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Newly Public Deposition Testimony Details Ohio State Administration's Cover-up of Strauss Abuse

Amended complaint in Snyder-Hill case shows how numerous University medical staff and administrators protected Strauss despite frequent reports about his abuse; Complaint also includes new allegations of abuse

A federal court [has unsealed](#) information detailing the breadth of The Ohio State University's cover-up and facilitation of decades of sexual abuse by Dr. Richard Strauss.

An amended complaint consolidating two legal actions in which a total of 93 men allege that Ohio State University (OSU) facilitated and concealed Dr. Strauss's abuse, and allowed him to prey on many hundreds of young men at the university from 1978 to 1998, quotes powerful deposition testimony by OSU medical personnel who worked with Strauss. The U.S. District Court for the Southern District of Ohio unsealed the amended complaint today, following OSU's opposition to the plaintiffs making a key witness testimony available to the public.

Among the many new revelations included in the amended complaint unsealed today:

- Evidence shows that several OSU medical staff believed that Dr. Strauss was placed above accountability by the university. Dr. Forrest Smith—who served as acting director of Student Health from 1990 to 1991 and assistant medical director beginning in 1992—admitted that though Dr. Strauss was nominally under his “command,” he “didn’t control [Strauss].” As early as 1982, Dr. Strauss’s lack of accountability was of sufficient concern that it was escalated to Dr. Bob Murphy, Head Team Physician and Director of OSU’s Sports Medicine Division, and University President Edward Jennings. (paragraph 175 of the complaint)
- Dr. Murphy knew that Strauss was showering with student-athletes and making them uncomfortable, according to testimony by Dr. John Lombardo, Head Team Physician/Medical Director of Sports Medicine and Family Health Center. Even though Murphy was Strauss’s supervisor, Murphy asked Dr. Lombardo to “take care of this” in 1992 or 1993. Lombardo had a single conversation with Strauss, telling him to stop showering with the athletes, but took no further action and never verified if Strauss stopped this misconduct. In fact, Strauss continued to shower with athletes. (180-181)
- Dr. Ted Grace, Ohio State’s Student Health Director beginning in 1992, testified that he knew Dr. Strauss’s practice was to do a genital exam on every male patient and knew this was unusual, but, the Complaint states, “Dr. Grace ignored this red flag.” The prior Student Health Director, Dr. Smith, testified that this was a “red flag” and was “big time” worthy of investigation. (184-187)

- Around 1994, OSU's head fencing coach told Dr. Lombardo she believed Strauss was performing unnecessary medical exams on male members of her team. Although Dr. Lombardo concluded that the fencing coach's concerns were "based on rumors," the university replaced Strauss as the fencing team's primary doctor. According to the testimony of Strauss's successor in that role Dr. Sickles, no one at the university told him about the fencing coach's concerns, the student-athletes' concerns about Dr. Strauss showering with them, the complaints Dr. Lombardo had received about Strauss, or why Sickles was replacing Strauss. (189-192)
- In January 1995, just a couple of months after Dr. Lombardo concluded the complaints against Strauss were unfounded, two students—including Snyder-Hill—reported sexual misconduct by Strauss. Dr. Grace "informed Vice President of Student Affairs Mary Daniels about Dr. Strauss's sexual abuse in their weekly meetings," the Complaint states, but neither Grace nor anyone else at the university "took any meaningful action to stop this sexual predator." (221-224)
- "Dr. Grace assured Snyder-Hill that OSU would document and retain any future complaints about Dr. Strauss. But OSU's personnel file on Dr. Strauss does not even mention Snyder-Hill's complaint. For his part, Dr. Grace took his files concerning Dr. Strauss' sexual abuse to his home, then shredded them years later." (2571)
- Instead, OSU imposed a culture of silence: According to sworn testimony, complaints about Dr. Strauss in the Athletics Department could not be shared with Student Health—and vice versa. The Athletics Department received complaint after complaint, removed Dr. Strauss from treating the fencers, warned him not to shower with student athletes—yet never told anyone at Student Health about these glaring red flags. Likewise, Student Health suggested (but did not require) a chaperone for Strauss, received formal complaints that were so serious that Student Affairs administrators were involved—yet no one at OSU told Dr. Strauss' supervisors at the Athletics Department that they had any concerns about Dr. Strauss. (193)
- Not only did no one at OSU report Dr. Strauss to the Medical Board or police in 1995, OSU gave him "Exceptional" and "Excellent" ratings on his 1995 performance evaluation. As Dr. Grace testified, it was "the policy in student health that you would not mention a serious allegation, such as sexual misconduct, in an evaluation form." "The reason, Dr. Grace admits, was to cover up the abuse, prevent the public (including OSU students) from learning about the abuse, and protect the doctor, in this case, Dr. Strauss. Personnel evaluations, Dr. Grace noted, were potentially accessible via a public records request," as the complaint states. (226-227)
- In January 1996, after Student Health received a third sexual misconduct complaint about Strauss, OSU placed Strauss on administrative leave and conducted an investigation. But OSU apparently did not include the history of complaints about Strauss in the Athletics Department as part of the investigation. Still, no one at OSU reported Dr. Strauss to the Medical Board. To the contrary, in April 1996, Dr. Strauss filed a complaint against Dr. Grace with the Medical Board. From the complaint: "While investigating Strauss's complaint, the Medical Board on its own learned of the sexual abuse complaints against Strauss, and self-initiated an investigation into Strauss. The Medical Board then interviewed Dr. Grace, who admitted that 'there are many male athletes that have been abused by Dr. Strauss.'" (232-237)

- Even after OSU's Student Health suspended Dr. Strauss in January 1996 as a treating physician, OSU administrators hid the reason why they were investigating Strauss and placing him on leave, according to Dr. Lombardo's and Dr. Miller's sworn testimony. OSU administrators did not inform the Athletics Department why his Student Health contract was not renewed. Dr. Lombardo testified that it would have been "important to know" that Dr. Strauss was being investigated for sexual misconduct, because it would have helped him "protect the athletes." But OSU hid that information to protect Dr. Strauss and itself. (244-245)
- In June 1996, OSU held a disciplinary hearing into student complaints without notifying the complainants or permitting them to participate. OSU concealed the reason it did not renew Dr. Strauss' Student Health Services contract and terminated Dr. Strauss' employment in the Athletics Department later that year. OSU administrators did not document the findings of the disciplinary hearing, according to sworn testimony—though it would have been standard to do so. (239-243)
- OSU actively concealed Dr. Strauss's abuse by not attempting to identify the students Dr. Strauss harmed. Numerous OSU doctors confirmed that OSU took no action to identify the students victimized by Dr. Strauss. This enabled OSU to conceal the extent of Dr. Strauss's abuse and how the university had enabled his predation. (247)
- Former OSU doctors testified that students could not have known Dr. Strauss was abusing them. They admit that patients do not know what is a "normal exam" because patients have a "lack of information" about what is medically appropriate. (158-159)
- In allowing Dr. Strauss to retire and receive a Faculty Emeritus appointment, OSU actively concealed both Dr. Strauss' abuse and the university's role in enabling his predation. As OSU Dr. William Malarkey testified, terminating Dr. Strauss or revoking his tenure would have alerted students that Dr. Strauss's conduct may not have been appropriate. (256-258)
- Former OSU doctors testified that students could not have known that Strauss was a predator at OSU for twenty years and that OSU had failed to get rid of him. (156)

The [amended complaint unsealed today](#) also includes abuse allegations by 14 additional Strauss survivors who have come forward to take action.

"The testimony of former OSU medical personnel further confirms that OSU was more interested in protecting its own reputation and brand than in protecting students," said Adele Kimmel, a Senior Attorney at Public Justice, and counsel for the plaintiffs in these cases. "OSU actively concealed and facilitated Dr. Strauss's abuse. Every moment that OSU delays justice for the survivors of this abuse—which includes making changes to ensure that this kind of abuse never happens in the OSU community again—causes further harm to all the men who have suffered so much. Enough is enough."

Last year, a University-commissioned investigation into the scandal by law firm Perkins Coie uncovered at least 177 abuse survivors and a repeated failure of Ohio State 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 Ohio State failed to inform or protect students, even after a State Medical Board investigator told the University in 1996 "that Dr. Strauss ha[d] been performing inappropriate genital

exams on male students for years”—and despite the University telling the Medical Board that it was working to identify other students abused by Dr. Strauss. The University 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, Ohio State admitted this year that it had received reports of 1,429 sexual assaults and 47 rapes by Dr. Strauss. According to the amended complaint unsealed today, the scale of Strauss’ abuse makes this “perhaps the greatest sex abuse scandal in American history. It is without question the greatest scandal in the history of American higher education.”

Despite these shocking findings, Ohio State 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.

“With every deposition, we learn that OSU knew about Dr. Strauss, harbored Strauss, and enabled Strauss to abuse hundreds and perhaps thousands of students. We intend to hold this university to account for decades of sordid and appalling misconduct,” said Ilann M. Maazel of Emery Celli Brinckerhoff & Abady LLP, counsel for the plaintiffs in the suit.

“The testimony included in our complaint is clear and irrefutable evidence that Ohio State University knew about Dr. Strauss’s sexual abuse and predatory behavior for decades but did nothing to prevent or stop it,” said Scott Elliot Smith, counsel for the plaintiffs in this suit. “Now, it is long past time for OSU leaders to do what they have refused for more than twenty years: accept responsibility for the horrific damages they caused students through their inaction. The OSU of today will be no different than the OSU of the past until they admit their failure to protect students and are held fully accountable to the real Buckeyes – the students and athletes who are the true foundation of the university.”

The survivors in the *Snyder-Hill* case are represented by [Scott Elliot Smith, LPA](#); [Emery Celli Brinckerhoff & Abady LLP](#); and [Public Justice](#).