

July 9, 2018

Doc Hastings, Chairman
David Skaggs, Co-Chairman
Office of Congressional Ethics
U.S. House of Representatives
425 3rd Street, S.W.
Suite 1110
Washington, DC 20024

Re: Request for preliminary ethics inquiry regarding Rep. Jim Jordan

Dear OCE Chairman Hastings and OCE Co-Chairman Skaggs:

News stories in the past week have reported that seven former members of the Ohio State University wrestling team have stated that Rep. Jim Jordan (R-OH), a former assistant coach of the team, knew that the team doctor was engaged in sexual abuse of team members while Jordan was the assistant coach of the team and that Jordan failed to take any action on that knowledge.

In response to these news reports, Rep. Jordan has denied that he had any knowledge at the time that team members were being sexually abused. Thus, Rep. Jordan's denials are in sharp conflict with the public statements of seven members of the Ohio State wrestling team that Jordan had coached.

Rep. Jordan also has stated that if he had known that the sexual abuse of team members was occurring, he would have taken action to stop it. He has thereby recognized that such abuse would have been plainly improper and would have warranted his intervention to protect students under his supervision and care.

In these circumstances, if Rep. Jordan's recent statements—that he had no knowledge that student wrestlers under his supervision were being sexually abused—are false, his present conduct in connection with this serious matter would fail to “reflect creditably on the House,” in violation of clause 1 of Rule XXIII of the House Rules.

We request that the Office of Congressional Ethics (OCE) conduct a preliminary inquiry into whether Rep. Jordan is making false statements about his knowledge of whether members of the Ohio State wrestling team were being sexually abused by the team doctor during the time he was an assistant coach of the team.

If OCE determines there is substantial reason to believe that Rep. Jordan is lying in now claiming that he had no knowledge that wrestling team members under his care and supervision were being sexually abused, and if OCE also determines there is substantial reason to believe that Jordan's false public statements denying such knowledge constitute a violation of clause 1 of House Rule XXIII by failing to “reflect creditably on the House,” OCE should recommend that the House Ethics Committee further review this matter.

The House Ethics Committee should then investigate and determine whether Rep. Jordan's alleged false public statements about this matter constitute a violation of clause 1 of House Rule XXIII.

Statement of Published Reports

In April 2018, Ohio State University announced that it was investigating charges that the wrestling team's former doctor, Dr. Richard Strauss, had abused team members in the period from the mid-1970s through the late 1990s. Rep. Jordan served as assistant coach of the wrestling team during part of that period, from 1986 to 1994, prior to his election to Congress.

According to a report published by *The Washington Post*, seven team members now state that Jordan knew about the allegations that Strauss was sexually abusing team members, and failed to take action to stop the abuse.¹

According to a report published by *NBC News*, Rep. Jordan is "accused by former wrestlers he coached more than two decades ago at Ohio State University of failing to stop the team doctor from molesting them and other students."² According to the *NBC News* report, three former team members said that "it would have been impossible for Jordan to be unaware; one wrestler said he told Jordan directly about the abuse."³

One member of the student wrestling team, Dunyasha Yetts, said that "he and his teammates talked to Jordan numerous times about Strauss."⁴ According to a published report in *Politico*:

Dunyasha Yetts, a former champion wrestler at the university, agreed that "sexual abuse" wasn't used to describe what was occurring. But he accused Jordan of playing word games. Yetts said he was easily the most vocal person on the team to complain about Strauss and the Larkins Hall situation. Yetts claimed he not only told Jordan about Strauss' behavior, but asked Jordan and [Head Coach] Hellickson to confront the doctor with him.⁵

¹ E. Viebeck and A. Crites, "Rep. Jordan faces new accusation that he must have known about alleged sexual abuse at Ohio State," *Washington Post* (July 7, 2018).

² C. Siemaszko, "Powerful GOP Rep. Jim Jordan accused of turning blind eye to sexual abuse as Ohio State wrestling coach," *NBC News* (July 3, 2018).

³ *Id.*

⁴ *Id.*

⁵ R. Bade and J. Bresnahan, "'A cesspool of deviancy': New claims of voyeurism test Jordan denials," *Politico* (July 6, 2018).

Another member of the wrestling team, David Range, said, “Jordan definitely knew that these things were happening—yes, most definitely,” Range told *The Washington Post*. “It was there. He knew about it because it was an everyday occurrence.”⁶

Another member of the team, Shawn Dailey, told *NBC News* in another report that “Jordan took part in conversations where Strauss’ abuse of many team members came up.”⁷

The *NBC News* article also reported that another former wrestler, Mark Coleman, stated “that Jordan was aware of the abuse and had not taken action.” According to this report, Coleman said he was Jordan’s roommate on several wrestling trips and “[t]here’s no way unless he’s got dementia or something that he’s got no recollection of what was going on at Ohio State.”⁸

Another former member of the student wrestling team, unnamed in the *NBC News* report, said, “I love Jimmy to death. It was a head-scratcher to me why he would say he didn’t know anything. Doc used to take showers with the team even though he didn’t do any workouts, and everybody used to snicker about how you go into his office for a sore shoulder and he tells you to take your pants down.”⁹

Rep. Jordan’s public statements have directly contradicted the statements made by the former wrestlers. According to the *NBC News* report, Jordan told *The Columbus Dispatch*, “I had not heard about any type of abuse at all.”¹⁰ He also is quoted as saying that “no one reported any type of abuse” to him.¹¹ According to a story in *Politico*, Jordan “said his accusers are lying. Jordan said he would have not have hesitated to come forward to report sexual abuse. ‘It’s not true,’ Jordan said. ‘I never knew about any type of abuse. If I did, I would have done something about it.’”¹²

According to an interview with *Fox News*, Jordan said, “It’s false. I mean, I never saw, never heard of, never was told about any type of abuse. If I had been, I would have dealt with it. Our coaching staff, we would have dealt with it, these were our student athletes. A good coach

⁶ *The Washington Post* (July 7, 2018), *supra*.

⁷ C. Siemaszko, “More Ohio State wrestlers say Rep. Jim Jordan knew about sexual abuse when he was coach,” *NBC News* (July 5, 2018).

⁸ *NBC News* (July 5, 2018), *supra*.

⁹ *NBC News* (July 3, 2018), *supra*.

¹⁰ *Id.*

¹¹ *Id.*

¹² R. Bade and J. Bresnahan, “‘I would have done something’: Jordan rebuts claims he knew of abuse,” *Politico* (July 3, 2018).

puts the interests of his student athletes first. We would have dealt with it if we would have known about anything that happened. If in fact there are victims, they deserve justice...”¹³

Jordan also claimed in the *Fox News* interview that “Conversations in the locker room are a lot different than allegations of abuse or reported abuse to us. I have been around the sport of wrestling my entire life... conversations in the locker room are a lot different than people coming up and talking about abuse. No one ever reported any abuse to me.”¹⁴

These comments by Rep. Jordan do not change the fundamental conflict that exists between Rep. Jordan and seven former student wrestlers about whether Rep. Jordan knew that student wrestlers under his supervision were being abused by the team doctor.

Rep. Jordan also questioned the legitimacy of the allegations, stating, “I think the timing is suspect when you think about how this whole story came together after the Rosenstein hearing and the speaker’s race.”¹⁵

Jordan’s congressional spokesman said in an emailed statement to NBC News that “Congressman Jordan never saw any abuse, never heard about any abuse, and never had any abuse reported to him during his time as a coach at Ohio State.”¹⁶ In a report published by CNN, Jordan is quoted as saying, “We knew of no abuse, never heard of abuse. If we had, we would have reported it. If, in fact, there’s problems, we want justice for the people who were victims, obviously. . . . But the things they said about me just were flat-out not true.”¹⁷

Request for Investigation

There is a direct and irreconcilable conflict between the public statements made by seven former Ohio State student wrestlers that Rep. Jordan knew wrestling team members were being sexually abused by the team doctor, and Rep. Jordan’s denial that he had any knowledge of the abuses. According to Rep. Jordan, the allegations made by the former wrestling team members are “not true.”¹⁸

¹³ B. Baier, “Jordan fights claim he ignored sexual abuse, calling allegations ‘completely false,’” *Fox News* (July 6, 2018).

¹⁴ *Id.*

¹⁵ C. Edmonson, “Jim Jordan is defiant as allegations amount, and supporters point to ‘Deep State,’” *The New York Times* (July 6, 2018).

¹⁶ *NBC News* (July 3, 2018), *supra*.

¹⁷ S. Serfaty and C. Foran, “Amid Ohio State abuse investigation, Rep. Jordan faces questions about what he knew,” *CNN* (July 4, 2018).

¹⁸ *Politico* (July 3, 2018), *supra*.

This is a very serious matter that directly reflects on the integrity of the House of Representatives as an institution and on the credibility of its Members.

If the accounts by the former Ohio State wrestling team members are correct and Rep. Jordan is lying, then Rep. Jordan is engaging in extremely improper behavior by making false statements on the public record to conceal his past knowledge of the sexual abuse of student wrestlers under his supervision, and to conceal his failure to take any action to protect those students. Such false statements to cover up Rep. Jordan's past knowledge of, and inaction on, sexual abuses that he should have acted to prevent would violate clause 1 of House Rule XXIII.

House Members and staff are subject to the "most comprehensive provision" of the Code of Official Conduct, which is the requirement in clause 1 of House Rule XXIII that Members shall conduct themselves "at all times in a manner which shall reflect creditably on the House" of Representatives.¹⁹

The House Ethics Manual cites 11 prior instances in which the Ethics Committee has invoked this provision in investigating or disciplining Members.²⁰ These prior matters include failing to report campaign contributions and making false statements in connection with the Korean Influence Investigation; inflating the salaries of congressional employees in order to enable them to pay the Member's personal, political or congressional expenses; accepting gifts from persons with an interest in legislation pending before the House; engaging in sexual relationships with House pages; writing a misleading memorandum that could have influenced a personal associate's probation as well as arranging for improper dismissal of parking tickets, and making statements "that impugned the reputation of the House." *Id.*

In many of these examples, questions of dishonesty are involved, and in all of them the Members' actions brought discredit on the House and undermined public confidence in the integrity of the House as an institution. The same discredit would be brought upon the House if Rep. Jordan is currently making false statements accusing seven former student wrestlers under his supervision of lying in an attempt to conceal his own past failures to protect the students from sexual abuses that he knew were occurring.

This matter goes to important interests in the integrity of the House and its Members that are protected by clause 1 of House Rule XXIII.

We request that OCE undertake a preliminary investigation of Rep. Jordan's public denials that he had any knowledge that Ohio State student wrestlers under his supervision were being sexually abused by the team doctor while he was an assistant wrestling coach at Ohio State.

If OCE determines that there is substantial reason to believe that Rep. Jordan had knowledge that students under his supervision were being sexually abused and is currently and

¹⁹ House Ethics Manual (2008 ed.) at 12

²⁰ *Id.* at 14-16.

publicly lying about his knowledge of the matter, OCE should recommend that the House Ethics Committee further review this matter. The House Ethics Committee should then investigate and determine whether Rep. Jordan is publicly lying about this matter in violation of clause 1 of Rule XXIII of House Rules.

If it is determined that Rep. Jordan is lying to cover up his failure to protect student wrestlers under his supervision from sexual abuses, the House must hold Rep. Jordan accountable for his lies.

Verification

The individuals submitting this information are listed below and acknowledge that section 1001 of title 18 United States Code applies to the information being provided.

Submitted by,

President, Democracy 21

Norman L. Eisen
Ambassador (Ret.) and former chief White
House ethics lawyer, 2009-2011

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