

CHANGING THE WORLD
ONE GIRL AT A TIME



ADMISSION PREVIEW:
Sunday, Dec. 7
1:00 – 4:00 pm

DAY: PRE-K-12
BOARDING: 8-12

*The Hockaday School does not discriminate
on the basis of race, color, creed, sexual
orientation, religion, national or ethnic origin.*



- [Schools](#)
 - [Schools Blog](#)
 - [Schools Listings](#)
 - [Education Section](#)
- [Sports](#)
 - [Subscribe to the Plaid Report](#)
- [Weddings](#)
- [Obituaries](#)
- [Society](#)
- [Classifieds](#)
 - [Classifieds – This Just In](#)
- [Worship](#)
- [Photos](#)
- [Park Cities People](#)

PRESTON HOLLOW PEOPLE

ESD Trial, Day 8 UPDATED

With last week's [surprise ending](#), today's proceedings seem ripe for more drama than usual. Father Stephen Swann will resume testimony, presumably with questions about a Former Student (motion blocking the use of the girl's name was filed and approved Friday) who allegedly was sexually abused by an ESD staff member in 1992-1993 (I previously incorrectly stated the year was 2000. She didn't tell Swann about it until 2000). Despite Swann beginning his testimony back in July, ESD still hasn't had a chance to cross-examine him. Maybe, just maybe, we'll also get to that today, too. Updates after the jump as soon as available.

UPDATE 12:40 p.m.

It's been slow going today. Judge D'Metria Benson ruled that the plaintiffs couldn't question Swann about the Former Student incident until rebuttal, so the questions are basically dressed-up versions of previous testimony. There's been more talk on the Outline of Boundaries document, the "sad story" email, and the conditions of Jane Doe II's forced withdrawal. But, there were a few new quotes from Swann that were worthy of writing down. Swann, who's sporting a clerical collar for the first time in court, seems more polished in thought, word, and deed than in previous appearances. Those are my two cents. Here's the rundown.

11:15 a.m.

After two hours of off-the-record proceedings inside Benson's chambers, State Sen. Royce West argues that Charla Aldous' questions about the Former Student were improper and should not be allowed. Benson agrees in part and says the Former Student incident (and her deposition) can only be used in the plaintiffs' rebuttal.

11:30 a.m.

The jury is called in and Swann takes the stand. Aldous asks him about protocol for faculty training on the prevention and detection of sexual abuse. Swann says that faculty training on a variety of issues is decided on annually before school starts. He offers that, for example, the top issue for faculty training this year is bullying. After some more prodding from Aldous on the frequency of sexual abuse training, Swann says:

"I'm convinced that the sexual abusers will do the abuse regardless of the number of times we do those courses," he says, adding, "We have historically trained people at a pace we thought was appropriate for us."

11: 40 a.m.

Aldous asks Swann if he knew Jane Doe II was "a fragile child" when he expelled her.

"Yes, and she remained in my prayers," Swann says.

Noon

"A poor decision can occur even when people have been instructed not to do so," Swann says in response to a question about the prevalence of teacher gossip after J. Nathan Campbell resigned.

Aldous asks Swann why he never met with any member of the Doe family before Jane Doe II was expelled.

"I thought it was inappropriate," he says.

When Aldous questions him further, he offers the explanation, "because of the intimate nature of what happened."

12:05 p.m.

Swann bangs his hand on the witness box as he answers a question about Jane Doe II's expulsion.

“I made the decision,” he says emphatically. “That is my job.”

12:15 p.m.

Swann describes his reasoning for expelling Jane Doe II thusly:

“It was like walking by a pool and seeing a child floundering in water,” he says. “It was time to lift that child up and let her stand on safe ground.”

Aldous asks if Swann would be willing to consider evidence that Erin Mayo, head of the upper school, did not have Jane Doe II’s best interest at heart 100 percent of the time.

“I can’t believe that,” he says.

12:25 p.m.

Aldous asks Swann if he had it to do all over again, would he do everything the same.

He says he would.

“As tragic as the situation was, the decision was made that ESD was not the best place for Jane Doe II,” Swann says.

12:30 p.m.

Swann says he would have given the Does a tuition reimbursement even if they hadn’t withdrawn their daughter that day. This is contrary to the options given to the Does by Mayo and Rebecca Royall on the day Mr. Doe withdrew Jane Doe II.

“If Mr. Doe hadn’t signed, and he came to me and said, ‘Steve, I need that money,’ I would’ve given it to him,” Swann says.

Lunch recess until 1:45 p.m.

2 p.m.

Aldous asks if the school’s psychologist signed off on Jane Doe II’s expulsion.

“He was not part of that decision,” Swann says.

2:30 p.m.

Swann says other students under emotional trauma have been given similiar options to leave ESD as Jane Doe II was given.

“We always act in the best interest of the student,” he says, adding, “Separation is hard.”

2:45 p.m.

A Jan. 27, 2010 memo written by Royall explains ESD's reasoning for expelling Jane Doe II:

"Mrs. Mayo and I explained to Mr. Doe that while we had hoped Jane Doe II would have been able to remain at ESD, events of the past couple weeks had convinced us without reservation that she could not. We told Mr. Doe the entire school community—faculty, students, and parents—were associating Jane Doe II's name with the incident."

Aldous asks, "Do you know that the 'entire school community' was associating the incident with Jane Doe II?"

"I do not," Swann says, adding that he doesn't think Mayo or Royall "would make that representation in a reckless manner."

3 p.m.

Aldous says in Mayo's deposition, she could name only four people outside those immediately involved who knew about Jane Doe II's involvement in Campbell's departure. She asks Swann if he can name one person in the "entire school community" who was aware of the situation.

"I don't know," he says.

Recess from 3:15 to 3:30 p.m.

UPDATE 6 p.m.

Court adjourned for the day in a timely fashion at 5 p.m. on the dot. I'm plugging in my time-stamped notes now for your reading pleasure. A teaser: ESD's cross examination of Swann took a whopping 20 minutes. This is surprising, considering they questioned Dr. Edward Dragan for hours on end

3:35 p.m.

Aldous asks Swann if he "tried to sweep situation under the rug."

"I never thought of sweeping anything under the rug," he says. "Never."

"Never in your career?" Aldous asks.

"Never," Swann answers.

3:45 p.m.

Swann says he can understand how having to withdraw a child from school she has attended since kindergarten could cause "mental anguish" for the father, mother, and child involved.

“Is it reasonable for Jane Doe II to feel like the school was blaming her?” Aldous asks.

“It’s possible,” Swann says. “I think reasonably, once the initial pain of separation is over, she would begin to see the rationale.” Adding, “I’m sure it was a very confusing time for her.”

3:50 p.m.

After yet another Shonn Brown object, Aldous “objects to all the objections.”

“I’d really tried to hold my tongue on this, but it is interrupting the flow of my examination,” Aldous says.

Benson tells both counselors to approach the bench.

3:55 p.m.

Aldous says that according to Jane Doe II’s deposition, the first thing she told her father when he said she had to leave ESD was, “Give them more money, and they’ll let me stay.” She then asks Swann if the Does had offered money if their daughter could have stayed.

“No,” he says.

4:10 p.m.

Aldous says students who have repeatedly violated ESD’s honor code have been shown more care, love, and understanding than Jane Doe II, a victim of sexual assault, was.

Swann refutes this and tries to give a background on the honor code but Aldous objects and Benson won’t allow him to until cross-examination.

4:15 p.m.

Aldous then shows a May 27, 2010 email explaining that a student accused of plagiarism would have a panel, including the school psychologist, discuss her possible expulsion. Aldous also shows a letter that Swann wrote on June 4, 2010 to the girl’s family explaining a withdrawal option and giving them four days to consider it, as well as offering to meet with the girl and her family in person to discuss it.

Aldous shows a letter of recommendation that Swann wrote for the girl, who was forced to withdraw because of plagiarism incidents, to another local private school stating the reason she needed to leave ESD was that she had problems “with her peer group.”

“You never offered to write a letter of recommendation for Jane Doe II, did you?” Aldous asks.

Swann says no.

“You never even wrote the Does a letter at all about the situation, did you?” Aldous asks.

Swann says no.

“You believe you appropriately ministered to this family, by providing a safe school environment for their child?” Aldous asks.

“We were no longer safe,” Swann says.

4:30 p.m.

Plaintiffs pass witness to ESD for cross-examination, led by Brown. She opens with a question about the student who was asked to withdraw after an honor code violation.

Swann says that situation was way out of the ordinary and he normally isn't so involved in the process, but he was helping out Mayo and Royall, who he said had already had a long, rough year.

4:45 p.m.

Brown asks Swann about his age and if he takes any medication that could affect his memory. Swann says he's almost 67 and takes prescription medicine for a heart condition. Swann also says he takes an anti-anxiety pill before public speaking that can affect his memory. While he didn't take it today, he says he believes he took it before his first day of testimony. Brown frames these questions in statements about why his deposition testimony may have differed from what he said on the stand.

4:50 p.m.

Swann says he called Mr. Doe in January (of this year) at his office and Doe said, “It's too late.” Brown asks Swann what he wanted to tell Mr. Doe.

“I am so sorry that Jane Doe II and your family had to go through what you went through at the hands of Nathan Campbell,” Swann says. “He committed a sin, and I 'm so sorry for you.”

Brown passes the witness for rebuttal. Court is adjourned until tomorrow.

  One person likes this. Be the first of your friends.

By [Claire St. Amant](#) Aug. 8, 2011 | 8:12 am | [41 Comments](#) | [Comments RSS](#)

41 comments to "ESD Trial, Day 8 UPDATED"

episcopal parent @ August 8, 2011 at [8:35 am](#)

From what I hear from folks who should know, the Doe girl was a “typical” ESD student, the fourth and youngest child in the family to attend the school, and the best athlete. She was treated very well by the school up until the sexual abuse was reported to the school. The plaintiffs' filings and case so far indicate this suit is about the way she was expelled from the school more than anything else. Was she discarded or transitioned? If ESD treated her the same way after learning of

the sexual abuse as they had treated her while she was helping to make them look good, would there even be a lawsuit? Swann testified that he has not spoken with her since the abuse was discovered, not even once!!!! How often did he speak with her while she was representing the school at SPC games and events? Can anyone name another headmaster in Dallas that wouldn't immediately go to the family to support the child? ESD lawyers are arguing the school wanted to be on the same side of the table as the family, but did the school work to locate another school in the area where she could continue her athletic career? Did ESD contact Hockaday, Ursuline, or Greenhill about transferring her, or did ESD simply discard her as Aldous says? Students transfer among these schools for various reasons, how does ESD help or not help, does anyone know? This is all peculiar to me, and I wonder whether the ESD community would have turned on her so fast if Swann had acted differently.

eagle-eyed @ August 8, 2011 at [1:11 pm](#)

Good point from Fr. Swann. No matter the training, etc. the abusers will continue to do wrong.

Campbell knew what he was doing, and no amount of coaching by anybody could have prevented him from doing what he did if he wanted to.

esd alum @ August 8, 2011 at [2:13 pm](#)

Weren't the Does compensated in other ways when JD2 was withdrawn/expelled?

Yo @ August 8, 2011 at [2:15 pm](#)

Where is the trial being held? Which courtroom?

Former ESD dad @ August 8, 2011 at [2:21 pm](#)

I unclear why the school went ahead and hired Campbell even though his references wouldn't respond. Seems like a mighty big red flag to me.

Avid Reader @ August 8, 2011 at [4:17 pm](#)

"Swann says other students under emotional trauma have been given similiar options to leave ESD as Jane Doe II was given."

Doesn't seem like there was an "option" given.

Observer @ August 8, 2011 at [4:20 pm](#)

Hmmm... Father Swann prays for the 'fragile child' and wants what's in her best interest.. but he never once speaks to her, nor asks ESD's psychologist what he feels would be best for the victim.

I wonder how the female jury is buying these responses...

Claire - are you able to comment on the demeanor, attentiveness, points where there's more/less interest, etc., on the part of the jury?

ESD Parent @ August 8, 2011 at [5:24 pm](#)

What car did Father Swann drive to court in, the Jag?

Dismayed follower @ August 8, 2011 at [5:47 pm](#)

Eagle-eyed

Just because predators will ignore the training given doesn't mean you don't offer it. If you create a culture where the staff knows and understands that inappropriate behavior between a teacher and a student is unacceptable, you may deter a potential offender.

The staff would be trained to see the red flags that in this case, were only seen after the fact. We're talking about the welfare of our children. We entrust teachers with our children, shouldn't we give them every tool possible to keep them safe?

annoyed @ August 8, 2011 at [5:51 pm](#)

Who cares what kind of car he drove there in? Father Swann build an incredible school that this girl's 3 older siblings and thousands of others, including myself,

thrived in. He had to make a decision based on what was best for the school as a whole and for the girl. I feel like its been awhile since all of you commenting were in highschool so let me refresh your memory: Teenagers love to gossip, talk and tease. She needed to leave so everyone could move on.

amanda @ August 8, 2011 at [6:50 pm](#)

My daughter doesn't go to ESD, but does go to another private school. The sad fact is that the victim's name, family, etc. is widely known in "the community" of the handful of schools that all socialize together. That being said, I can say that there is much support for this student and her family from those of us at other schools. I haven't heard a single hateful, malicious, gossip-y, teasing, or cruel word from anyone other than the staunch ESD supporters who choose to blindly support the school regardless...that's tragic.

The school could have and should have circled the wagons around this child (and yes, she was a CHILD.) Not only the faculty, but the students as well should have been counseled. As horrible as this is...it was a chance to stand FOR something, and stand up for someone else. Instead, ESD chose to stand AGAINST a victim. Make no mistake, this situation has far-reaching effects (not just for ESD students, either.)

ESD's handling of this is a travesty, plain and simple. There is no excuse for 1) what happened to this girl (in regards to a relationship), 2) the lack of training or specific knowledge of the administration, and 3) the callous (CYA) manner in which the student's enrollment was handled.

I don't disagree that she needed to be protected (removed) from ESD...but this smacks of a "scarlet letter." How truly unfortunate it is for a man cloaked in a leadership role at a Christian school to behave in such a very, very un-Christ-like manner.

esdstudent @ August 8, 2011 at [7:19 pm](#)

Honestly, all the people hating on ESD and the community and agreeing that Father Swann is wrong and inappropriate. Father Swann is right, predators will still be predators. As for Jane Doe II, she was not a typical ESD student. This was not a blame all him situation. He was in the wrong, he was an adult, but she did her fair part. When she was asked to leave the school, it was for the best. If anyone thinks that she would not of been harassed and teased to no end about the situation then they are just wrong. Any student at any school in the country would. It was for the best, it could of been handled differently and maybe in a more concerned matter for the student but in the long run they saved her so much taunting and initially from further trauma.

esdstudent @ August 8, 2011 at [7:21 pm](#)

as for parents who are parents of the school, why not represent the school that your sending your students to? if you dont like him then keep the comments to your self, if you hate the school then change. But if anything Father Swann and the school could use the support, not the hate.

episcopal parent @ August 8, 2011 at [7:27 pm](#)

@Dismayed Follower - I agree completely, with proper training maybe Campbell's officemate would have spotted "red flags" about what was going on. Campbell and Doe II spent a lot with him in his office. According to folks who should know, both the officemate and his wife (ESD teacher too) remain under pressure from ESD's administrators.

So annoyed! @ August 8, 2011 at [7:31 pm](#)

Dear annoyed,

What if your teachers and administrators, including the headmaster, had taken a different tact and guided you and your classmates through how to think about this despicable act by one of your teachers? If the school leadership had been more forthcoming and proactive about using this as a way to educate you all on how to deal with predatory behavior and how to have compassion for the victim, do you think it would have made any difference for you? Surely your take away from this experience is not that we should sacrifice/abandon/discard the victim for the good of the whole?

As a student, please tell me what you learned from this event and how it was handled?

interested in esd @ August 8, 2011 at [7:45 pm](#)

He wore his 'collar' today? I'm sure the jury hates the guy. I can only imagine what they're thinking....hypocrite, liar, pompous, etc etc. sounds like the school is taking very bad advice...'let's get a woman to try the case...'; let's get the Senator to drop in and peddle his influence; let's smear a sexual assault victim; i.e....the catholic church model of defense (how's that working out for them?)

The entire private school community, both regionally and nationally, are watching this case. It will be an expensive object lesson from which to teach how NOT TO handle a situation like this.

OldESDALumni @ August 8, 2011 at [9:46 pm](#)

Amanda- children at 16 years of age are not CHILDREN. They have the capacity to make sound judgement on whether or not to engage in inappropriate behavior with a teacher. And I will leave judgement day to God, not to people in the community. The fact that this has gone to trial and doesn't allow JD II to move on with her life is the real travesty.

Trial watcher @ August 8, 2011 at [10:38 pm](#)

@oldESDALumni - did you mean old esd alumnus? 17 is the age of consent in Texas. It's the law.

johnny @ August 8, 2011 at [11:50 pm](#)

lol - proving the point that an ESD education is poor

Skeptical @ August 9, 2011 at [12:42 am](#)

Hi Again Claire,

Please, of course, feel free to edit this out. I was wondering what your take is on all the documents filed today by ESD?

Seems like they are trying to invoke priest privileges on the 2000 conversation (the logic train around how he could be a priest to one girl and listen to the 2000 conversation, but the 2009 incident was too intimate for him to even interact with a current student is a bit hinkey to me, but anyway...) - can he swap between priest and/or administrator throughout the trial? Do you know the circumstances legally when the priest hat can be used? - and was that F.S.'s information in the transcribed testimony? Do we know the circumstances of that testimony?

Also, are the Does challenging the 501(c)3 status or the type of charitable status ESD is claiming? I thought the issue wasn't that ESD claims to be a charity, I thought the issue was that ESD is filing tax returns as if it is a church and not a not-for-profit school - and therefore not filing 990's (?) which would list administrators salaries, etc. Do you have a take on this?

I wonder if PHP would consider getting a guest attorney-blogger to comment on the legal aspects & what the motions/documents mean for us non-attorney types...

mytwoentz @ August 9, 2011 at [12:45 am](#)

Can one of the ESD haters on this forum please explain to me why her parents felt that ESD was so negligent of her daughter and her relationship with Nathan Campbell yet allowed her to stay there for weeks, yes, let me repeat myself weeks after both of them were caught together? I would love a straight-foward answer to this question. Why is it after her daughter causes a ruckus at school and she after she is asked to leave is when these claims of negligence surface. It makes no sense to me. If I were her parents and felt ESD had something to do with my daughter's relationship with an adult, I would pull her out so quickly. If ESD is filled with all the evil people that all you posters seem to believe go to school there, why would the girl want her father to "pay more so they could let her stay." Why stay in such a place? The truth of the matter is people did associate the girl with this incident almost immediately and she had become a distraction and had to go. I don't understand why people would want her to stay in such an environment. What good does it do? And what about other students?

Also, I agree with OldESDALumni... I do not care what you all say, someone who is 16 years of age is not a child and is able to know the difference between what is right or wrong. I personally don't see what is so wrong with believing that the girl knew exactly what she was doing during the entire duration of their relationship. Yet whenever any brings that up, people here are quick attack and tag them as insensitive. No one is saying what transpired was OK but I mean the text messages don't lie, Jane Doe stated that "her boobies miss him" among other things. Why is it that Jane Doe and her camp have yet to turn over her laptop to the court after months of being asked to do so? If they are not at any fault, that would be the first things I would have turned over. Or perhaps because it contains evidence that Jane Doe knew what she was doing. I hope they get her laptop/cell phone records so we can get an understand of what was in this girl's mind. By law, yes, she is a victim but doesn't mean she didn't know what she was doing was wrong. And why is it that no one from ESD either former peers or families are coming to her defense? Perhaps there is more to story than the victim/adult motif. Yet so many people, that knew nothing about the girl or this situation prior to the creation of these blog entries, seem to just continue to spew hate at ESD and the people who go there.

EagleParent @ August 9, 2011 at [8:12 am](#)

Jane Doe was 17 when she began the fall semester at ESD.

Claire St. Amant @ August 9, 2011 at [8:22 am](#)

@EagleParent: True. But to clarify, when the relationship first turned sexual in the summer she was still 16. It continued while she was 17.

Former ESD Mother @ August 9, 2011 at [8:58 am](#)

Wow. My take away from the ESD students is "We were going to harass and tease and torment her, so best she leave". Unbelievable. You students are doing a pitiful job of representing your school if that is how you have been taught to behave. And do not tell me that all teenagers are harassers, because they are not.

EagleParent @ August 9, 2011 at [9:03 am](#)

Yes I know. My child was in the class. The trial will be very interesting when ESD takes the stand.

EagleParent @ August 9, 2011 at [9:27 am](#)

@Former ESD Mother- Jane Doe was in a great class. The students were not going to harrass and tease or torment her. She is the one that got the gossip started in the first place. I seriously hope that ESD has access to her laptop and can pull up her facebook chats with other students.

Former ESD Mother @ August 9, 2011 at [9:45 am](#)

EagleParent: This is what ESD student said:

"If anyone thinks that she would not of been harassed and teased to no end about the situation then they are just wrong."

That sounds like the students would have harassed and teased her to me. The grammar is also atrocious, but that is a different subject.

EagleParent @ August 9, 2011 at [10:10 am](#)

Former ESD Mother- sorry to say it but the wording sounds like Jane Doe. Look at the ESD website and see where all the ESD 2011 graduates are going to college.

Observer @ August 9, 2011 at [10:16 am](#)

EagleParent wrote, blaming the victim, "

She is the one that got the gossip started in the first place. I seriously hope that ESD has access to her laptop and can pull up her facebook chats with other students."

Yes, EagleParent!! That would be great.

Because there's no better way to stop a student- who'd just been victimized by a teacher - from posting messages on Facebook than expelling her from school without speaking to either her, her family, her therapist or the school psychologist.

Oh, and she apparently asked another student if the wife of her abuser was wearing a wedding ring. Gasp! Perhaps ESD should have tossed rocks at her as they forced her out of the building (without the contents of her locker.)

Go Eagles!

Atticus @ August 9, 2011 at [10:28 am](#)

After sitting through testimony for the cross-examination of Father Swann yesterday, I cannot believe how ESD got itself in this situation. How is this case not resolved before trial? How is ROYCE WEST (who is doing nothing) and a young associate (who is trying her hardest but clearly has no experience trying a case) representing ESD? Why is Charla Aldous getting to ask questions about ESD's tax status with the IRS? Why is she getting away with paragraph-long, argumentative, compound questions that have no relevance to the "Doe" case?

Answer: Hubris on ESD's part. You can see it in Father Swann. I am sure the man has done wonderful things in founding such a great school and watching it flourish. If only he could have taken the stand and said, "You know, in hindsight, I wish I would have taken the time to contact Ms. Doe's parents. I didn't, and that was a mistake, and I am profoundly sorry." The jurors would let ESD off the hook for that.

Instead, Father Swann gives the impression that his "holiness" is holier than thou, and therefore, he cannot have made a mistake—even one that would not create liability.

If Charla wins this case, it will be because of ESD's hubris in how it was handled, staffed, and tried—not because of the underlying facts.

HeyGenius @ August 9, 2011 at [10:31 am](#)

Dear mytwocentz,

You think the fact that the abuser, Campbell, had left the school had anything to do with why JD11's parents felt she was safe and let her stay at the school?

imjustsaying @ August 9, 2011 at [10:54 am](#)

On the outside looking in, which appears to be what most of us are doing. Although it is early in the trial, I think it's really sad how Father Swann has been under attack. Also, based on what I have read thus far, it appears that the parents of JD11 have an underlying agenda here. I'm sure like most young people she is more resilient than her parents and wished they would have let this go. With little or no consideration on the parents' part, they are creating a legacy that will not only impact JD11 present but also her future...

At this point I feel that their motives are to ruin ESD, why? Maybe it's personal, hopefully and prayerfully this trial will reveal the truth. Also, I truly believe you/we cannot rape the willing. Was it right? Of course not, we all make mistakes, this one just shocked JD11's parents beyond belief. As a parent/parents we know our child/children, and if we don't then we should hold ourselves accountable. Let's place the blame where it belongs in this case, the PARENTS!!! How was JD11 able to have a CONSENSUAL relationship with Mr. Campbell? Not sure if he was married or not!

I know for experience, that things that do not affect us, do not apply to us. We never believe it will happen to us, and when it rocks the very core of our neurosis, we go after blood. In this case again, I think the parents should be on trial, not ESD.

I cannot see how this is beneficial to JD11, I'm sure she has carried on with her life as a young adult as she should, maybe when the parents remove the dollar signs from the equation they will do the same.

I will end with this: Mark 8:36 For what shall it profit a man. If he shall gain the whole world and lose his soul.

Imjustsaying!!!

Atticus @ August 9, 2011 at [10:58 am](#)

Skeptical, Claire, if copies of the motions and pleadings in question (all of which are available from Judge Benson's clerk) are supplied, I'd be happy to comment on them for you and explain the legal basis.

To be frank on the 501c(3) matter, I think Charla brought it up only for the purpose of suggesting that ESD and Father Swann have an untruthful character. That sort of testimony relating to a non-relevant matter (like taxes and the IRS in a trial over negligence) would normally be excluded pre-trial. Perhaps Charla tied the 501c(3) (charitable status) issue to a remotely relevant topic and was able to survive a pretrial motion to keep it out, if Royce West's team even filed such a motion. But the way that Charla Aldous questioned Father Swann about the IRS exhibit was:

"It's true, isn't it, Father Swann, that as a man of the cloth you would never lie to the federal government, correct?"

Answer: Correct.

Question: [But here in this document that has nothing to do with the Doe case, the IRS was telling you that you are a liar, etc. etc.]

That was the extent of the questioning. It was evident to me that it was a "character for truthfulness" attack, yet Royce West and his co-counsel made no effort to exclude the evidence based on relevance and prejudice. Instead, they argued the "hearsay" rule, which flat-out does not apply. It was tough to watch, although I'm not sure that Charla scored many points with it.

Former ESD Mother @ August 9, 2011 at [11:09 am](#)

EagleParent: Don't know if ESD Student is Jane Doe, but this student also says that Father Swann is right and he should not be blamed for this situation. Students states that asking Jane to leave was for the best. Also states that parents should keep their comments to themselves unless they are supportive of Swann and ESD. So, I am kind of doubting Jane is writing this.
Don't need to look up where everyone goes to college. I already know. No one is contesting that ESD does not offer a perfectly fine education for our children.

EagleParent @ August 9, 2011 at [11:09 am](#)

@observer- And why did she not go to her advisor or school psychologist when school began and say "I am 17 years old and am being sexually abused by a teacher." or go to her parents in the summer and say that she was being sexually abused? appears to have gone on for six months.

Observer @ August 9, 2011 at [11:37 am](#)

"imjustsaying" wrote, "I truly believe you can't rape the willing", and then ended the post with a phrase from the bible.

Claire - I'm glad you didn't censor that post. It really is a shining example of the way many parents and students at ESD think. I hope the irony of the sincere poster closing with a phrase from the bible isn't lost on readers here...

Atticus @ August 9, 2011 at [11:43 am](#)

imjustsayin, let me make sure I understand you correctly. The undisputed facts are that a 34-year-old male teacher had a consensual, sexual relationship with a 16-year-old female student. It was the family's fourth child to go through ESD. Without going into whether the parents' negligence claims against ESD have merit, which will depend on the evidence presented at trial ... you believe that the PARENTS should be on trial because their teenage daughter had a sexual relationship with her teacher?

ESD Student @ August 9, 2011 at [1:18 pm](#)

To all the former parents and people who do not know what actually happened I think you all should stop commenting. If you know what actually went down then fine but other than the girl and the teacher no one actually knows for sure. So why doesn't everyone leave it to the jury to decide.

parent of 2 teens @ August 9, 2011 at [1:53 pm](#)

Atticus - see below for the link to trial documents and enter case # cc1003251a to review all motions in the trial.

I don't know the Doe Family and my kids don't attend ESD but do attend another private school. I'm an interested bystander and appreciate your candor about the trial.

Atticus @ August 9, 2011 at 10:58 am

Skeptical, Claire, if copies of the motions and pleadings in question (all of which are available from Judge Benson's clerk) are supplied, I'd be happy to comment on them for you and explain the legal basis.

http://www.dallascounty.org/public_access.php

mytwocentz @ August 9, 2011 at [10:25 pm](#)

@heygenius... so what you are saying is that Campbell is the source of the problem, not the school, and after he was gone, they felt that ESD was a good enough place to keep their daughter as it was for their three older daughters? Good to know we are on the same page!

No matter what is said on this blog there is always a wise guy to dismiss any comments pro-esd. I just pray they get this girl's computer and text messages history to prove she knew exactly what she was doing during the relationship with Campbell and the disruption that Jane Doe caused herself. The facts will speak for themselves.

I will say this trial has been going very slow because it has turned into a Circus as one poster has commented already. Shame it had to turn into this but can't say I didn't see it coming. There is too much scheming on both sides and not enough straightforwardness.

amanda @ August 9, 2011 at [11:10 pm](#)

A 16 year old person is a CHILD, on a number of levels. First, and perhaps most importantly, in regards to this case, IN THE EYES OF THE LAW. 17 is the age of consent.

Secondly, as has been documented, the frontal lobe of the brain is NOT fully formed until a person is in their early/mid 20's. Teenagers, although they may have physically developed, are NOT fully emotionally developed. They make poor decisions, and frequently fail to consider their choices in the context of long-term consequences. It's disturbing to see arguments made that this student was somehow at fault, or that she was "adult enough" to engage in a sexual relationship with an authority figure.

So, she "had it coming"? That's DISGUSTING. This CHILD could have been, and should have been LOVED and helped. I know several victims of sexual abuse, and make no mistake...this WAS abuse. Some chose to pursue civil litigation. There are myriad reasons a family would choose to do this, and not all for some type of vendetta. Without accountability and public record of these things, similar circumstances can occur again. Most families I have known chose civil remedy to prevent future abuse. Given the way ESD handled this situation, it's entirely valid for the victim's parents to pursue this case. I am stunned a truly troubled by some of the opinions being expressed on these trial threads.

