

Transcript of the Testimony of

Daniel Ashe, 30(b)(6)

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██████████ vs AZA, et al.



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1 A. My understanding is that Kris Vehrs spoke with
2 Ronda Schwetz about the report and that Ronda denied the
3 allegation.

4 Q. Okay. What else did it do?

5 A. That was it. That was the extent of it.

6 Q. Okay. So let me make sure I have this straight.

7 You have a situation where the AZA already knows or
8 should know that Ronda engages in inappropriate conduct when
9 she's intoxicated, correct?

10 A. Correct.

11 Q. It's already disciplined her for engaging in
12 unwanted physical touching of others while intoxicated,
13 right?

14 A. Correct.

15 Q. Five months later, someone else comes forward and
16 describes that she's engaging in similar conduct at an AZA
17 event, right?

18 A. That's correct.

19 Q. And the totality of the AZA's investigation to
20 determine whether Ronda is, in fact, a repeat offender is
21 they ask her if she engaged in the unwanted behaviors,
22 correct?

23 A. That's correct.

24 Q. Does that sound to you like a terribly fulsome
25 investigation of Ronda Schwetz' behavior in 2019?

1 Q. (By Mr. McLean) And that's really all I'm getting
2 at is: The code of ethics is just -- it's intended to be
3 guidelines and requirements that individuals are -- that
4 work within the zoo or aquarium community are expected to
5 follow to further the interests of protecting wildlife and
6 habitat and things of that nature, right?

7 A. Within our -- within our community of members and
8 accredited facilities, yes.

9 Q. And it goes a little bit beyond just animal
10 welfare. It talks about professionalism of zookeeping folks
11 in general; is that right?

12 A. Yes.

13 Q. And, I mean, it -- it would -- obviously would be
14 unethical for someone to be engaging in sexual misconduct
15 and be an AZA member, agreed?

16 A. It would be a violation of a con- -- it could be a
17 violation of the code of ethics to engage in sexual
18 misconduct, yes.

19 Q. And because you said that the code of professional
20 ethics, for lack of a better term, if need be, is policed by
21 the AZA ethics committee, right?

22 A. The ethics board, yes.

23 Q. The ethics board. So if someone were -- a member
24 was concerned that there was unethical conduct as
25 exemplified by sexual misconduct, they could file a

1 chair of the ethics board shall advise the complainant and
2 the defendant in writing of the findings and action taken by
3 the board."

4 Did I read that correctly?

5 A. Yes.

6 Q. Okay. So let's turn to the facts of this case for
7 a moment.

8 You agree that [REDACTED] had the option of
9 submitting a complaint to the ethics board with regards to
10 his reports of being sexually assaulted by Ronda Schwetz,
11 correct?

12 A. Correct.

13 Q. And then the chair of the ethics board would gather
14 up the complaint made by [REDACTED] and submit it to, amongst
15 others, yourself and the various members who work on the
16 ethics committee along with the chairperson, right?

17 A. Correct.

18 Q. And then the chairperson would advise [REDACTED] and
19 the perpetrator in writing of the findings and action taken
20 by the ethics board, right?

21 A. Correct.

22 Q. All right. Do you know who the chair of the ethics
23 board was when [REDACTED] was assaulted in
24 Seattle?

25 A. I believe Ronda's board service -- Mrs. Schwetz

1 board service began in October of 2017. So at the time of
2 the alleged assault, at that meeting, she would have been
3 sworn in as a member of the board. I don't believe she was
4 elected chair until early 2020.

5 Q. Okay. So Ronda was at least one of the people who
6 would be on the board of the ethics committee tasked with
7 deciding if Ronda sexually assaulted [REDACTED] right?

8 A. Right.

9 Q. And does that seem problematic to the AZA?

10 A. I think that in that situation, I would imagine
11 that the chair of the ethics board would have recommended
12 that she be recused from consideration of that issue.

13 Q. So --

14 A. I would be speculating about that, but in normal
15 process, you would look at conflict of interest or, you
16 know, a potential situation that would create a conflict,
17 and that pretty clearly would be a conflict and so...

18 Q. This would be a conflict. It would also be a
19 disincentive for [REDACTED] to submit a complaint to a board
20 that the perpetrator sits on; is that fair?

21 A. That's fair, I think -- but I would also -- that's
22 fair.

23 Q. And as of August of 2019, the AZA both knew that
24 [REDACTED] was raising these concerns and also knew that
25 Ronda sat on a committee charged with enforcing its code of

1 Q. That was investigated and determined to be founded,
2 for lack of a better term, right?

3 A. Correct.

4 Q. We have the anonymous complainant in Nashville --

5 A. Correct.

6 Q. -- which there really wasn't an investigation of
7 any substance performed there, correct?

8 A. "Substance" is a relative term. There was an
9 investigation that was done. You know, whether it was
10 adequate or not is -- is a subjective matter, yes.

11 Q. Subjectively, does the AZA believe that
12 investigation was adequate? That's an hallmark of an
13 adequate investigation?

14 A. I don't believe that it was, no.

15 Q. And nothing happened to Ronda Schwetz with regards
16 to the anonymous complaint, agreed?

17 A. Repeat that, please.

18 Q. Ronda Schwetz did not receive any sort of
19 disciplinary action with regards to the anonymous complaint,
20 agreed?

21 A. (Inaudible response.)

22 Q. I didn't hear you.

23 A. Agreed, yes.

24 Q. Was there any sort of written report or anything
25 put into writing by Ms. Vehrs as a part of her investigation

1 of the anonymous complaint?

2 A. Not that I'm aware of.

3 Q. There should have been, right?

4 MR. STONE: Object to form.

5 THE WITNESS: I believe there should have
6 been, yes.

7 Q. (By Mr. McLean) And then the third individual who
8 reported sexual misconduct on the part of Ms. Schwetz was
9 [REDACTED], right?

10 A. Correct.

11 Q. And you already said that the AZA didn't
12 investigate in any way, shape or form [REDACTED]
13 allegations, right?

14 A. Correct.

15 Q. And the AZA did not take any disciplinary action
16 with regards to Ronda Schwetz with regards to [REDACTED]
17 allegation, right?

18 A. Correct.

19 Q. Now the last part of the code of conduct talks
20 about, "The AZA staff receiving the report will respect any
21 and all requests of the victim to remain anonymous.
22 Unacceptable conduct may be part of a larger pattern of
23 repeated harassment."

24 Why is that sentence in the code of conduct?

25 A. I believe that is in the code because we want to

1 something that's within our ability to do, at least not to
2 enforce, and -- but there could be -- but there could be
3 other options as well that we could have explored with

4 [REDACTED].

5 Q. Sure. I mean, one of the reasons it seems like
6 there was regret is not only did the AZA do absolutely
7 nothing to support [REDACTED], but it put him in a position
8 of defending his own conduct, correct?

9 MR. STONE: Objection to form.

10 THE WITNESS: I don't understand what conduct
11 he was being asked to defend. I don't -- I don't see that
12 he was being asked to defend conduct.

13 Q. (By Mr. McLean) Let's take a look at this.

14 [REDACTED] writes, you know, about two weeks after
15 the telephone conference to try to figure out what's going
16 to happen and doesn't hear anything.

17 And Kris Vehrs writes and says, "Dear [REDACTED], I
18 sent you a note, but it clearly didn't go through. I will
19 have to find it on my laptop later today." And then about
20 an hour and a half, two hours later, she responds to
21 [REDACTED]' e-mail asking for sort of an update as to what's
22 going to happen because he expresses he's anxious about the
23 Orangutan SSP Workshop, right?

24 A. Yes.

25 Q. Kris Vehrs -- and I think she described that she

1 wrote this e-mail or one of these e-mails in conjunction
2 with other AZA officials -- writes back, "I wanted to get
3 back to you about our conversation regarding Ronda Schwetz
4 in the upcoming Orangutan SSP Workshop in Fort Wayne at the
5 end of the month.

6 "As you're aware, AZA has already addressed Ronda's
7 conduct at the Seattle conference and expects no repetition
8 of said conduct."

9 Now I'm going to stop there.

10 We can agree that that is false, correct --

11 MR. STONE: Objection to form.

12 Q. (By Mr. McLean) -- that it addressed the conduct
13 that [REDACTED] was reporting, agreed?

14 A. Yes, agreed. It did not address the conduct that
15 [REDACTED] alleged at the Seattle conference, yes.

16 Q. You can't say, Well, we already said Ronda's got to
17 stop getting hammered and groping men, and we did it once,
18 so it doesn't matter how many men she gets drunk and gropes,
19 once is enough.

20 That can't be what the AZA's position is, can it?

21 MR. STONE: Objection to form.

22 THE COURT REPORTER: Repeat the answer.

23 THE WITNESS: That is not the AZA's position,
24 no.

25 Q. (By Mr. McLean) Given the AZA policies we've been