
 YARMUTH WILSDON PLLC

**INVESTIGATIVE REPORT
RE: BELLEVUE HIGH SCHOOL
FOOTBALL PROGRAM**

**Carl
Blackstone**

**Robert
Westinghouse**

Similarly, we have repeatedly requested that we be allowed to meet with current football players. On November 6, 2015, we provided the District with a list of nine players who we sought to interview. (Exhibit 9). At the time of our request, the District had already posted a letter to all football families which could only have been read to discourage players and their families from meeting with us. (Exhibit 6). Not surprisingly, only one player from the list of nine and his parent ultimately met with us.

Early in 2016, after the District demonstrated some increased level of cooperation, we asked John Harrison to send a second, more encouraging letter, to all current players and their families. We drafted a proposed letter. In the end, he declined to send such a letter to all players, but agreed to send a letter similar to what we had drafted to the nine original named students and to several other students whom we identified as players with whom we would like to speak. (Exhibit 7). In the last few weeks, six additional players and their families met with us.³ All of these players and their parents were told, however, that the District's focus was on only the five specified questions, and on some occasions we encountered resistance or hostility when we sought to ask questions about other possible WIAA rules violations.

The District's evolving spirit of cooperation has also resulted in the production of some additional documentation and permission to interview additional District employees, including the District Superintendent, Dr. J. Tim Mills. Much of the requested information, however, remains out of our view because of claimed privacy concerns. Access to other information, such as the notes and draft reports prepared by Shawn Flood, an attorney whom the District retained in 2015 to conduct an investigation of the BHS football program, continues to be denied.

C. A Culture of Fear and Intimidation

We have encountered a sense of fear and intimidation among several witnesses who have expressed to us a reluctance to share their concerns about the BHS football program. Some in this group have explained that they must continue to live and/or work in the west Bellevue community which is serviced by BHS and that they fear retaliation either directed at themselves or in the case of players' families, directed at their children. It is astounding that such emotions exist about a high school sports program, but we found repeated examples of those who told us they were reluctant to meet or to be open and forthcoming because of the likely consequences to them and their loved ones.

We also have encountered repeated, and unfounded, accusations that we are "racists," ostensibly because we have been unduly focused on the addresses given by BHS football players of color. These accusations are absolutely unwarranted and may have been sparked by the strategy that the "best defense is a good offense." These accusations, which to our knowledge, initially surfaced at a District school board meeting in early December, have increased in frequency and in intensity as the investigation has drawn to a close. The nature and content of the accusations strongly suggests that there is a concerted, organized campaign to maliciously discredit us and this report. Examples of such a campaign – both written and oral – are attached. (Three emails containing similar allegations are attached as Exhibits 10, 11, and 11A; a copy of our interview with [REDACTED], [REDACTED], and their mother, [REDACTED] is attached

³ Of the 14 players we requested to interview, seven agreed to be interviewed.