

Ex-Students Accuse NYC College Of Rampant Sex Abuse

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By **Vin Gurrieri**

Law360 (June 11, 2019, 9:53 PM EDT) -- Two ex-John Jay College of Criminal Justice students have filed a New York federal suit accusing four faculty members of egregious sexual misconduct and the school of conducting only a "sham" investigation into their complaints about it.

The case filed Monday by Claudia Cojocar and Naomi Haber alleges the professors committed a litany of improper sexual acts against them, including rape and sexual assault. The women also said that the school, one of the colleges that make up the City University of New York, conducted a "biased" investigation into their Title IX allegations.

Haber, a former John Jay student, and Cojocar, who is both a former student and a former adjunct professor, said the environment they experienced at the school amounted to a "cesspool of sexism, misogyny, sexual harassment and illegal drug use fueled by professors who used their positions of trust, seniority and inherent power-imbalance to prey upon female students' vulnerabilities and manipulate them to satiate their own sexual desires."

In addition to the college itself, the suit named longtime John Jay professors Ric Curtis, Anthony Marcus and Barry Spunt and adjunct Leonardo Dominguez as defendants.

The professors were purportedly part of a Curtis-led clique — referred to in Monday's complaint as "The Swamp" — in which the men allegedly bragged in explicit detail about sexual episodes with students. Female students and colleagues were referred to by a laundry list of derogatory terms and "denigrated" over their appearance, the complaint said.

The group, which purportedly congregated in an isolated part of the school's Manhattan campus, also supposedly "coaxed" students into drinking alcohol and taking drugs and distributed drugs to students and other faculty members, according to the complaint.

The suit also included accusations of a wide range of sexual harassment and misbehavior by the faculty members against Cojocar and Haber, including claims of unwanted touching and pressure to engage in sex acts. Additionally, the complaint included allegations that Marcus acted violently toward Cojocar on several occasions and that he allegedly raped Haber on several occasions.

John Jay spokesman Richard Relkin told Law360 on Tuesday that the college "will promptly, thoroughly, and fairly investigate any allegations of misconduct and hold accountable anyone — without exception — who is found to violate our policies."

In mid-May, John Jay President Karol Mason sent a schoolwide email, which was obtained by Law360, saying the school had placed "three tenured professors and an adjunct lecturer," none of whom were identified, on administrative leave after notifying law enforcement of the allegations the school received. The adjunct professor doesn't currently work at John Jay, and the college was seeking to terminate the three professors, according to the school's email.

John Jay also said in the email that the Manhattan District Attorney's Office informed the school that it would not bring criminal charges following its own investigation into the allegations.

Counsel for Marcus, Scott Simpson of [Beranbaum Menken LLP](#), told Law360 on Tuesday that his client has already been "cleared."

"Dr. Marcus has already been cleared of these allegations — including the claims of rape and assault — by both the Manhattan DA's office and John Jay's Title IX investigation," he said. "He will continue to vigorously defend himself against these allegations."

Curtis' lawyer, Robert L. Herbst of Herbst Law PLLC, said in a statement to Law360 that Manhattan prosecutors "thoroughly investigated the fabricated allegations of [Cojocarú and Haber] against [Curtis], found the allegations not credible, and declined to bring any charges."

Herbst also said that John Jay's Title IX investigator found Curtis "not guilty of all of Cojocarú's and Haber's allegations of rape, attempted rape, sexual assault, and sexual violence," among other allegations. He contended that "substantial evidence of fabrication and motive to fabricate on the part of these two women" was presented to both the district attorney and the college's investigator.

"This evidence will be front and center as we vigorously defend this lawsuit and clear professor Curtis' name," Herbst said.

Spunt's lawyer, Carmen Jack Giordano, said Tuesday that his client "did nothing wrong as will eventually be abundantly clear." Giordano said Spunt "looks forward to having his day in court" and "will continue to be an asset to students and his fellow professors who love and respect him."

Contact information for Dominguez could not immediately be obtained.

In addition to the claims against the faculty members, Monday's suit accused John Jay of conducting what the women categorize as a "biased" and "completely improper" investigation after they filed complaints with John Jay's Title IX office in May 2018, which they said were submitted after earlier complaints went nowhere.

Cojocarú and Haber said they were misled in a variety of ways by lawyers from Riley Safer Holmes & Cancila LLP, the firm the school hired to conduct the probe. The women said Riley Safer investigators dissuaded them from hiring their own lawyers or speaking to the media, attempted to communicate with them without notifying their lawyers after they had hired counsel, and refused to send evidence relevant to the investigation to the women's attorneys.

"CUNY's investigation was blatantly biased, lacked even very basic due process safeguards and was clearly intended only to protect the institution rather than Ms. Cojocarú and Ms. Haber's rights," the complaint said.

An attorney for Riley Safer who was mentioned in Monday's complaint as leading the investigation didn't respond to a request for comment Tuesday.

The women's suit alleges violations of the Fourteenth Amendment, Title IX and the New York State Human Rights Law, among other statutes. The complaint also noted that Cojocarú would soon file a discrimination charge with the U.S. Equal Employment Opportunity Commission claiming violations of Title VII and the Americans with Disabilities Act, and would eventually seek to have those claims added to the current case.

David E. Gottlieb, a partner at Wigdor LLP who is representing the women, said in a statement Tuesday that John Jay "must provide its students and faculty with an environment that is free from any form of sexual violence — period."

"John Jay has failed in this important obligation and has unfortunately sent a message that it is either unable or unwilling to adequately protect the members of its community," he said.

Cojocarú and Haber are represented by Douglas H. Wigdor, David E. Gottlieb, Jeanne M. Christensen and Hilary J. Orzick of Wigdor LLP.

Counsel information for John Jay was not immediately available.

The case is Cojocarú et al. v. City University of New York d/b/a/ John Jay College of Criminal Justice et al., case number 1:19-cv-05428, in the U.S. District Court for the Southern District of New York.

--Editing by Adam LoBelia and Jill Coffey.

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