

**Dartmouth Alumna Files First Amendment Action Against Financial Executive
Statement of Monica Morrison (REVISED, 11/23/18)**

New York, NY, November 6, 2018:

I am the Plaintiff in an action filed in the US District Court for the Eastern District of New York on November 1. I am also a survivor of sexual assault at Dartmouth College, much like the other women who have recently bravely come forward in a class action suit against the college.

The complaint that my attorney has filed reviews the factual background of my case—and of the Defendant’s actions—in detail and need not be repeated here. Suffice to say that, as a student at Dartmouth College in 2005, I had reported to College authorities and the Hanover Police Department, a charge of sexual assault against the Defendant.

Ultimately, the police declined to prosecute Defendant criminally for the assault. But they made findings consistent with my complaints regarding various aspects of Defendant’s assaultive behavior and actions. The college also had policies in place - which since have been changed, to an extent—which would have made pursuing college disciplinary action extremely difficult.

After the dust settled on the original events, and as I faced retaliation and threats at the hands of some of my college peers, I largely stopped discussing those disturbing events publicly for the next ten or so years. In 2016, inspired by other brave survivors who were confronting their assailants, I for the first time attempted to make contact with the Defendant. I left him a voicemail message, which he never returned. Then, in early 2018, I made a very brief telephone call to the human resources department of his employer.

After that, the Defendant initiated what I refer to in my complaint as his “second assault” on me. He threatened to sue me for slander, which my attorney advises me would not be a legally supportable claim. The Defendant also demanded that I enter into an onerous “non-disclosure agreement” (NDA) that would prevent me from telling the truth – or even ever talking – about the 2005 incident or the Defendant. The agreement would impose a draconian penalty of \$500,000 each and every time I might be alleged to have violated the NDA. My complaint alleges that Defendant’s proposal is unconscionable and legally unenforceable.

Finally, in my complaint, I have also asked the Court to expressly recognize – and to protect – my future First Amendment rights to speak my truth about the 2005 incident. Needless to say, this is an incident which has had a devastating long-term effect on me, personally and financially. I believe it is vital for me to be able to speak, write, and otherwise communicate about what happened without fear of retaliation.

I am hopeful that the special procedures we are invoking now in my case will give many victims of sexual harassment or assault a new weapon that will protect their constitutionally-guaranteed

freedom of expression. Victims cannot hope to heal if, at the least, we are not even permitted to speak freely about the abuses we have suffered.

Statement of Monica Morrison

Page 2

I also hope actions like mine will deter the threat of a “second assault”—that is, actions intended to bully those who have already been victimized into continued silence about the original assault.

Finally, I also hope my experience will inspire the current generation not to remain silent if they have been the victim of sexual harassment or assault.