



STUDENT AFFAIRS

Office for Student Conflict Resolution
300 Turner Student Services Building, MC-306
610 E. John St.
Champaign, IL 61820

Evidence Packet for the Subcommittee on Sexual Misconduct

Date Made Available: July 10, 2023
Primary Investigator: Evie Newman
Secondary Investigators: Caitlin Kay
Respondent(s): Howard Wolowitz
Incident No(s): 71304-001-2023

TABLE OF CONTENTS

Appendix A: Complainant Interview: Amy Farrah Fowler 2

Appendix B: Respondent Interview: Howard Wolowitz 5

Appendix C: Witness Interview: Leonard Hofstadter 9

Appendix D: Witness Interview: Bernedette Rostenkowski 11

Appendix A: Complainant Interview: Amy Farrah Fowler

Meeting Date: June 4, 2023

Primary Investigator: Evie Newman

Secondary Investigator: Caitlin Kay

Complainant Advisor: None [Comfortable speaking to us without advisor]

DISCLAIMER: This document is not a transcript of the interview. Although some of these notes may be verbatim, the entire document is not.

Evie explained the following process:

My Evie is Evie Newman, I use she/her pronouns. Would you like to introduce yourself and your advisor?

The investigators are neutral parties who are gathering information. I am serving as the primary investigator, which means my role is to facilitate our conversation today and ask questions.

Dean Imel, would you like to introduce yourself?

Dean Imel is serving as the secondary investigator, which means her role is to take notes today. Although she will primarily be taking notes during our conversation, she may have questions and equally participate in the conversation today as well. All follow up questions or concerns should come directly from you to me.

You are allowed to have one advisor. The role of that advisor is to be there to support you. You can talk with your advisor in this space and you can also step out of the room to speak with your advisor. You also have the right to ask your advisor to leave at any point in time. Your advisor cannot speak directly to the investigators. Do you have an advisor with you today? Who is that person? Are you comfortable speaking to us without an advisor?

Our process is different from criminal process in many ways, and one way it is different is the standard of proof. We use the preponderance of the evidence standard, which means that, in order to find that a violation occurred, our committee members must conclude, on the basis of the information collected, that it is more likely than not that the violation occurred.

You have the right to report this incident and choose your level of participation. Once the report is given to us, we will continue the investigation. However, you can choose to stop participating at any point during the process.

You have the right to decline to answer any specific question.

If I ask you a question you don't understand, or you want to know why I'm asking it, please let me know and I will rephrase or provide context.

If I ask a question and you don't know the answer, it is okay to say that you don't know.

If you think that I have misunderstood anything you say today, please tell me.

I want to get as much information as possible, so please be detailed in what you share. If I don't ask about something you think is important, please tell me.

1 *To do my job, I need accurate information, so I always remind everyone that it is important to tell the*
2 *truth and that we expect for you to be honest in everything that you tell us. That being said, if you do not*
3 *want to answer a question I ask you, that's okay; just let me know.*

4 *We have a retaliation policy, so if anyone were to do something to retaliate for you participating in this*
5 *process, first do whatever you need to get yourself to a point of feeling safe such as calling the police.*
6 *But then also let me know so I can take any appropriate action to follow up as well.*

7 *I may ask questions about alcohol and/or drug use. This is not because we are judging use of these*
8 *substances in this instance. The reason we ask about alcohol and drugs is to get a full picture of what*
9 *happened and, in some instances, determine if alcohol or drugs play a role in someone's ability to*
10 *consent to sexual activity.*

11 *You have the right to list witnesses for us to interview and to provide supporting information. Supporting*
12 *information could be text messages, photos, medical documentation, or anything else that would help to*
13 *show what happened during the situation we are investigating.*

14 *After the interview today, I will email you the notes from our conversation. I would ask that you rEview*
15 *those notes and email me back with any corrections or additions that you want to make to those notes.*
16 *Both the notes as sent to you and your response will be incorporated into our report. Do not edit the*
17 *notes document. Instead, please provide a response in a separate document.*

18 *Our next steps will be to interview the respondent and any witnesses.*

19 *Then we will put together an evidence packet for both you and the respondent to rEview. At that point*
20 *you will be able to give written feedback to us.*

21 *We will then write an investigative report that fairly summarizes the investigation and any evidence. You*
22 *will receive an electronic copy of this report and will again have the opportunity to respond to it in*
23 *writing.*

24 *We may then schedule a hearing before our subcommittee on sexual misconduct. If we do so, you will be*
25 *invited to participate in that hearing, along with the respondent and any relevant witnesses. Following*
26 *that hearing and after a thorough examination of the evidence, the report, and any written responses,*
27 *the panel will decide whether a violation of the policy occurred, and if so, what the sanctions will be.*

28 *Both you and the respondent will have the right to appeal that decision. The decision of the appeal*
29 *committee is final.*

30 *If at any point today you want to take a break, please just let us know.*

31 **EVIE: Do you have any questions before we begin?**

32 Amy: No.

33 **EVIE: Can you start with telling me how you know Howard Wolowitz?**

34 Amy: I don't really know Howard particularly well. Howard lives across the hall from me in Nugent Hall.
35 I moved into the building in Fall 2022 and that is when I first became aware of Howard but honestly, I
36 have always been creeped out by them so I have tried to keep my distance.

EVIE: I understand that you want to report something regarding Howard. Please tell me what happened that you think I should know about.

Amy: When I moved into Nugent, I never really felt comfortable with Howard. They never really spoke to me, but I would get this feeling like I was being watched. There were several times throughout the semester when I would go to study in other buildings like the SDRP or at the Union and HOWARD would just show up. They would always sit at a table sort of close to where I was. Howard never seemed like they were doing work. Every time I would look their way, they would be staring at me until they noticed that I looked at them and then they would look at their computer screen and start furiously typing. Also, around this time, I started to get these weird anonymous notes on my door. They were written on post-it notes and just what they said creeped me out. One said, "Big brother is watching." I have no idea what that means, but that sounds creepy, right? Then another one said, "You never know what could happen." Again, what is that supposed to mean? I don't 100% know that Howard wrote these but I strongly feel that is the case. Oh, and there was a third one that said, "Looking for love in all the wrong places." I just don't know who else would do this and it makes me so uncomfortable and afraid to go to my room. I never know what I am going to find next. It kind of feels like things are escalating. Another thing that happened was that I got these bunny slippers in a care package from my mom at Easter. Shortly after I got them, they were missing. My friend Leonard said that Howard had them and wears them all the time when I am not around. The thing that finally made me want to come here and talk to you is that someone and I am assuming that it was Howard sent me this gigantic balloon arrangement to me and had it delivered to my a cappella group's rehearsal. It was so embarrassing. It was on my birthday, so I know it was on April 20th. Oh, and probably the most important thing I almost forgot to tell you. Leonard told me that Bernedette Rostenkowski who also lives on our floor was saying that I am cute and Howard overheard this conversation and interrupted them and told Bernedette that it was not cool to move in on someone that they know Howard has feelings for. Keep in mind I have barely had a conversation with Howard I have no desire to be in any sort of relationship or honestly even any friendship with Howard. They are creepy and I want them to leave me alone.

Amy's response to the notes:

I don't feel like these are my exact words, but it generally the gist of what I reported, and I feel it is a good enough representation for you to move forward with.

Thank you!

AFF

Appendix B: Respondent Interview: Howard Wolowitz

Meeting Date: 6/22/2023

Primary Investigator: Evie Newman

Secondary Investigator: Caitlin Kay

Advisor: Sheldon Cooper

DISCLAIMER: This document is not a transcript of the interview. Although some of these notes may be verbatim, the entire document is not.

Evie explained the following process:

My name is Evie Newman, I use she/her pronouns. Would you like to introduce yourself?

Before we get started with the investigation I would like to talk about the No Contact Directive. As a University Official I am telling you that you are not to have further contact with Amy Farrah Fowler. "Contact" includes physical contact with the other party as well as written, verbal, electronic, and third-party communications to them. Contact does not include an exercise of the right to free speech, freedom of the press, or right to assembly that is otherwise lawful. Contact does not include inadvertent contact or merely being in the physical presence of the other party in a public location but does include intentional conduct directed at the other party that a reasonable person under the circumstances would conclude is intended to intimidate or harass, whether such conduct occurs in public or in private. Do you have any questions about the NCD?

The investigators are neutral parties who are gathering information. I am serving as the primary investigator, which means my role is to facilitate our conversation today and ask questions. Dean Imel is serving as the secondary investigator, which means her role is to take notes today. Although she will primarily be taking notes during our conversation, she may have questions and equally participate in the conversation today as well. All follow up questions or concerns should come directly from you to me.

You are allowed to have one advisor. The role of that advisor is to be there to support you. You can talk with your advisor in this space and you can also step out of the room to speak with your advisor. You also have the right to ask your advisor to leave at any point in time. Your advisor cannot speak directly to the investigators.

Our process is different from criminal process in many ways, and one way it is different is the standard of proof. We use the preponderance of the evidence standard, which means that, in order to find that a violation occurred, our committee members must conclude, on the basis of the information collected, that it is more likely than not that the violation occurred.

You have the right to decline to answer any specific question.

If I ask you a question you don't understand, or you want to know why I'm asking it, please let me know and I will rephrase or provide context.

If I ask a question and you don't know the answer, it is okay to say that you don't know.

If you think that I have misunderstood anything you say today, please tell me.

1 *I want to get as much information as possible, so please be detailed in what you share. If I don't ask*
2 *about something you think is important, please tell me.*

3 *To do my job, I need accurate information, so I always remind everyone that it is important to tell the*
4 *truth and that we expect for you to be honest in everything that you tell us. That being said, if you do not*
5 *want to answer a question I ask you, that's okay; just let me know.*

6 *We have a retaliation policy, so if anyone were to do something to retaliate for you participating in this*
7 *process, first do whatever you need to get yourself to a point of feeling safe such as calling the police.*
8 *But then also let me know so I can take any appropriate action to follow up as well.*

9 *I may ask questions about alcohol and/or drug use. This is not because we are judging use of these*
10 *substances in this instance. The reason we ask about alcohol and drugs is to get a full picture of what*
11 *happened and, in some instances, determine if alcohol or drugs play a role in someone's ability to*
12 *consent to sexual activity.*

13 *You have the right to list witnesses for us to interview and to provide supporting information. Supporting*
14 *information could be text messages, photos, medical documentation, or anything else that would help to*
15 *show what happened during the situation we are investigating.*

16 *After the interview today, I will email you the notes from our conversation. I would ask that you rEview*
17 *those notes and email me back with any corrections or additions that you want to make to those notes.*
18 *Both the notes as sent to you and your response will be incorporated into our report. Do not edit the*
19 *notes document. Instead, please provide a response in a separate document.*

20 *Our next steps will be to interview any witnesses.*

21 *Then we will put together an evidence packet for both you and the complainant to rEview. At that point*
22 *you will be able to give written feedback to us.*

23 *We will then write an investigative report that fairly summarizes the investigation and any evidence. You*
24 *will receive an electronic copy of this report and will again have the opportunity to respond to it in*
25 *writing.*

26 *We may then schedule a hearing before our subcommittee on sexual misconduct. If we do so, you will be*
27 *invited to participate in that hearing, along with the complainant and any relevant witnesses. Following*
28 *that hearing and after a thorough examination of the evidence, the report, and any written responses,*
29 *the panel will decide whether a violation of the policy occurred, and if so, what the sanctions will be.*

30 *Both you and the complainant will have the right to appeal that decision. The decision of the appeal*
31 *committee is final.*

32 *If at any point today you want to take a break, or just step out, please just let us know.*

33 **EVIE: Do you have any questions before we begin?**

34 **Howard: I don't.**

35 **EVIE: How do you know Amy Farrah Fowler?**

1 Howard: Amy lives across the hall from me in Nugent Hall and moved in at the beginning of Spring
2 semester. Amy is always very smiley and bubbly and just seems to be enjoying life, you know?

3 **EVIE: Do you ever monitor Amy?**

4 Howard: Amy lives right across the hall. It is easy to know when they are home or not because when
5 they are home there is always laughter and fun music coming from the room. So, I wouldn't say I
6 monitor them, no, not at all. Am I aware when Amy is around? Absolutely. It is impossible not to notice
7 from their amazing energy.

8 **EVIE: Do you ever go places to seek Amy out?**

9 Howard: I am not sure what you mean by this. Do I want to be around Amy? Of course. Everyone does.
10 Amy is like a ray of sunshine in life. You talked to Amy. You know what I mean. Just a real source of
11 comfort for everyone.

12 **EVIE: Do you ever decide to go somewhere because you know Amy will be there?**

13 Howard: Maybe? If I know Amy will be somewhere does that make me more excited to go, there? I
14 would say it does. Amy is just wonderful.

15 **EVIE: Have you ever left notes on Amy's door?**

16 Howard: Probably. Amy is my neighbor. Nothing specific comes to mind though.

17 **EVIE: Did you leave a note for Amy that said, "Big brother is watching?"**

18 Howard: That doesn't sound familiar.

19 **EVIE: How about one that said, "You never know what could happen?"**

20 Howard: Again, that isn't really ringing any bells for me.

21 **EVIE: What about one that said, "Looking for love in all the wrong places?"**

22 Howard: Yeah, I don't think I did that. I don't know. That is kind of vague.

23 **EVIE: Do you have Amy's bunny slippers?**

24 Howard: I did find some bunny slippers in the lounge. I didn't realize they were Amy's. I was just in
25 there studying one night and got cold and they were in there. No one came to get them. No one has
26 asked me for them or anything. If someone wanted them back all they had to do was ask me for them. I
27 don't have any strong connection to them. Just some random thing that I found.

28 **EVIE: Did you send Amy balloons?**

29 Howard: I didn't organize that. Someone else, I am not sure who now, did. I gave some money toward
30 that, but it wasn't my idea. I didn't do it alone. It was a bunch of people who thought it would make her
31 feel special to be remembered on her birthday. She is here from out of state and this is her first
32 birthday without her family, and I think people on the floor just thought it would be nice to do that for
33 her.

34 **EVIE: Who else was part of that?**

1 Howard: I am not sure. It was in a GroupMe message and well since you all started this investigation,
2 they kicked me out of the GroupMe, otherwise I would go back and tell you.

3 **EVIE: Did you tell Bernedette Rostenkowski not to be interested in Amy romantically?**

4 Howard: I do have a little bit of a crush on Amy. That is true. Bernedette is one of my best friends and I
5 told Bernedette they know I have a crush on Amy and talking about Amy in that way isn't cool to me. It
6 does make me jealous. There is no rule against feeling jealous, right? I am allowed to have my feelings.

7 **EVIE: Is there anything else you think I should know?**

8 Howard: Just that I think the world of Amy. I would never do anything to harm Amy and anyone who
9 knows me knows that. I think this whole thing is totally blown out of proportion and I think that it is not
10 fair that I am having to spend my time and energy talking to you when I have so many other things like
11 my school work to focus on. I want to go to medical school and having the grades to get there is my
12 number one priority and all of this is taking time away I could be spending on my studies.

13 **EVIE wraps up meeting.**

14 Howard's response to the notes:

15 I want to be extremely clear that Amy never told me to stop paying attention to them and if that had
16 happened, I would have backed off. Obviously since this all started, I have had nothing to do with Amy
17 and I hope they feel better about things now and can we can both just move on with our lives.

Appendix C: Witness Interview: Leonard Hofstader

Meeting Date: 6/22/2023

Primary Investigator: Evie Newman

Secondary Investigator: Caitlin Kay

DISCLAIMER: This document is not a transcript of the interview. Although some of these notes may be verbatim, the entire document is not.

[Evie explains the process and role of a witness in OSCR case]

EVIE: How do you know Howard Wolowitz?

Leonard: We live on the Bernedettee floor in Nugent.

EVIE: Can you describe your past and current relationship with Howard?

Leonard: I mean, we are neighbors? I wouldn't call us friends but we live right by each other and interact a lot. I don't expect that will be the case once we live other places next year, but yeah, we interact a lot out of convenience and being in the Bernedettee hallway.

EVIE: How do you know Amy Farrah Fowler?

Leonard: Amy's one of my friends on the floor. They just moved onto the floor this semester, but we clicked and get a long great. Amy is just the sweetest.

EVIE: Amy is making a claim that Howard was stalking her. What can you tell me about that?

Leonard: Um, I don't know if it was stalking, but it seemed like Howard for sure had a weird interest in Amy that that made Amy uncomfortable. I don't really know the text book definition of stalking. HOWARD is just kind of awkward. Everyone else on the floor is used to that. Amy was new and probably didn't know how to take HOWARD's awkwardness and got freaked out.

EVIE: Were you part of a GroupMe message that organized sending Amy balloons?

Leonard: No, and I think if something like that were happening on the floor, I would be part of it.

EVIE: Can you describe the relationship between Howard and Amy?

Leonard: I don't think there is much of a relationship. They both just live on the floor. I did hear HOWARD talk about having a crush on Amy once and discouraging another friend from saying they were interested in Amy. I think HOWARD said something like that it was disrespectful to talk about Amy like that. Something like that. It was awhile ago. It was weird.

EVIE: Do you know anything about Howard leaving notes for Amy?

Leonard: I don't.

EVIE: Who was the other friend in that conversation?

Leonard: Bernedette Rostenkowski.

1 **EVIE: Is there anything else that you think I should know?**

2 Leonard: Howard is weird, I will give you that, but I don't think that Howard means any harm by
3 anything.

4 **EVIE: What do you know about Howard having Amy's bunny slippers?**

5 Leonard: Umm, that is kind of weird. Howard wears them around when Amy isn't there. I have never
6 seen any sort of confrontation about that. It is almost like Howard wants everyone but Amy to know
7 that Howard has them.

8 **EVIE: Anything else?**

9 Leonard: No I don't think so.

10 **EVIE outlined the next steps in the investigation process including the opportunity to rEview these**
11 **notes.**

12 Leonard's response to the notes:

13

14 Looks good to me.

15 -Leonard Hofstadter

Appendix D: Witness Interview: Bernedette Rostenkowski

Meeting Date: 6/23/2023

Primary Investigator: Evie Newman

Secondary Investigator: Caitlin Kay

DISCLAIMER: This document is not a transcript of the interview. Although some of these notes may be verbatim, the entire document is not.

[Evie explains the process and role of a witness in OSCR case]

EVIE: How do you know Howard Wolowitz?

Bernedette: HOWARD lives down the hall from me in Nugent.

EVIE: Can you describe your past and current relationship with Howard?

Bernedette: Um, we study in the Illini lounge, eat in the Ike together sometimes. We aren't extremely close, but we spend time together.

EVIE: How do you know Amy Farrah Fowler?

Bernedette: Kind of the same thing. We live on the same floor. We aren't extremely close, but we do spend a lot of time together.

EVIE: Can you describe the relationship between HOWARD and Amy?

Bernedette: Umm, it is kind of weird. Obviously, all of us live near each other. It feels like Howard is more interested in being close than Amy is. One time I did bring up thinking Amy is attractive and Howard told me I was out of line or something like that. Which was extremely strange to me, but I was not trying to cause any floor drama, so I backed off and did not pursue that any further.

EVIE: Do you know anything about Howard sending Amy balloons?

Bernedette: Yes. I know Howard did that. Howard was in the lounge with the Party City website pulled up and then the next day is when Amy got the balloons. Which again, is weird, but maybe that could be nice? I don't know.

EVIE: Was there a GroupMe message for it to be a group thing to send the balloons?

Bernedette: I never heard anything like that.

EVIE: Have you ever observed Howard watching Amy?

Bernedette: Oh 100%. Whenever Amy is in their dorm room Howard will have their door open and very obviously trying to see what is going on in Amy's room. Also, there were a couple of times that I went to study at the Union with Amy and some other people from the floor and HOWARD showed up, but didn't come and sit with us. Instead sat within the eye line of Amy and just intently stared at Amy.

EVIE: When did that happen?

1 Bernedette: Um, one time it was on March 5. I only remember that because it was Unofficial, and
2 people kept coming into the Union wearing green. And the other time was sometime after that but
3 before spring break.

4 **EVIE: So, still in March?**

5 Bernedette: Yeah

6 **EVIE: Do you know anything about Howard leaving notes for Amy?**

7 Bernedette: I have seen Howard put post-its on Amy's door, but I didn't go and read them. I don't know
8 what they said.

9 **EVIE: Is there anything else that you think I should know?**

10 Bernedette: No, not that I'm aware of.

11 **EVIE outlined the next steps in the investigation process including the opportunity to rEview these**
12 **notes.**