

FOR IMMEDIATE RELEASE
November 7, 2019

Doug Cohen / 617-595-7160
doug.cohen@berlinrosen.com

NEW SHOCKING EXAMPLES OF DRUGGING, RAPE AND ABUSE ALLEGED BY 43 SURVIVORS OF OHIO STATE UNIVERSITY SEXUAL ASSAULT

New Abuse Allegations Detailed for the First Time by Dozens of Victims

*Ohio State Failed to Inform or Protect Students Even After State Medical Board
Investigator Confirmed Strauss' Abuse in 1996*

COLUMBUS, OH—43 survivors of the ongoing sexual assault scandal at The Ohio State University (OSU) filed a new lawsuit alleging years of rape, assault and molestation by former team doctor Richard Strauss, all facilitated by OSU's "ingrained culture of institutional indifference" to the rights and safety of students. The lawsuit, filed on behalf of the survivors by [Scott Elliot Smith, LPA, Public Justice](#), and [Emery Celli](#), contains dozens of additional survivors' allegations of rape, assault and drugging that are detailed for the first time.

Earlier this year, an OSU-commissioned investigation into the scandal by law firm Perkins Coie uncovered at least 177 abuse survivors and a repeated failure of OSU to take action to investigate or address complaints about Dr. Strauss. A few months later, a report commissioned by Ohio Gov. Mike DeWine revealed that OSU failed to inform or protect students, even after a State Medical Board investigator told OSU in 1996 "that Dr. Strauss ha[d] been performing inappropriate genital exams on male students for years"—and despite telling the Medical Board that it was working to identify other students abused by Dr. Strauss. OSU also concealed Dr. Strauss' abuse by destroying the health care records of students he examined.

Perkins Coie only interviewed survivors who proactively came forward to share their story, meaning the actual number of survivors reaches into the many hundreds, and possibly even a thousand or more. Moreover, OSU admitted this year that it had received reports of 1,429 sexual assaults and 47 rapes by Dr. Strauss.

Despite these shocking findings, OSU refuses to take meaningful action to ensure justice for the survivors of Dr. Strauss' abuse, even though the university has acknowledged its "fundamental failure" to prevent the abuse. For example, OSU has declined to publicly support House Bill 249 in the Ohio State Legislature, which would eliminate the statute of limitations for Strauss' survivors, even after its student General Assembly endorsed the bill. Furthermore, in a letter to the State Legislature the university asserted—without any legal basis—that it could not take a position on House Bill 249 while mediating the pending lawsuits.

The behavior alleged in the lawsuit includes:

- Instances of Dr. Strauss drugging and raping athletes;
- Coaches pushing drugs on athletes, including ecstasy and ketamine, and then attempting sexual assault;
- Instances of Dr. Strauss sexually abusing underage boys on campus, including high school students; and
- Coaches laughing off Dr. Strauss' conduct, including some calling him "Dr. Levi's," joking that he wanted to get into players' jeans.

Many of the survivors did not recognize or understand that they had in fact been sexually abused until they read the news or heard about the Perkins Coie report. They assumed that Dr. Strauss' exams were legitimate and never imagined OSU would allow them to be sexually abused by a university physician.

"I'm an Ohio State guy, and I come from an Ohio State family. As a Strauss survivor and someone with a lot of love for the institution, I want to see the university finally own this. If they don't own their role in Strauss' abuse, the institution can't move forward and neither can the survivors. Right now a few powerful people in Ohio State's administration are stopping the university from doing the right thing. If the university takes real ownership of what it did, it would help us all heal," said **abuse survivor James Khalil**.

"The decades-long sexual abuse at Ohio State was condoned and fostered by the school when they refused to heed the students' cries for help. OSU even ignored student complaints of drugging and raping. OSU's institutional betrayal is one of the most significant sexual assault scandals in the history of American education. I don't know how a parent considering Ohio State for their child can ignore this horrific culture. The time for action is long overdue, and every day the school continues to delay is another insult to the survivors who have waited years for justice," said **Scott Elliot Smith of Smith Law Office**, co-counsel for the plaintiffs.

"OSU has yet to accept full responsibility both for enabling Dr. Strauss' serial sexual abuse and for concealing its knowledge of the abuse. It is shameful that it took nearly four decades for OSU to acknowledge publicly that the abuse occurred. It will be even more shameful if OSU continues to claim it's too late for survivors to hold the university accountable. There is no expiration date on the trauma OSU has caused," said **Adele Kimmel, Public Justice Senior Attorney**, co-counsel for the plaintiffs.

"It's time for OSU to step up and take responsibility. Stop fighting the survivors. Stop hiding behind an alleged statute of limitations. After 40 years of deception, denials, and stonewalling, it's time for OSU to do the right thing." said **Ilann Maazel of Emery Celli Brinckerhoff and Abady LLP**, co-counsel for the plaintiffs.

The lawsuit alleges that OSU's "culture of institutional indifference to the rights and safety of its students has permitted serial sexual predators and harassers to thrive at the university for the last four decades." This long history includes sexual harassment by a former diving coach and the former director of OSU's Marching Band, who led a "sexually-hostile environment for students." Although OSU claimed that it would be a "national leader" in preventing sexual misconduct, the school dissolved its comprehensive sexual assault prevention and response unit in 2018 after staff members

dismissed the survivors they were charged with assisting as “lying,” and “delusional.” An independent audit found the unit failed to report 57 potential felonies to law enforcement.

Anyone with information about Dr. Strauss’ abuse at OSU or who believes they may be a survivor may reach out confidentially by going [here](#) or calling 212-763-5042.

[Scott Elliot Smith, LPA](#), [Public Justice](#), and [Emery Celli](#) and are working with the survivors to help hold OSU accountable and seek justice for the irreparable harms they suffered while at the school. This is the second case brought by these law firms against OSU. The first is captioned *Snyder-Hill, et al. v. The Ohio State University*, 18-CV-00736, in federal court in Columbus.

###