History of Abuse at Kurn Hattin

Kim Dougherty, J.D., M.S.W., on behalf of over 30 survivors

March 17, 2021







1950-59

Type of Abuse: Physical & sexual abuse perpetrated by staff. **Examples:**

- Child was sexually abused by the then-Exec. Director of KH.
- Child was neglected medical treatment for broken bones and ear infections which have had lifelong incurable impacts

Reporting: No known reports to authorities.



1970-79

Type of Abuse: Severe Sexual and Physical abuse **Examples:**

- House Parent sexually molested and raped dozens of boys on KH property.
- Houseparent fed children sugar water with poison sumac **Reporting:** Gym teacher confronted the child abuser who fled campus, no

police or DCF report ever filed

• Survivor contacted KH in 1980s and was contacted by their insurance adjuster; no report or investigation



Type of Abuse: Severe Physical and Sexual Abuse perpetrated by staff.

- **Examples:**
 - KH House Parents and staff sexually molested multiple boys
 - House Parent forced child to stand outside overnight in the winter without a coat until she fell unconscious
 - House Parent forced routine torturous exercise routines while physically beating them while the children were pants down

Reporting: Some staff members were let go but never reported to police or DCF



Decade Snapshot

- One 12-year-old was repeatedly raped by KH staff member. Both the Executive Director and House Parent were aware of the molestation. They responded by fitting for a diaphragm and provided her birth control pill s at graduation.
- A 6-year-old girl was repeatedly sexually assaulted by older peers with barbie doll legs and other objects.
- Mark Davis molested numerous boys between the ages 7-12 on campus. The survivors reported to multiple KH staff and nothing was done. A few tried to run away but were always caught by the same Vermont State Trooper, took no action after hearing about the abuse and returned them to the cottage. At least one of Mark Davis' victims committed suicide.



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DCF expressed concern for KH's non-compliance around firearms and spanking policies.



1985

DCF renews the provisional license despite continuing concerns.



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DCF finds KH noncompliant for routinely isolating students in their rooms for indefinite periods of time.

VSP first document Mark Davis' molestations. 17 boys accused Davis.

DCF notes instances of child abuse and inadequate staff training.

Still grants KH a provisional license.

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The following areas of concern were identified in the letter:

1. "Staff actions which constitute child abuse as defined by statute and failure to report such abuse to S.R.S."

At the request of Mr. Maysilles, the Licensing Unit provided technical assistance to Kurn Hattin in formulating policies and practices for the identification and reporting of child abuse. Mr. Maysilles assured me that every effort will be made to identify child abuse, and that all suspected incidents will be reported in accordance with state law and licensing regulations.

 "Staff use of inappropriate physical intervention to control children's behavior."

The list of prohibited forms of discipline from the licensing regulations has been incorporated into Kurn Hattin's staff manual. A series of memos from Mr. Maysilles to staff make it clear that the use of spanking and all other forms of proscribed physical intervention are prohibited, and that the administration will not be tolerant of lapses. The memos also indicate the administration's awareness that staff need training in learning more effective means of discipline, and promise that such training will be forthcoming.

3. "The use in a child care capacity of adults who are not subject to Kurn Hattin's other policies and controls governing staff."

Kurn Hattin is taking a two-pronged approach to this matter. In the first place, the facility's legal advisor indicated that actions of spouses and dependent children of housemothers may be used as grounds for asking the entire family to leave, whether or not they are employed by Kurn Hattin. The administration is also considering ways in which husbands of housemothers can be better integrated into life at Kurn Hattin, and perhaps also be subject to training requirements.

4. "Continuation of staff whose previous actions suggest an inability to adequately perform direct child care services."

There are no staff currently employed by Kurn Hattin who fit in this category. Mr. Maysilles has stated in writing, "In the future we shall be more forthright in terminating or reassigning those staff members who are not suited to direct child care services."



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New England Kurn Hattin Homes Licensing Update Page 3

hours per week, who helps with office work. Both campuses have a "senior houseparent" now. The concern noted in the previous licensing report, regarding the loss of the assistants, has diminished considerably. However, some reduction in program and/or the campus director's time with residents can be seen.

Kurn Hattin has had some difficulty with staff this past year. The boys' campus has had to let three staff go since June for various reasons. One houseparent was accused and recently convicted of sexual involvement with a minor who was a student at the school. The incidents did not take place at Kurn Hattin. A review of personnel policies and performance reviews of this individual indicated Kurn Hattin was not remiss in the hiring or supervision of this individual.

III. NONCOMPLIANCES

The previous licensing report noted four areas of noncompliance. Kurn Hattin has developed an acceptable policy for the use of volunteers and interns. The current use of an initial placement plan is acceptable.



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Justice Law Collaborative, LLC | Kim Dougherty, Esq. | 19 Belmont Street, Easton, MA 02375 | (508)230-2700 | kim@justicelc.com | www.justicelawcollaborative.com



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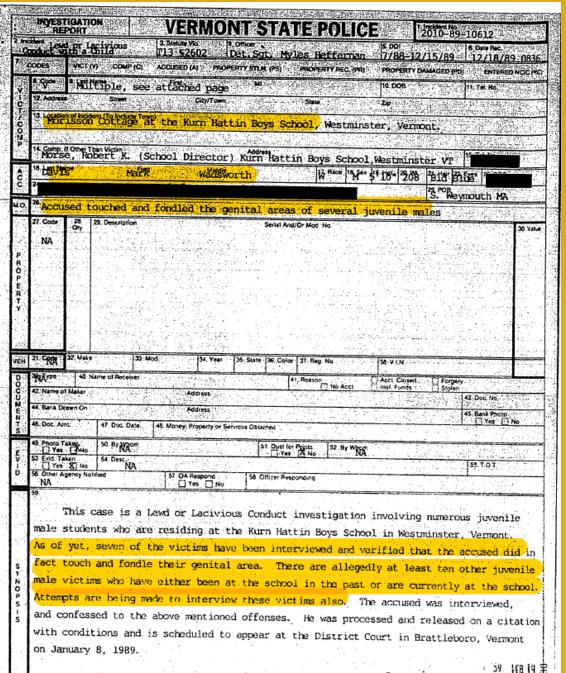
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1990-1999

Type of Abuse: Physical abuse perpetrated by staff and sexual abuse perpetrated by staff and peers. **Example:**

- Children forcibly put into "solitary confinement" for hours with no food or natural light.
- Houseparent sexually molested a child and forced them to perform oral sex acts.
- Inappropriate age grouping and lack of supervision allowed peers to sexually abuse younger children.

Reporting: DCF noted isolation techniques and peer sexual relations; no further action was taken.

2000-2009

Type of Abuse: Physical abuse perpetrated by staff and sexual abuse perpetrated by staff and peers. **Example:**

- Staff regularly beat children and choked them against the wall.
- Children were sexually molested and anally raped by peers.

Reporting:

- Child reported peer sexual abuse to houseparent who ignored him and made him return to bed with his perpetrator.
- Child reported house parent physical abuse to then principal/director and was ignored.
- DCF reported that KH needed to better document physical abuse; never was enforced.





2010-2011

Type of Abuse: Sexual Abuse perpetrated by peers **Examples:** 9-year-old in cottage with 13-year-olds was anally raped and forced to perform oral sex repeatedly

Reporting:

- Student ran away from KH multiple times and was disciplined instead of investigating the cause of his distraught.
- Police report launched in 2018 who said since both parties were minors, there was nothing to do.



2015

VSP received notice from DCF that a KH student was forced to perform oral sex and engage in anal sex by a peer.



Type of Abuse: Sexual Abuse perpetrated by peers **Examples:** Older girl in cottage repeatedly forced herself onto a younger child, forcibly touching private parts and rubbing genitals **Reporting:**

- Kurn Hattin house parent walked in on the abuse once and did not report the incidence.
- House parent told guardian that no action needed to be taken as they were both minors.
- House parent blamed the abused child instead



Date/Time of Crime: March 4, 2015 Victim Information: Juvenile DOB: Juvenile DOB: (See Juvenile Identification Sheet) 2010-2 Complainant: Source of Information foi DOB: Re Westminster, Vermont 05158 Description of Scene: Incident occurred inside Juvenile bedroom at Kurn Hatten School, Westminster, Vermont. Accused Information: Juvenile DOB: (See Juvenile Identification Sheet) Modus Operandi: Accused had oral and anal sexual intercourse with victim.





Period Snapshot

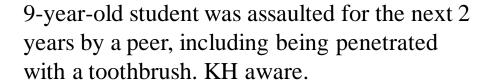
Type of Abuse: Physical abuse by staff; sexual abuse perpetrated by peers

Examples:

- Houseparent would grab, shake, and scare child often.
- Student was routinely raped, molested, and forced to perform oral sex and swallow a peer's ejaculate.
- Female peer assaulted child by routinely vaginally penetrated another with a toothbrush and threated to kill her with a knife in her sleep if she ever told.

2016

DCF learned that the Exec. Director's 15-year-old son solicited nudes from a 12-year-old student and a 13-year-old student. Son continued to have access to at least 1 student.



13-year-old student was molested by 15-year-old peer for months. KH aware peer "gamed" the discipline system to gain access to peer.

2017





Dear Mr. Harrison:

Pe Type of staff; se peers Examp

- House
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Thank you for your cooperation with the Regulatory Investigation that Department for Children and Families, Residential Licensing & Special Investigations Unit conducted in August 2016, regarding an allegation that your 15-year-old foster child () solicited inappropriate digital photographs of a 12-year-old female former resident of Kurn Hattin Homes (). It was also alleged that attempted to solicit inappropriate photos of a 13-year-old Kurn Hattin resident (), who reportedly refused to provide the photographs. Finally, it was noted that (), who is no longer a student at Kurn Hattin, was working in the Kurn Hattin student cafeteria and, in this capacity, has had ongoing contact with (), which she stated was upsetting to her. This letter serves as a follow-up to the Regulatory Investigation.

Possible Licensing Violations:

Residential Treatment Program Licensing Regulation 401, "A Residential Treatment Program shall not hire, or continue to employ, any person whose health, behavior, actions or judgment might endanger the physical or emotional well-being of the children/youth served."

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9-year-old student was assaulted for the next 2 years by a peer, including being penetrated with a toothbrush. KH aware.





13-year-old student was molested by 15-year-old peer for months. KH aware peer "gamed" the discipline system to gain access to peer.



Period Type of Abusstaff; sexual *A*peers **Examples:**

- Housepare and scare
- Student wa molested, oral sex ar ejaculate.
- Female pe by routine another wi

threated to kill her with a knife in her sleep if she ever told.

<u>Allegation</u>

On 4/02/2019, CIES received from Kurn Hattin had tried to kiss and touch alleged child victim, alleging that . Appended information was added on 4/11/2019 when further disclosed that had touched her vagina with to masturbate with a toothbrush while she was naked. her fingers and asked and were didn't feel safe to disclose what roommates during the incident back in February 2020 and happened until was discharged from Kurn Hattin.

from Kurn Hattin On 4/09/2019, CIES received had tried to kiss and touch alleged child victim, alleging that . Appended information was added on 4/12/2019 when mother, called CIES with additional had "stuck a toothbrush in information that and that meant "in her vagina." Ms. also had touched her numerous times while she was in the shower. reported that said said it was "gross and perverted."

On 4/9/2019, CIES received from Kurn Hattin alleging that tried to kiss and touch the alleged child victim, which is speaking with the reporter, the other students shared that they didn't disclose the incidents sooner because they were scared to get in trouble and said she would kill them in her sleep with a knife.

2018 peer,

nd

HH was asked to talk about the things she had seen OS do. HH advised that she saw OS masturbate with a toothbrush. OS asked her to do it and she ignored her. This happened more than one time. OS would do this standing up with no clothes on and HH could see her privates. OS did this in front of SC and HR as well. HH advised that OS did this when she was roommates with SC and HR. OS asked HH to try it but OS never put anything into HH.

HH advised that she did tell about OS and the toothbrush incidents.

HH advised that there are camera's in the hallway and common area of the cottage, none in the private areas, bathrooms and bedrooms.

HH was asked to talk about the house parents and advised the following.

sometimes brings to the cottage. They rarely come. They are an , and an They sometimes , a come to the cottage when she isn't working

molested, and forced to perform

y-year-old student was routinely

Justice Law

Collaborative

- oral sex and swallow ejaculate.
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2/12/2019 - This is the date when information was learned by Nancy Richardson of the threatening/forced masturbation with a toothbrush of three residents by one residents. This was not reported to licensing until April 2019 and resulted in three assessments. Keri confronted Nancy Richardson about the lack of follow through and reporting and she responded threated to kill her wil that "I just figured that's what girls do."



Type o staff; so peers

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Juvenile advised that there was one occasion on the stairwell when Juvenile made him put his hand down his pants and touch his private parts. Juvenile advised that Juvenile would threaten him that if he told he would tell everyone that he was gay or bisexual. Juvenile advised that the incidents would always happen in the stairwell or bathroom because there were no cameras but there were cameras in the other rooms. Juvenile advised that he tried to avoid being in those areas with Juvenile

Juvenile advised that one time this school year he was in the bathroom brushing his teeth after getting out of the shower and Juvenile came into the bathroom and pulled down his underwear. Juvenile advised that Juvenile put his penis in his butt. Juvenile advised that it hurt and he yelled and jumped away. Juvenile advised that Juvenile asked him several times after to put his penis in his butt but he never did.

Juvenile advised that one time when they were in the bathroom Juvenile was masturbating and some fluid came out of his penis and into his mouth.

Juvenile advised that it tasted warm, salty, and gross, causing him to gag.

Juvenile was unable to provide a timeline for each of the sexual encounters he had with Juvenile

threated to kill her with a knife in her sleep if she ever told.



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Type of Abuse: Physical abuse by staff; sexual abuse perpetrated by peers

Examples:

- House parent told student that her parents didn't want her anymore and gave the child 6 pills that caused her to pass out.
- Students forcibly molested. KH staff were aware and referred to the group of perpetrator students as the "Touching Club".



2019

DCF begins scrutinizing abuse. Releases lengthy RTP report detailing dozens on instances of sex abuse and neglect.



2019 RTP Report details "touching club" and KH staff knowledge.



10/21/2020

SBE directs AOE its own investigation into KH

2019 RTP Report details female student who between the ages of 6-12 was coerced to provide oral sex by male peers.

DCF rescinds KH's license

9/10/2020



Period Snapshot



2019

The edge





RTP Regulations 118, 120, and 122 are all rated in noncompliance. Of the 17 child abuse and regulatory investigations during this licensing period, at least three were not reported within the required timeframe. For example, three incidents occurring in February 2019 and were not reported to licensing or Centralized Intake and Emergency Services (CIES) until April 2019. Staff interviews illuminated an instance in October 2019 where information was intentionally withheld from licensing regarding the division of Parent Cottage students into other cottages due to the inadequate staffing coverage. Multiple staff interviews have alleged that significant incidents within residential programming and timing had not been documented. At least two separate scenarios were noted. School-wide Information System (SWIS) began to hold all the Kurn Hattin School's incident reports as of 2015. There are multiple incidents reviewed within 10 student files on SWIS that should have been reported to RLSI but were not. These include incidents of sexual touching between students and other incidents that directly impact the health and safety of the students.

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On 3/21/19, Family Services Division Central Intake and Emergency Services (CIES) received (DOB alleging possible sexual abuse of by another youth, (DOB while they were both placed at Kurn Hattin Homes. The reporting source said reported that she performed sexual acts (orally and insertion with fingers) on peers. that she felt pressured and threatened to perform these acts and described that there was no supervision at Kurn Hattin. described that this occurred from the ages of 6 - 12 years old, through her entire time at Kurn Hattin and began as "hazing." Additionally, on 4/25/2019, CIES received alleging possible sexual abuse of) by another Kurn Hattin resident, (DOB had forced her to have sex with him (DOB disclosed that and this occurred behind the stairwell in the auditorium. said that she felt uncomfortable and unsafe some of the times they would have sex because said he wouldn't be her boyfriend were combined into one subsequent anymore if she didn't do it. These regulatory intervention.

KH staff were aware and referred to the group of perpetrator students as the "Touching Club".

oral sex by male peers. license 9/10/2020

not want to talk about that. She did provide the name of as being someone involved. She again said she did not want to talk about the details, saying she was "like 6" and does not remember half the stuff that happened. She said that she has no concerns about what happened because her told her that it was just experimenting. She told her what happened because she thought it was disgusting. She identified her mom's adopted mother, last name as and she talked to her about it years ago. said all the girls in the school would experiment with each other, it happened from when she got there said that experimenting makes her want to throw up until when she left. and is disgusting and described it as touching and physical contact. said the problem was there was no staff in the hallways, they would be sleeping. She talked about friends stealing money and taking snacks.





Type of Abuse. I flysical

scrutinizing abuse

2019 RTP Report details

SBE directs AOE its 'n investigation into

abuse by Example

said she bullied her (a lot, and before the bullying, things perpetrate happened because of what happened to her in the past. She went on to recall being touched when she was growing up. recalled sitting on lap in the car which made her feel weird because of her hormones or something. then discussed being touched as a child, it was a blur, and she knows it happened but does not know who. She specified that this was before Kurn Hattin.

House that he her an

to pass

remembered her and having "2", and that she was pressured, then referring to this girl raping her. She said this happened when she was 10-11, child (and the girl was She said that she understood why she did it because she was raped a lot, and because of her abuse she does not know what was wrong or right.

Studer 10101011 1110101010.

was coerced to provide L)(CF rescinds KH's

KH staff were aware referred to the group perpetrator students a "Touching Club".

wrote I Humping 2 Mouth + Vagina. She specified that humping happened in room, in Hubbard and clothing was on. said it stopped when she was tired, or uncomfortable, but can't remember and it was a long time ago. Ronan then asked about the #2, which was mouth and vagina. She said this happened at a different cottage, it was in the morning a couple weeks after the first time. She said they were roommates at the time. She described her as having clothes on, with clothes off. She said it only lasted a second,



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In general, she shared the concern that events that were once "isolated are becoming systemic" which she attributed to the lack of follow through and bad judgement calls of administration, but mostly named Nancy Richardson, Director of Residential. Carol Bazin and Clint LaPlante are Assistant Residential Directors. She was adamant that Steve Harrison and Sue Kessler know of these incidents/concerns.

)/21/2020

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Examples.

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on instances of sex

4/6/2019 – Keri Newton shared an email from Christine Reid, Director of Counseling at Kurn Hattin (with her permission) explaining her concerns about the inaccurate information in incident reports concerning the touch club. The incident reports or documentation did not fully explain the sexualized behavior between students. This was assigned to Chris Ward as a assessment. Keri shared that one student remained on campus for 4 extra days, while others

were sent home, because Nancy Richardson "forgot."

7/10/2020

Years of Kurn Hattin's Non-Compliance & Violations of Regulations, yet no action



1983: absence of a policy prohibiting maintenance of firearms and of a policy prohibiting spanking/corporal punishment.

1984: failure to report such inappropriate use of physical intervention handling children's behaviors; inadequate staff performing childcare services; lack of behavior management training; lack of staff evaluation procedures.

1984: failing to provide training to husbands of housemothers that "was much needed after several incidents of aggressive behaviors towards children by husbands of house mothers."

1985: lack of adequate and consistent training for house parents and their spouses; noncompliance with creating Service Plans for children that require more help regulating emotions and behavior.

1988: 3 staff were terminated this year, one was found to be sexually abusing a KH child. Staff member molested 14 students, pled guilty.

1989: non-compliance for isolating children in their bedroom for extensive periods of time.

1992: one staff per cottage is inadequate and should have two for supervision purposes.

1995-96: grouping children with different ages in cottages resulted in the higher potential ability for younger children to be sexually or physically harmed also noted an unlocked medication cabinet; multiple missing person and runaway reports by VSP.

1997: excessive isolation and solitary confinement.

1998: repeated issue with medication administration; staff responsible for administering medication should be aware of the polici es and procedures.

DEPARTMENT FOR CHILDREN AND FAMILIES

Years of Kurn Hattin's Non-Compliance & Violations of Regulations, yet no action



2015: forced older peer on younger peer oral and anal penetration; not fully compliant with a DCF regulations regarding the seclusion of children, including providing constant, uninterrupted supervision by qualified staff, employed by the program and familiar to the child/youth.

2016: Executive Director Harrison's 15-year-old son solicited nude photos from a 13-year-old and a 12-year-old KH female resident and was allowed to continue to work in KH's cafeteria with ongoing access and contact to one of the female students.

2017: allegations of physical abuse at KH, including grabbing/pushing/shoving students, withholding a student's breakfast for being late, and also being verbally abusive; a 9 year old female disclosed she was being continuously vaginally penetrated with a toothbrush by another girl. She stated she feared to disclose sooner as the girl threatened, she would "kill [her] with a knife". Director of Residential Services was aware and failed to report because she thought that was "what children do;" ailure to timely report an allegation that one student, on different occasions, offered to pay money to see two other residents' private parts.

2017-2019: at least four VSP reports of peer on peer sexual assault, on multiple occasions, involving multiple individuals, including the "touching club."

2018: DCF's "Mr. Harrison writes it occurred "...in a cottage supervised by two of our most experienced and able house parents attests to the difficulty of dealing with very cunning and able children in a residential setting..." "This not just an issue of cunning children but a supervision issue. The abuse occurred for over a year in that same cottage with the most experienced house parents and cameras."

2019: "large number of KH residents engaging in sexualized contact with each other. At least nine separate youth from two different cottages...age range of youth involved was between 7-11 y.o... Mrs. Richardson [...] stated that the sexual activity has been described by the boys as showing each other their genitals, some boys stated that they engaged in hand to genital contact, and one of the older boys (10) disclosed oral-genital contact with another of the older boys (11)...Mr. Plante [...] added that the youth report that 'the club' has been going on for at least a full year, perhaps longer... Ms. [x] said that a youth said the club 'has been going on since 2016."

2019: report found: 3 of 17 child abuse and neglect investigations, were not reported in a timely manner. They also found that there were a large number of children who were engaging in sexual activity and KH did not intervene or report.

DEPARTMENT FOR CHILDREN AND FAMILIES

June, 2020: DCF offered to assist Kurn Hattin in meeting regulatory requirements to remain licensed as an RTP if it so desired. Kurn Hattin declined the offer."





- "I went there a troubled kid and came out broken."
- "I could hardly breathe," "I was in a panic."
- "There was no safe place. There was no place where I could be OK. Nobody ever protected me...They all got away with it for so many years. They all knew...There isn't a piece of me that doesn't believe that."
- "My friend committed suicide as a result of the abuse at Kurn Hattin. I'm his voice now and that of all the others who can't speak for themselves."
- "We can't prevent what happened to the rest of us, but we can make sure going forward nothing happens to them."
- "The cycle of abuse must be broken, but before that can happen Kurn Hattin needs to acknowledge its role in it and stop denying it."

Affects of Childhood Abuse & Trauma





Jenny Coleman, Executive Director of Stop It Now! advises:

Childhood trauma can have a profound impact on educational success, professional success and the ability to support yourself, she said. Survivors are at high risk for physiological problems, including obesity, stress, anxiety, changes in brain development, and cardiopulmonary and gynecological diseases. They are also more likely to be revictimized and become addicted to drugs and alcohol.

Victims of sexual assault are 10 times more likely to take their own lives than people who have not been victims of sexual assault, according to the National Sexual Violence Resource Center.

Affects of Abuse on the Brain



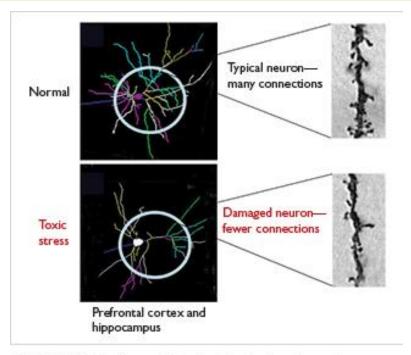
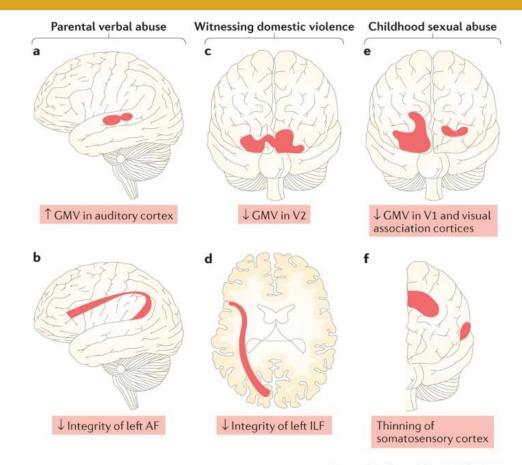


FIGURE 1. Brains subjected to toxic stress have underdeveloped or fewer neural connections in areas of the brain most important for successful learning and behavior in school and the workplace. 12



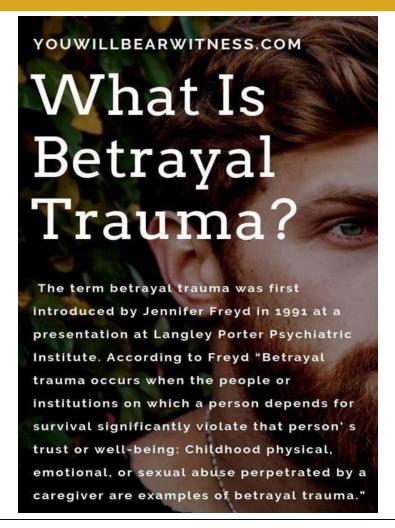
Nature Reviews | Neuroscience

https://www.clinicaladvisor.com/home/features/developmental-trauma-disorder-the-effects-of-child-abuse-and-neglect/3/

https://www.nature.com/articles/nrn.2016.111?proof=t

Affects of Abuse by Caregivers: Betrayal Trauma





Jenny Coleman, Executive Director of Stop It Now! advises:

"It's not just abuse itself, but a lack of response to the abuse," that can damage a child's belief in self, she said. "It's just such a shame. Healing can happen immediately when we respond with belief and safety."

The culture of intense silence at Kurn Hattin likely further damaged the children psychologically, she said, because they grew up "without anyone believing them." The children were already vulnerable and had special needs. The layer upon layer of trauma in this situation is "really profound," she said.

Help Break the Cycle of Generational Trauma



