

## **EXHIBIT O**

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February 14, 2019

**VIA FEDEX & ELECTRONIC MAIL**

The Washington Post  
ATTN: Legal Department  
1301 K Street NW  
Washington, D.C. 20071

WP Company LLC  
c/o C T Corporation System, Registered Agent  
1015 15th Street NW, Suite 1000  
Washington, D.C. 20005  
[CT-StateCommunications@wolterskluwer.com](mailto:CT-StateCommunications@wolterskluwer.com)

Cameron Barr  
Managing Editor, News  
The Washington Post  
[cameron.barr@washpost.com](mailto:cameron.barr@washpost.com)

RE: *Nick Sandmann*

Dear Messrs. Baron and Barr:

I represent Nick Sandmann (“Nick”) and his parents. I have been engaged by the Sandmann Family to investigate and pursue legal redress for the false and defamatory accusations published by *The Washington Post* (“the Post”) against Nick in connection with the events at the National Mall in Washington, D.C. on January 18, 2019, which occurred after Nathan Phillips (“Phillips”) confronted Nick and other students of Covington Catholic High School (the “January 18 Events”). In order to afford you an opportunity to mitigate the substantial harm you have caused to Nick, I hereby demand that you immediately retract and correct the defamatory statements identified herein, as well as immediately remove from the Internet each of the online articles referenced herein.

Between January 19, 2019, and January 21, 2019, the *Post* published a series of online and print articles containing false and defamatory statements which conveyed that Nick instigated the incident with Phillips and engaged in racist and unlawful conduct by accusing Nick of the following conduct, among other things:

- (a) swarming and/or encircling Phillips while Phillips was merely engaged in song and prayer;

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- (b) intentionally blocking Phillips' path to the Lincoln Memorial or otherwise restricting his egress from a confrontation instigated by Nick;
- (c) taunting Phillips and others;
- (d) mocking Phillips and others;
- (e) assaulting or otherwise physically threatening Phillips; and
- (f) hurling racial slurs or other inappropriate comments at Phillips and/or the Hebrew Israelites.

The gist of the *Post's* reporting and your discrete false factual accusations against Nick are defamatory *per se* and were published negligently and with a reckless disregard for the truth. As the *Post* apparently intended, expected, and may have even contracted with other publications to ensure, these false accusations were republished by outlets all over the country. Accordingly, not only are damages to Nick caused by your own publications presumed, but you are also liable for damages caused by each and every republication of the false and defamatory articles identified herein.

Further, by publishing its articles, the *Post* orchestrated and joined an agenda-driven mainstream and social media mob whose goal was to harass, threaten, disparage, and vilify Nick, a minor who literally and factually did nothing more than stand still when unexpectedly confronted by an adult Native American activist beating a drum and singing loudly within inches of his face while surrounded by cameras. With its online and print circulation in the tens of millions of readers, the *Post* provided a worldwide megaphone to the false and defamatory narrative that Nick instigated a racist confrontation by seeking out and surrounding Phillips in order to taunt, mock, and physically threaten him and his fellow activists while they were either packing up from their participation in the Indigenous Peoples March or were on their way to pray and sing at the Lincoln Memorial.

As you now must acknowledge, the truth is that Nick was the victim of the actions by adults at the Lincoln Memorial and the subsequent mainstream media and social media mob which attacked, vilified, and threatened him. Nick and his Covington Catholic High School classmates were subjected to more than an hour of racist and homophobic slurs, as well as threats of physical violence, by the Black Hebrew Israelites, a recognized hate group. In response and with the permission of their school chaperones, the students engaged in a school spirit cheer to drown out the hateful speech being hurled at them. In the midst of an ongoing school cheer, Phillips and his activist companions intentionally sought out and confronted Nick and his classmates while carrying cameras to hopefully capture a viral moment on film. Phillips inserted himself into the group of students and chose Nick as his target. Phillips never attempted to move past, around, or away from Nick. Indeed, when the students' buses arrived for the students' return trip to Kentucky, Phillips did not proceed to the Lincoln Memorial, rather he turned around and celebrated his perceived "win" with his camera-toting activist companions.

My investigation establishes that the *Post* failed to correct its reporting or publish the incontrovertible truth of this incident despite its pervasive presence in the public domain. Although it is clear that the *Post* published the accusations against Nick with a reckless disregard for the

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truth and otherwise purposefully avoided the truth in its biased effort to advance its anti-Trump agenda, Nick is a private figure and need only prove negligent publication in order to prevail in a defamation action against the *Post*. The negligence of the *Post* is beyond dispute as the *Post* did not undertake any reasonable investigation prior to publishing its false accusations and also relied in part on a biased source whose documented lies should have raised serious issues regarding his credibility. The *Post's* conduct in rushing to judgment and relying on incomplete information, manufactured evidence, and biased sources is legally and factually inexcusable.

In the event the *Post* questions the accuracy of my statements describing the truth of what occurred during the January 18 Events, I suggest you review the attached report prepared by Greater Cincinnati Investigation, Inc. (“GCI”), an independent investigative firm retained by counsel for the Diocese of Covington. Nick told the truth. The *Post* published lies. A compilation of video clips that were available online for review as part of a reasonable investigation, but ignored by the *Post*, can be found at <https://www.youtube.com/watch?v=lSkpPaiUF8s>, entitled “Nick Sandmann: The Truth in 15 Minutes” (the “Video”). The GCI report, the Video, and the detailed statement of Nick Sandmann (also available online) set forth the true events of January 18 and unequivocally prove the falsity of the *Post's* reporting and articles described herein.

Below you will find a recitation of the specific articles that must be taken down and the defamatory statements that must be retracted.<sup>1</sup>

## I. The *Post's* Newspaper Articles<sup>2</sup>

### A. The First False and Defamatory Newspaper Article, January 20, Sunday Edition: “Marcher’s accost by boys in MAGA caps draws ire” (the “First Newspaper Article”)

In its First Newspaper Article, the *Post* published the following statements which must be retracted:

1. The headline “Marcher’s accost by boys in MAGA caps draws ire”
2. “Surrounding him are a throng of young, mostly white teenage boys, several wearing ‘Make America Great Again’ caps, with one who stood about a foot from the drummer’s face also wearing a relentless smirk.”

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<sup>1</sup> The specific statements referenced herein do not represent an exhaustive list of all those juxtaposed statements through which the *Post* conveyed a false and defamatory accusation against Nick. Rather, the statements listed herein are those which, themselves, convey a false and defamatory fact. Nick reserves the right to rely upon a combination of these and other statements to demonstrate the defamatory meaning appropriately ascribed to each article.

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3. "In an interview Saturday, Phillips, 64, said he felt threatened by the teens and that they suddenly swarmed around him as he and other activists were wrapping up the march and preparing to leave."

4. "Phillips, who was singing the American Indian Movement song that serves as a ceremony to send the spirits home, said he noticed tensions beginning to escalate when the teens and other apparent participants from the nearby March for Life rally began taunting the dispersing indigenous crowd."

5. "A few people in the March for Life crowd began to chant 'Build that wall, build that wall,' he said."

6. "'It was getting ugly, and I was thinking: 'I've got to find myself an exit out of this situation and finish my song at the Lincoln Memorial,' Phillips recalled. 'I started going that way, and that guy in the hat stood in my way and we were at an impasse. He just blocked my way and wouldn't allow me to retreat.'"

7. "'It clearly demonstrates the validity of our concerns about the marginalization and disrespect of Indigenous peoples, and it shows that traditional knowledge is being ignored by those who should listen most closely,' Darren Thompson, an organizer for the [Indigenous Peoples Movement], said in the statement."

8. "'To see a group of students from a Catholic school who are practicing such intolerance is a sad sight for me,' said Haaland, who is Catholic."

9. "'We [Bishop Foys and the Diocese of Covington] condemn the actions of the Covington Catholic High School students towards Nathan Phillips specifically, and Native Americans in general,' the statement said. 'The matter is being investigated and we will take appropriate action, up to and including expulsion.'"

10. "Chase Iron Eyes, an attorney with the Lakota People Law Project, said the incident lasted about 10 minutes and ended when Phillips and other activists walked away."

11. "'It was an aggressive display of physicality. They were rambunctious and trying to instigate a conflict,' he said. 'We were wondering where their chaperones were. [Phillips] was really trying to defuse the situation.'"

12. "In that role, he [Phillips] has encountered anti-Native American sentiment before ..."

In its First Newspaper Article, the *Post* falsely accused Nick of instigating the conflict when he "suddenly swarmed" and accosted Mr. Phillips in a threatening manner while Phillips was allegedly packing up from his Indigenous Peoples March, of having blocked Mr. Phillips'

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path and exit from this alleged aggressive mob, of having taunted Mr. Phillips and other indigenous peoples, of chanting “build that wall,” and of having otherwise engaged in racist disrespect and intolerance, all of which was apparently so egregious as to justify Nick’s potential expulsion from his Catholic high school. In fact, Nick took no action and did not utter a single word during this incident. Nick stood silently and his only gesture was to signal a classmate to not respond to profanity-laced insults directed to him by Phillips’ companion. The incident ended only when Nick and his classmates left for their buses – Phillips then turned to leave and celebrate his perceived “win” over the students. Phillips never proceeded to the Lincoln Memorial.

**B. The Second False and Defamatory Newspaper Article, January 21: “Fuller view emerges of conflict on Mall” (the “Second Newspaper Article”)**

In its Second Newspaper Article, the *Post* published the following statements which must be retracted:

1. “The Israelites and students exchanged taunts, videos show. The Native Americans and Hebrew Israelites say some students shouted, ‘Build the wall!’”

2. “When I took that drum and hit that first beat … it was a supplication to God,” said Nathan Phillips, a member of the Omaha tribe and a Marine veteran. ‘Look at us, God, look at what is going on here; my America is being torn apart by racism, hatred, bigotry.’”

3. “While the groups argued, some students laughed and mocked them …”

4. “‘They were sitting there, mocking me as I was trying to teach my brothers, so yes the attention turned to them,’ Israel told The Washington Post.”

5. “Phillips said he and his fellow Native American activists also had issues with the students throughout the day. ‘Before they got centered on the black Israelites, they would walk through and say things to each other, like, ‘Oh, the Indians in my state are drunks or thieves,’ the 64-year-old said.”

6. “Phillips said he heard students shout, ‘Go back to Africa!’”

7. “‘They were mocking my ancestors in a chant … ’ he said.”

8. “Jon Stegenga, a photojournalist who drove to Washington on Friday from South Carolina to cover the Indigenous Peoples March, recalled hearing students say ‘build the wall’ and ‘Trump 2020.’ He said it was about that time that Phillips intervened.”

9. “Most of the students moved out of his way, the video shows. But Sandmann stayed still. Asked why he felt the need to walk into the group of students, Phillips said he was trying to reach the top of the memorial, where friends were standing. But Phillips also said he saw more

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than a teenage boy in front of him. He saw a long history of white oppression of Native Americans. ‘Why should I go around him?’ he asked. ‘I’m just thinking of 500 years of genocide in this country, what your people have done. You don’t even see me as a human being.’”

10. ““He [Phillips] was dealing with a lot of feelings, as he was being surrounded and not being shown respect,’ the photographer said.”

## II. **The Post’s Online Articles**

Without conceding that Nick is obligated to demand a retraction as to articles or accusations published online and in social media, the following online articles are false and defamatory.

### A. **The First False and Defamatory Online Article, January 19: “‘It was getting ugly’: Native American drummer speaks on the MAGA-hat wearing teens who surrounded him” (the “First Online Article”)**

In its First Online Article, the *Post* published the following statements which must be retracted:

1. The headline ““It was getting ugly”: Native American drummer speaks on the MAGA-hat wearing teens who surrounded him”

2. “Surrounding him are a throng of young, mostly white teenage boys, several wearing Make America Great Again caps, with one standing about a foot from the drummer’s face wearing a relentless smirk.”

3. “In an interview Saturday, Phillips, 64, said he felt threatened by the teens and that they suddenly swarmed around him as he and other activists were wrapping up the march and preparing to leave.”

4. “Phillips, who was singing the American Indian Movement song of unity that serves as a ceremony to send the spirits home, said he noticed tensions beginning to escalate when the teens and other apparent participants from the nearby March for Life rally began taunting the dispersing indigenous crowd.”

5. “A few people in the March for Life crowd began to chant ‘Build that wall, build that wall,’ he said.”

6. ““It was getting ugly, and I was thinking: ‘I’ve got to find myself an exit out of this situation and finish my song at the Lincoln Memorial,’ Phillips recalled. ‘I started going that way, and that guy in the hat stood in my way and we were at an impasse. He just blocked my way and wouldn’t allow me to retreat.’”

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7. “It clearly demonstrates the validity of our concerns about the marginalization and disrespect of Indigenous peoples, and it shows that traditional knowledge is being ignored by those who should listen most closely,’ Darren Thompson, an organizer for the [Indigenous Peoples Movement], said in the statement.”

8. “Chase Iron Eyes, an attorney with the Lakota People Law Project, said the incident lasted about 10 minutes and ended when Phillips and other activists walked away.”

9. “It was an aggressive display of physicality. They were rambunctious and trying to instigate a conflict,’ he said. ‘We were wondering where their chaperons were. [Phillips] was really trying to defuse the situation.’”

10. “Phillips, an Omaha tribe elder who also fought in the Vietnam war, has encountered anti-Native American sentiments before ...”

11. In a January 20 updated version of the First Online Article, the *Post* added the following additional false and defamatory statement: “To see a group of students from a Catholic school who are practicing such intolerance is a sad sight for me,’ said Haaland, who is Catholic.”

12. In a January 22 updated version of the First Online Article, the *Post* added the following additional false and defamatory statement: “The diocese’s statement expressed regret that jeering, disrespectful students from a Catholic school had become the enduring image of the march.”

**B. The Second False and Defamatory Online Article, January 20: “Opposed to the dignity of the human person’: Kentucky Catholic diocese condemns teens who taunted vet at March for Life” (the “Second Online Article”)**

In its Second Online Article, the *Post* published the following statements that must be retracted:

1. The headline “Opposed to the dignity of the human person’: Kentucky Catholic diocese condemns teens who taunted vet at March for Life”

2. “A viral video of a group of Kentucky teens in ‘Make America Great Again’ hats taunting a Native American veteran on Friday ...”

3. “The video, which began to spread Saturday morning, showed a throng of young, mostly white teenage boys, several wearing the caps, closely surrounding a 64-year-old man who was beating a drum as part of the Indigenous Peoples March happening near the Lincoln Memorial on Friday.”

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4. "A few of the young people chanted 'Build that wall, build that wall,' the man said, adding that a teen, shown smirking at him in the video, was blocking him from moving."

5. The republished tweet of Daniel P. Horan: "I'm so deeply appalled and disgusted by the racist, shameful, disrespectful behavior of the Catholic high school students wearing MAGA hats and harassing a Native American elder and Vietnam Vet. ..."

6. The republished tweet of Marcus Mescher: "... The video of students mocking Native Americans illustrates the very problem the #GilletteAd addresses ..."

**C. The Third False and Defamatory Online Article, January 20: "Most young white men are much more open to diversity than older generations" (the "Third Online Article")<sup>3</sup>**

In its Third Online Article, the *Post* published the following statements which should be retracted:

1. "Friday's incident near the Lincoln Memorial in which a group of high school boys confronted an elderly Native American man sent a ripple of fear and anger across the country. The image of a group of high school boys clad in 'Make America Great Again' hats, smirking and laughing as one of their members appeared to physically intimidate Nathan Phillips resurfaced tensions that have been simmering since President Trump's campaign began."

2. "At one point, some reportedly chanted, 'Build the wall!'"

**D. The Fourth False and Defamatory Online Article, January 21: "Viral standoff between a tribal elder and a high schooler is more complicated than it first seemed" (the "Fourth Online Article")**

In its Fourth Online Article, the *Post* published the following statements which must be retracted:

1. "The Israelites and students exchanged taunts, videos show. The Native Americans and Hebrew Israelites say some students shouted, 'Build the wall!'"

2. "When a Native American elder intervened, singing and playing a prayer song, scores of students around him seem to mimic and mock him, a video posted Monday shows."

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<sup>3</sup> The Third Online Article notes that "[r]eferences to the encounter at the Mall have been changed to reflect revised understanding of what happened." At this time, I have not been able to locate the original article. You are advised that the *Post* is liable for its original publication to the extent its unrevised article contains additional or different false statements.

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3. “When I took that drum and hit that first beat … it was a supplication to God,” said Nathan Phillips, a member of the Omaha tribe and a Marine veteran. ‘Look at us, God, look at what is going on here; my America is being torn apart by racism, hatred, bigotry.’”

4. “While the groups argued, some students laughed and mocked them …”

5. “They were sitting there, mocking me as I was trying to teach my brothers, so, yes, the attention turned to them,’ Israel told The Washington Post.”

6. “Phillips said he and his fellow Native American activists also had issues with the students throughout the day. ‘Before they got centered on the black Israelites, they would walk through and say things to each other, like, ‘Oh, the Indians in my state are drunks or thieves,’ the 64-year-old said.”

7. “Phillips said he heard students shout, ‘Go back to Africa!’”

8. “They were mocking my ancestors in a chant …’ he said.”

9. “Jon Stegenga, a photojournalist who drove to Washington on Friday from South Carolina to cover the Indigenous Peoples March, recalled hearing students say ‘build the wall’ and ‘Trump 2020.’ He said it was about that time that Phillips intervened.”

10. “Most of the students moved out of his way, the video shows. But Sandmann stayed still. Asked why he felt the need to walk into the group of students, Phillips said he was trying to reach the top of the memorial, where friends were standing. But Phillips also said he saw more than a teenage boy in front of him. He saw a long history of white oppression of Native Americans. ‘Why should I go around him?’ he asked. ‘I’m just thinking of 500 years of genocide in this country, what your people have done. You don’t even see me as a human being.’”

11. “He [Phillips] was dealing with a lot of feelings, as he was being surrounded and not being shown respect,’ the photographer said.”

### III. The *Post’s* Social Media Publications

The *Post* also posted certain of the articles identified herein on its Twitter page which has over 13 million followers. On January 19, the *Post* published its articles with three (3) defamatory tweets within a span of 14 minutes. The following tweets published online by the *Post* must be deleted from Twitter and the defamatory accusations included within those tweets must also be retracted and corrected:

1. “In an interview with The Post, Omaha tribe elder Nathan Phillips says he ‘felt like the spirit was talking through me’ as teens jeered and mocked him”

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2. "He was singing the American Indian Movement song of unity that serves as a ceremony to send the spirits home. 'It was getting ugly, and I was thinking: 'I've got to find myself an exit out of this situation and finish my song at the Lincoln Memorial."

3. "Phillips, who fought in the Vietnam War, says in an interview 'I started going that way, and that guy in the hat stood in my way and we were at an impasse. He just blocked my way and wouldn't allow me to retreat."

The *Post's* retraction of the false statements identified herein must be published in as conspicuous a manner as they were originally published. To fully retract and correct the false statements, I further demand that the *Post* publish the Video on its Internet home page for a period of no less than 72 hours. Please notify me in writing when these actions have been accomplished.

Govern yourselves accordingly.

Sincerely,



L. Lin Wood

cc: Todd McMurtry, Esq.  
The Sandmann Family

**Greater Cincinnati Investigation, Inc.  
718 Valley Square Drive  
Taylor Mill, KY 41015**

**Final Investigative Report**

**February 11, 2019**

On Tuesday, January 22, 2019, Greater Cincinnati Investigation (GCI) was retained by Dressman, Benzinger, Lavelle (DBL LAW) on behalf of the Covington Diocese and Covington Catholic High School to investigate the incident on Friday, January 18, 2019, at the Lincoln Memorial involving students at Covington Catholic High School, The Black Hebrew Israelites and the Native Americans who were part of an Indigenous People March.

**Scope of Investigation**

The scope of the investigation was to interview and take statements from Covington Catholic students and their chaperones who were in attendance, to identify, locate and interview 3<sup>rd</sup> party witnesses who were present, to review and monitor social media posts and news articles, and to attempt to locate and review any additional video that might be available.

Since January 22, we have devoted approximately 240 man hours in the investigation to date, involving four (4) licensed investigators.

Students attending the trip were asked to voluntarily give their statements regarding the events of January 18. We separately interviewed 43 students. Parents were invited to attend the interviews with their sons, and parents did so in approximately one-third of the interviews.

There were sixteen (16) adult chaperones on the trip. We spoke with all nine (9) faculty chaperones and four (4) parent chaperones.

We reviewed approximately fifty (50) hours of internet activity, including but not limited to all major news networks, YouTube, Vimeo, social media accounts on Facebook, Instagram, Twitter.

We attempted to obtain surveillance video from the Lincoln Memorial. We have reached out to the National Park Service by phone and e-mail. To date our efforts have been unsuccessful.

We were able to locate a social media account that goes by @trevonallworthy aka King Trevor. King Trevor has posted several videos from the Lincoln Memorial. We have reached out to King Trevor on two (2) different social media sites and to date he has not responded back. His videos are confirmatory to our findings.

Attempts were made through legal counsel to take Nick Sandmann's in-person statement. We were asked to consider his written statement of January 20, 2019.

We have attempted to reach out to Mr. Phillips by phone and by e-mail, informing him that we desired to interview him in person and that we were prepared to meet him in Michigan or any location he might prefer. We also sent Mr. Phillips' daughter an e-mail as they both appear to be involved in the Native Youth Alliance and have shared their e-mail addresses after the event to

thank everyone for reaching out and supporting them. We never received a response to our inquiries. In addition, our investigators travelled to Ypsilanti, Michigan to seek a personal interview. We are confident that we visited Mr. Phillips' residence. He was not present over a six-hour period and we left a note asking him to contact us. We have not received a response.

### **Key Findings**

#### *Students*

- The students traveled from Park Hills, KY to Washington DC to attend the March for Life. Some of the students stressed that they attended because of their faith, some stated it was to get service hours, and some stated it was to get out of school and spend time with their friends.
- The students arrived at the Lincoln Memorial at different times. The students who arrived earlier encountered the Black Hebrew Israelites, who clearly addressed offensive statements to the students. We see no evidence that students responded with any offensive or racist statements of their own.
- Some of the students asked the chaperones if they could do their school cheers to help drown out the Black Hebrew Israelites. In years past students have performed school cheers at the Lincoln Memorial. Video evidence supports a finding that the Black Hebrew Israelites were laughing along with the students during the "sumo" cheer. The cheers performed at the Lincoln Memorial are commonly performed at football or basketball games.
- We found no evidence that the students performed a "Build the Wall" chant.
- After the interaction with the Black Hebrew Israelites, Mr. Phillips approached the students. Most of the students state that they felt like he was coming into their group to join in with the students' cheers. None of the students felt threatened by Mr. Phillips and many stated they were "confused."
- We found no evidence of offensive or racist statements by students to Mr. Phillips or members of his group. Some students performed a "tomahawk chop" to the beat of Mr. Phillips' drumming and some joined in Mr. Phillips' chant.
- As the interaction between Nick Sandmann and Mr. Phillips ended, most of the students reported that they again turned their attention back to the Black Hebrew Israelites. Chaperones moved students to the buses shortly thereafter.
- Some students stated that one of the chaperones reminded the students that, if they engaged in a verbal exchange with the Black Hebrew Israelites, they would receive detention when returning to school. Video evidence shows that this happened approximately five minutes before the students can be seen heading to the buses.

- As the students began leaving the area, one student was stopped by a uniformed police officer for running. It was reported that the officer advised this student he should not be running at the Lincoln Memorial. We saw no uniformed police presence at the Lincoln Memorial while students were there.

*Chaperones*

- Several of the chaperones arrived with their groups of students after the fact, as they attended the last viewing of the changing of the guard at Arlington Cemetery at 5:00 p.m. Nine (9) chaperones report being present at the Lincoln Memorial when the main interactions took place. Video confirms at least five (5) chaperones were present.
- Video confirms that toward the end of the interactions between Nick Sandmann and Mr. Phillips, at least two (2) chaperones can be seen telling the students that the buses are arriving. At this time, most of the students' attention was directed to the Black Hebrew Israelites. Also at this time a chaperone can be observed telling the students to "back it up," moving them back from the Black Hebrew Israelites. This happened approximately 4-5 minutes before the students headed to the buses.
- The chaperones who were at the Lincoln Memorial and who witnessed the interaction between the students and Black Hebrew Israelites stated that the Black Hebrew Israelites were saying offensive things to anyone that walked by and not just the students. During this time the chaperones never felt like the students were in any danger.
- The chaperones present during the interaction with Mr. Phillips state that they did not feel the students were threatened by Mr. Phillips or his group.
- After Mr. Phillips exited the area, the students' attention turned back to the Black Hebrew Israelites. Shortly thereafter, the chaperones decided to tell the students the buses were present even though at that point they had not arrived. Students were not instructed to "move to the buses" until after the interactions with the Black Hebrew Israelites and Mr. Phillips.

*Make America Great Again Hats (MAGA Hats)*

- Students and chaperones stated that few, if any, students were wearing MAGA hats when they left Covington Catholic to head to Washington DC. Most students purchased the hats before, during or after the March for Life.
- In years past, some chaperones reported that some students had purchased "Hope" hats in support of President Obama.
- We found no evidence of a school policy prohibiting political apparel on school-sponsored trips.

*Investigation into the Comment "It's Not Rape If You Enjoy It"*

- An individual can be heard making a comment that "it's not rape if you enjoy it" while the students were at the Lincoln Memorial.
- Our investigation concludes that the individual who made the comment was not a student at Covington Catholic. In addition, viewing longer videos of this comment reveals that a person in the crowd states, "He does not go to CovCath" almost immediately after the comment was made.

*7 Second Video*

- There was a 7 second video posted on Twitter by @roflinds that shows a group of boys making comments to two females as they walk by.
- We cannot confirm that the students in the video are students at Covington Catholic. It is also not totally clear what was said in the video.

*Nick Sandmann*

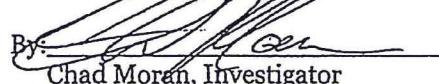
- Mr. Sandmann's January 20, 2019, statement appears to accurately reflect the facts surrounding the interaction between the students and the Black Hebrew Israelites.
- Regarding the interaction with Mr. Phillips, Mr. Sandmann reports that he was concerned a situation was getting out of control. He states that he was attempting to defuse the situation.

*Mr. Phillips*

- Mr. Phillips' public interviews contain some inconsistencies, and we have not been able to resolve them or verify his comments due to our inability to contact him.

**Conclusion**

- The statements we obtained from students and chaperones are remarkably consistent. And, the statements are consistent with the videos we reviewed. As with any investigation, new evidence could come to light in the future. We are professionally satisfied that, at this time, it is proper to close the investigation and issue this final report.

Greater Cincinnati Investigation, Inc.  
By:   
Chad Moran, Investigator