

present.

After a short while Mr. Tawney left, and soon thereafter [REDACTED] arrived. Mr. Schlotfeldt was absolutely certain that he was with [REDACTED] from the time he first came upon him in the locker room until his mother arrived. He said, "I was very close to [REDACTED] the whole time till mom arrived." Mr. Schlotfeldt said that [REDACTED] hugged her son when she came into the Health Room, and asked him something like, "What happened? Who'd you smack off to now?" He recalled that shortly after his mom arrived, [REDACTED] began to feel nauseated, and was complaining his eye hurt; someone then got him some ice.

Mr. Schlotfeldt said that Ms. Wilson then asked [REDACTED] about calling 911 and getting the Police involved, but that [REDACTED] replied she did not want that done. He said he told [REDACTED] that he thought [REDACTED] should "get checked out" by a doctor, and offered to go with her and [REDACTED] to Snoqualmie Hospital. He said he told her [REDACTED] needed to be seen "right away." Mr. Schlotfeldt told me it took [REDACTED] "a while" to decide that 911 should be called, and that shortly thereafter medics and the Police arrived. The medics moved to look at [REDACTED] and Mr. Schlotfeldt went out to talk to Police as they began to "piece together what happened" by asking him and others what they knew. He then returned to the Health Room "to make sure she [REDACTED] was done with needing me...She was...I exited the scene."

I asked Mr. Schlotfeldt whether at any time he had spoken to [REDACTED] about what happened. He told me that at some point that afternoon [REDACTED] had told him that he, [REDACTED] and [REDACTED] had been "talking words" in the locker room, that [REDACTED] has said "some choice words" and that then a student unknown to him had "unleashed on him [REDACTED] punching him in the face and then, when [REDACTED] bent over, punching or kicking him again in the face.

I also asked Mr. Schlotfeldt whether [REDACTED] had, at any point, been unconscious. He said that he did not know, noting that when something happens in PE or during wrestling he usually tries to determine whether the student blacked out, but that he did not recall whether he attempted to make such a determination in this instance.

Finally, I asked Mr. Schlotfeldt why he had not called 911 right away upon finding [REDACTED] or at any time thereafter. He responded, "I don't know. I felt if I could get him to the office, have an administrator help me..." He said his main goal was to get [REDACTED] to the Health Room. I asked him whether, in his role as PE teacher and coach, he had ever called 911 to deal with a student injury. He said he had not. He explained that if

someone is injured on the field he takes the student to the office and they call 911.

During Ms. Wilson's investigation of these events, Mr. Schlotfeldt had provided a written statement of his recollections (Appendix 1), though it does not include references to going back to look for the tooth.

Cindy Wilson's Account

Ms. Wilson told me that she did not know [REDACTED] before the incident of November 6, 2009. She said that that afternoon she was in her office at the end of the school day (around 12:30) when she noticed Mr. Schlotfeldt and Mr. Brown walking with a student into the Health Room. She followed them in. She recalled that shortly thereafter Mr. Brown left, and thought that Mr. Tawney joined them, as did Ms. Shinn. She said when she entered the Health Room she saw [REDACTED] sitting on a cot, spitting blood into a garbage can, and noted that his mouth was bloody and his cheeks were swollen and puffy. She asked [REDACTED] what had happened, but he "did not respond much." She recalled he was "upset and agitated...uncomfortable," though not crying. She said she "figured there had been a fight."

Ms. Wilson noted that, "At first glance it didn't look too terribly bad...[I] knew there had been a fight...he'd been hit in the mouth." She recalled that either [REDACTED] or Mr. Schlotfeldt told her there had been a fight, so she asked [REDACTED] who hit him. He said it was "a big kid in the PE locker room. Don't know his name," and added, "I've got to go home." She said [REDACTED] said he didn't recall much about what had happened. He then started to get up, saying he needed to call his mom, and get to the bus to go home. They encouraged him to stay, and he did for a bit. However, after about five minutes [REDACTED] did get up, and left out the door of the Health Room, almost running. She did not recall whether he took his backpack with him, but said he appeared "somewhat dazed" as he very quickly went out.

Ms. Wilson related that she, Mr. Schlotfeldt and Ms. Shinn all followed [REDACTED] calling to him not to go. At one point they stopped him, cornering him by a railing. They continued to ask him to return to the Health Room, and Ms. Wilson put her hand on his shoulder to try to encourage him to do so. [REDACTED] pulled away, and she tried to calm him. He swore at her, saying "Don't fucking touch me...I'm getting the fuck out of here..." She replied, "Come back in so we can help you," but he did not. He moved away from them again, and headed toward the door. She said he was no longer bleeding.

Ms. Wilson told me that she thinks [REDACTED] believed he was in trouble, and that it was for that reason that he did not want to return to the Health Room. She told him they would

call his mom. At that point he got his phone out and called her himself. From what she heard, Ms. Wilson assumed his mother was coming to the school. He put the phone away and again moved toward the front door and the buses. Ms. Wilson, Mr. Schlotfeldt and Ms. Shinn all followed; [REDACTED] was almost running, as were they. Ms. Wilson said that as they were heading outside, she was thinking to herself that she was not effectively handling this situation. She told me, "His safety was right at the forefront" of her thoughts. She then saw Mr. Taylor, and waved him over to help. She told him, "This young man's been in a fight... we want to get him in to help him... he won't stop." Mr. Taylor joined them, and began talking to [REDACTED]

They all caught up with [REDACTED] on the patio in front of the school. Ms. Wilson said that [REDACTED] was "still extremely combative" repeatedly telling them to leave him alone and saying he wants to go home. Believing that Mr. Taylor and Mr. Schlotfeldt would be more effective at working with [REDACTED] without them there since he had been swearing mostly at them, Ms. Wilson and Ms. Shinn left.

Ms. Wilson then returned to her office to see who else was involved in the situation. She found three or four Freshman talking about what had happened, but as she listened to them she realized that none of them had actually witnessed the event. She asked who had, and was given the name of [REDACTED] [REDACTED]. Realizing that he had left for the day, she obtained his cell phone number from student files. She said that by then she had "somehow" figured out who had been in the locker room, and had shown several students the student ID picture book. Using this book, they had identified [REDACTED] as the older student who had beaten [REDACTED]. Using her cell phone, Ms. Wilson took a picture of [REDACTED] photo and called [REDACTED] on his cell phone. She sent him [REDACTED] picture, and he confirmed that that was the student he had seen assault [REDACTED]

Ms. Wilson said she then called the [REDACTED] residence and spoke with [REDACTED] mother. She told [REDACTED] [REDACTED] that [REDACTED] had been in a fight, and learned that he had gone shopping with his girlfriend. Ms. Wilson said she told [REDACTED] [REDACTED] that she needed to find him as soon as possible, and that he had "inflicted damage" on another student. She said [REDACTED] [REDACTED] then contacted [REDACTED] and called her back, saying that her son had confirmed that he had "hit the kid." Ms. Wilson told [REDACTED] [REDACTED] she needed to get in touch with [REDACTED] and that she would be proceeding to put an emergency expulsion of [REDACTED] in place immediately.. After getting off the phone, she did so.

Ms. Wilson then said that Mr. Taylor and Mr. Schlotfeldt had by then walked back into the Health Room with [REDACTED]. She joined them. Mr. Taylor left. She recalled that she told [REDACTED] that they had identified the student who hit him. She said that by this time,

though [REDACTED] "did not seem happy to be there," he had calmed down. She left the Health Room and went out to talk with the attendance secretaries and greet [REDACTED] [REDACTED] who had arrived. She escorted her into the Health Room. [REDACTED] was still sitting on the cot. Ms. Wilson did not recall whether he was bleeding at this point, but said he was talking.

At about 12:50, after [REDACTED] [REDACTED] joined her son, Ms. Wilson told her that the incident had happened in the locker room, and that there had been yelling back and forth between several boys. She identified [REDACTED] as the boy who had hit [REDACTED]. She said that [REDACTED] [REDACTED] appeared "relaxed and in control," and recalled that [REDACTED] [REDACTED] said something like, "I understand boys can be boys." She then talked with [REDACTED] [REDACTED] about whether she would want to press charges, but said [REDACTED] [REDACTED] remarked that she was not sure she wanted the Police involved. Ms. Wilson said [REDACTED] [REDACTED] asked her son whether he wanted to press charges, but did not recall what response [REDACTED] [REDACTED] made. She said she told [REDACTED] [REDACTED] that she felt [REDACTED] [REDACTED] should be seen by a doctor, and recalled that Mr. Schlotfeldt several times offered to drive them to a doctor. She then suggested that [REDACTED] [REDACTED] speak to [REDACTED] [REDACTED] by herself, and she and Mr. Schlotfeldt left.

After about five or ten minutes, [REDACTED] [REDACTED] came out of the Health Room and said she did want 911 called. To clarify my question, Ms. Wilson told me that whenever they call 911 for an aid car, Police automatically respond as well. As it turned out, by that time Ms. Wilson had already called 911 because Assistant Principal Beth Castle had happened upon the scene and, upon learning what was going on, told Ms. Wilson to call 911.

The medics and Police arrived, and Ms. Wilson spoke to Snoqualmie Police Officer Kim Stonebreaker to tell her what had happened. Detective Stonebreaker told Ms. Wilson to call [REDACTED] [REDACTED] and tell her that if [REDACTED] [REDACTED] came to the Police station by 5:00 pm the following day, they would not go pick him up. [REDACTED] [REDACTED] said she would ensure that happened. Officer Stonebreaker said she would return to the school the following Monday to interview student witnesses.

The medics then transported [REDACTED] [REDACTED] on a gurney to the aid car, and left with his mother. Ms. Wilson said she could see the swelling in his face had increased. She said that in cases like this "where there could have been head trauma," the medics generally take students to Overlake Hospital rather than to the local hospital.

I asked Ms. Wilson why she did not call 911 any earlier than she did. She said that things were happening very quickly and that her main concern was to keep [REDACTED] [REDACTED] from getting on the bus, to keep him safe.

During Ms. Wilson's investigation of these events, she had made a written statement of her recollections (Appendix 2).

Brian Tawney's Account

Mr. Tawney related that at approximately 12:30 on Friday, November 6, 2009 he was near the Attendance Office when a student told him that [REDACTED] had been "punched in the mouth" and was in the locker room. He didn't know how this student knew anything had happened. He proceeded to the locker room to see if [REDACTED] whom he had known in middle school, was alright. Upon entering the locker room, he saw [REDACTED] sitting on the bench in front of the lockers holding the left side of his face. He saw some dime-sized blood drops on the floor, but saw no blood on his face. When [REDACTED] moved his hand, Mr. Tawney could see that his face was starting to swell.

Mr. Tawney noted that Mr. Schlotfeldt was with [REDACTED]. At that point someone said that there was a missing tooth, and Mr. Tawney started looking for it. He said that [REDACTED] "seemed very angry...visibly upset...shaken..." and that his eyes "were tearing up." He also said he was swearing. He recalled that [REDACTED] had his phone out, dialed and gave it to Mr. Schlotfeldt, saying, "You need to talk to my mom. My face fuckin' hurts too bad for me to do this." He said that Mr. Schlotfeldt took the phone and spoke with [REDACTED] mother, describing what had happened. He did not hear [REDACTED] describe what had happened, and saw no other students in the locker room. In response to my question, he said he did not know whether or not [REDACTED] had been unconscious.

Although he continued to look for the tooth, he did not find it. Once Mr. Schlotfeldt had finished his conversation with [REDACTED] mother, the two men walked [REDACTED] to the Health Room. He did not recall if the nurse was there. He said, "Once we dropped him off, we went back to the Locker room to look for the tooth." He said a female staff member was with [REDACTED] in the Health Room for the 15 minutes he and Mr. Schlotfeldt were looking for the tooth. Upon their return, [REDACTED] had arrived. He asked whether he was needed for anything else, and when told he was not, left for the day.

I asked Mr. Tawney why he did not call 911. He said he did not "know the extent of the damage till we got into the locker room" and that he assumed by then that someone in the office had already called.

Randy Taylor's Account

Mr. Taylor said he did not know [REDACTED] before this situation occurred. He recalled that a bit after the end of the school day on November 6, 2009, he was in the office, handing cell phones that had been confiscated that day back to students who had violated the rules

by using them. He recalled that someone mentioned there had been a fight.

Mr. Taylor went outside to help load buses and saw Mr. Schlotfeldt by the busses with a student who "visibly looked injured." He said the student had cuts on his face, with a little blood coming out of the cuts, and his cheek was beginning to swell. The student was "highly agitated...using profanity...dropping f-bombs everywhere," and repeatedly said he wanted to go home. He then saw Ms. Wilson, who had come up behind the student. She told him that the student had left the Health Room and wanted to go home.

Mr. Taylor said it was evident that the student was "very upset" with Ms. Wilson, and repeatedly swore at her. Seeing this, Mr. Taylor indicated to her that she should leave, which she did. He said, "[REDACTED] was very aggressive in his words and I was kind of concerned that he would lash out at us." For that reason he was trying to assess his physical and emotional state to determine how they might calm him down.

Mr. Taylor said that once [REDACTED] realized that he would not be allowed to board a bus to go home, he called his mother at approximately 12:35. She apparently indicated she would come get him. Having done this seemed to calm him, and he allowed Mr. Taylor and Mr. Schlotfeldt to escort him to the Health Room. Mr. Taylor then left [REDACTED] with Mr. Schlotfeldt, Ms. Wilson and Attendance Secretary Bronwyn McDaniel.

I asked Mr. Taylor why no one called 911 until 1:16 pm. He told me that it was his recollection that 911 had been called a little after 1:00 pm, and said he had heard that when [REDACTED] was asked whether 911 should be called, she first said no but that someone had nonetheless called them. He said that in retrospect, 911 should have been called when [REDACTED] was first brought into the Health Room.

Mandy Shinn's Account

Ms. Shinn said that at the end of the day on Friday, November 6, 2009 she was near the Attendance Office preparing for Friday School (detention) when she saw Mr. Schlotfeldt and a student she did not know walking into the Health Room. When she joined them, she saw the student sitting on the bench, spitting saliva and blood into a garbage can. She said his face was very red and "you could tell he'd been punched." The student, who she learned was [REDACTED] seemed "very angry" and was "cussing and swearing" saying things such as "Leave me the fuck alone. Don't touch me..." Ms. Shinn also recalled that [REDACTED] did not respond to any of the questions she or the others present asked him about what had happened

She said that Ms. Wilson was also in the Health Room at that time, and that Mr.

Schlotfeldt said there had been a fight in the locker room. She asked who had hit [REDACTED] who had been in the fight. [REDACTED] did not seem to know who the student was. She said they had all been talking for about five minutes when [REDACTED] "got pissed about something, stood up and walked fast" out of the Health Room, saying, "You fucking bitches get out of my face."

Ms. Shinn said that when that happened, she, Ms. Wilson and Mr. Schlotfeldt began "chasing" [REDACTED] trying to get him to return to the Health Room. She reported that he repeatedly said he wanted to go home, and wanted to call his mother. She remembered asking him to please do that, to which he replied something like, "I'm fine. Leave me alone. Leave me alone." He proceeded down the hall, and would not stop. She said he was "very defiant, adamant...Just wanted to get on a bus and go home...He would not let me help him at all." She said she continually asked him to stop, and told him, "We want to help you...you may have a head injury." She told me she was assuming that kind of injury because he had been in a fight.

She, Ms. Wilson and Mr. Schlotfeldt followed [REDACTED] out where they saw Mr. Taylor and waved to him, indicating he should come to help. Once he had done so, she and Ms. Wilson returned to the building to begin investigating what had happened.

Ms. Shinn said that when Mr. Taylor and Mr. Schlotfeldt walked [REDACTED] back into the building he was not bleeding. His mother had arrived, and joined them and Ms. Castle in the Health Room. While they were attending to [REDACTED] she and Attendance Secretaries Bronwyn McDaniels and Ginnett Durham sought to find out who "[REDACTED] had been in a fight with." At one point she returned to the Health Room and asked [REDACTED] whether she wanted her to call 911, whether she wanted the Police to come. She said that [REDACTED] responded, "Not at this time."

Ms. Shinn said that once the other student was identified as [REDACTED] his mother was called and they discovered that he was shopping with his girlfriend. When [REDACTED] heard this, she became "irritated" that he could be doing that at such a time. Ms. Shinn recalled that someone did call 911, and that shortly thereafter Police and medics arrived.

When I asked Ms. Shinn why no one called 911 while [REDACTED] was in the Health Room initially, she said that she didn't know. She remarked that he didn't appear to want their help.

During Ms. Wilson's investigation of these events, Ms. Shinn had provided a written

statement of her recollections (Appendix 3).

Ginnett Durham's Account

In addition to being an Attendance Secretary, Ms. Durham, together with Attendance Secretary Bronwyn McDaniels, staffs the Health Room in the nurse's absence. According to Ms. Durham, the nurse was not at the school on the afternoon of November 6, 2009.

Ms. Durham explained that the Health Room is behind the Attendance Secretaries' desks, and said it is not uncommon for a PE teacher to bring a student to the Health Room. For that reason, she did not pay particular attention with Mr. Schlotfeldt brought a young man she did not know to the office that day. She did notice that soon thereafter, Ms. Shinn and Ms. Wilson joined them.

Ms. Durham said that a while after their arrival (she was unsure how long,) Mr. Schlotfeldt and the student she now knows to have been [REDACTED] left the Health Room. She overheard them saying that they were going back to the locker room. She did not see [REDACTED] face and did not at that time know why they were returning to the locker room.

While they were gone, Ms. Wilson told her that [REDACTED] tooth had been knocked out. She replied that if the tooth is found, it should be placed in milk because that would allow a dentist to reattach it. She then called a dentist she knows to confirm that this was correct, and was told that it was, as long as the whole tooth had been knocked out.

A bit later (again, she was unsure how long,) Mr. Schlotfeldt and [REDACTED] returned. She said she did not ask whether they had found the tooth.

Some time after that, [REDACTED] mother, [REDACTED] arrived. Ms. Durham noted that, "It was the weirdest thing...no one had talked to her or replied to her" when she came into the office. [REDACTED] then went into the Health Room. As she did so, Ms. Durham saw [REDACTED] face for the first time, and recalled that it looked like he had lost half of his tooth, not the whole tooth. She told [REDACTED] Ms. Wilson, Mr. Schlotfeldt and [REDACTED] that the dentist could not reattach half a tooth, but that he should see the dentist nonetheless. Ms. Durham told me that his face was not at all bloody when she saw him then, though his lip was red. She said this was something about which she was very observant because blood makes her queasy.

At that point Ms. Castle looked into the Health Room and asked Ms. Durham what happened. She told her there had been a fight, and Ms. Castle directed her to call 911.