

Fox News faces allegations of sexual harassment, rape

[washingtonpost.com/opinions/2020/07/20/fox-news-faces-allegations-sexual-harassment-rape](https://www.washingtonpost.com/opinions/2020/07/20/fox-news-faces-allegations-sexual-harassment-rape)

For the past few years, Fox News has kept telling us that it learned its lesson: The culture of sexual harassment that started with longtime chief Roger Ailes and extended to disgraced former anchor Bill O'Reilly and others had been addressed. New, accountable lines of authority were drawn up; a new HR apparatus was in place; a so-called Workplace Professionalism and Inclusion Council (WPIC) sprung into action.

Has it all done any good? Not according to a fresh lawsuit brimming with horrific allegations.

On Monday, former Fox Business producer Jennifer Eckhart and former Fox News guest Cathy Areu brought a complaint against the network claiming yet more misconduct that key executives allegedly failed to thwart. The complaint, filed by Douglas Wigdor and Michael Willemin of Wigdor LLP, includes misconduct allegations directed at former host Ed Henry, prime-time mainstays Tucker Carlson and Sean Hannity and media correspondent/host Howard Kurtz.

The most disturbing allegations relate to Henry, a former Fox News host and correspondent who had a stormy tenure at the network. Henry was suspended for roughly four months in 2016 after carrying on an extramarital relationship with a Las Vegas hostess on company time. He returned to work and again climbed the hierarchy, becoming a co-host of the morning program "America's Newsroom." Earlier this month, however, Fox News announced it had fired Henry over sexual misconduct allegations the network received on June 25. "Based on investigative findings, Ed has been terminated," said top Fox News officials in a memo to colleagues. The conduct in question took place "years ago," said the memo. At the time, Wigdor told the media that the firm wasn't in a position to "share any further information."

Now the other shoe has dropped. The complaint is detailed and not suitable for republication in a family newspaper such as this one. It begins with a caution in red ink: "TRIGGER WARNING: THIS DOCUMENT CONTAINS HIGHLY GRAPHIC INFORMATION OF A SEXUAL NATURE, INCLUDING SEXUAL ASSAULT." It then alleges that Henry "preyed upon, manipulated and groomed Ms. Eckhart starting at the young age of 24, by exerting his abuse of power over her and her career. Mr. Henry not only leveraged this imbalance of power for control over his victim, Ms. Eckhart, but asked her to be his 'sex slave' and his 'little whore,' and threatened punishment and retaliation if Ms. Eckhart did not comply with his sexual demands." According to the document, Henry

raped Eckhart at a hotel where the network puts up visiting employees. Eckhart was “helpless and restrained in metal handcuffs, as Mr. Henry preformed sadistic acts on her without her consent that left her injured, bruised and battered with bloody wrists.”

Included in the complaint are alleged text messages between Henry and Eckhart — messages that “establish Mr. Henry’s delusions and prove his violence,” according to the complaint. “Gona make you my little whore again,” reads one of them.

A statement distributed by Henry’s attorney, Catherine Foti, reads:

The Me Too movement has helped to bring to light a number of injustices in our society, and everyone that has suffered deserves to be heard. This is not one of those cases. The evidence in this case will demonstrate that Ms. Eckhart initiated and completely encouraged a consensual relationship. Ed Henry looks forward to presenting actual facts and evidence, which will contradict the fictional accounts contained in the complaint. That evidence includes graphic photos and other aggressively suggestive communications that Ms. Eckhart sent to Mr. Henry.

That statement echoes Henry’s statement following his dismissal, in which Foti asserted that Henry “will be vindicated after a full hearing in an appropriate forum.”

Willemin issued this response to Foti’s statement:

Although Ms. Foti notes that the #MeToo movement has helped to bring to light a number of injustices in our country, she proceeds to engage in just the type of injustice that the #MeToo movement has worked so hard to curb. Specifically, Ms. Foti invokes a rape myth; namely, that a victim of rape would never send her attacker friendly or even consensual-looking messages. As we know having watched the Weinstein trial (and represented many of his victims), that myth simply is not true. The statement also seeks to slut-shame Ms. Eckhart and suggests that she was asking to be violently raped. Nothing could be further from the truth, and it is precisely because of these types of attacks that many victims of sexual assault and rape suffer in silence.

What about Fox News? The complaint states that the network knew Henry had engaged in “sexual misconduct as far back as early 2017.” “Multiple women,” argues the document, had complained about Henry’s activities, such that at least three top executives, including Executive Vice President of Human Resources Kevin Lord, were aware of the problem.

In response to the allegations against Henry, Fox News issued this statement: “Ms. Areu and Jennifer Eckhart can pursue their claims against Ed Henry directly with him, as FOX News already took swift action as soon as it learned of Ms. Eckhart’s claims on June 25 and Mr. Henry is no longer employed by the network.” That dodge didn’t sit well with Willemin, who blasted out a response that included this remark: “It is outrageous and

contrary to common sense that Fox News purports not to take responsibility for his actions. Ultimately, we are confident that a jury will hold Fox News responsible for the acts of its employees, as well as its own conduct in responding to these allegations.”

As for Areu, she claims in the suit that Henry sent a series of vile and sexually suggestive messages to her throughout the first half of 2020; that Hannity in March 2018 threw down a \$100 bill on his desk at his studio and demanded that one of his male colleagues take Areu out on a date at Del Frisco’s steakhouse, a favorite of the host’s; that Carlson in December 2018 arranged to have Areu stay until the show ended, at which point he told “Ms. Areu that he would be alone in New York City that night, and specifically said that he would be staying alone in his hotel room without any wife or kids” — a clear come-on, from the perspective of Areu and her lawsuit; that Kurtz invited Areu to his hotel; and that Gianni Caldwell, a network contributor, sought a date with her.

Following the specified incidents with Carlson and Hannity, Areu’s appearances on the programs didn’t come to an immediate halt, though the suit claims that Carlson “retaliated against Ms. Areu, who was featured on his show only three times in 2019 and has not appeared once in 2020.” She appeared on “Hannity” a few times right after the alleged incident. The retaliation alleged by Areu, if true, mirrors an allegation against disgraced former Fox News star Bill O’Reilly: Wendy Walsh, once a regular guest on “The O’Reilly Factor,” said she turned down the host’s romantic advances and saw her invitations to comment on the show dry up.

In reference to Areu’s claims, Fox News issued this statement:

Based on the findings of a comprehensive independent investigation conducted by an outside law firm, including interviews with numerous eyewitnesses, we have determined that all of Cathy Areu’s claims against FOX News, including its management as well as its hosts Tucker Carlson, Sean Hannity & Howard Kurtz and its contributor Gianni Caldwell, are false, patently frivolous and utterly devoid of any merit. We take all claims of harassment, misconduct and retaliation seriously, promptly investigating them and taking immediate action as needed — in this case, the appropriate action based on our investigation is to defend vigorously against these baseless allegations.

Lacking omniscience, the Erik Wemple Blog declines to take a position on any of the factual assertions getting bandied about.

We will say this, however: Fox News’s effort to disown Ed Henry is risible to the point of incriminating. Though not a prime-time host with strong ratings — such as Carlson and Hannity — Henry was a ubiquitous presence at the network. Before his absence over the Las Vegas fiasco, he covered the Hillary Clinton campaign — an indisputably high-profile

assignment. After his leave, he had plenty of camera time, whether co-hosting “Fox & Friends Weekend,” a big-time interview with a Trump appointee or his stint alongside Sandra Smith on “America’s Newsroom.”

The Erik Wemple Blog witnessed Henry’s PR skills live at a 2019 event in Scottsdale, Ariz., for the network’s streaming service Fox Nation. He showed patience and grace as he hung out with attendees, posed for selfies and talked politics. At that point, the network appeared very happy to call him one of its own.