



February 22, 2023

The Honorable Richard J. Durbin
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Lindsey Graham
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Durbin and Ranking Member Graham,

As advocates for student survivors, we are concerned about the nomination of Attorney Michael Delaney to serve as a United States Circuit Court Judge on the United States Court of Appeals for The First Circuit. Founded in 2013, Know Your IX is a survivor- and youth-led project of Advocates for Youth that aims to empower students to end sexual and dating violence in their schools. We envision a world in which all students can pursue their civil right to an education free from violence and harassment.

When Mr. Delaney represented St. Paul's School in a lawsuit brought by then fifteen-year-old Chessy Prout, he made a proactive motion to make the minor survivor's name public. This retaliatory action against the survivor is deeply problematic. Mr. Delaney's decision contributed to further interruption of the survivor's education, negatively impacting her and her family. According to Know Your IX's report, [*The Cost of Reporting*](#), 39% percent of survivors who report sexual violence to their schools experience a substantial disruption in their educations due to perpetration retaliation, being pushed out of school, and institutional betrayal. Mr. Delaney's actions also sent a message to survivors everywhere that they are at risk of being retaliated against and betrayed by their institutions when they seek justice. In this moment of backlash

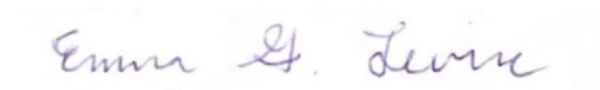
against student survivors who speak out, it is even more important for us to criticize moments where lawyers, advocates, and those in power undermine the safety and autonomy of students.

Additionally, we know that in order to achieve cultural change necessary to protect students across the country from sexual violence, we need our leaders to show support for survivors. As advocates, students, and survivors, we know that both individuals and institutions must be held accountable when they actively perpetuate or contribute to a culture that allows sexual violence to continue. Unfortunately, in the aftermath of Mr. Delaney's actions, sexual violence has gone unchecked at St. Paul's School, leaving more students harmed by the trauma of sexual violence and harassment. We believe Mr. Delaney's approach to representing St. Paul's School added to a culture resistant to change – both in the choice he made to file the motion against the survivor, and how his comportment aided St. Paul's School in betraying student survivors and in failing to address cultural issues that continue to endanger students to this day.

We call upon our Senators to closely examine Mr. Delaney's record, and hear the calls from student survivors and advocates to reckon with how Mr. Delaney's confirmation would compromise our collective work to end sexual violence in schools and keep students safe.

Please feel free to reach out to us about this at knowyourix@advocatesforyouth.org.

Respectfully,

A handwritten signature in purple ink that reads "Emma G. Levine". The signature is written in a cursive, flowing style.

Emma Grasso Levine
Title IX Policy and Program Manager
Know Your IX, Advocates for Youth