

# CONFIDENTIAL

DATE: August 15, 2012  
TO: Members of the Assembly Standing Committee on Ethics and Guidance  
FROM: Ann Horowitz and Kevin Engel  
RE: Staff Investigation Report

The following is a summary of the investigation that has been conducted to date in this matter. The initial telephone complaints were taken by Carolyn Kearns. Her contemporaneous notes of the intake interviews are in the binders. The July 26, 2012 complaint letter from complainants' attorney, which Committee members read at the July 27<sup>th</sup> meeting, is also in the binders. Both are summarized very briefly at the beginning of this report, but the summaries are not intended as a substitute for reading the documents.

On August 2, 2012, the Committee directed Ann Horowitz and Kevin Engel to carry out the investigation plan discussed at the August 2<sup>nd</sup> meeting under the supervision of the Chair and the Ranking Minority Member of the Committee. On August 9, 2012, we interviewed both complainants in New York City at the office of their attorney, with their attorney present.

## The Initial Complaints

On July 16, 2012, Carolyn Kearns received a telephone call from [REDACTED], who said that she wanted to quit her job in Assembly Member Vito Lopez's office and file a sexual harassment complaint. Ms. [REDACTED] gave examples of his conduct toward her that included: comments about her clothing and her hair, telling her that she should go braless or topless, telling her that she must be a lesbian, etc. She also said that he asked her to write him a letter and asked her to leave him notes. On July 17<sup>th</sup> Ms. [REDACTED] called Carolyn Kearns in the morning and told her that there was another employee who also wants to leave and whose situation is worse, and that the other employee would probably call. See typed intake notes for details.

Late in the afternoon of July 17, 2012, Carolyn Kearns received a telephone call from [REDACTED] who said that she was scared of Assembly Member Lopez because of how upset he gets. She described various examples of inappropriate behavior by Mr. Lopez. She cried at one point during this conversation and said that she didn't know what was going to happen next and that she was afraid. See typed intake notes for details.

## The Letter

In response to a request for a written statement that could be presented to the Committee at its July 27, 2012 meeting, Kevin Mintzer, the attorney for Ms. [REDACTED] and [REDACTED] submitted a 7 page letter dated July 29, 2012 addressed to Carolyn Kearns. The letter makes detailed allegations of specific incidents involving each complainant. It also gives background information about each complainant, and alleges that Mr. Lopez repeatedly forced both

CONFIDENTIAL

# CONFIDENTIAL

complainants to communicate to him that they cared for him and admired him. Committee members are referred to the letter, which they have previously read, for details.

## The Interviews

We will begin by describing the overall atmosphere and working conditions in Assembly Member Vito Lopez's office, drawing from consistent descriptions obtained from both interviews. Where appropriate, we will attribute a particular statement to either [REDACTED] or [REDACTED]. Further details about the work environment, and specific incidents, are set out under headings for each complainant.

We found both complainants credible. Neither one seemed to embellish, and there are places in their narratives where they could have done so. They both appeared to be careful about making their statements accurate, sometimes backtracking and correcting their wording. We have specifically made notes about demeanor, facial expression and tone of voice where it is relevant to our assessment of credibility.

### 1. The Office Setting

Both young women began working for Assembly Member Vito Lopez in mid-April of 2012. Each responded to a Craigslist ad that did not include the name of the Assembly Member, but did include the borough. Each had three interviews before being hired. [REDACTED] was living in Albany at the time she responded to the ad; [REDACTED] was living in Brooklyn. [REDACTED] was required to travel to Brooklyn periodically in April and May before she moved to Brooklyn in June; moving to Brooklyn was a job requirement for her.

Both young women said that from the beginning of their employment they were required to communicate with Mr. Lopez in writing, by texts and handwritten notes. Mr. Lopez told them that they had to write him notes about how much they loved working for him and how much they cared about him. Both young women said that whatever they wrote wasn't good enough for Mr. Lopez; he always wanted more than they were willing to write.

They also said that all of his staff, including them, had to spend time with Mr. Lopez after work: going out to dinner or hanging out in bars. [REDACTED] said that she realized from the beginning that the office was an "unconventional work environment" in that she was required to go out to dinner every night with Mr. Lopez and the rest of his staff. She skipped dinner twice, once to work late and once because she was moving, and Mr. Lopez criticized her both times. [REDACTED] said that Mr. Lopez always wanted to "hang out" with staff and gave examples. [REDACTED] said that Mr. Lopez threatened to fire her, and sometimes threatened to fire the whole office, because they did not care about him enough.

Both young women talked about the ways in which Mr. Lopez expected them to keep him company outside of the workplace as part of their jobs. [REDACTED] said that he made it seem like his staff's job was to hang out with him, that the relationship wasn't just about work, and that hanging out with him at night in a bar or a restaurant was "therapy" for him. She said that he used the word "therapy" a lot in describing the duties of his staff: gambling was therapy for

## CONFIDENTIAL

him, going to Atlantic City was therapy for him, being with a “hot chick” was therapy for him. ██████ said that he talked about his work being so stressful and he said that it was his staff’s job to go with him to have fun and bring his stress level down. ██████ said he often talked about this in terms of percentages: you [meaning staff] have to bring my work percentage down and my fun percentage up; I’m at 90, you have to bring it down.

2. ██████

In response to an open-ended question about her complaint about Mr. Lopez, and when the behavior started, Ms. ██████ made the statement that she realized from the beginning that the office was an “unconventional work environment.” She said that the first time she missed dinner it was because she had a big work project and stayed late in the office to finish it; the next day Mr. Lopez told her that staying in the office to work instead of going to dinner with him was “not right.” He also criticized her the time that she missed dinner because she was moving from Albany to Brooklyn. She then said that his behavior to her started becoming very inappropriate in June and became totally inappropriate the last week in June, the week after session ended [also the week of the June 26<sup>th</sup> Congressional primary]. With respect to the time period when the inappropriate behavior started and progressed, Ms. ██████ said that Mr. Lopez had medical problems when she first started working for him: first a very bad toothache and then pneumonia. The inappropriate behavior began after he was feeling better.

Starting the last week of session [June 18-21], Mr. Lopez told Ms. ██████ that she shouldn’t wear a bra. Her best estimate is that he did this a few times in a week. He said things like, I like your top, it would be better if you weren’t wearing a bra. She responded by saying she would wear a bra, and that he was making her uncomfortable, and she would try to leave the office. He would call her back for work reasons – she said “He’s my boss so I had to go back.” This only happened when they were alone, either in his office in the district or in the car. Once, in the last week in June, he snapped her bra from the back; they were alone.

In June Mr. Lopez started asking her to massage his hand, and sometimes when this happened he put his hand between her legs. [Note that this behavior is described in the complaint letter at pages 3-4.] This happened in June, while they were driving back and forth to Albany, but she isn’t completely sure about the date. She said he did this a lot – she hesitated while trying to quantify, then just said “a lot.” He put his hand between her upper thighs “as far up my leg as he could go.” When he put his hand on her leg, she would flick his hand away; then he would put his hand between her legs and she would pry it up. Then he would say, I’m putting my hand back, and he would do that and he would put his hand as far up her leg as he could go. He didn’t put his hand between her legs every time she had to massage his hand; he usually put his hand between her legs after he had been drinking. No one else was in the car when he did this. ██████ was in the car with them on one trip and he didn’t do it then. He was always driving when this happened. She would offer to drive after he had been drinking, but he would never let her drive.

**Investigative counsel note on demeanor:** ██████ became visibly upset as this set of Q & A’s progressed, especially the part about how far up her leg he put his hand and how she responded. Her eyes were slightly reddened, she was looking down, biting her lip and visibly fighting back

## CONFIDENTIAL

tears. Ann Horowitz asked her if she wanted to take a break, and she said no, that she would be OK and that she knew she had to tell us these things.

During the last week of session [June 18-21], Mr. Lopez asked Ms. [REDACTED] if she would kiss him if the big omnibus housing bill they had been working on passed. She said, sure, on the cheek. He told her it had to be on the lips. She walked away and did not kiss him. This happened in the red carpeted area of the lobby behind the rostrum, between the Speaker's office and Jim Yates's office. People were around who could see the interaction but no one was close enough to hear what was said.

**Investigative counsel note on demeanor:** this line of questioning followed the questions about Mr. Lopez putting his hand between her legs. When she started talking about the omnibus housing bill, and was talking just about the policy and substance of the bill, she was visibly excited and engaged about the legislative work she had been doing; her face lit up, she started smiling, her voice became stronger and her tone of voice changed.

That same week, Mr. Lopez started accusing Ms. [REDACTED] of having a prior sexual relationship with a former boss of hers. This started at the University Club at the M.A. Simotas fund-raiser; Ms. [REDACTED] couldn't remember the date [it was June 19<sup>th</sup>; Ann Horowitz accessed the information from her office's calendar]. The topic came up because [REDACTED] former boss was at the fund-raiser. Mr Lopez made the same accusation another 6 or 7 times. Ms. [REDACTED] told Mr. Lopez that it wasn't true and that he was making her uncomfortable; that didn't stop him. No one else was nearby when Mr. Lopez made the direct statements [accusations re prior sexual relationship] but he sometimes used the former boss's name in front of other people to make her uncomfortable.

**The Atlantic City trip:** The incident took place on July 10, 2012, but Mr. Lopez had started talking about a trip to Atlantic City from April on, in the context of his saying things like: I always go to Atlantic City, I go with my staff, whoever drives with me to Albany and back for session always takes trips with me, I work so hard and my work/my life are so stressful that it's your job to go with me so I can have fun and bring my stress level down. Ms. [REDACTED] said that Mr. Lopez often talked about this in terms of percentages: you [meaning staff] have to bring my work percentage down and my fun percentage up; I'm at 90, you have to bring it down.

Mr. Lopez asked Ms. [REDACTED] to go on this specific trip after the Dilan/Velazquez primary on June 26<sup>th</sup>; he was very upset after Dilan [his candidate] lost and he said he needed a fun trip. He told her to put the trip on the Assembly/office schedule as a "coded" trip; this meant a schedule item that appeared to be work but that was really a cover for the non-work event. He told her to put it on as a coop-condo meeting because that was the policy area where she had become the expert so it was a logical topic for a meeting for the two of them to go to; she blocked out 3 hours, from noon to 3, hoping that someone else would schedule something at 4, but that didn't happen.

They left Brooklyn at noon; it's about a 2 and a half hour drive so they arrived mid-afternoon. When they arrived, Mr. Lopez said he had been comped a room because he is a black card member; that was the reason he gave for having a room. Before they left Brooklyn, Ms. [REDACTED] had told Mr. Lopez that she would not stay overnight. Mr. Lopez said he wanted to

## CONFIDENTIAL

freshen up before going to dinner, so they went up to the hotel room. In the room, Mr. Lopez tried to kiss Ms. [REDACTED]. She described the incident this way: he grabbed my face and tried to kiss me, I said "what are you doing" and kept repeating that, I couldn't think of anything else to say. I kept trying to swat his hands away; I don't know how long this went on, it felt like an eternity at the time. During the struggle he was in my face but I don't think it actually got to a kiss. While I was pushing his hands away he said, you should be nice to me. He finally stopped and they went to dinner. There was no one else in the room.

They left Atlantic City at about midnight and got back to Brooklyn at about 2:30 am. Before they left Atlantic City, Mr. Lopez had 4 cognacs and 4 or 5 bloody marys. Ms. [REDACTED] told us: he ordered alcoholic drinks for me and I didn't drink them and he was angry with me for not drinking. He was very drunk and I was uncomfortable driving with him; he wouldn't let me drive; on the way home, he put his hands between my legs. The next day, Mr. Lopez yelled at Ms. [REDACTED] for risking his life to go home because she had refused to stay overnight. She had told him earlier that she wasn't going to stay overnight. She had offered to drive (one reason that she refused to drink alcohol) and he wouldn't let her.

**Investigative counsel note on demeanor:** Ms. [REDACTED] was again visibly upset and fighting back tears while she described what Mr. Lopez had done in Atlantic City, and I (Ann Horowitz) did not ask her to describe him putting his hand between her again, beyond her statement that it happened again on the drive back from Atlantic City. I asked her if she wanted to take a break; she said no, she would be OK and she knew she had to tell us these things. She did stop briefly at points to compose herself so that she could start talking again.

**Written communications from Ms. [REDACTED] to Mr. Lopez:** Ms. [REDACTED] said that Mr. Lopez made her write notes to him all the time. She said that soon after she started working for him: he told me to write him a 10 page note about why I wanted the job. The next day he told me that if he was grading my note it would be an F and he told me to write another one. I wrote a second note about what we would do in Albany; it also wasn't good enough; I probably could never write a note that was good enough for him. He wants long notes from us that say how much we care about him, how much we love our jobs and what we will do to relieve his stress. Ms. [REDACTED] doesn't know who has those notes, but she doesn't have them. She said that she also had to text Mr. Lopez every night and every morning. At first it was just to check in, but then: it turned into having to show him I cared about him; whenever I wrote "like" he said I had to change it to "love." Then I had to call him every night; if I didn't I got in trouble, meaning that he would call me into his office the next day and verbally berate me for a long time; that probably happened every other day. He threatened to fire me because I didn't care for him enough; sometimes he threatened to fire the whole office because we didn't care for him enough. At the end he said, you have to think that I walk on water.

**Allegations relating to the 14 year old intern:** [REDACTED] is a 14 year old summer intern. [REDACTED] first day was as a volunteer on June 26<sup>th</sup> for the Congressional primary; she started working in Mr. Lopez's office the second week of July; [REDACTED] was only in the office about 6 days that Ms. [REDACTED] was also there. Ms. [REDACTED] and [REDACTED] were both in the office on July 16, 2012, and Ms. [REDACTED] described the police visit to the office that day as follows: I went to lunch with [REDACTED] and when we got back a cop car was there; Vito came in and I saw the cop talk to Vito; at first I thought it was a joke, but then the cop asked to

CONFIDENTIAL

talk to [REDACTED] and it was clear that it wasn't a joke. [REDACTED] and I went out to see what was going on; [REDACTED] said the cops asked her if she was in any danger. The police called [REDACTED] mother, who is a judge whose candidacy Mr. Lopez had supported; there is a long-standing family connection between Mr. Lopez and [REDACTED] family.

After the police car showed up, we had to wait about an hour for the detectives to show up. [REDACTED] mother [REDACTED] came to the office while we were waiting for the detectives. The detectives questioned [REDACTED] and her mother; the discussion between [REDACTED] and the detectives was behind closed doors so Ms. [REDACTED] did not hear any of it. At some point, Mr. Lopez convinced an officer (possibly Officer Catalfamo, but Ms. [REDACTED] isn't sure) that this was a false accusation to hurt Mr. Lopez; the officer was sympathetic, said yeah, that happened to me once, I know what it's like. Lt. Kemper, who [REDACTED] described as the head of the 90<sup>th</sup> precinct and very close to Mr. Lopez, came to the office later that day; the lieutenant explained to Mr. Lopez (with [REDACTED] in the room) that no file would be made and that the complaint would be untraceable.

Before the police left, Ms. [REDACTED] told Mr. Lopez: I know what the complaint is, I heard you on the phone with [REDACTED] about the clothes shopping trip. Mr. Lopez said, [REDACTED] has a problem with the way [REDACTED] dresses and [REDACTED] is going to help [REDACTED] buy more conservative clothes. Ms. [REDACTED] said that she knows the Lopez version of the shopping trip is not true. After the police left, Mr. Lopez said, [REDACTED] is crazy, her brother is troubled; he said other negative things about [REDACTED] and also told Ms. [REDACTED] you have to be on my side in this.

At this point Ms. [REDACTED] had decided to leave, but she felt she had to go in to the office the next day (7-17-12) and she did: I was scared to leave. I said I was sick, and I was, I kept throwing up, but Mr. Lopez wouldn't let me leave until 4:45. [See intake notes for content of telephone conversation between Ms. [REDACTED] and Carolyn Kearns on July 17, 2012.]

3. [REDACTED]

Ms. [REDACTED] has been involved in politics since she was in junior high school, has had public sector and government internships and was looking for a job in politics or government after graduation. She responded to a Craigslist ad for a job in a Brooklyn Assembly Member's office and had her first interview with Mr. Lopez in March at his political club. She didn't know who the member was when she replied to the ad, but when she walked into the interview she recognized him. She described the rest of the hiring process as follows: He asked me to volunteer at his club to prove that I was dedicated and hardworking before hiring me; I made constituent calls at the club; then he hired me and I started working in his office on 4-17-12.

The behavior that is the subject of this complaint started in early June, maybe late May; Ms. [REDACTED] was not completely sure of the date. She described the early behavior as follows: At first it was comments about my clothes, him saying that I dressed and did my hair to drive men crazy. He asked me to wear blouses that button down the front, short skirts and high heels; if he liked what I was wearing he would ask if I dressed for him; I always said no, I dressed for

## CONFIDENTIAL

myself. Ms. [REDACTED] said, at first I tried to just blow it off, pretend I didn't hear him; then I told him I didn't like what he was saying and he would say, you're being cute.

Ms. [REDACTED] said that Mr. Lopez made comments to her about her clothes daily, and more than once each day; it was constant, ongoing comments every day. Ms. [REDACTED] said, when I wore pants, he called me into his office and chastised me: you don't look pretty, you don't feel good about yourself when you dress like that. He tried to make all his comments about how I dressed about me/my problems. Ms. [REDACTED] said, because I work with Hasidic rabbis, I had to dress "frum" [religiously observant, dressing to cover the arms, up to the neck, below the knees.] Mr. Lopez understood I had to dress that way but didn't like it; he would ask if I dressed "frum" as retaliation for his comments about how I dressed; I would tell him I dress for myself but I have to respect the rabbis.

Mr. Lopez told Ms. [REDACTED] she should dress like the intern, meaning [REDACTED], who is 14. Mr. Lopez said [REDACTED] knows how to dress" and told Ms. [REDACTED] she should go shopping with [REDACTED]. He told her to schedule a shopping trip with [REDACTED] and put it on the Assembly office calendar; Ms. [REDACTED] never did schedule the shopping trip. Mr. Lopez kept asking Ms. [REDACTED] to schedule the shopping trip and she never did. [REDACTED] was there during the conversations about Ms. [REDACTED] going clothes shopping with the intern, but the intern was not. In response to our request for details, Ms. [REDACTED] said that: [REDACTED] is taller than I am, she wears very short skirts, high heels, blouses that button down the front. Mr. Lopez said I could learn to dress sexy from [REDACTED] he said, [REDACTED] can help you grow, you're afraid to let a 14 year old help you grow. When we were at 16 Court Street binding petitions, he mentioned a few times that I should go shopping for clothes with [REDACTED] that she could teach me how to dress. One day I wore a floor length dress when we were binding petitions and Mr. Lopez told me to wear shorter skirts; he asked one of the people volunteering for [REDACTED] number and he called [REDACTED] and put me on the phone with her so I could schedule the shopping trip. [REDACTED] was away the whole July 4<sup>th</sup> week; I never scheduled the shopping trip because I left soon after [REDACTED] got back from vacation; [REDACTED] came back the day I quit [actually the day she called Carolyn Kearns; see intake notes.]

In early June, Mr. Lopez started asking Ms. [REDACTED] to come to work without wearing a bra. This happened 4 or 5 times, different evenings when they were out at a bar or a restaurant, usually when he was drunk. Mr Lopez would say things to Ms. [REDACTED] like: you're too conservative, you need to be more like the bra-burners of the 70's, show off your assets; it's legal to be topless in NY, you should take advantage of that; it would make you feel more free. The first time he said this, she tried to turn it into a joke: she said, only if you wear heels and a dress; he said, I would wear heels and a dress to see you without a bra (or something like that). After the first time, she just said, no I won't. That annoyed him and he said things like: you put up walls, you're too conservative, too virginal. Mr. Lopez lamented that Ms. [REDACTED] didn't sleep around and implied that she should. (During this part of the interview, Ms. [REDACTED] stopped, backtracked and corrected herself/changed wording, taking pains to be accurate, avoid any overstatement of what Mr. Lopez had said or done)

Starting in mid-June, Ms. [REDACTED] had to meet Mr. Lopez for "therapy" sessions. Ms. [REDACTED] described the context as follows: he always wanted to hang out, the relationship wasn't just about work; he made me the scheduler so I would pick the bar or restaurant where we were

CONFIDENTIAL

## CONFIDENTIAL

going to hang out. These sessions could start anywhere from 7 to 10 pm and could go as late as 2:30 am, but they never ended before 11 pm. We would go out after meetings, and we would start talking about the meeting, but then it would devolve into discussions about his life, about my life, about my clothes, about my body. He said that he needed a friend and he said that looking at me was therapeutic. He used the word "therapy" a lot: Atlantic City was therapy, gambling was therapy, a trip to Quebec would be therapy.

At some point, Mr. Lopez asked Ms. [REDACTED] to go to Atlantic City with him; at first she said sure, hoping other people would be on the trip; Mr. Lopez made it seem like his staff's job is to hang out with him and have fun. When it became clear that it would just be the two of them going to Atlantic City she said no and he got very upset. This happened when they were at dinner; he turned sideways, wouldn't look at her, and screamed at her; there were very few people in the restaurant. She said that they only went to dinner in restaurants that were almost empty. Mr. Lopez said that he needed the Atlantic City trip, with alcohol, gambling, a "hot chick" as "therapy." At this same dinner (when she said no to the Atlantic City trip), he was talking about Montreal. Ms. [REDACTED] said that: the next day he called me into his office and told me to put a 5 day trip (him and me) to Quebec on the schedule; I was so shocked I just said sure, but I never put it on the schedule and he got upset with me.

Starting in late June, Mr. Lopez asked her to massage his hand. This happened at a bar near her house. Mr. Lopez said, everyone massages my hand, I've lost feeling in my hand, etc. She massaged his hand once; she told him, this is a little weird; he got upset with her and said you're not dedicated enough, you're not showing respect for me. She didn't massage his hand after that; she only did it once. In response to a question about how he acted when he got upset, Ms. [REDACTED] said he would make sarcastic comments and shun her.

Ms. [REDACTED] thinks that the first time Mr. Lopez asked her to go on a trip with him was a trip to Russia organized by another Assembly Member; it sounded like fun so she said yes. As the trip got discussed more, Mr. Lopez said things like: you have to be with me all the time, you have to be my drinking buddy, especially on a 12 hour train ride from one city to another; he said everyone drank vodka during that whole train ride and got really drunk and she would have to get drunk with him; at this point she knew this wasn't right but it was also so far in the future that she didn't think it would be a problem. Eventually she said no, she wouldn't go on the trip.

We asked about the allegations on page 6 of the complaint letter about Mr. Lopez telling Ms. [REDACTED] that she must be a lesbian because she wasn't interested in him and trying to set her up with lesbian elected officials. This behavior started one evening at a bar when the conversation about how Ms. [REDACTED] dressed turned into Mr. Lopez saying to her, maybe you're a lesbian and telling her that she had to dress up for a dinner with a lesbian City Council Member. Ms. [REDACTED] tried to laugh it off, but when that didn't work, Ms. [REDACTED] said that she wouldn't do what Mr. Lopez wanted, and that she would dress appropriately for whatever event she went to. Mr. Lopez told Ms. [REDACTED] that at this dinner [which never happened], she was supposed to signal him to leave so that she could ask the Council Member out on a date. After a lunch with an Assembly Member who has a tough election race coming up, Mr. Lopez said to Ms. [REDACTED] you're only nice to lesbians; Ms. [REDACTED] was at the lunch because she was supposed to be Mr. Lopez's liaison to the other Assembly Member.

CONFIDENTIAL

CONFIDENTIAL

Mr. Lopez also wanted Ms. [REDACTED] to help a judicial candidate running in a district where it would be good politically for the candidate to appear to be a lesbian. Mr. Lopez wanted Ms. [REDACTED] to appear in public with the candidate, holding her hand and looking like a couple. In this context, Mr. Lopez asked Ms. [REDACTED] how much do you love politics? How much do you want [the candidate] to win? You should ask her out; she will do anything to win. Mr. Lopez made some of the comments about Ms. [REDACTED] asking out lesbian officials in front of [REDACTED] another staffer in the district office.]

Mr. Lopez was pushing Ms. [REDACTED] to have sexual relationships with elected officials and candidate discussed above because he said it would be hot, he would like to see it, he would like to see how Ms. [REDACTED] dressed. At least once when he was making these comments, she just walked out; she thinks this when he said something in front of [REDACTED]. Other times when he was pushing her to ask one of the 3 out or have a relationship with one of them, she just said no. Ms. [REDACTED] also told Mr. Lopez that she had a boyfriend, and this annoyed him.

Ms. [REDACTED] said that when Mr. Lopez saw that she was getting upset by his behavior, that he was "getting to me," he would pry into my relationship with my boyfriend and I wouldn't answer him, told him it wasn't his business. At some point I told him that I was having trouble with my boyfriend, to give him an excuse for why I was upset; then he would try to hold my hand to "comfort" me. This happened almost daily. When this made me cry, he said, you must be pregnant.

Inappropriate physical contact started in late June, during the phone-banking for Dilan in the Congressional primary, Mr. Lopez had yelled at Ms. [REDACTED] about someone else's phone list. She said: I walked out and he followed me, got very close, was playing with my hair as if he was "comforting" me; it was very weird and made me uncomfortable; I didn't say anything, just stood there. Another time he grabbed her arm; sometimes he would pretend to brush away flies on her chest; he ran his fingers along her upper arm. She said: he tried to hold my hand; when I tried to pull away, he held it tighter; once in a bar he held my hand for a full minute, he was counting to 60, I was crying.

Ms. [REDACTED] told her mother about Mr. Lopez's behavior on June 27<sup>th</sup>, the day after she told her father. She knows she told her father on the 26<sup>th</sup> because Mr. Lopez had yelled at her a lot so she had her father pick her up and take her home. She said: I told my mom the next day. I told my dad everything, but I didn't tell my mom (because I knew she would confront Mr. Lopez).

**Written communications from Ms. [REDACTED] to Mr. Lopez:** From the beginning, Mr. Lopez told Ms. [REDACTED] you need to text me good night, you need to text me whenever I get bad press. She said that : him telling me that you need to be caring morphed into me having to tell him that I care about him, that I want to be with him; we were supposed to call him 15 times a day. He told me to write notes to him, so I would write "hi" on a post-it note and leave it for him; he would tell me that wasn't good enough. He told me to write him a 2 page letter telling him why I love working for him and I did. I sent him texts, but it was all one way, he hardly ever responded. He would pass me notes, then he ripped most of them up; I have some of them.

## CONFIDENTIAL

When we asked Ms. [REDACTED] whether there was anything else she wanted to tell us, she offered the following two items. The first is an example of what she described as: us always having to be with him. One evening when Mr. Lopez, Ms. [REDACTED] and Ms. [REDACTED] were all at a bar, he texted me while all three of us were in the bar, will you come back to the bar with me and have 2 more beers; I texted back, no. He dropped me off at my apartment; 15 minutes later he texted me; he had come to my apartment building, he was downstairs texting me; he made me go back to the bar with him after he had taken [REDACTED] home.

The second item is that Mr. Lopez had told her: I like having you in charge of my schedule. He wanted me to make up inside jokes between him and me and put them on the Assembly/office schedule; this meant coded entries for him and me hanging out that would be a secret from the other staff.