

CITY OF NEW YORK
**THE SPECIAL COMMISSIONER OF INVESTIGATION
FOR THE NEW YORK CITY SCHOOL DISTRICT**

80 MAIDEN LANE, 20TH FLOOR
NEW YORK, NEW YORK 10038

RICHARD J. CONDON
SPECIAL COMMISSIONER

TELEPHONE: (212) 510-1400
FAX: (212) 510-1550
WWW.NYCSCI.ORG

September 4, 2013

Hon. Dennis M. Walcott
Chancellor
New York City Public Schools
Department of Education
52 Chambers Street, Room 314
New York, NY 10007

**Re: William Abreu
Juan Martinez
SCI Case No. 2012-4188**

Dear Chancellor Walcott:

An investigation conducted by this office has substantiated that in the summer of 2009, William Abreu, a Department of Education (“DOE”) assistant principal assigned to Progress High School for Professional Careers (“Progress High”) in Brooklyn, forcibly raped a 17-year-old female recent Progress High graduate (“Student B”) in his school office.¹ The investigation also substantiated that in March 2011, Juan Martinez of Progress, Inc., an after school program, forced a then 16-year-old female student (“Student A”) to perform oral sex on him in his office at Progress High.² Abreu and Martinez also sexually abused these students: Abreu forcibly touched Student A on the buttocks, touched Student B’s vagina, breasts, and buttocks and forced her hand onto his penis; Martinez touched Student A’s vagina, breasts and buttocks, and he touched Student B’s vagina. Both men subjected these students to repeated sexual comments. Abreu told Student A that having sex with him and Martinez was a condition of her office job at Progress High, and he asked the student to have sex with others in exchange for money. Finally, Abreu stole \$1,500 from Student B’s mother on the false promise that he would obtain an attorney’s services for her.

¹ Abreu was reassigned and is on leave without pay based on a separate investigation in which the office of the Special Commissioner of Investigation substantiated that Abreu made inappropriate sexual remarks to three 15-year-old female Progress High students in 2011. Abreu asked one of the students to perform oral sex on him. See letter to Hon. Dennis M. Walcott from Richard J. Condon, June 20, 2012 (SCI Case No. 2011-3119).

² Martinez is not a DOE employee; the DOE barred him from entering Progress High during this investigation.

In July 2012, a person who requested confidentiality contacted the office of the Special Commissioner of Investigation ("SCI") and reported that Abreu and Martinez asked Student A and Student B for sexual favors in exchange for money and gifts. SCI investigators interviewed the confidential source of the report. The source recounted asking Student A whether she heard of the allegations concerning Abreu, the subject of an SCI report issued the previous month.³ Student A responded, "It's true; it happened to me, too." Student A stated that Abreu asked her for oral sex, and offered her money for sex with him and two other males. The student said that Abreu sent her to Martinez, who made the same offer, and warned Student A not to report him. According to the confidential source, Student A said that Abreu made a similar offer to Student B, and that the two students "went along with it" and "did everything." Student A said that she did not tell her mother about Abreu and Martinez, as she "would go crazy."

Interview of Student A

SCI investigators interviewed Student A, age 17, and a twelfth grade student at the time of the interview. She reported the following concerning Abreu and Martinez:

In November of 2010 while in the tenth grade at Progress High, Student A arrived at Abreu's office concerning an incident in which she had been bullied. Abreu closed the door behind her and asked whether she wanted to work. Student A replied that she wanted a job, and Abreu asked for her name, address, age, grade and phone numbers for her house and cell phone. She began working in Abreu's office the following day and worked every day after school from 3:00 p.m. until 5:00 p.m. She performed administrative tasks, and recorded student information as requested by Abreu. On occasion, Student A worked with Martinez's secretary. Abreu paid Student A \$70 (occasionally \$80) per week in cash, and she worked for Abreu (and sometimes Martinez) for several months.

One day in March of 2011 after school hours, while Student A and Abreu were in his office, he shut the office door and directed the student to sit down.⁴ After she did so, Abreu told Student A that he wanted her to "dress sexy" and to style her hair, and that he would give her up to \$4,000 to use for clothing and hair styling. He then told her, "If I ask you for a kiss, you have to give me a kiss." Abreu added, "If you want to continue to work here, you have to have sexual relations with me." He said to the student, "It's not just me, but Martinez," adding "others are doing the same thing." Abreu then said to her, "but I have to do it to you in the ass." He again offered to pay Student A "up to \$4,000."

³ See footnote 1, *supra*.

⁴ Student A was 15 years old in March 2011.

Abreu told the student that he planned to take her to out-of-town “political functions” where she would be paid for having sex with others. Abreu then asked Student A that if she agreed to his request concerning the political functions, “What is the oldest [person] you would sleep with?” Student A responded in the negative to all of Abreu’s requests. The assistant principal then telephoned Martinez; after a brief conversation, Abreu directed Student A to go to Martinez’s office. As Student A exited Abreu’s office, Abreu spanked her on the right buttock. Student A told the investigators that Abreu’s spanking and remarks “scared” her.

Student A went to Martinez’s office as directed by Abreu. The door to the office was slightly ajar, and she knocked and entered. Martinez said to Student A, “You look good – why didn’t you get into modeling?” He directed the girl to “come closer.” Student A got up from her seat and walked around to Martinez’s side of the desk. Using both hands, Martinez repeatedly grabbed and squeezed her breasts over her clothes. He then moved both of his hands to the student’s waist and then to her buttocks, over her clothes. Martinez repeatedly squeezed Student A’s buttocks with both hands. Using one hand, Martinez rubbed her vagina over her clothes; with his other hand, he pulled his penis through the zipper opening of his pants. Student A observed that Martinez’s penis was erect. Martinez then pulled Student A by the hair and the back of her head and forced her head to his penis. She resisted, but Martinez forced his penis into her mouth four times. Student A leveraged herself by placing her hands on Martinez’s thighs and pushed away from him. Martinez let her go, and she ran off.

Student A said that she did not tell anyone that Martinez forced her to perform oral sex until she spoke with the confidential source in September 2012 because she was fearful and felt physically threatened. She told investigators that she “repressed” the incident until media accounts of SCI’s report of Abreu making sexual comments to three female Progress High students prompted Student A to inform the confidential source.⁵

Student A told the SCI investigators that another female Progress High student (“Student E”) employed by Abreu after school cautioned Student A to “be careful” concerning Abreu. Student E told Student A that Abreu “likes pretty girls to have sex with them.” According to Student A, in January 2011, Student E told her that Student B was having sex with Abreu in his office. Student A then spoke with Student B, who denied having sex with Abreu.

⁵ See footnote 1, *supra*.

Interview of Student B

SCI investigators interviewed Student B by telephone. She is now 21 years old and resides abroad. Student B told the investigators the following concerning Abreu and Martinez:

Student B attended Progress High from 2006 through her graduation in June 2009. She said that Abreu was aware that she did not have the necessary immigration documents to work and live in the United States. On the day of her graduation, Abreu approached Student B and her mother and said that he had a job for the student. With her mother's encouragement, Student B accepted his offer and reported for work on the first day of the 2009 summer school session.⁶ When Student B arrived at Abreu's office, he told her to come inside, and he closed the door behind them. Abreu told Student B that he could get her an attorney and the necessary immigration "papers" to allow her to remain in the United States, but she would have to pay for the attorney. The assistant principal asked Student B, "How will you pay me [for the attorney's fee]?" Student B responded that she did not want and could not afford an attorney. Abreu replied, "Well, you could be my girlfriend." Student B declined his offer.

Abreu then directed Student B, who was seated at a computer, to move to the couch, and she complied. He said to Student B, "If you don't allow me to touch you, I will have to call Immigration." Abreu then touched her leg and told her to stand up. She did so and, using his hand, Abreu touched Student B's vagina over her jeans. He then opened Student B's pants and placed his hand into her underwear and onto her vagina. Abreu completely undressed Student B; as he did so, he manipulated her breasts and repeatedly touched her buttocks and vagina. Abreu then undressed himself and directed Student B to lie on the couch. Abreu repeatedly forced his penis into Student B's vagina, and he ejaculated onto her abdomen. He then told the student that he would "see [her] tomorrow," and warned Student B: "If you don't come back, I am going to have to go to Immigration." Student B returned the next day because she feared that Abreu would make good on his threat, and that she would be deported.

Student B was employed in Abreu's office for approximately one month, for which he paid her \$100 weekly, in cash. The student worked after school hours twice weekly. During this period, Abreu often touched Student B's breasts, vagina and buttocks over her clothes, and ignored her protests. He asked Student B to perform oral

⁶ Student B was 17 years old.

sex on him, but she refused. On one occasion, Abreu forced Student B's hand on top of his pants and onto his erect penis. Student B told Abreu that she did not want to do "it" anymore.⁷ Abreu became angry, and told Student B that he would "send [her] to someone else," if she did not want to have sex with him. Abreu then sent her to the office of a "Juan Martinez." Student B arrived at approximately 3:00 p.m., and there were no staff members present. She met Martinez inside of his office, and the door was closed. Martinez told Student B, "You have to do the same thing with me that you did with Abreu." He then touched Student B's vagina over her pants. She moved away from Martinez. He became agitated and told Student B to make him a cup of coffee, without sugar, because he is a diabetic. Thereafter, Student B worked for approximately two weeks with Martinez's secretary. The student always waited for Martinez to leave the office before reporting to his secretary.

Student B told investigators that soon after these incidents she told Student E that Abreu had assaulted her and touched her; Student B asked her friend not to tell anyone.⁸

Interview of Mother B

SCI investigators interviewed Student B's mother at the SCI office. Mother B confirmed that her daughter worked for Abreu for approximately two months after she graduated from Progress High in June 2009. Mother B said that Student B became "so upset" with Abreu that she quit the job. Student B did not tell her mother why she was upset with Abreu, or that he touched her sexually or acted inappropriately.

Mother B said that in September of 2010, Student B was in need of an attorney. At Student B's suggestion, her mother met with Abreu at Progress High, and explained why she wanted the help of an attorney. Mother B reported that Abreu told her to bring \$1,500 to him at the school, and he would obtain an attorney for her. She subsequently returned to Abreu's office with \$1,500 (in cash), and the assistant principal introduced

⁷ Student B explained to investigators that despite her fear of deportation, she would no longer acquiesce to Abreu's demands for sexual intercourse.

⁸ Student E, now 19, told SCI investigators that Student B, a friend, worked for Abreu at Progress High. Student E said that she noticed that Student B's demeanor and "body language" changed when they encountered Abreu in the hall. This led Student E to ask her friend if she had had sex with Abreu. Student E said that Student B responded with a "shocked expression" and did not deny that she had sex with the assistant principal. Student E took this as an acknowledgement by Student B that she and Abreu had a sexual relationship.

her to a male who identified himself as "Hyman Rodriguez," an attorney, who gave his business card to Mother B.⁹ Abreu also presented Rodriguez as an attorney. Mother B attempted to give the \$1,500 to Abreu, who directed her to place the money on the table. Abreu picked up the cash, counted it, and returned it to the table. When the meeting concluded and Mother B exited, the cash remained on the table, and Rodriguez and Abreu stayed in his office. Mother B said that she had no further contact from Rodriguez. She attempted to reach him using the contact information from his business card, but was unsuccessful.¹⁰ Mother B reported that she then attempted to meet or speak with Abreu concerning the matter, but he did not return her calls.

Through his attorney, Abreu declined the opportunity to be interviewed by SCI investigators concerning this matter.

Martinez's attorney stated that his client would assert the Fifth Amendment privilege against self-incrimination in response to any questions by SCI investigators concerning this matter.

Conclusion and recommendations

We credit the accounts of Student A, Student B, and her mother. William Abreu, an assistant principal of Progress High, forcibly raped a 17-year-old recent graduate of the school in his office. Juan Martinez of Progress, Inc., an after school program, forced another female student, then 16 years old, to perform oral sex on him in his office at Progress High. Abreu and Martinez also sexually abused these students, forcibly touching their vaginas, breasts, and buttocks. Both men subjected these students to repeated sexual comments. Abreu told Student A that having sex with him and Martinez was a condition of her office job at Progress High, and he asked the student to have sex with others in exchange for money. He threatened to report Student B to Immigration authorities. Finally, Abreu stole \$1,500 from Student B's mother on the false promise that he would obtain an attorney's services for her.

We recommend that William Abreu be dismissed from his employment, be made ineligible for work, and that this matter be taken into account should he apply for any position with the DOE or its affiliates in the future.

⁹ The New York State Office of Court Administration Attorney Registration Directory does not contain a listing for "Hyman Rodriguez." The sole Directory listing for "Jaime Rodriguez" indicates that he has been disbarred.

¹⁰ Mother B no longer has the business card.

We recommend that Juan Martinez be made ineligible for work, and that this matter be taken into account should he apply for any position with the DOE or its affiliates in the future. We further recommend that the DOE condition in writing any future relationship with Progress, Inc. on its agreement to dismiss Martinez and bar him from future employment or affiliation with the organization.

We are referring this matter to Kings County District Attorney Charles J. Hynes for whatever action he deems appropriate.

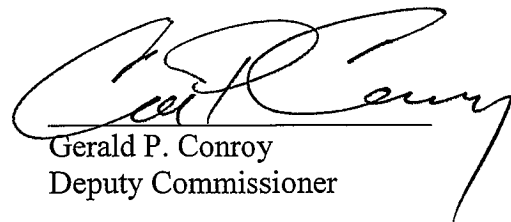
We are also forwarding copies of this report to the New York State Education Department and to the DOE Office of Legal Services.

Should you have any inquiries regarding the above, please contact Deputy Commissioner Gerald P. Conroy, the attorney assigned to the case. He can be reached at (212) 510-1486. Please notify Deputy Commissioner Conroy within 30 days of receipt of this letter of what, if any, action has been taken or is contemplated concerning William Abreu and Juan Martinez. Thank you for your attention to this matter.

Sincerely,

RICHARD J. CONDON
Special Commissioner
of Investigation for the
New York City School District

By:



Gerald P. Conroy
Deputy Commissioner

RJC:GPC:gm

c: Courtenaye Jackson-Chase, Esq.
Laura Brantley, Esq.
Katherine Rodi, Esq.