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Statement of Gloria Allred

Today, we filed a lawsuit on behalf of our client, the daughter of Celest Benn. Ms. Benn's 15 year old daughter was a student at Gilroy High School. Douglas Le was her chemistry teacher. The complaint alleges that in October, 2014 Mr. Le sent Ms. Benn's daughter, a number of sexually harassing text messages which included but were not limited to statements such as:

"You suck dick."

"Yeah your whore mouth can fit whole apples in there."

It is alleged that he also sent a text message indicating that he wanted to defecate upon the child.

Ms. Benn reported these serious sexually inappropriate messages from the teacher to her child to the School District immediately upon learning of them.

Our lawsuit alleges, however, that the District failed to report the abuse as required under California's Child Abuse and Neglect Reporting Act as required under Penal Code 11166.

In addition, we believe that Mr. Le's sexually inappropriate texts were not immediately reported to law enforcement.

Our lawsuit also alleges that the District failed to take any meaningful action in response to the complaint. Instead, Mr. Le was allowed to continue teaching and continue to harass the minor child until she finally had to change schools.

If the District had done what it should have done Mr. Le would not have been in a position to engage in sexually inappropriate behavior with hundreds of minors who were reportedly current and former Gilroy students.

The School District must protect the children. That is their foremost and most important duty. When the school district learns that a teacher has engaged in the type of improprieties which were brought to their attention by Ms. Benn, it is not enough to give the teacher a slap on the wrist and then conduct business as usual.

The District maintains that it put a statement in Mr. Le's personnel file that he had engaged in unprofessional conduct. That is simply not sufficient. Given the gross misconduct that occurred, Mr. Le, who was a probationary teacher, should have been fired immediately.

Because we believe that the Gilroy Unified School District failed to fulfill its legal duties, we filed a lawsuit today in Santa Clara County Superior Court against this District. We allege negligence, negligent supervision, negligent hiring and retention, intentional infliction of emotional distress, assault, sexual harassment and gender violence.

We are seeking compensatory and other damages in an amount according to proof at trial for Ms. Benn's daughter. We want the District to know that there are consequences for their failure to live up to their responsibilities. The District's failures have endangered children who have been entrusted to their care and have placed them at a very substantial risk of harm.

As far as we are concerned, the School District gets an "F" on protecting the students and we are determined to hold them accountable.

Gloria Allred
Attorney at Law
Representing Celest Benn and her minor daughter
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