

## Response to Independent Review

By Jill and Matthew McCluskey

Our beloved daughter Lauren McCluskey was murdered on the University of Utah campus, on her way home to her university apartment after her night class on October 22, 2018, by a man she dated for one month and had broken up with 13 days earlier after she discovered he lied about his true identity, age, and criminal record. Lauren repeatedly complained to the University of Utah Police Department (UUPD) about her killer and sought help from them and other entities on campus.

Writing this response was difficult for us. Lauren loved the University of Utah. She was proud to be a Utah student athlete and the Athletics Department was wonderful to her. We will always support Utah Athletics, especially Utah Track and Field. Lauren took classes from fantastic professors at the University of Utah, especially in the Department of Communication. However, failures by staff to provide support and security to Lauren, principally by the UUPD as well as by other entities at the University, had fatal consequences.

An independent committee reviewed how Lauren's case was handled. Their report states that "there were several indications that Lauren McCluskey was in trouble. There were failings both systematically and individually...correcting the issues we have identified in this report might lessen the probability of such a tragedy occurring again." We agree with this conclusion. The probability of Lauren's murder would have been lessened had these systematic and individual failings, documented in the report, not existed.

**We respectfully disagree with the conclusion that Lauren's murder could not have been prevented.** There were numerous opportunities to protect her during the almost two weeks between the time when our daughter began expressing repeated, elevating, and persistent concerns about her situation and the time of her murder. Failures include lack of follow through, reporting, and urgency by UUPD, Housing and Residential Education (HRE), and possibly University Counseling (who did not participate in the review owing to their interpretation of HIPAA regulations). This situation cries out for accountability beyond updating policies and training and addressing UUPD understaffing by hiring five new department personnel.

Some general observations:

- Responsibility for assessing Lauren's level of personal danger was entirely placed on Lauren, despite the fact that she had just ended a manipulative relationship and despite her numerous attempts to report elevating concerns to the UUPD. Out of desperation, after receiving no substantive assistance from the UUPD, she twice contacted the Salt Lake City Police Department, only to be redirected back to the UUPD.
- The staffs at HRE and UUPD exhibited scant follow-through and no urgency regarding information provided to them.
- Even after numerous explicit statements of concern were provided, including that she was "scared" and "concerned that his friends are trying to lure her into a trap," our daughter's safety was not considered a risk or a priority, and she was provided no support or protection. Rowland was free to roam the campus and had easy access to Lauren's housing area.

Some specific observations:

**On October 10, 2018:** 12 days before Lauren was murdered, Jill McCluskey called the UUPD to inform them of her concerns for Lauren's safety and security. She explicitly said that she wanted Lauren to have a police escort because she was *worried about Lauren's safety*. Lauren had told Jill she found out that the

man she had been dating was a sex offender and had lied about his name and age, and Jill provided that information to the UUPD. Jill was worried that this man or his friends were trying to lure Lauren away from her apartment so that they could hurt her. Lauren had just ended a manipulative relationship, and Rowland was attempting to confuse her about whether she was in danger. Even so, Lauren came around to asking for a police escort. During Jill's phone call to UUPD dispatch on October 10, 2018, which can be verified with the phone recordings, she explicitly stated:

- a. **"I am worried he's dangerous"**
- b. **"He is a sex offender"**
- c. **"He is a bad person"**
- d. **"I am worried someone is going to hurt her"**

Jill's statements were not conjectures, but were statements supported by an internet search performed on a personal computer in Pullman, WA. This simple search immediately revealed Rowland's sex-offender past and potential dangerousness.

Jill's phone call about Lauren's safety was never linked to Lauren's later complaints that Rowland was harassing her, peeking through her window, attempting to lure her from her apartment, and extorting her. See Finding 10. **If the information had been linked, it is reasonable to assume that her case would have been given a higher priority and her murder might have been prevented.**

On a phone call made by Lauren to the UUCP on **October 12**, Lauren stated, **"I think they are trying to lure me somewhere."** She also explicitly informed the UUPD about cell phone messages stating false information about her killer being in an accident and in the hospital, and that he subsequently died. Lauren reported that she followed up and had proof that he was still alive; therefore, the messages were lies and constituted harassment. The harasser asked Lauren if she wanted to go to the funeral. She felt that by trying to get her to go to the funeral, the harasser was trying to lure her somewhere, with dangerous intentions. The staff member taking the phone call sounded abrupt, not sympathetic, and did not connect any of Lauren's observations and concerns to multiple prior complaints provided by Lauren and the initial complaint by Jill.

A UUPD case report (incident 18-1861) was filed based on Lauren's phone call. The police report states: "...she is concerned that his friends are trying to lure her into a trap...I explained that without any threats or anything of a criminal nature that there isn't much we can do, but I told her to contact us if this escalates." Upon hearing that **"there isn't much we can do,"** many students would have given up. In fact, as discussed in Finding 13 and Appendix B, there are many things that can be done to help a student assess danger and develop a **personal protection plan**.

When Lauren called the UUPD the next day (**October 13**), there was no recognition that this was a continuing and escalating case. In fact, **each of the several times that Lauren called the police, it was like the first time.** The person that Lauren would speak to indicated no knowledge of who Lauren was, why she was calling, and apparently had no knowledge of any accumulating record of her issues, requests, or complaints (see Finding 17). Lauren was asked to frame her concerns anew, repeatedly respond to the same list of questions, and fill out the same forms.

A supplement case report was filed based on her **October 13, 2018** interactions (supplement incident 18-1861). This is when Lauren reported the extortion. In addition, the report states, "Lauren stated that while waiting for Shawn to come to her dorm room, Lauren saw that Shawn was peeking through her dorm window. Lauren stated that *scared* her." Officer Deras ran a criminal history on Lauren's killer and wrote that he was convicted of "forcible sex abuse." **This should have raised concerns for Lauren's safety.**

Detective Dallof was notified and assigned to the case. Lauren's case was classified as an extortion case, not a personal safety case, and it received low priority.

Many calls and emails are documentable between **October 13 and 19**. Out of desperation, Lauren called the downtown SLC PD twice because of the lack of response from Dallof and the UUPD. Both times the SLC PD simply redirected her concerns back to the nonresponsive UUPD.

**October 22, 2018 (day of the murder):** Lauren received a text from someone claiming to be UUPD deputy chief Rick McLenon. The text stated, "Good Morning Lauren. This is Deputy Chief McLenon with the University Police. I planned on calling you but I'm in a meeting at the moment. Can you come to the station as soon as possible. There is something you need to see. I will go over details when you get here. Thanks."

Lauren notified Dallof via e-mail and Officer Deras via phone. Dallof did not read this email until after Lauren was murdered. Lauren called Officer Deras three times on October 22: 10:00am, 11:55am, and 12:08 pm. Officer Deras called her back at 12:14 pm. He told Lauren it was a fake text because the sending number was not the Deputy Chief's phone number. Deras told Lauren not to answer the text. However, he did not report this alarming attempt at luring Lauren from her residence to anyone. This information was a major red flag, and this final inaction by the UUPD was fatal. The fact that Deras did not report this to McLenon, or to anyone at all, is inexplicable and indefensible. **A reasonable person would conclude that by calling Officer Deras until she finally talked with him and emailing Dallof, Lauren was reporting this impersonation of a police officer as an attempt to lure her out of her dorm room to the UUPD. However, Lauren's reporting went nowhere. This is an unforgivable lapse of judgment and professional competency. This contradicts the finding (18) that the police were taking Lauren's complaints seriously.**

There were numerous additional problems that are discussed in the independent review, including university housing's online reporting system not working, with no back-up plan (such as a simple phone call). The lack of communication and coordination between university housing and UUPD is a glaring problem. The disconnection between university counseling staff, with whom my daughter was meeting, and UUPD or any other entity on campus, is another glaring fault. UUPD's policy of not requiring checks on the parole status of offenders and their general lack of knowledge in the area of relationship violence contributed to the tragic outcome.

In the final analysis, the University of Utah must substantially improve its responsiveness to women who are in danger of relationship violence so that future tragedies will be prevented. As stated in the report, "UUPS needs to implement an effective training program dealing with interpersonal violence." Moreover, the report states that, in addition to systemic defects, there were *individual failings*. If the University of Utah is serious about following the report's recommendations, it is essential that the individuals who failed our daughter be held accountable for neglecting her numerous, persistent attempts to seek help, and be disciplined appropriately.