than one student, whether there was an admission of guilt, whether we were able to corroborate the incidents and the amount and quality of the evidence obtained, such as contemporaneous corroborative information or other documentary evidence to substantiate the conduct. Of paramount concern was protecting the identity of alumni who participated in this investigation who wished to keep their identities confidential, particularly given the small and close-knit nature of the Saint Thomas community. In applying this calculus to the credible reports received, we also considered whether the evidence was “clear and convincing,” a high probability that the incident occurred, for identifying these employees by name. Weighing all these factors and applying them carefully to each finding, T&M decided not to name those who perpetrated the conduct in this Report. Instead, we are referring to them with numerical identifiers.

At the conclusion of the investigation, T&M provided a full oral report of its findings to the Vestry and a small group consisting of members of the Church and the Choir School. T&M was then asked to prepare a written summary of its key findings. This Report was drafted with heightened concern for protecting the identities of those who participated in the investigation, as well as the disclosure of information related to those individuals who did not. To protect the privacy of those individuals who shared their personal accounts as well as those about whom others shared information related to student victimization, this Report does not contain the very specific and detailed witness accounts collected during the course of the investigation. And as noted above, this concern weighed heavily in our decision not to name those who perpetrated this conduct. In addition, T&M omitted any information that could lead to the identification of those who provided information about their own experiences or those of others.

Most importantly, T&M is extremely grateful to everyone who contacted us, agreed to participate in this investigation, and provided us with substantive information that was relevant to our mandate. The information we reviewed was voluminous and the information below serves only as a summary of T&M’s key investigative findings.

II. SUMMARY OF KEY FINDINGS

A. Former Choir School Employee #1⁸

Based on the evidence gathered, T&M has concluded that more likely than not, in the 1980s, when employed by Saint Thomas, Former Choir School Employee #1 engaged in sexual contact with a Choir School male student when he was a minor.

Based on the evidence gathered, T&M has concluded that more likely than not, in the 1980s, when employed by Saint Thomas, Former Choir School Employee #1 engaged in sexual contact and other inappropriate behavior with Student #1 when Student #1 was a minor. This former Choir School student reported that the sexual contact occurred at a home outside of the school on two separate occasions and included the touching of his naked penis. Although he never shared what happened to him with anyone at the

⁸ Former Choir School Employee #1 was employed by the School from the 1970s through the 1990s.

time of the occurrences, he later disclosed what transpired to others not associated with the School. T&M interviewed three individuals, all of whom indicated that Student #1 disclosed the sexual abuse to each of them individually.

In his interview with T&M, Former Choir School Employee #1 acknowledged physically touching Student #1 but denied touching Student #1's genitals. Instead, he insisted "the intimacy" they shared on one occasion was consensual and occurred when Student #1 was at least sixteen years old. T&M did not find Former Choir School Employee #1's denials persuasive.

The evidence gathered does not support a conclusion that the School was aware of this behavior. Indeed, Student #1 advised T&M that he did not tell anyone at the School about Former Choir School Employee #1's interactions with him at the time or thereafter. Although he said he told family members and friends about this behavior, there was no information obtained by T&M suggesting that this information was communicated to the School. In addition, none of the former employees interviewed reported observing any inappropriate conduct by Former Choir School Employee #1 towards Student #1 or any other Choir School students.

B. Former Choir School Employee #2⁹

Based on the evidence gathered, T&M has concluded that more likely than not, in the 1980s, when employed by Saint Thomas, Former Choir School Employee #2 engaged in inappropriate behavior with Student #2, including repeatedly placing Student #2 on his lap and massaging his back, when he was a minor. There is also evidence that he placed at least one other minor student on his lap.

Based on the evidence gathered, T&M has concluded that more likely than not, during the 1980s, when employed by Saint Thomas, Former Choir School Employee #2 engaged in inappropriate behavior with Student #2, including repeatedly placing Student #2 on his lap, massaging his back, making inappropriate sexual comments about the size of Former Choir School Employee #2's penis and the size of Student #2's buttocks, as well as talking about pornography. This behavior all occurred at the School when Student #2 was a minor.

A former student observed Student #2 repeatedly sitting on Former Choir School Employee #2's lap inside the employee's apartment at the school and described Former Choir School Employee #2 as very close with Student #2. More generally, former students observed that Former Choir School Employee #2 often had students in his apartment to watch television and "hang out." One former student explained that if "he really liked you, you could sit on the couch, and if he really really liked you, you could sit on his lap."

Some Choir School employees told T&M they were aware that Former Choir School Employee #2 allowed the boys he favored to sit on his lap, picked a new "favorite" each year and "was too familiar and too close with the boys." Others described Former Choir School Employee #2 as having a "blurred sense of

⁹ Former Choir School Employee #2 was employed by the School from the 1970s through the 1990s.

boundaries” which caused concern about his interactions with the students, and another recalled a fifth or sixth grade student sitting on Former Choir School Employee #2’s lap which made them uncomfortable. Another former employee reported that after observing the inappropriate degree of attention Former Choir School Employee #2 showed for one student in front of others, and his demands for attention and loyalty from specific students, he and other faculty members recommended to the head of school that Former Choir School Employee #2 be terminated.

In his interview with T&M, Former Choir School Employee #2 acknowledged that he was close to particular students, including Student #2, that boys would “hang out” in his apartment all the time, and that he would meet with students one on one in his apartment behind closed doors which was common practice at the time. He said that he “always had the impression that these kinds of things were encouraged and appreciated.” He also stated that the headmaster did not renew his contract in part, because the headmaster thought he was too close to a particular student that teachers had frequently observed him with. However, he denied making sexual comments to students or discussing pornography.

T&M reviewed Former Choir School Employee #2’s personnel file which included a letter written by the then headmaster to Former Choir School Employee #2, which stated that the School was not renewing his contract but did not indicate the reason for not doing so.

C. Former Employee #3¹⁰

Based on the evidence gathered, T&M has concluded that more likely than not, in the 1970s, when employed by Saint Thomas Church, Former Employee #3 engaged in sexual misconduct with Student #3, including mutual oral sex, when he was a minor at an apartment off campus.

Based on the evidence gathered, T&M has concluded that more likely than not, during the 1970s, Former Saint Thomas Church Employee #3, was a Gentleman of the Choir, he engaged in sexual misconduct with Student #3, a minor, at an off-campus apartment. Student #3 reported that he and Former Employee #3 went into the bedroom and performed oral sex on each other and that thereafter, even though they saw each other at rehearsals during the academic year, there was no further sexual contact. Student #3 did not report the behavior to anyone at the Choir School at the time of its occurrence. However, he did disclose the sexual abuse to someone outside of the school in the 1980s. T&M spoke to that individual who corroborated Student #3’s account. Employee #3 is deceased.

D. Former Choir School Employee #4¹¹

Based on the evidence gathered, T&M has concluded that more likely than not, in the 1980s, Former Choir School Employee #4, while employed by the School, engaged in

¹⁰ Employee #3 was employed by the Church in the 1970s.

¹¹ Former Choir School Employee #4 was employed by the School from the 1960s through the 1990s.

repeated sexual misconduct with Student #4, and engaged in boundary crossing behavior with two other male students in the 1970s and 1980s, all of whom were minors at the time.

Based on the evidence gathered, T&M has concluded that more likely than not in the 1970s and 1980s, on multiple occasions Former Choir School Employee #4, while employed by the School, engaged in sexual misconduct and other inappropriate boundary crossing behavior with male students who were minors. Student #4 told T&M that the sexual touching occurred on multiple occasions over the course of five months when he was in 7th and 8th grade. He reported that on numerous occasions, Former Choir School Employee #4 summoned him to his apartment and raised concerns about certain physical aspects of Student #4's development. Under the guise of "health checks," on numerous occasions Former Choir School Employee #4 requested that Student #4 remove his clothes and touched his penis. Student #4 reported that Former Choir School Employee #4 directed him not to tell anyone about these interactions.

In addition, Student #4 reported that at a camp that the School attended every year, Former Choir School Employee #4 took him to a secluded building and directed Student #4 to remove his clothing while he began doing so as well. When Student #4 tried to leave the building, Former Choir School Employee #4 began hitting him. Student #4 did not report these interactions to anyone at the Choir School at the time of its occurrence or anytime thereafter.

Another student reported that while in Former Choir School Employee #4's apartment, he broached the subject of a "maturity check" and asked this student to try on jockstraps which required him to remove his pants, while another student reported that Former Choir School Employee #4 asked him to lower his pants and underwear in order to determine whether he needed an athletic supporter. Neither of these students reported Former Choir School Employee #4's conduct to the school. Former Choir School Employee #4 is deceased.

III. CONCLUSION

Based on the evidence gathered, T&M has concluded that more likely than not during the 1980s, when employed by Saint Thomas, Former Choir School, Employee #1 engaged in sexual contact and other inappropriate behavior with Student #1; that during the 1980s, when employed by Saint Thomas, Former Choir School Employee #2 engaged in inappropriate behavior with Student #2; that during the 1970s, Former Saint Thomas Church Employee #3, a Gentleman of the Choir, engaged in sexual misconduct with Student #3; and that in the 1970s and 1980s, on multiple occasions Former Choir School Employee #4 engaged in sexual misconduct and other inappropriate physical and boundary crossing behavior with male students. Although some of these incidents occurred off campus, all of the former students attended the School and were minors at the time of the incidents. In addition, T&M found no evidence to support the conclusion that the School was aware of any of the sexual misconduct at the time of its occurrence.

This Report sets forth a summary of T&M's key findings about allegations of sexual misconduct and boundary crossing behavior by former Saint Thomas Church employees or Saint Thomas Choir School employees and Choir School faculty members towards minors, whether the School had learned of the misconduct, as well as the School's response. T&M is grateful to everyone who provided information during the investigation, especially those former students who shared their highly personal stories. Although T&M's formal investigation has concluded, the investigative team will continue to be available should anyone wish to come forward with any additional information. Information can be shared by contacting T&M at SaintThomas@tmusalc.com or (646) 445-7748.