

Investigation reveals Chessy Prout LIED about rape at St John's School

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Date: January 30th, 2022 8:48 AM

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"I Have Never Said He Raped Me"

The Owen Labrie Story

How did the narrative in the consensual encounter between a 15-year-old girl and 18-year-old boy, friends, in the same boarding school, change from "laughs" and "giggles," "I have never said he raped me," and "how bad was what happened to me" to "I was raped, I was violated in so many ways" and a very successful mission to "ruin someone's life just to prove a point"?

In July 2015 my husband, a St. Paul's School alum, showed me a letter from the then Rector of his Alma Mater about an incident that had taken place on Friday, May 30th 2014 between a senior boy, Owen Labrie, and a freshman girl (at that point unidentified due to age). The case has become well known across news outlets since that time, but when I read it, the letter was shocking to me, as mother of two teenage girls, because it showed a school's prejudice in a sexual assault case between two students that had no actual witnesses and that had not yet been tried. The ramifications of such a prejudice could affect all of us with teenage kids whose vulnerability in situations which are taken over by adults making decisions for their own ulterior motives is terrifying.

While Owen Labrie, the accused, had recently turned 18, the incident occurred while he was still a ward of the school. The Concord Police Detectives, by their own admission, set out to corner him and single him out. They were aware of incidents before and after this one involving St. Paul's students, but they had an advantage this time: the opportunity to get direct access to their target, something they would not have been able to do just a few days earlier when he would have been under the protection of school authorities.

His accuser, 15, was still a child, and as much as her age might have protected her identity at the time, it also allowed the detectives and other grownups involved to bury her own raw narrative from the first reporting of the incident; to replace it with their own interpretation and to coach her to do the same.

As I have watched this story unfold, I have come to the conclusion that both teenagers were used as pawns by the Concord Police and State of New Hampshire in a publicity stunt to exert control over St. Paul's School. They had been aware of other cases at the school which required mandatory reporting but had managed to slip under the radar. With this case they decided to make a statement early on to the press, altering raw testimony for their affidavit to justify over-charging and thereby tainting any jury pool and public opinion in their favor. They had seized a prize student, top of his class, headed to Harvard, and the "accuser" would be anonymous, allowing them and the media freedom for conjecture. It was a perfect case

for the Concord Police and the State of New Hampshire to be able to “prove a point.” If the school and the accuser cooperated with them on singling out and going after Owen Labrie, it would avoid casting a spotlight on other students who would also have found themselves guilty of some of the same charges.

Perhaps what the Concord Police and State of New Hampshire didn't realize is that by broadcasting the charges they had on Owen Labrie to the media, they would actually be interfering with the natural course of justice, opening up the floodgates for victim's advocacy groups and the media to weigh in with opinions that would sway the trial proceedings one year later.

In their decision to publicize Owen Labrie's arrest for three charges of aggravated felonious sexual assault, three charges of misdemeanor sexual assault, simple assault, endangerment of a child and a felony computer charge, (far more aggressive charges than they have given to much older suspects of multiple assaults on far younger children), Concord Police and State of New Hampshire also overlooked the devastating consequences of their actions to both teenagers involved. As an immediate and direct result of the media frenzy, Labrie and his accuser lost the right to speak freely for themselves, to help determine the outcome, to prevent their identities and their lives from being forever colored by a media thirsty for a scandal.

What had originally been described as a date (by both sides' accounts) involving consensual partial stripping, kissing, laughing and giggling was transformed into an aggressive rape case a few days after the accuser went to talk to Sandra “Buzz” Whelan, her school therapist. Ignoring school protocol to bring in supervisors for such matters, Buzz went alone to call Detective Julie Curtin at the Concord Police Department to report “an unwanted encounter.”

The media coverage of the August 2015 trial was sensationalized. Whatever had or had not happened during the May 30, 2014, encounter was geared and reworked into a story that would garner the public's attention. Owen Labrie became the poster boy for a white, rich, entitled school on his way to Harvard (even though he was actually a full scholarship kid from a family with little means). His accuser was described as a fragile wispy blonde-haired teary 15-year-old. The news couldn't quite decide if Labrie was a Harry Potter type or an entitled thug. His mug shot and his courtroom appearance didn't match up.

The reporters really focused on very few people: Defendant Owen Labrie; his “Whitey Bulger” defense attorney, Jay Carney; Catherine Ruffle, a prosecutor who appeared determined to prove herself on national TV; soon to be retired Judge Smukler; and the anonymous accuser. The State of New Hampshire was putting on trial one of the brightest graduates from one of the nation's most highly regarded and elite educational institutions. None of the charges were tried separately. This was a trial that would rely on an overall general impression to determine the verdict. The stakes were high.

I was curious to see how believable the defendant was. His credibility was mocked due to his clean-cut appearance. Yet, if he had turned up in jeans and long hair, he would have been called an unkempt delinquent. In the pretrial instructions to the jury, the accuser was already being referred to by the prosecutor as the “victim” further coloring the case before it even started. The burden of proof in this case as a result of all this publicity and speculation seemed to actually fall on the accused, Owen Labrie. He didn't have to testify but he chose to. And when he did speak it was quite clear that he cared about the girl. He used the word “fond” to describe his feelings about her multiple times. His testimony wasn't perfect. It was normal, flawed, sometimes arrogant (in a teenager way), sometimes humble, but it came across as purely his own—and honest. The state prosecutor carefully crafted an argument to use the Southpark/Bo Burnham patois of his online communication with his male friends (which, according to the school in later documents in the civil suit, had been redacted and taken out of context in order to create the state's argument) against the flirtatious emails and texts with his accuser to prove the felony computer charge that would cause him a lifetime on the sex-offender registry. <https://www.concordmonitor.com/St-Paul-s-School-Owen-Labrie-3957814>

When I heard the accuser's testimony, I was surprised because it felt like the prosecutor was feeding her lines (as you would do during the rehearsal of a play) and glossing over certain details of what happened in the days after. Neither side's counsel asked about what she actually reported about the encounter to her dorm mistress, her mother, her counsellor, the detective, or the SANE nurse. Yet if there were no witnesses present, the words she would have used to describe what happened to the adults she spoke to at the time

should have been fundamental to supporting the case. During the cross-examination she apologized to the prosecutor and said “I’m so sorry, it’s all over” and ran out. As the years have gone by in the appeals process, that comment has stuck in my head. What did it really mean? Was she following her own script or other people’s?

(http://www.autoadmit.com/thread.php?thread_id=5019818&forum_id=1#43873080)

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Date: January 30th, 2022 8:49 AM

Author: nubile honey-headed antidepressant drug

In August 2016, (a few months after I wrote blindly to introduce myself to Owen, appalled at the cruelty of Judge Smukler’s decision to revoke his bail, sending him to solitary confinement, for narrowly missing his curfew of 5pm-8am to go to Boston – something that would have gone unnoticed except for a tweet from a Vice Media reporter who ran into him on a subway), the accuser went public in the company of her family and declared herself as Chessy Prout on NBC’s Today Show.

<https://www.insideedition.com/headlines/18362-victim-of-st-pauls-sexual-assault-sheds-her-anonymity-im-not-ashamed>

Chessy was asked what it was like to go through the court process. Her answer started “We had been prepared to just receive an apology letter...to move forward with our lives and to let them move forward with their lives.” A couple of days after the encounter and before Chessy spoke to Buzz (her school therapist) she had actually received a text from a mutual friend saying about Owen “If he thought he was doing anything to hurt you physically or emotionally he would have stopped.” Owen, himself, had emailed several times and from Chessy’s responses nobody would have any reason to suspect she was distressed. If Chessy wanted an opportunity to talk about her feelings on the incident or to confront Owen directly, the moment she went to talk to Buzz, that was taken away. She emailed Owen on the Tuesday afternoon after she had gone to the hospital to say “Things are out of hand”. Whatever Chessy’s personal opinion might be, any kind of apology after charges were made risked a state order for a decades’ long federal prison sentence for Owen.

Almost two years later Chessy published a memoir (co-written with investigative reporter Jenn Abelson), “I Have the Right To.” Something didn’t add up as I read it. Chessy’s story had evolved and been altered along the way. There were contradictions and details that caused me to look up the trial transcript. The most obvious being the claim that Owen “bit” her vagina: a detail too salacious to escape presentation during the trial. I started to piece together some disturbing revelations which explained how this story became so blown out of all proportion leading to the charges, the trial and the aftermath.

In her memoir, prior to the incident, it seems that Chessy lived precariously between depression (taking a leave of absence from the school after self-harming herself by swallowing nail polish remover) and defiance of what adults and her older sister told her to do. She got dangerously drunk one night with the Rector’s son, she emailed with seniors about lap dances and discussed “Senior Salute” dates, she had Facebook photos of her and the defendant at school events (including one with a “like” from her mother). She lied to her sister about deciding to go on a date with Owen about which she was “excited” and she laughed and giggled about the encounter after to her friends. But after speaking to Buzz and Detective Curtin she refers to following along with what adults told her to do without questioning. She writes that Detective Curtin told her “Don’t worry about the details, because we’ll have the chance to talk more later”. Chessy and her family “never questioned” and “decided to” cooperate with the Concord Police and that she was the first witness to their investigation. She writes that she “agreed to make a statement”. It struck me that Chessy herself was initially not the one who really wanted to press charges but rather the state who found an opportunity to be able to coerce her (due to her age of 15) to build their own case against Owen. When her mother asked her “Chess, what really happened out there?” she writes that she didn’t tell her because Detective Curtin had instructed her not to tell anyone the details. As witnesses for the state, Chessy’s mother was specifically

instructed by the prosecutor, in front of the jury, not to talk about the details of the phone call she received from Chessy. Detective Curtin never mentioned “the details” that she had told Chessy they would “have the chance to talk (about) more later”. She said Chessy seemed “confused” (presumably as to why she was at the hospital in the first place) and was “very matter of fact.” When asked about what Buzz had reported, she replied that she received a call from a school counselor about “an unwanted encounter.” Buzz was never called as a witness.

The trial jury had been instructed to respond purely on Chessy’s credibility on the stand, and the prosecutor pointed out that in the State of New Hampshire, no corroboration is required. Performance was key. Chessy appeared in court 15 months after the incident and 12 months after the press had got a hold of the story and run rampant. Outside, the courthouse was mobbed with reporters and victims’ advocacy groups. Inside, Chessy writes that she was prepped for her trial testimony by the State Prosecutor (although she also mentions that the male prosecutor who watched my interview at the Child Advocacy Center days after I was assaulted expressed concerns. He thought the jury wouldn’t like that I went with Owen willingly, that I didn’t say no when he took off some of my clothes, and that I didn’t push back when he kissed me. But Catherine disagreed. She believed a woman could engage in a certain level of sexual contact but still say no. And as a fifteen-year old I wasn’t legally able to consent.). She was accompanied by two sexual assault victims’ advocacy reps, including Laura Dunn Esq who acted as a PR promoter and had been introduced by Detective Curtin. The victims’ advocacy reps were audibly heard, while Chessy was on the stand, saying that “she needs to cry more.” After a break for lunch, Chessy returned to the courtroom with the sobbing sound bite “I was raped, I was violated in so many ways.”

The book reveals several different stories, depending on various points in the timeline. “I felt manipulated by Owen” are the words she says she used when talking to Buzz about the encounter but again, as with her trial testimony, she doesn’t write what she said had happened. Given the courtroom influence of victims’ advocacy reps and the coaching Chessy received from the prosecutor, the first adults Chessy spoke to are the only reliable witnesses who could testify as to what exactly she had reported. Their absence at the trial points to a gaping void in the case.

What we do know is that Chessy’s story of an encounter that caused her to laugh and giggle for the first few days (according to her friend’s court testimony) changed after her sister Lucy called her out over a comment mentioning Owen’s name appeared under a Facebook photo of the two sisters. Lucy had briefly dated Owen at one point. She had previously chastised her younger sister for hanging out with and appearing in another Facebook photo with another senior ex-boyfriend, “Brook”’s (a pseudonym Chessy uses). When the sisters’ father, Alexander Prout, found out about the photo of Chessy with Brooks and Lucy’s comment under it “We like to keep it in the fam,” he “exploded”.

This time, in tears as a result of Lucy’s reaction at the photo mentioning Owen, Chessy went to talk to her dorm mistress, Dr. Gerardo-Gettens. The details of that conversation were not brought up during the trial, but according to St. Paul’s response to the Prouts’ subsequent civil suit against the school, Chessy was upset because “her parents did not know about this.” Dr. Gerardo-Gettens encouraged her to contact her parents but (according to St. Paul’s) Chessy “did not make any reference to sex, sexual assault, or physical assault to Dr. Gerardo-Gettens, and Dr. Gerardo-Gettens did not suspect—and had no reason to suspect—that Chessy was talking about anything other than a Facebook post.” (The cruel irony of this statement can’t go ignored: St. Paul’s publicly declared support for Chessy’s claims against Owen during the criminal proceedings but effectively reversed its position in the civil suit.) <https://www.concordmonitor.com/St-Pauls-School-Owen-Labrie-3957814>

By the time Chessy went to call her mother three hours later, who in turn told her to go and talk to Buzz, she had already been to see the school nurse twice (to get her regular anti-anxiety meds and to ask for the morning-after pill during which interview she had not given the name of any boy and had told the nurse that the sex was “consensual and not coerced”). She hadn’t complained to anyone of any unwanted sexual encounter or of any bodily pain or harm. Chessy’s mother, Susan Prout, called Buzz on her way up to the school and, per Chessy’s memoir, Buzz exclaimed “Susan, it sounds like rape” although we don’t know what Susan told her because nobody asked that question in court. Chessy saw Buzz the next day, by which time she had lost control over how her newly exposed encounter with Owen Labrie (which she had told him to keep as our “petit secret”) was going to get reported. Chessy emailed Owen when her mother was en

route to let him know that her parents were coming up and that “things would not end well” (a detail not revealed until February 2017 during a retrial hearing).

Per the memoir, Buzz then told Chessy “because of what you and your Mom have told me, I’m obligated to call authorities . . . we are going to head over to the hospital to get a rape kit done, and a detective from the Concord Police Department will meet us there.” We don’t know what Chessy told Buzz beyond the reference she gives of saying she felt “manipulated” by Owen. “Mom and I followed Buzz on the five minute drive to Concord Hospital. . . . This was all getting too real. How bad was what happened to me that I needed to go to hospital?”

This comment leads us all to ask how bad was what happened? If Chessy hadn’t reported it during her two visits to the nurse, nor to Dr. Gerardo-Gettens, then what made Buzz assume a rape had occurred? Buzz, being the first one to call authorities and to call it rape, telling Chessy to take screenshots of her texts with Owen and to not reply to him, was instructing her on how to behave. She was a key witness, if not actually guilty of witness tampering. Buzz kept a nonexistent profile during the trial. Her name was barely mentioned.

Meanwhile, Detective Julie Curtin, who received Buzz’s call about an “unwanted encounter”, was called to the stand. She was caught by defense attorney, Carney, “accidentally” admitting that she had an agenda to “catch” Owen Labrie, to take him unaware and to get him to talk (and obviously to confess to rape). She failed when questioned as to why she denied Owen his Miranda rights which his mother had brought up to her when they first met at a coffee shop in Concord. She felt it was fine for her, a detective from the police department, to show up with a colleague to write notes and provide support, but they wanted Owen without his mother, without a lawyer; they wanted him alone. Detective Curtin and Officer DeAngelis seized an opportunity to sequester him for nearly four hours, slamming the book down on the table at times, trying to get him to say that he had had sex with Chessy.

The police claimed to have wanted to get a statement from Owen “before rumors spread.” Rumors which they themselves perpetrated by contacting girlfriends to (unsuccessfully) coerce them into saying that they too had been violated. Chessy writes: I hoped the police would hurry up with their investigation. Owen still didn’t seem to have a clue that he was in any trouble. They instructed the school not to inform Owen about the investigation (the school should have informed Owen since it was still in session at the time it became aware). They held their press conference to stir media attention moments after he was booked. Five misdemeanors were not enough to get what they needed so they went for four felony charges as well. The school also issued its own press release. Although there were other cases (one which went to trial at the same time as this case in the same courthouse) involving students at St. Paul’s, the publicity surrounding this case managed to successfully keep all other incidents out of the news.

Detective Curtin had failed to get an admission from Owen and the physical evidence she had against Owen was sketchy: there was no sign of any bruising or marks found on Chessy; contrary to the Concord Police’s July 2014 affidavit <https://www.concordmonitor.com/Archive/2014/07/StPaulsAffidavit-cm-072614> stating the discovery of “lacerations”, the nurse testified that there were no lacerations and that there was only a light quarter-centimeter-size “abrasion” on her vagina (which later became “lacerations” again in Chessy’s victim impact statement at sentencing). The forensic specialist admitted this could have been caused by a number of things (including from a tampon that she had to submit, thus also disproving any concerns about pregnancy or the need the morning after pill); the semen/sperm-stained portion of the panel of her underwear could not be attributable to Owen because it contained the DNA of several people whose identities were never questioned. (This last piece of evidence was suppressed by the prosecution and sealed during the trial. It wasn’t until Owen’s unusually strict bail curfew was revoked, sending him to solitary confinement in jail in 2016, that the Supreme Court of New Hampshire recommended that it be unsealed, noting that it was of public interest.)

Between what I saw and read of the courtroom trial and Chessy’s account, I was astonished that with such skimpy evidence and no admissions from anybody directly involved that this was a rape, that Detective Curtin managed to cause the State of New Hampshire to bring 10 charges against Owen, 3 of which were aggravated felonious sexual assault charges and 1, the computer felony charge carrying between them 60 years in state prison and a lifetime sex-offender status. All of these charges coming after Chessy’s comment

How bad was what happened to me that I needed to go to hospital?

So what had passed between Buzz, Susan Prout, Alexander Prout and Detective Curtin to blow this up into a full-blown rape case where two teenagers lives would be forever scarred by the assumptions of responsible adults? Chessy writes that the second my counselor Buzz called the police, my assault became State of New Hampshire v Owen Labrie but that Chessy never envisioned this case dragging on through my college career. Who was leading who?

A couple of other people who were curiously absent as witnesses were St. Paul's Rector Michael Hirschfeld and Chessy's older sister Lucy Prout. Lucy would have been able to explain why she was mad at her sister about the Facebook comment and she might have been able to explain Owen's response "I would never do that she's a beautiful little girl" after she hit him upon hearing rumors of him taking her sister's virginity. Lucy might also have been able to explain why she got into an argument with her sister over the encounter when they met later in the summer in NY and to explain the change in the narrative after her sister told her and she reported to Detective Curtin "I have never said he raped me."

Rector Hirschfeld as principal of the school, who had awarded Owen the Rector's prize (which he later rescinded after receiving a letter demanding that he do so from Susan Prout) should also have been required to testify since both teenagers had been under his watch when the incident happened. It was his faculty member, Buzz, who had made a judgment and made the call to Detective Curtin. That judgment was agreed to by Susan Prout and, in turn, by Detective Curtin. Chessy went along with what they all told her to do and say. They were all adults and had decided how this story was going to be told. Hirschfeld had called Detective Curtin to offer the school's help in accessing any internet communications needed in their investigation. Was his willingness to help this time a quid pro quo for keeping the police at bay at other times? Was it in return for the Prouts' generous donation of \$100,000 to the school in 2013? Where was the principal of St. Paul's, the episcopal school, the father of Gus who was the first person Chessy spoke to when she left the encounter? Could he, on behalf of his faculty members with whom Chessy had initially spoken, shed light on why Chessy was "confused" as to why she was at the hospital and "very matter of fact" in her account of what happened to Detective Curtin?

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Date: January 30th, 2022 8:50 AM

Author: nubile honey-headed antidepressant drug

Maybe Hirschfeld was absent during the trial in order to avoid drawing attention to other hushed-up incidents, including one involving his son, Chessy's friend, which had also required mandatory reporting. Law enforcement had been aware of these but did not take any publicly noticeable action. This time it was different: According to Chessy's memoir, Buzz had been keen to "educate" St. Paul's about the bad practice of "Senior Salute" dates that had become prevalent since Hirschfeld's (whose mission statement for the school was "freedom with responsibility") tenure as head of school. Buzz had handed Detective Curtin a student she could actually go after: a scholarship kid and therefore a disposable asset unlike some of the other students who were either from legacy families with deep pockets or sons of board members such as Andrew Thomson, a roommate of Owen's, whose relationship with an underage girl had been caught by her parents, brought to the school's and Concord Police's attention but resulted in a private deal for him not to visit the school within three years of graduating. Chessy writes, "Andrew's mother, Lucy Hodder, was on the board of trustees at St. Paul's, so he had a lot at stake." Lucy Hodder was also, at the time, legal counsel for the governor of New Hampshire. Their family, the school, and the state were mutually compromised. Lucy Hodder missed her deposition by being out of the country for her scheduled appointment. If Owen had been perceived to have as much at stake, would St. Paul's lawyers or the Concord Police have engaged with him and his lawyers the same way they did with Andrew Thomson's? Did that explain why the NH state judge sustained the NH state prosecutor's objection to cross-examination questions about Andrew's own

relationships at the school?

While the Prosecutor made it clear in her opening statements that St. Paul's was not being tried in the criminal trial, Chessy's memoir reveals that the Prouts had already engaged a civil suit lawyer, Steven J. Kelly, who sat in the wings (collecting evidence) and gave Chessy advice for her testimony. Alexander Prout publicly complained that nobody paid for their courtroom appearance costs. But the family still managed to hire outside legal counsel for a lucrative civil case against the school that repeated everything in the criminal trial to leverage their position to get a financial settlement. The Prouts' statements at sentencing spoke more about the culture of St. Paul's than they did about the person being sentenced. They were prepping their civil suit case and the publicity around it was going in their favor. They talked to several production companies about going public before going on The Today Show to tell Chessy's story. By going public they would be able to profiteer off the celebrity of this case, to influence public perception in full knowledge that appeals were pending which customarily mandate no statements or press of any kind that could possibly influence an outcome.

Steve Silverman, a partner of Steven J. Kelly's and whose law firm had previously been admonished in DC in a similar case, https://s3.amazonaws.com/k12-prod-us-east-1-media-pub/36/misc/misc_131058.pdf called Owen in the summer of 2017 to try to blackmail him into joining their case against the school. Silverman told Owen that in return for teaming up with the Prouts, he would have access to police and school discovery which Silverman believed would exonerate him, including information about Rector Michael Hirschfeld's son (Chessy's close drinking buddy) who Silverman described as being a "true victim of sexual assault". Silverman wanted to persuade Owen that the Prouts and his interests were aligned. They wanted to enlist his help to go after St. Paul's "the perpetrators with the pockets." Owen was shocked and did not engage. Was this case, all along, not about justice but about extortion?

Concurrent to the suit against St. Paul's in which Alexander Prout cited "disastrous financial losses" as a result of having to "leave his overseas job" https://www.scribd.com/doc/314525727/Lawsuit-against-St-Paul-s-School#fullscreen&from_embed he started another suit. He hired Steven J. Kelly again, as part of a team to sue Invesco Ltd., his former employer, which had terminated him in November 2014. Prout and his lawyers were going after both the school and his employer for loss of earnings and damages during exactly the same time period. Invesco Ltd. paid out \$1.75 million (more than a year's salary and bonus even though he picked up another job with Morgan Stanley a few months later). St. Paul's settled in January 2018 for an undisclosed amount. But days before the St. Paul's case closed in January 2018, Prout turned on Steven J. Kelly and included him as defendant in a third lawsuit. This time Prout was suing his lawyers for failure to perform in his case against Invesco. The defending legal team rebutted that Prout had already claimed job related damages in excess of \$3 million from his settlement with St. Paul's school. <https://fiucipro.blogspot.com/2019/02/essay-iii-pratt-v-vladeck-raskin-clark.html>

Chessy's memoir was published less than two months after the announcement of St. Paul's financial settlement with the Prouts. <https://www.concordmonitor.com/Civil-lawsuit-against-SPS-14713367>

The timing was extraordinary. St. Paul's lawyers, as part of the settlement terms, obviously failed to put a gag order on Chessy since her defamatory remarks about the culture of the school, several students (some whose real names were used and others whose identities were thinly veiled by using pseudonyms), and faculty seem extreme. On the surface, the memoir seems designed to influence media and public opinion prior to the New Hampshire Supreme Court hearings that took place later in the year. Whatever truths might come out to exonerate Owen down the line, they would be lost under the printed and published pile of accusations against him, his family, and friends. Yet reading between the lines, there are several hints that Chessy's own truth was suppressed once the demands set in from adults wanting to depict her as helpless prey to a predator. Chessy hadn't complained of being violated. Buzz made that claim. What had happened that could be so bad as to warrant a hospital visit? Why was Detective Curtin so eager to "catch" Owen when she knew that Chessy had stated "I have never said he raped me"? simultaneously leaving alone several other incidents from the school which also required mandatory reporting? Why didn't they go after Andrew Thomson? <https://www.concordmonitor.com/Owen-Labrie-trial-transcript-St-Paul-s-School-2043118>

Why did the victim's advocacy representatives (introduced to Chessy by Detective Curtin) audibly say to

each other during her testimony “she needs to cry more”? When it came time for Owen to take the stand, Chessy flipped and held the bird in full view of the jury and the judge. The gesture seemed to convey a pent up anger for ending up in this courtroom mess.

These are details that failed to make it into Chessy’s memoir or even the media sensationalizing the trial. Yet they are details that seem relevant for a fair assessment of this story and its outcome. Others have remarked that Chessy has misquoted and mischaracterized them. It’s sad that nobody dares speak up but with it being such a target for publicity, who would dare? But is it Chessy who has been driving this, or Buzz, Detective Curtin, Catherine Ruffle, Susan and Alexander Prout?

It is now over 5 years since the encounter between Owen Labrie and Chessy Prout took place. Owen completed his jail sentence on June 24th 2019 (about which Chessy commented in her book: “I felt guilty that Brock Turner got half the sentence Owen did. At least I didn’t end up unconscious next to the dumpster.” Chessy not only didn’t end up unconscious, she didn’t have any visible wounds, no lacerations and no evidence of semen/sperm that could be traced to Owen.

Owen Labrie’s sentence is several times more than twice Brock Turner’s if you take into account that in addition to the jail sentence and the two and half years (32 months) he spent wearing an ankle monitor and abiding by strict curfew, he has 3 years on probation, a 7-year suspended state prison sentence and a lifetime on the sex-offender registry for the computer felony of using his computer to invite Chessy out on Facebook; something that Chessy points out in her memoir was a universally common form of communication across the entire school.

It feels like this a case that went too far. It got out of Chessy’s hands and into the hands of “responsible” adults. She, her family and Detective Curtin seemed to be angered that Owen wouldn’t agree to a plea deal (which sadly is something that is coerced from a staggeringly high statistic of innocent people just to get a case over with but has far-reaching and damaging repercussions). If she had really been the victim of an aggravated felonious sexual assault, none of them would have wanted a plea deal, and that is where, for me, this story truly falls apart.

Are the grownups in this case: Buzz Whelan, Detective Curtin, Susan and Alexander Prout, Catherine Ruffle, Michael Hirschfeld and St. Paul’s School faculty and board satisfied that depriving Owen Labrie for the rest of his life of the freedom and opportunities that they all have, was the real justice?

What was the Prouts’ end goal? They have been very publicly calling Owen a rapist yet they were angry that he didn’t settle for a plea deal. They ultimately decided to pursue three additional civil suits for money in addition to the criminal suit.

There are adults in this story who are accountable. Adults who knew things and didn’t speak up. Adults who had their own prejudices, career, political, financial, or publicity motives. Adults who did not think about the devastating effect of their interpretations or their actions. Adults who advised other students to keep quiet because nobody wanted to rock the sacred episcopal institution that promised to get them all into college. Adults who failed to question the Concord Police on its decision to publicize this case instead of others before and after which also involved students from St. Paul’s.

Buzz saw her opportunity in Owen Labrie, vulnerable as he had just graduated and therefore no longer under automatic protection of the school, as a way to expose a culture. Detective Curtin’s career trajectory was enhanced as a result of her work on this case. But can either of these really be commended as professional advocates of children’s welfare? Between them they appear to have commanded and manipulated a situation from what was originally reported as a minor incident involving “giggling,” “laughing” and Chessy’s boasting about the encounter into a major criminal scandal, that caused mental and physical harm to these two young people: Chessy, who frequently writes of mental health issues or being physically sick in her memoir, and Owen who was on suicide watch as a result of the charges. Did the State of New Hampshire ever question the true severity of the charges against the evidence in hand and realize that they would not “prove a point” or teach a lesson but actually destroy?

Silence is complicit. It is cowardly. It is not worthy of any adult who has a duty to help teenagers navigate a healthy path to being a responsible member of society. Is turning a school into a “police state” the answer

when that police buries the real truth and actively works against a fair playing field? Or is it asking adults to stop and think about what it's like to be a teenager and to adapt their worldview accordingly.

The popular term of "rape culture" is a lot more complex when it comes to teenagers experimenting with relationships and sexuality in their natural path to adulthood. Owen Labrie was arrogant and stupid to ask Chessy on a "Senior Salute" date. He should have known better. But he was a typical 18-year-old boy, same as several others (boys and girls) in his class who had also sent invitations via email and engaged with underage students at the school. He didn't force Chessy to meet him. Chessy made that decision herself because she was "flattered" to receive his attention and she was curious: a typical reaction from a 15-year-old girl. She had corresponded with other seniors about "Senior Salute" and lap dances prior to going on the date with Owen. When first asked about the encounter, Lucy told the detective that Chessy said "I have never said that he raped me." Fifteen months later, Detective Curtin, Catherine Ruffle, the media frenzy and advocacy groups changed her opinion. Since nobody has ever given an explanation for the sperm/ semen stained portion of her underwear with the DNA of several men on it, not attributable to Owen and since we never heard the details of her conversations with those first adults, where was the state's evidence for the felony charges they brought?

This is not to defend Owen or criticize Chessy but to bring attention to the fact that neither one of them was doing anything other than many others in both their grades. Owen was the first in a "ring" of boys that the Concord police publicly announced they were going after. Their targeted "ring" disappeared when adults decided to step in where legacy kids were concerned.

The State never turned over the interview the Concord Police had with Andrew Thomson on June 26, 2014. Chessy's book (with its introduction and endorsement by NH Congresswoman Ann Kuster) reveals her own email exchanges with Andrew Thompson in which he had invited her explicitly for a "secret snuggle" and to his "lap tonight at 9pm". The police had these exchanges along with those between Andrew and the underage girl with whom he was in a relationship. Timing on those emails indicate that he broke up with the girl within a couple of hours of that police interview. Information regarding Andrew's own situation was concealed from the jury at the time as a result of an objection and sidebar conversation. Ultimately the NH Supreme Court ordered it to be opened but not until several months after Owen had been convicted. The Concord Monitor reported in May 2016 that the revelation came "at a potentially important moment for St. Paul's. Lawyers for the family of Labrie's victim have been weighing a lawsuit since the trial ended in August". Steve Silverman, the Prout's civil lawyer, was quoted regarding the revelation of claims against Thompson as "additional evidence of an irresponsible administration." The Prouts' civil suit against St. Paul's was filed 3 weeks later. It mentioned several boys' names who had all been witnesses during the criminal trial but it noticeably avoided any mention of Andrew Thompson, his soliciting of "secret snuggles" from Chessy or his relationship with the underage girl. The omission is so obvious that it points to knowledge of a cover-up whose exposure would be dangerous for both the Prouts and the state.

Did the Concord Police and the State of New Hampshire violate Brady laws by suppressing the information it had on Andrew Thomson that could have impeached him as a witness? Catherine Ruffle's sidebar conversation with Judge Smukler and Carney revealed that she was aware of a deal regarding Andrew Thompson stating: "I think they (police) were previously involved in talking to this girl" and knew "that the parents were unhappy" but fumbled on with "I don't believe the police had any part of it". That being the case, why would the state withhold discovery if there was nothing to hide? And, more importantly, how would the state be aware of a deal being made with Andrew Thompson if his relations with an underage girl broke state law and he and the girl had both had police interviews? Was the state covering up some kind of collusion between the police and the school? Did that also account for why Lucy Hodder, legal counsel to the governor, managed to avoid deposition? Did the Concord Police also violate the same laws by suppressing the knowledge they and the Prouts had in February 2015, several months before the trial, that the DNA on the semen/sperm portion of Chessy's underwear also presented a problem? A problem the prosecution covered up in its closing statements at the trial by misrepresenting the facts that had been presented?

Despite online email/text material evidence that Andrew Thomson was aware that his relationship with an underage girl was "against the law" and physical material evidence regarding Chessy's underwear which the Concord Police knew provided "reasonable doubt," Merrimack County Attorney Scott Murray issued a

statement that police had “thoroughly investigated the Labrie case and that his office was presented with no evidence which would have supported sexual assault allegations against other individuals.” An ironic statement given that the Attorney General announced its criminal investigation into St. Paul’s School based on the findings from the Labrie which would have included the defenses allegations about Andrew Thomson. Surely a conflict of interest presented itself in the State’s rebuttal and later use of the Andrew Thomson inquiry to support its own purposes.

Money, influence, self-aggrandizement, self-enrichment and reputation triumphed over justice, morals and ethics. Would the Prouts have allowed the charges against Owen Labrie to go ahead if his family had wealth and connections or had made a major donation to the school as they had? St. Paul’s showed no support for Owen Labrie but insisted on protecting other students from being charged when the school came under the microscope of the state’s criminal investigation.

<https://www.bostonglobe.com/metro/2017/07/13/authorities-launch-criminal-investigation-into-paul-school/IQlsVVDDOs2VBx1p9rB99N/story.html>

The state agreed in September 2018 that they would not press charges against students despite their findings. <https://www.nytimes.com/2018/09/13/us/st-pauls-school-sex-abuse.html>

Chessy writes that Catherine Ruffle and Detective Curtin came up to her at an Advocacy event. “We’re very proud of you Chessy,” Catherine said. “Yeah, really proud” Detective Curtin nodded.

The Concord Police, the state and St. Paul’s have taken down several announcements, documents and notices pertaining to this case. Reports by students tattling on the Twitter site @prepfessions about a plethora of other scandals that had happened on the St. Paul’s campus have also mysteriously disappeared. Lucy Hodder is no longer legal counsel to governor Hassan. Catherine Ruffle is no longer a prosecutor. Michael Hirschfeld has stepped down as Rector of St. Paul’s. Buzz took an early retirement. According to Chessy, she was given a hard time by the school about her handling of the incident. Steve Silverman took on another Jane Doe case against the school. In late March 2019 the plaintiff withdrew the charges.

So, what really happened? It would appear as though the Concord Police, in eagerness to catch someone from St. Paul’s, used Chessy as a naïve participant to help them with their agenda, to build a case with scant evidence and even fewer details or witnesses. The quid pro quo? If she would “agree to make a statement” and “cooperate” as she writes she did, the Prouts would have enough discovery (triggered perhaps by the Andrew Thompson information) for a rich civil suit against the school. Labrie’s friends would all escape being charged if they cooperated with the police and became snitches for the trial (hence why the opening statements of the trial mention that St. Paul’s was not on trial). The school was forced to comply with the Concord Police in order to prevent charges against other students and to avoid exposing Michael Hirschfeld.

Although Judge Smukler told Labrie at the end of the August 2015 trial that he should appeal the Computer Felony Charge, the sensationalist & targeted media, now carefully commanded by the Prout family, appeared to influence him when it came to sentencing in October 2015. Smukler told Labrie that he was “a very good liar”, an odd comment to come from the judge after the jury acquitted Labrie of felony rape and Detective Curtin admitted that everything he had told her during that almost 4 hour interview, turned out to be true. The State & the Prouts spent a lot of the sentencing on the culture of the school, now finished with their need for Labrie’s friends to snitch.

The discovery from the Labrie trial enabled the Prouts to sue the school, (in spite of DA Scott Murray’s claim to Labrie that there were no other individuals engaging in illicit sexual activities) mentioning Labrie’s friends except Andrew Thomosn. In turn, the discovery from the criminal trial and the civil suit provided the Concord Police and State with exactly what they needed to justify a criminal investigation of the school, leading to a settlement whereby the Concord Police agreed not to make any more arrests with current students or faculty. In September 2018 Alexander Prout penned an article in the Concord Monitor, praising the settlement and bizarrely, the decision not to press Child Endangerment charges against the school.

<https://www.concordmonitor.com/Accountability-after-Me-Too-20465996>

In return, St. Paul’s agreed to hire a “Compliance Officer” who would publish a report every 6 months of every instance, substantiated or not, and report directly to Gordon MacDonald, the Attorney General of

New Hampshire and the Concord Police. That would all be fine except that Gordon MacDonald is currently blocking public access to a list of 260 police officers on an Exculpatory Evidence list which a judge ruled should be made public in April 2019. At least two of those officers work at the Concord Police Department. Could Gordon Macdonald be protecting Detective Curtin and the team that went after Owen Labrie? The possibility seems to be justified: In August 2019, DA Robin Davis, who replaced Scott Murray when he became US Attorney for New Hampshire, was sued by a sexual assault worker for an alleged "hostile work environment". The suit was filed by the same local attorney that the Prouts had used when Silverman sued St. Paul's School. Buried in the document are allegations that DA Robin Davis had criticized the handling of Owen Labrie's case & the too close relationship between law enforcement and prosecutors. Davis was also criticized for her alleged problems with the New Hampshire Sexual Assault Statute and the lack of evidence required to bring charges.

Councilwoman Amanda Grady-Sexton, Director of the New Hampshire Coalition Against Domestic and Sexual Violence was quick to criticize DA Robin Davis' views and Bradley Osgood and another Police Chief were also quoted stating that they could make "a million arrests but there wouldn't be any point if the arrests didn't pass legal muster". Had they just openly tipped their hand to an agenda to arrest & prosecute without due process? Are the police, the DA's office, Amanda Grady-Sexton, Congresswoman Kuster all in on this to promote their own agendas over justice & truth? It would seem so.

In September 2019, the following article appeared in the Concord Monitor, perhaps a suggestion that collusion between Concord Police, Gordon MacDonald, AG, St. Paul's School and Alexander Prout is more than a theory: Judge Richard McNamara ruled that the report that had been ordered by the AG on the school would not be made public after all. Publicly McNamara declared that the information, especially in the internet age, could have far reaching effects for victims or perpetrators who were never charged. The underlying indication seems to suggest rather that all parties were too compromised to have the truth come out, but happy to make secret deals with each other while leaving Owen Labrie to be the scapegoat for all the crimes.

<https://www.concordmonitor.com/St-Pauls-School-Concord-NH-grand-jury-report-remain-confidential-28809670>

This article from October 23rd 2019 about Judge McNamara's decision should raise eyebrows

<http://thesestonewalls.com/gordon-macrae/grand-jury-st-pauls-school-the-diocese-of-manchester/>

And then I discovered that Chessy Prout, Amanda Grady Sexton, the NHCADSV, Laura Dunn & her organization SurvJustice all share the same publicist: Dan Hill of Hill Impact (hillimpact.com) "Helping brands make an impact, overcome adversity and avoid crisis". In 2017 Amanda Grady Sexton was awarded the "Sandra Matheson Award for Exemplary Commitment to Victims of Crime" by AG Gordon MacDonald; A 2018 article from NHPR <http://www.tinyurl.com/ydb82rwu> revealed that Amanda Grady Sexton had been paid \$48K in addition to her councilwoman's salary to promote the 2018 controversial "Marsy's Law". (The money came from beleaguered California Billionaire Henry T. Nicholas III who has had several charges against him over the years for Securities Fraud (Broadcom), Drug Trafficking & has allegedly frequently solicited prostitutes. He has paid his way out of jail each time.) Chessy Prout was promoted as an advocate for it (which is strange if you consider that the law would have undone privacy for juveniles). Was it more than coincidence that Chuck Douglas Esq. (Ex NH Supreme Court Justice - who had been local counsel to sue the school on behalf of the Prouts & who filed suit against the new DA Robin Davis) had also been paid \$17.5K to push the law through? Was it more than a coincidence that Amanda Grady Sexton spoke out to block updating the computer felony laws to take into account the fact that is it the most common form of communication amongst teenagers? <https://www.concordmonitor.com/New-Hampshire-lawmaker-Jack-Flanagan-pushes-bill-to-alleviate-punishment-for-teen-sex-messages-22157669>

When I then read that SurvJustice was leading the lawsuit against Betsy DeVos on Title IX roll-backs, I started to realize the money flow & lobbying behind Chessy Prout was so big that they were never going to let Owen Labrie speak publicly on National TV. Someone high up, perhaps Congresswoman Ann Kuster or the Attorney General of New Hampshire had made the call to GMA to cancel it. Nobody could afford to have their web of collusion & politics exposed. Did the national political agenda behind #MeTooVoter

actually start with Laura Dunn/SurvJustice and her first client Chessy Prout?

The whole situation has been grossly manipulated by the adults in charge. I Have the Right To? It's an odd title when you consider that Chessy's raw story of what really happened has effectively been painted over to serve a political purpose.

Post note: On March 29, 2019 Chessy Prout and her father, Alexander Prout, appeared on TV on the Bloomberg Network and were interviewed by Jenn Abelson who was the co-author of Chessy's book "I Have the Right to". The timing of the interview coincided with Labrie's incarceration and before the results of his second NH Supreme Court appeal were announced. In the interview, Chessy refers to Owen as "my Attacker" while Alexander Prout claims that they "learned about 5 or 6 other girls that (Owen) had sexually assaulted who did not come forward". The prosecution never mentioned other girls who had claimed to be violated. Ex-girlfriends of Owen's have spoken of attempts by the Concord police to coerce them into saying that they had been violated but failing to do so. The interview came across as a deliberate smear campaign to malign Labrie before the Supreme Court made their decision.

On June 10th, 2019, while still incarcerated, Labrie's second appeal to the New Hampshire Supreme Court for the Computer Felony was denied. There was barely any news coverage, . Ann Kuster, Amanda Grady-Sexton and none of the NH representatives who had previously been so vocal about this case stayed silent. Sensationalizing the uncomfortable truth of this new precedent for New Hampshire did not fit the narrative they wanted to project, for now.

On July 12th, 2019 Owen's request to transfer to California for his probation where he had been offered a job and help with accommodation, was denied for the second time.

He was accepted by Vermont but denied job opportunities and a place to live since most rental properties won't take a convicted sex-offender. Any state to which he transfers from New Hampshire is able to add on it's own restrictions for sex offenders regardless of whether the crime for which he was convicted is a crime in the receiving state. In 38 states, an 18 year old using a computer to set up a date with a 15 year old in the same school is not a crime. In most states Romeo and Juliette laws would apply as well (requiring the difference in age to be 4 years) and the intent would have had to be to commit a felony as opposed to the misdemeanors for which he was otherwise convicted. In some states the housing restrictions for sex offenders are so great that the police even advise sex offenders to live in the streets. In others they are required to wear GPS monitoring for life. They are not allowed computer access despite a US Supreme Court ruling that they should not be denied access. Sex offenders in many states are not even allowed to be alone in the presence of their own children and are not allowed to attend their own children's birthday parties, go to the park, libraries, schools or any other area where children could be present.

On July 18th, 2019 Owen was supposed to appear in an exclusive interview with Amy Robach of ABC News on "Good Morning America" and "20/20". This would have been the first time he would speak publicly about the case and his experience. Owen points out an inconvenient truth: that the jury convicted him for something for which testimony was neither presented nor argued at trial. He said there was no sex and she said there was a felonious sexual assault. The jury said she was a consenting participant, albeit underage. If the jury did not believe Chessy's account that there had been an assault what was the reasoning behind the jury's decision that a misdemeanor assault had actually occurred? How could Owen be convicted for using a computer to solicit sex from someone whose very exclamation: "I was raped" was abjectly undermined by the jury's verdict?

On July 17th, 2019 a Twitter frenzy from Alexander Prout, The New Hampshire Coalition against Domestic Violence, End Rape on Campus and many others including NH public servants attempted to block the Good Morning America Interview with Labrie. They called him a "Predator" and a "Rapist". Good Morning America said initially it would air the interview in early August. It let a week and a half go by before letting Labrie know that it would no longer be airing the piece. Ironically The New Hampshire Coalition against Domestic and Sexual Violence posted a tweet to ABC: "Please choose journalism over sensationalism. Stand with survivors and don't give Owen Labrie a platform". Sensationalism endorsed by this organization, congresswoman Annie Kuster (who used the case to speak to Congress and promote her own Caucus on Sexual Assault), The Concord Police and promoted by The Prout Family and their lawyers Steve

Kelly and Steven Silverman at the time of charging, leading up to and during the trial and while the appeals process was pending has suddenly been forgotten because it is no longer convenient to the narratives they need for their agendas.

Where have the ethics of Public Servants (Concord Police, Council Woman Amanda Grady-Sexton of the NHCADSV, Senator Hassan, Congresswoman Anne Kuster) gone on this case when they all got involved, using Chessy Prout as a public puppet for their own agendas in a case that acquitted Owen Labrie of felony rape and was pending appeals when they all jumped on the sensationalist bandwagon?

On August 21, 2019 the new Rector (Kathleen Giles) for St. Paul's School sent a letter to St. Paul's community with the first report from the new compliance officer, Jeffrey Mayer who was brought in as a result of a settlement with the State of NH AG's office criminal investigation of the school. That compliance officer reports directly to the NH AG, Gordon McDonald, who, simultaneously is blocking the Judge ordered release of the Exculpatory Evidence Schedule which has the names of 260 corrupt NH police officers on it, some of them with Concord Police. The first report mentions nothing about computer felonies but lists several reports of sexual assaults that the compliance officer reported to Concord Police. In a state where a complainant requires no witness corroboration and no witness evidence, the fact that St. Paul's is entrusting its students to oversight of someone who reports to someone who is protecting bad police officers, reeks of corrupt practices. NH State has received an "F" in ethics for its public officers.

On September 30, 2019 The Concord Monitor article appears stating that the report on St. Paul's school ordered by the Attorney General, will not be made public.

Conclusion:

This is a story about how the Concord Police's, NH state prosecutors', Prouts' and Laura Dunn's need for sensationalism manipulated and changed the narrative of an otherwise unextraordinary tale of two high schoolers in a he said/she said sexual encounter. The fact that Labrie was headed to Harvard from one of the nation's top prep schools made it all the more sensational. It wouldn't have had the same ring to it if he had gone to Concord High School and was going to study at the University of New Hampshire.

Further, if the jury in 2015 found Owen Labrie to be not guilty of the aggravated sexual assault charges which sparked the media frenzy prior to the trial, then what real evidence did the police possess to support those charges in the first place? It took them over a week of interviews before they even approached Labrie for questioning. It took them another month and a half before the charges were made.

Consider that without the aggravated sexual assault charges there would have been no sensationalism and without the targeted media sensationalism the case most likely would have come to a different conclusion.

Too many public officials had an unnatural and perhaps unlawful interest in this case. They turned a blind eye to the defamation and slander lobbied at Labrie in the targeted media campaign which had been cited by St. Paul's school prior to Chessy Prout revealing her identity. The sensationalism that these public officials bought into pushed the case to a point where it wouldn't have been in the Concord Police, Councilwoman Amanda Grady-Sexton's, the Attorney General's or Congresswoman Ann Kuster's interests to have it overturned. They had made public appearances supporting Chessy Prout, promoting their own businesses, books, tours or non-profits, Congresswoman Ann Kuster used the case to support her own cause on Capitol Hill. The course of justice was overtly obstructed by the unlawful interest of so many public officials.

If you strip away everything, the only adult to testify regarding what was said about the encounter was a school nurse who said it was "consensual and not coerced". Somewhere between that meeting and the announcement of the charges a month and a half later, the narrative changed but at whose direction and for what purposes?

Post- conviction evidence presented in the St. Paul's school response to the Prout's "Jane Doe" civil suit guides us to the following truths: a) that the State had misconstrued and redacted online communications from Owen Labrie to make their case b) that Chessy's housemistress, in addition to the school nurse, had no reason to believe any sexual misconduct had taken place c) that the school disagreed with some of the arguments presented by the State regarding Chessy Prout's conversation with her housemistress and the

State's assertions about the meaning of "Senior Salute", "hook-up", "score", "Slaymaker".

Post-Conviction evidence presented in Chessy Prout's August 31st, 2016 NBC TV Today Show interview also disputes the State's assertions during the August 2015 trial. In the interview Chessy says that they were expecting an apology so they could all just move on. Jaye Rancourt Esq. and Robin Malone Esq. commented that this was news to them and their client Owen Labrie. They also stated that the interview with Chessy Prout was troubling because of its potential to influence public opinion and a jury before appeals could be heard or the request for a new trial.

Post-Conviction evidence presented in the recorded "black-mail" phone call from Steven Silverman Esq. on behalf of the Prouts to Owen Labrie in Summer 2017 shows that Owen Labrie was singled out, that the Prouts believed that Owen's interests were aligned with theirs to go after the school and that if he joined them in going after the school, they would be able to provide him access to discovery, including police discovery, which might exonerate him.

Post-Conviction evidence presented in Chessy Prout's memoir "I Have the Right To" published in March 2018 demonstrates a) Chessy's sworn testimony in the 2015 could have been influenced by Laura Dunn Esq who was introduced to Chessy by Detective Curtin. Laura Dunn appears to have profited off the case to promote her own new business SurvJustice in her own PR efforts for victims and as a victim's advocacy rep. Laura Dunn's website <http://www.lauraldunnesq.com/media.html> shows several articles and a TV interview she did about the case. That interview happened during the trial and would have influenced public opinion on the case. b) credibility issues for Chessy Prout and Detective Curtin. Chessy writes in her book about statements she wrote which were lies (or not representative of how she really felt) begging the question about whether her court testimony was reliable as well. She writes that Detective Curtin told her to not worry about the details of what happened. Since Detective Curtin was caught on the stand in a lie by Defense Attorney Jay Carney, how credible is the rest of her research and statements. If the school nurse testified that the encounter was consensual and not co-erced, if Dr. Gerardo-Gettens (in the SPS civil suit response) said that there was no reason to suspect any sexual misconduct then either Buzz Whalen (the school therapist who called Detective Curtin) or Detective Curtin decided to turn the encounter into the aggravated sexual assault. Chessy's memoir points to the central roles of Buzz Whalen, Detective Curtin and Laura Dunn. The Jury was not made aware of these. Their testimony and credibility in light of Chessy's statements in her memoir has to be questioned. c) details about the encounter differ in Chessy's memoir from her court testimony - one detail she mentions in her book is about her sandals and the clicking they made up the stairs. She then writes about feeling the cold concrete floor under her bare feet. This is a detail that didn't make it into court testimony but raises the question of whether she was a willing participant since she would have had to take her shoes off to feel the bare floor. It also raises questions about whether or not there was an "element of surprise" since if her shoes came off, it would suggest that she was expecting more than she maintained in her court testimony. d) question about whether or not Owen Labrie acted "knowingly" since Chessy cites an email from Owen McIntyre in which he states that had Owen Labrie known that he was doing anything to hurt Chessy emotionally or physically he would have stopped e) timing issues of emails and texts - the text or email correspondence Chessy engaged in with Andrew Thomson and Duncan Norton regarding lap dances. Did she meet up with them earlier that night? Who did she meet up with to account for the multiple DNA contributors in the sperm stained portion of her underwear? The timing of her email to Owen saying that things are getting out of hand. Did this happen at the hospital or earlier (as indicated in court testimony). f) contextualizing of the email correspondence in Chessy's memoir shows that Owen Labrie's emails were less sexual in nature than some others, his invitation to a senior salute was not unexpected. Corresponding with other seniors was something Chessy was used to.

Post-conviction evidence presented in the numerous publicity interviews and tours as well as the Bloomberg TV interview in March 2019 demonstrate that Chessy Prout's credibility in the trial should be re-evaluated since her narrative about the incident and Owen Labrie has changed so radically over the years. In March 2019 on Bloomberg TV she refers to Owen as her "attacker" and a "predator". Alexander Prout mentions that they were told that Owen had aggressively assaulted 5 or 6 other girls who had not come forward. This is a very different narrative to the August 31st, 2016 Today Show interview in which she said she was originally just expecting an apology and everyone could move on. Which is different from the court testimony in which she says "I was raped, I was violated", which was different from her original police

interview in which she said “I have never said he raped me” and said that Owen Labrie couldn’t have known through her giggles that she didn’t want to have sex.

Post-conviction evidence presented in the numerous Tweets/articles from various organizations such as New Hampshire Coalition against Domestic and Sexual Violence, NHPD, Concord Monitor, Union Leader, End Rape on Campus, The Hunting Ground, It’s On Us, ServJustice, Laura Dunn, Alexander Prout, PAVE protesting the ABC on-air interview under the banner of calling for “ethical journalism over sensationalism” which demonstrates how Concord Police, The State, Council Woman Amanda Grady-Sexton, Journalist Jenn Abelson (who co-authored Chessy’s memoir), Alexander Prout, Chessy Prout, Congresswoman Ann Kuster (who penned the introduction to the memoir and was inspired to talk to Congress as a result of Chessy’s NBC interview in 2016) have used sensationalism to their unfair advantage since 2014 to influence public opinion, and to profiteer off the case for their own political agendas.

Their sensationalism relies on the narrative that Owen Labrie is a “Convicted Rapist”. Not one of them has come forward to correct the narrative to the fact that he was acquitted of felony rape. Not one of them has publicized the felony computer conviction and the precedent that has set. Every one of them has brushed over this detail, suppressing it in favor of a more sensational, incorrect “rapist” chant.

Post-conviction evidence presented on Prosecutor Catherine Ruffle’s Facebook page of the success of the negative sensationalism towards Owen Labrie despite his acquittal of the aggravated sexual assaults: Brooke Ruffle writes “Go get some rapist butt today Mom” in February 2017 when there was a hearing for a retrial which the NH Supreme Court did not deem to be a frivolous hearing.

Post-conviction evidence presented in Judge Smukler’s May 2016 statement at the bail reinstatement hearing of a prejudice against Owen Labrie (such prejudice he did not appear to have in 2015 when he recommended Owen appeal his conviction) as a result of the sensationalism painting Owen as a rapist. Smukler announced in May 2016 that he didn’t believe Owen would win his appeal. Other examples of Smukler’s potentially unlawful interest in the case: sending Owen to solitary confinement in March 2016 for minor violations of bail (something even the NH Supreme court found to be cruel and unusual punishment); giving him a stricter bail curfew (5pm-8am) than most others on monitors in NH; making him wear the GPS monitor for 32 months, longer than any other in NH; denying him work release when others convicted of worse crimes were allowed work release.

2019 Post-conviction evidence that members of the Concord Police falsified evidence and abused their power in the Owen Labrie case: new Merrimack County DA Robin Davis who replaced Scott Murray (the DA in Owen’s case) apparently questioned the handling of the case by police and prosecutors as cited in The Concord Monitor article 8/7/2019 covering a Hostile work environment lawsuit (case: 217 2019-CV-00494) brought by a Sexual Assault worker against Davis but filed by Charles Douglas who was also the local NH attorney that the Prouts used for their suit against St. Paul’s. The lawsuit is a thinly veiled smear campaign against Davis’ questioning of the Sexual assault unit and the too close relationship between Police and prosecutors. The suit appears to be backed by Amanda Grady-Sexton, a local council woman who is the Director of Public Affairs for the New Hampshire Coalition against Domestic & Sexual Violence and the Concord Police who have had an unnaturally close (possibly unlawful) interest in the Owen Labrie case.

Citing the article about the lawsuit against the DA: “Davis also questioned the handling of a high profile rape case by police, including decisions about victim interviews, the suspect’s arrest and bail, and publicity surrounding the case” ...”Robin has expressed her disapproval of the sexual assault statute and the fact that you do not need corroborative evidence to prove this crime”...”She says she know what the statute says, but do you have any evidence?”

2019 Post-conviction evidence – reason to suspect the credibility and motives of the Concord Police and Prosecutor Catherine Ruffle. Despite a NH Judge order that the public should be allowed full access to a list of 260 NH Police officers (including some with Concord Police) who are on the Exculpatory Evidence List/Laurie List, Gordon MacDonald, the NH Attorney General is attempting to keep the list secret from the public. In a court order dated April 23, 2019, Judge Charles Temple ruled the EES is “not confidential” and “is not exempt from disclosure under RSA 91-A” and that it should be “made public”. Despite this the NH

Attorney General has filed an appeal, at taxpayer expense to keep this list of bad cops secret from the public. “When you keep information like this secret, it creates distrust and suspicion” says Gilles Bissonnette with the ACLU of New Hampshire....”these officers have engaged in sustained misconduct that concerns credibility and truthfulness...”

We know from the Owen Labrie case that the Concord Police lied in the sworn affidavit. We know that the defense caught Detective Julie Curtin in a lie on the stand. We know from recorded phone calls and transcripts that she ignored evidence regarding other people’s DNA, other people’s sexual emails to Chessy Prout, complaint made to Concord Police department about Andrew Thomson, Owen’s roommate who was engaged in a relationship with a 15 year old girl that he admitted on line to know was illegal. We know that Catherine Ruffle told the Judge that she knew about the complaint about Andrew Thomson and knew about the deal that had been cut with the school for him not to come on campus for 3 years. We know that she then walked this statement back when Owen Labrie’s attorney filed a brady violation with regard to Andrew Thomson discovery. We know that Scott Murray (now US Attorney for NH but at the time was DA for Merrimack County) stated that he was confident that there were no findings of any other sexual misconduct. A statement that doesn’t tie up with the AG’s announcement in 2017 that based on the Labrie discovery it was launching a criminal investigation into St. Paul’s school. The results of that inquiry became known in September 2018 and a deal was made and publicly noted not to prosecute other students.

<https://www.concordmonitor.com/Archive/2014/07/StPaulsAffidavit-cm-072614>

<https://www.concordmonitor.com/Owen-Labrie-trial-transcript-St-Paul-s-School-2043118>

Merrimack County Attorney Scott Murray said police and prosecutors in Concord “thoroughly investigated the case” and “were presented with no evidence which would have supported sexual assault allegations against other individuals.”

<https://www.concordmonitor.com/Civil-lawsuit-against-SPS-14713367>

<https://www.concordmonitor.com/Legislators-call-for-AG-to-consider-investigation-of-St-Paul-s-11247293>

<https://www.concordmonitor.com/News/Police-Fire/Labrie-requests-new-trial-1372845>

<https://www.concordmonitor.com/NH-Supreme-Court-decision-Owen-Labrie-appeal-convictions-21340313>

<https://www.concordmonitor.com/NH-Supreme-Court-decision-Owen-Labrie-ineffective-counsel-26088062>

<https://www.concordmonitor.com/Concord-police-investigate-sexual-assault-at-St-Paul-s-School-10971230>

<https://www.creators.com/read/dennis-prager/06/07/the-rape-of-a-name-is-also-rape>

<https://www.concordmonitor.com/New-sexual-conquest-game-at-St-Paul-s-School-11005744>

<https://www.concordmonitor.com/family-alleges-systemic-failures-in-lawsuit-against-st-pauls-2532739>

<https://www.concordmonitor.com/NH-attorney-general-investigation-Owen-Labrie-20065440>

<https://www.concordmonitor.com/Story-of-the-Year-St-Pauls-School-criminal-investigation-Labrie-22139861>

<https://www.concordmonitor.com/Settlement-agreement-St-Pauls-community-reaction-20169764>

<https://www.concordmonitor.com/St-Paul-s-concludes-internal-investigation-into-crown-11332424>

<https://www.concordmonitor.com/Civil-lawsuit-St-Pauls-School-voluntarily-dismissed-24241520>

<https://www.concordmonitor.com/Merrimack-County-prosecutor-named-U-S-Attorney-for-N-H-15611945>

Article from an incarcerated priest of the Diocese of Manchester citing issue with Judge McNamara’s

Decision to keep Grand Jury Report Private, allowing for Selective Prosecution

<http://thesestonewalls.com/gordon-macrae/grand-jury-st-pauls-school-the-diocese-of-manchester/>

Nov 3, 2019 Article in Concord Monitor referencing 2015 agreement between different Government Agencies in NH to “support Survivors”.

<https://www.concordmonitor.com/Merrimack-County-motion-to-dismiss-lawsuit-sexual-assault-investigator-29790206>

Laura Dunn - Victims Rights Advocate who started SurvJustice and has said that if you want Due Process go to the ACLU , if you’ve been raped go to her. She also wants to be Gloria Allred she has said and has visions of running for Congress. She helped author Joe Biden’s Federal Directive re Title IX which has brought on a whole slew of Kangaroo Court False Rape Accusations.

theothermccain.com/.../29/laura-dunn-is-an-evil-liar

Henry T Nicholas III - financier behind a lot of these Victims’ Advocacy Groups & behind Marsy’s Law - so a billionaire can buy his way out of the crimes that his Marsy’s Law is seeking to punish even more?

<https://ocweekly.com/considering-broadcoms-henry-nicholas-iii-after-his-latest-guilty-plea/>

Article in Orange County register about failure of Public Official to disclose private jet trip from Henry Nicholas

<https://voiceofoc.org/2018/08/da-under-scrutiny-for-not-disclosing-private-jet-trip-from-billionaire-henry-nicholas/>

Updated Nov 4, 2019

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http://www.autoadmit.com/thread.php?thread_id=5004604&forum_id=2#43762155

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http://www.autoadmit.com/thread.php?thread_id=5004604&forum_id=2#43762332

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