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INSPECTOR GENERAL

July 8, 2020

Timothy Blanchard
New York Office Director
U.S. Department of Education
Office for Civil Rights
32 Old Slip, 26th Floor
New York, New York 10005

Re: NYS IG 2352-172-2018

Dear Director Blanchard:

On July 3, 2018, my office received an allegation concerning four professors at John Jay College of Criminal Justice (John Jay) of The City University of New York (CUNY). The allegation came in the form of two separate Title IX complaints which were submitted to the college's Title IX Coordinator in late May 2018. Among other allegations, the complainants alleged sexual misconduct by [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

At the time of the referral, the college was in the process of investigating the Title IX complaints pursuant to its Title IX statutory obligations. To assist with the investigation, the college retained the law firm [REDACTED]

¹ The college placed [REDACTED] on administrative leave on July 19, 2018.

In September 2018, the Inspector General referred the matter to the Manhattan District Attorney's Office and participated in its investigation of the allegations of sexual misconduct and other wrongdoing. In the spring of 2019, the Manhattan District Attorney's office concluded the investigation and informed the college it was declining to prosecute the matter.

In or around May 2019, the college's Title IX investigation was concluded. After review of the investigative reports, John Jay President [REDACTED] determined that [REDACTED] engaged in unprofessional conduct that violated specific CUNY policies. President [REDACTED] initiated disciplinary proceedings against the [REDACTED] professors seeking termination; [REDACTED] lecturer no longer teaches at John Jay.

During the course of the investigation of the instant matter, the Inspector General found that the college's follow up to an earlier Title IX investigation was lacking. Specifically, on June 1, 2017, almost a year before the abovementioned Title IX complaints, a recent graduate of the college reported to John Jay's Department of Public Safety that [REDACTED] had telephoned her and asked personal sexual questions that made her feel uncomfortable. She subsequently filed a formal Title IX complaint on June 16, 2017, and John Jay initiated a Title IX investigation. During John Jay's investigation, the complainant received a second telephone call from [REDACTED] on July 19, 2017. The second call was of a similar nature to the first call she received.

On November 9, 2017, the college's then Title IX coordinator issued a memorandum to President [REDACTED] setting forth the findings of this earlier Title IX investigation, which substantiated the complaint against [REDACTED]. President [REDACTED] however, did not take any action on the matter until almost eight months later, when, in July 2018, [REDACTED] sent a letter of guidance to [REDACTED]. This letter informed [REDACTED] of the substantiated findings, including that he had twice called the complainant and "used inappropriate language of a sexual nature and questioned the complainant about personal parts of her body, and propositioned the complainant to perform sexual actions." The Inspector General was not provided with any justification for the eight-month delay in action against [REDACTED].

Given these findings, I am referring this matter to your office for review and any action you deem appropriate. If you require further information, please contact Deputy Inspector General Jessica Silver at 212.635.3150.

[REDACTED]

Letizia Tagliafierro
Inspector General

Cc: Derek Davis, Esq.

CUNY General Counsel and Senior Vice Chancellor for Legal Affairs