

The Sophie Fund

www.thesophiefund.org



October 14, 2026

Anne Meinig Smalling
Chair, Cornell University Board of Trustees
Via email to:

chairman@cornell.edu

counsel@cornell.edu

trustees@cornell.edu

Dear Chair Smalling,

We welcome the Cornell University Board of Trustees Special Committee's retention of King & Spalding to conduct an independent review of Cornell's policies and practices concerning campus sexual assault, including a detailed review of the allegations described in the civil lawsuit brought by a plaintiff known as "Jane Doe."

This review comes in response to serious public-trust concerns, raised by numerous parties, including New York Governor Kathy Hochul, regarding Cornell's handling of this matter.

We request that the Special Committee release its engagement letter with King & Spalding, including any attachments, amendments, and terms of reference, so that the Cornell campus and Ithaca communities can fully understand the firm's precise mandate, the scope of its factual inquiry, the terms governing its independence and authority, its reporting obligations, and Cornell's commitment regarding public release of King & Spalding's final report.

We make this request because the Special Committee's [October 6 statement](#) leaves important questions unanswered about what it means by a "detailed review" and by King & Spalding's "full independence."

1. Scope of King & Spalding's investigation

With respect to the "detailed review" of the Jane Doe matter, we seek to know whether the engagement letter expressly includes or excludes examination of the following in Jane Doe's case:

- What Cornell officials knew, when they knew it, and what actions they took in response to that knowledge.

- The actions and decisions of senior Cornell administrators and trustees.
- The actions and decisions of Cornell University Police Department (CUPD) personnel.
- CUPD’s referral of the matter to the Tompkins County District Attorney’s Office, including the information and evidence communicated in that referral.
- Whether relevant evidence was appropriately identified, collected, preserved, investigated, and communicated.
- Cornell’s Title IX investigation and disciplinary processes, to the extent applicable to this matter.
- Communications among Cornell administrators, police personnel, fraternity officials, and other relevant parties.
- Whether Cornell’s existing policies and procedures were reasonable, appropriate, and adequate under the circumstances, as distinct from the focus on the Special Committee’s statement on “whether Cornell *followed* its policies and procedures in responding to the matter.” [italics added]
- Whether errors, omissions, or other institutional failures contributed to the handling or outcome of the matter.

2. King & Spalding’s independence and investigative authority

With respect to the Special Committee’s statement that King & Spalding will have “full independence,” we seek to know whether the engagement letter expressly addresses the following:

- Unrestricted access to all relevant university records, documents, electronic communications, case files, and other information concerning the Jane Doe matter.
- Full authority to determine investigative methods, identify relevant witnesses, conduct interviews, and pursue appropriate lines of inquiry.
- Unrestricted access to relevant Cornell officials, employees, trustees, and other witnesses.
- Full authority to expand the investigation if and when new evidence or related concerns emerge.
- Protection against university interference with, or improper influence over, the investigation, its findings, or the preparation of its report.
- Whether the Special Committee or other Cornell entities and officials will have an opportunity to review, edit, approve, or delay publication of the final report.

3. Publication of King & Spalding’s final report

Additionally, The Sophie Fund asks the Special Committee to commit to publishing the full final report, including its full factual findings and recommendations, in full, subject only to redactions required by applicable law or necessary to protect legitimate privacy interests.

The Special Committee’s statement that it “*intends to share* the results and recommendations” [italics added] of the review does not, by itself, establish whether the full report will be made public or whether the university will have any role in determining its contents.

The public's ability to assess the credibility of an independent review depends not only on the reputation of the law firm retained, but also on the scope of its assignment, the authority it has been given, and the transparency of the process and its findings.

We respectfully request a written response addressing this letter, with any needed reference as indicated to its specific categories, by the reasonable time frame of on or before October 26, 2026.

Sincerely,

//signed//

Scott MacLeod

The Sophie Fund

Member, New York State Suicide Prevention Council

2025 NYASP Friend of Children Award

2024 Agda Osborn Award

2024 James J. Byrnes Award for Excellence

2023 MHANYS Friend of MHA Award

2018 New York State Excellence in Suicide Prevention Award

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