

STATE OF NEW HAMPSHIRE

ROCKINGHAM COUNTY, SS.

SUPERIOR COURT

Case No. 218-2022-CV-00803

Eric Spofford

*Plaintiff*

v.

New Hampshire Public Radio, Inc.

Lauren Chooljian

Jason Moon

Dan Barrick

Nancy Bourque

Justin Downey

Brian Stoesz

*Defendants*

**COMPLAINT AND DEMAND FOR JURY TRIAL<sup>1</sup>**

Plaintiff Eric Spofford, by and through his undersigned counsel, complains against Defendants New Hampshire Public Radio, Inc. (“NHPR”), its News Director Dan Barrick, and its Senior Reporters Lauren Chooljian and Jason Moon (together with NHPR, the “NHPR Defendants”), as well as Defendants Nancy Bourque, Justin Downey, and Brian Stoesz (the “Source Defendants”, together with the NHPR Defendants, the “Defendants”), as follows:

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<sup>1</sup> Plaintiff has attached a Table of Contents and Index of Exhibits as Addenda 1 and 2, respectively.

## INTRODUCTION

1. Eric brings this defamation action against the Defendants to hold them accountable for their baseless assassination of his character.

2. On March 22, 2022, NHPR published a hit piece about Eric. The clickbait title used—*He built New Hampshire’s largest addiction treatment network. Now, he faces accusations of sexual misconduct*—amounted to a claim that Eric had been criminally charged for committing sex crimes. From top to bottom, both the article (the “Article”) and the podcast (the “Podcast”) falsely state and imply that Eric sexually harassed one woman (pseudonym, “Elizabeth”) and sexually assaulted two others (pseudonyms, “Employee A” and “Employee B”).<sup>2</sup> Each NHPR Defendant knew or recklessly disregarded that these claims were false. Unburdened by truth or ethics, the NHPR Defendants dropped this guillotine of a story on Eric’s reputation with a Robespierre-like arbitrariness. The allegations in this Complaint demonstrate that.

3. Indeed, for the past nearly 16 years, Eric has lived in recovery from his heroin addiction. When Eric achieved sobriety, he also discovered his life’s purpose: to help pull others from the depths of their substance abuse. To fulfill that purpose, he built the largest addiction treatment network in New Hampshire, Granite Recovery Centers (“GRC”). While at the helm of GRC, Eric worked alongside hundreds of dedicated recovery workers to save thousands upon thousands of souls struggling with substance use disorder and their family members. Yet the Defendants have paid mere lip-service to the immense good that Eric and his company did for New Hampshire and this country. Their contempt for Eric is palpable.

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<sup>2</sup> Chooljian, L. et al., *He built New Hampshire’s largest addiction treatment network. Now, he faces accusations of sexual misconduct*, NHPR (Mar. 22, 2022), available at <https://www.nhpr.org/2022-03-22/eric-spofford-granite-recovery-center-nh-sexual-misconduct>. A true and correct copy of this Article is attached to the Complaint as Exhibit 1; a true and correct transcription of the Podcast is attached as Exhibit 2. The Article and Podcast were published in different mediums but are substantively virtually identical. Where relevant, the Complaint identifies distinctions between the two publications.

4. The NHPR Defendants knew or recklessly disregarded that Elizabeth and Employee A were dishonest, unreliable, and motivated to harm Eric's reputation. The NHPR Defendants published their allegations knowing that neither accuser had proof to substantiate their claims, that their claims had been contradicted by numerous other sources with whom the NHPR Defendants had spoken but whose information the NHPR Defendants suppressed or ignored, that both accusers were inherently unreliable and biased given their known backgrounds, and that their claims concerned alleged conduct from half a decade ago. The NHPR Defendants published Employee B's allegations without even interviewing her or having her permission to do so.

5. The NHPR Defendants knew about or recklessly disregarded sources and evidence that cast serious doubt on the veracity of its reporting.

- **Lysie Metivier:** Metivier was the Director of Human Resources for GRC during the time period when Eric's alleged sexual misconduct occurred. The NHPR Defendants knew about her before publishing the Article and Podcast, but inexplicably never spoke to her beforehand. The day of publication, however, Metivier contacted NHPR Defendant Chooljian and they spoke telephonically. During their call, Metivier provided credible information that seriously undermined the accuracy of the NHPR Defendants' defamatory publication, including confirming that, during her tenure as GRC's Director of Human Resources (Oct. 2017-Feb. 2020), she neither received nor learned of any claims, complaints, or rumors from GRC employees that Eric had sexually harassed or assaulted them. The NHPR Defendants have known about Metivier's highly relevant information since March 22, 2022, but have chosen to suppress it from the public.
- **Piers Kaniuka:** The NHPR Defendants relied on Kaniuka as an authoritative source who, they erroneously trusted, knew Eric well enough to credibly criticize him and compare him to the likes of Harvey Weinstein. Kaniuka's lies are at the center of the Article and Podcast. But he has since retracted the statements attributed to him in the Article and Podcast, informing the NHPR Defendants that his statements were inaccurate and not based on knowledge of Eric's conduct. The NHPR Defendants have known about Kaniuka's retraction since May 17, 2022, but have chosen to suppress it from the public.

6. The NHPR Defendants knew or recklessly disregarded that the Source Defendants were dishonest, unreliable, and motivated to destroy Eric’s reputation, and the Source Defendants knew the truth and lied about it, or at least recklessly disregarded the truth about Eric. For example:

- **Justin Downey:** The NHPR Defendants relied solely on Downey—a close friend of Kaniuka—to corroborate Elizabeth’s false claim that Eric sent her an inappropriate Snapchat message. Downey’s corroboration, however, was based on information Elizabeth told him five years ago, while he still was actively using controlled substances, and during a time when he described himself as feeling nothing for people unless he was “fucking” or “killing” them.
- **Nancy Bourque:** Instead of Lysie Metivier, who had first-hand knowledge from nearly the entire time period at issue, the NHPR Defendants relied on her successor Bourque, who had just joined GRC, to supposedly tell Employee B’s story. Bourque’s recounting of that story, however, departed significantly from her contemporaneously taken notes of a meeting she had with Employee B. Bourque had only worked at GRC for three months before she was terminated for poor performance, unlike Metivier, who worked there for multiple years.
- **Brian Stoesz:** The NHPR Defendants also relied on Stoesz as someone who could retell Employee B’s allegations against Eric, though he had no direct knowledge of her allegations. While Stoesz now claims he resigned from GRC because of Employee B’s allegations, the NHPR Defendants knew—but gave him a free pass—that Stoesz said nothing about those allegations on his way out. He instead quit and then demanded that GRC pay *him* a six-figure severance package.

7. The NHPR Defendants knew or recklessly disregarded the falsity of their coverage, and deliberately sensationalized it to maximize clicks and revenue. For example:

- **The Clickbait Title:** As stated above, the NHPR Defendants knew and recklessly disregarded that this title falsely stated and implied that Eric had been charged with sex crimes.
- **The Metatags:** The hit piece used the Metatags “Eric” and “Sexual Assault,” which falsely stated and implied that Eric had committed a serious crime. The “Sexual Assault” Metatag, moreover, linked to the story about Eric first, then NHPR’s coverage of other individuals who, unlike Eric, had *actually* been criminally charged with committing sexual assault.
- **The False Need for Anonymity:** The NHPR Defendants claimed it kept Elizabeth, Employee A, and Employee B anonymous to protect them from retaliation. The NHPR Defendants used that false sense of fear and danger to

paint a “dark portrait” of Eric and his alleged sexual harassment and assaults. Yet the NHPR Defendants *did not* mask Elizabeth or Employee A’s voices in the Podcast, and therefore the NHPR Defendants themselves outed the accusers’ identities. The NHPR Defendants immediately knew that they failed to protect the accusers’ identities, but still have done nothing to fix it.

- **The Specious Vandalism Reporting:** The NHPR Defendants reported on acts of vandalism that allegedly occurred at homes connected to NHPR reporters and family members. Although the alleged vandalism first occurred in April 2022, the NHPR Defendants and a freelance reporter working for them did not report about the vandalism until late May 2022. The NHPR Defendants knowingly weaponized a conspiratorial connection between Eric and the alleged vandalism as a means for the NHPR Defendants to deflect from their suppression of the Kaniuka retraction. There was not a scintilla of evidence connecting Eric to the alleged vandalism—the alleged vandal was caught on camera and was very obviously not Eric. Yet the only false implication from NHPR’s story about the vandalism was that Eric was the culprit.

8. The NHPR Defendants knew or recklessly disregarded that NHPR Senior Reporter Lauren Chooljian had a powerful motive to trash Eric’s reputation. Chooljian has exclusively focused on investigating and reporting about Eric since December 2020. That she has dedicated the last nearly two years to investigating him, and that NHPR invested in her doing that, meant that coming up empty-handed was not an option. She therefore brazenly violated the central tenets of the NHPR *News Code of Ethics* and knowingly or recklessly pushed out a flawed and false report about Eric for the sake of meeting NHPR’s expectations and in pursuit of her own personal acclaim.

9. Chooljian moreover purported to make her coverage of Eric about holding a powerful man accountable for allegedly sexually harassing and assaulting women. Yet when Chooljian disclosed to the New Hampshire Department of Justice, Office of the Attorney General (“NHAG”) that she possessed supposedly credible evidence of Eric’s criminal conduct, Chooljian *did not* turn that supposed evidence over to the NHAG or identify the alleged accusers. Rather than help the NHAG undertake a legitimate investigation, Chooljian was more concerned about

receiving credit for reporting the allegations “publicly for the first time.” Her journalistic integrity took a back seat to her blinding ambition. When that happens, accountability must follow.

10. All told, the Defendants have all played a role in destroying Eric’s reputation. The harm that followed from their false and defamatory statements manifested in a multitude of ways.

11. Professionally, Eric has lost his status as a leader in the substance use disorder recovery industry, he has had financial institutions decline to do business with him, he has had vendors abruptly resign from working with his companies, and he has been distanced from working with New Hampshire politicians.

12. The Defendants’ false and defamatory statements have also profoundly impacted Eric personally. He no longer feels welcome in New Hampshire—the state where he was born, raised, recovered from addiction, and then helped combat the opioid epidemic. His 11-year-old son has been ridiculed because of, and exposed to, Defendants’ false and defamatory statements.

13. Eric has suffered substantial, tangible losses and reputational damage as a direct and proximate result of the false and defamatory content in the Article and Podcast. He seeks to hold the Defendants accountable for speciously attacking his reputation and character. He will try this case to a jury and ask that it return a verdict awarding him damages for personal, professional, and moral reputational harm, emotional harm, embarrassment, humiliation, and pain and suffering.

### **PARTIES**

14. Plaintiff Eric Spofford is a lifelong resident of New Hampshire. He lives at <sup>Red</sup> **Redacted** with his father and two sons, ages 11 and one, respectively.

15. Defendant New Hampshire Public Radio, Inc. is an online and broadcast media non-profit corporation with a principal place of business at 2 Pillsbury Street, 6th Floor, Concord, New Hampshire 03301.

16. Defendant Lauren Chooljian is an individual who, on information and belief, resides at **Redacted** . She is a Senior Reporter/Producer for NHPR and, on information and belief, works at NHPR's Concord, New Hampshire office.

17. Defendant Jason Moon is an individual who, on information and belief, resides at **Redacted** . He is a Senior Reporter/Producer for NHPR and, on information and belief, works at NHPR's Concord, New Hampshire office. Moon contributed reporting to the Article and Podcast and is therefore liable for their defamatory content.

18. Defendant Daniel Barrick is an individual who, on information and belief, resides at **Redacted** . He is NHPR's News Director and, on information and belief, works at NHPR's Concord, New Hampshire office. As the News Director, Barrick was involved in the reporting and approval for publication of the Article and Podcast before they were published and is therefore liable for their defamatory content

19. Defendant Nancy Bourque is an individual who, on information and belief, resides at **Redacted** . Bourque was a GRC employee from February to May 2020.

20. Defendant Brian Stoesz is an individual who, on information and belief, resides at **Redacted** . Stoesz was a GRC employee from February to May 2020.

21. Defendant Justin Downey is an individual who, on information and belief, resides at **Redacted** .

## JURISDICTION

22. The Court has subject matter jurisdiction under RSA § 491:7.

23. The Court has personal jurisdiction over NHPR because it is a New Hampshire non-profit corporation with its principal place of business in New Hampshire. In addition, New Hampshire was the focal point of NHPR's false and defamatory statements about Eric given that NHPR is based in New Hampshire, has a principally New Hampshire-based audience, Eric is a resident of this state, his substance use disorder treatment business was based in New Hampshire, and he still has non-addiction treatment business operations here.

24. The Court has personal jurisdiction over Chooljian because she works for NHPR in New Hampshire, which also was the focal point of her false and defamatory statements about Eric given that NHPR is based in New Hampshire, has a principally New Hampshire audience, Eric is a resident of this state, his substance use disorder treatment business was based in New Hampshire, and he still has non-addiction treatment business operations here.

25. The Court has personal jurisdiction over Moon because he resides in New Hampshire, he works for NHPR in New Hampshire, and New Hampshire was the focal point of his false and defamatory statements about Eric given that NHPR is based in New Hampshire, has a principally New Hampshire audience, Eric is a resident of this state, his substance use disorder treatment business was based in New Hampshire, and he still has non-addiction treatment business operations here.

26. The Court has personal jurisdiction over Barrick because he resides in New Hampshire, he works for NHPR in New Hampshire, and New Hampshire was the focal point of his false and defamatory statements about Eric given that NHPR is based in New Hampshire, has a principally New Hampshire audience, Eric is a resident of this state, his substance use disorder



treatment business was based in New Hampshire, and he still has non-addiction treatment business operations here.

27. The Court has personal jurisdiction over Bourque because New Hampshire was the focal point of her false and defamatory statements about Eric given that she made her statements to NHPR, which is based in New Hampshire, has a principally New Hampshire audience, Eric is a resident of this state, his substance use disorder treatment business was based in New Hampshire, and he still has non-addiction treatment business operations here.

28. The Court has personal jurisdiction over Stoesz because New Hampshire was the focal point of his false and defamatory statements about Eric given that he made his statements to NHPR, which is based in New Hampshire, has a principally New Hampshire audience, Eric is a resident of this state, his substance use disorder treatment business was based in New Hampshire, and he still has non-addiction treatment business operations here.

29. The Court has personal jurisdiction over Downey because New Hampshire was the focal point of his false and defamatory statements about Eric given that he made his statements to NHPR, which is based in New Hampshire, has a principally New Hampshire audience, Eric is a resident of this state, his substance use disorder treatment business was based in New Hampshire, and he still has non-addiction treatment business operations here.

30. Venue in this county is proper under RSA § 507:9 because Eric resides in Windham, Rockingham County, New Hampshire.

### **FACTUAL ALLEGATIONS COMMON TO ALL COUNTS**

#### **I. ERIC'S RECOVERY AND REPUTATION**

##### **A. Eric Built a Reputation as a Leader in Addiction Treatment After Turning His Own Life Around**

31. Eric was born and raised in Salem, New Hampshire.

32. Inspired by his own struggles with addiction, Eric opened one of New Hampshire's first sober living houses in 2008. Over the next decade, Eric grew his business, Granite Recovery Centers, to be the largest and best-in-class provider of substance use disorder treatment services in the Northeast.

33. Eric turned the pain of addiction into his life's purpose. His notable achievements over the years include testifying before the United States Senate in 2015, being named the Small Business Administration Young Entrepreneur of the Year for New Hampshire and New England in 2018, and co-authoring a critically acclaimed book about addiction titled, *Real People Real Recovery: Overcoming Addiction in Modern America*.

34. His three most important achievements, however, are his two sons and his near 16 years of continuous sobriety.

#### **B. Eric Escaped the Grip of Addiction and Focused on Recovery**

35. By 15 years old, Eric was addicted to heroin and dropped out of high school. At 17, Eric was deep in the throes of his heroin addiction, and turned to crime and violence to support it.

36. Eric was using heroin so frequently and at such alarming levels that he overdosed four times by age 19.

37. In 2004, after his fourth overdose, Eric entered treatment. That is when Eric first met Piers Kaniuka. Kaniuka is older than Eric and, by then, Kaniuka already had been sober for a decade—so Eric thought. When they met, Kaniuka was the Program Director for a New Hampshire addiction treatment facility called The Plymouth House.

38. Eric admired Kaniuka then. Kaniuka gave Eric a glimpse of what a life in recovery could be and taught Eric the fundamentals for achieving sobriety.

39. As is common, unfortunately, Eric relapsed six months later. His addiction, over the next two years, accelerated.

40. But then it came to a complete halt. Eric found recovery on December 7, 2006. This December will mark his sixteenth year sober.

### **C. The Humble Beginnings of a Business and Its Explosive Growth**

41. Over the next couple of years, Eric stayed the recovery course. He attended recovery meetings, was close with Kaniuka, who had resumed serving as Eric's recovery sponsor, and Eric worked with his father as a logger.

42. With his father's support, Eric shifted from chopping wood to building places for addicts to find recovery. He secured a loan to purchase a modest home in Derry, New Hampshire, where he and a few others in recovery lived together. That was The Granite House.

43. In 2010, Eric opened his second sober living home and then continued to steadily expand his business throughout the State of New Hampshire.

44. Eric worked tirelessly to deliver what he believed to be the best recovery model—premised on a 12-step program—to as many people suffering from substance use disorder as possible.

45. Eric eventually grew GRC into the largest recovery and addiction treatment network in New Hampshire and then the Northeast, and became a national authority on how to combat the opioid epidemic.

46. By 2016, GRC had experienced tremendous growth, having opened several new facilities and employing more than 100 staff members (many of whom were former clients in recovery and needed work).

47. In 2019, Eric sold a minority stake in the business to a prominent New Hampshire-based business and became a director on the three-member GRC board.

48. In 2021, following two more years of significant growth and development, and successful treatment of many more people suffering from addiction, Eric and the minority owners of GRC sold their interests in the company.

49. At the time Eric sold GRC, he had built it into the largest addiction treatment network in New Hampshire, and GRC had employed thousands of employees and treated north of 30,000 clients.

**D. Eric's Reputation for Excellence in the Substance Use Disorder Treatment Field Resulted in Numerous Awards and Acclaim**

50. Eric's work at GRC garnered regional and then national attention. His personal struggle and success inspired thousands of people to trust GRC with their recovery journeys, and drew attention from state and federal government officials who sought out Eric's advice and counsel on the topic of addiction treatment.

51. Eric was, and earned a reputation as, an immensely reliable, experienced, and vocal advocate on the frontlines of the opioid epidemic.

52. In 2015, at the invitation of United States Senator Kelly Ayotte, Eric testified before the United States Senate Committee on Health, Education, Labor, and Pensions concerning opioid abuse in the United States and potential solutions to the epidemic.<sup>3</sup>

53. In 2018, Eric was recognized by the United States Small Business Administration as the Young Entrepreneur of the Year for New Hampshire and New England.

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<sup>3</sup> *Opioid Abuse in America: Facing the Epidemic and Examining Solutions*, U.S. Senate Committee on Health, Education, Labor & Pensions (Dec. 8, 2015), available at <https://www.help.senate.gov/hearings/opioid-abuse-in-america-facing-the-epidemic-and-examining-solutions>.

54. In 2019, Vice President Mike Pence planned a visit to GRC's headquarters to address the opioid epidemic.

55. NHPR itself reported that New Hampshire Governor Chris Sununu has described Eric and GRC as "tremendous," and the Governor observed that Eric's company has "saved thousands of lives." Governor Sununu also explained that Eric was "one of the first guys [he would] pick up the phone to" for expert input about the opioid epidemic and how to respond to it.<sup>4</sup>

56. In 2019, Eric co-authored a book with Kaniuka called *Real People Real Recovery: Overcoming Addiction in Modern America*. When the book was released, Eric used the attention from its publication to further help mobilize a nationwide response to the opioid epidemic.

57. Eric stayed focused on his life's work of helping others to recover from their substance use disorders until he sold his interest in GRC in December 2021.

58. After that transaction, Eric stepped away from the recovery industry. Over the next three months, Eric purchased a home in Miami, Florida and spent the winter months there.

59. He no longer was on the frontlines of New Hampshire's opioid crisis. He no longer interacted with New Hampshire politicians or state agencies. He no longer exclusively resided in the state, and he no longer was the focus of New Hampshire's recovery community.

60. Although Eric had a massively successful exit, which occurred before Defendants' defamatory publications were published this year, he may never fully recover from the damage Defendants have maliciously inflicted on his personal and professional reputation.

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<sup>4</sup> See Ex. 1; Chooljian, L., *Sununu calls allegations against Spofford 'serious,' says they should be investigated*, NHPR (Mar. 23, 2022), available at <https://www.nhpr.org/nh-news/2022-03-23/sununu-calls-allegations-against-spofford-serious-says-they-should-be-investigated>. A true and correct copy of this article is attached to the Complaint as Exhibit 3.

## **II. NHPR AND THE ETHICAL STANDARDS IT PURPORTS TO FOLLOW**

### **A. A Local Public Radio Organization and Its Pursuit of National Acclaim**

61. NHPR's stated mission is to "foster[] civil discourse by producing and distributing objective, in-depth reporting and engaging content."<sup>5</sup>

62. NHPR self-proclaims that it is "New Hampshire's independent and trusted source for news and information." It ostensibly provides the "kind of fair, accurate, and complete information that is essential to the citizens of this state."

63. NHPR admits that, for more than four decades, it has attempted to "*shape*[] the media landscape in the Granite State and beyond." While NHPR may not intend for this to be a description of its manipulative weaponization of its platform, the shoe fits.

64. NHPR is deliberate about marketing itself as a humble, local, not-for-profit news outlet dutifully serving the public through ethical reporting.

65. Behind that veil, however, is the truth about NHPR: Its publications and productions are geared toward maximizing the financial donations it receives each year.

### **B. NHPR Depends on Corporate Donors**

66. NHPR, like every other media outlet in the country, is fighting for listeners, readers, followers, subscribers, and clicks. That is how online news organizations make money, whether they are for-profit or not.

67. Although NHPR constantly floods the airwaves and its website with solicitations for donor support, virtually half of NHPR's revenue each year comes from, what NHPR calls, "business support"—NHPR spin for corporate donors.

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<sup>5</sup> *About NHPR*, NHPR (last visited Sept. 17, 2022), available at <https://www.nhpr.org/about-nhpr>. A true and correct copy of this webpage is attached to the Complaint as Exhibit 4.

68. In exchange for sizeable donations, businesses are given on-air and online advertising placements. NHPR brags that its “team can create marketing plans for all levels of businesses” and that, no matter the investment, those “dollars will reach audiences that are truly listening.” In fact, NHPR employs a Director of Corporate Support dedicated to these business relationships, and encourages companies to request a media kit from him.<sup>6</sup>

69. On its website, NHPR claim it has nearly 150,000 monthly listeners and thousands more who access its website each month. NHPR describes its audience as including “business owners, community leaders and discerning consumers.”

70. In its media kit, NHPR provides a deeper dive about the demographics of its audience (including their education and income levels), whether they are business owners or partners, whether they lead management, business, or financial operations, and whether they are influential within their communities. NHPR then states that “[t]he high opinion listeners have of public radio tends to rub off on the companies who sponsor it,” which NHPR refers to as “the halo effect.” The press kit also includes NHPR’s radio, podcast, and website metrics, including radio listeners, podcast listeners, website visitors, page views, and other common media analytics.<sup>7</sup> NHPR knows that such information is critical to convincing businesses to make NHPR donations part of their marketing strategies.

71. On information and belief, NHPR’s defamatory coverage of Eric has played an important role in NHPR’s effort to lock in corporate underwriters and sponsors this year. In its reporting about Eric this year, there are business advertisements placed on the top and side banners

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<sup>6</sup> *Underwriting & Business Support*, NHPR (last visited Sept. 17, 2022), available at <https://www.nhpr.org/underwriting-business-support>. A true and correct copy of this webpage is attached to the Complaint as Exhibit 5.

<sup>7</sup> See NHPR Corporate Support/Underwriting Media Kit, a true and correct copy of which is attached as Exhibit 6.

of the webpage, and multiple plugs for donations. With each push for donor support, NHPR dangles its ostensible righteousness to prospective donors, claiming their donations are what “keep this journalism free and support the coverage that holds the powerful accountable.”<sup>8</sup>

72. In truth, *NHPR* is the powerful entity that must be held accountable for its intentional or reckless reporting.

### **C. The NHPR News Code of Ethics**

73. NHPR publicly binds itself and its newsroom (editors, publishers, journalists, reporters) to a *News Code of Ethics*. The *NHPR News Code of Ethics* applies equally to radio broadcasts and online journalism.<sup>9</sup>

74. It says that its ethical standards are in line with National Public Radio and “other news organizations including *The New York Times*, *Washington Post*, *Los Angeles Times*, *Dow Jones*, Society for Professional Journalists, American Society of Newspaper Editors, the CBC, and CNN.” By placing its ethical standards on a pedestal alongside leading national media outlets, NHPR purports to embrace a heightened responsibility to publish only accurate, credible, and newsworthy pieces.

75. “The purpose of having a code of ethics and practices is to protect the credibility of NHPR news programming by ensuring high standards of honesty, integrity, impartiality and conduct of staff.” In one word, the *News Code of Ethics* is about “[c]redibility.”

76. Credibility is achieved and maintained, so NHPR tells the public, by its journalists agreeing to report (and, in fact, reporting) in a “fair, unbiased, accurate, complete and honest” way. Each of these principles are defined in the *News Code of Ethics*:

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<sup>8</sup> Ex. 1.

<sup>9</sup> *NHPR News Code of Ethics*, NHPR (last visited Sept. 17, 2022), available at <https://www.nhpr.org/nhpr-news-code-of-ethics>. A true and correct copy of this webpage is attached to the Complaint as Exhibit 7.



**Fairness** means that we present all important views on a subject – and treat them even-handedly. . . [A]t all times the commitment to presenting all important views must be conscious and affirmative, and it must be timely if it is being accomplished over the course of more than one story.

**Unbiased** means that we separate our personal opinions – such as an individual's religious beliefs or political ideology – from the subjects we are covering. We do not approach any coverage with overt or hidden agendas.

**Accuracy** means that each day we make rigorous efforts at all levels of the news gathering and programming process to ensure our facts are not only right but also presented in the correct context. We make every possible effort to ensure commentaries are correct in assertions of fact.

We attempt to verify what our sources and the officials we interview tell us when the material involved is argumentative or capable of different interpretations. We are skeptical of all facts gathered and report them only when we are reasonably satisfied of their accuracy. We guard against errors of omission that cause a story to misinform our listeners by failing to be complete. We make sure that our language accurately describes the facts and does not imply a fact we have not confirmed.

**Honesty** means we do not deceive the people or institutions we cover about our identity or intentions, and we do not deceive our listeners. We do not deceive our listeners by presenting the work of others as our own (plagiarism), by cutting interviews in ways that distort their meaning, or by manipulating audio in a way that distorts its meaning, how it was obtained or when it was obtained. The same standards apply to photographs used on NHPR online. Honesty means owning up publicly and quickly to mistakes we make on air.

Treating the people we cover and our listeners with respect means we recognize the diversity of the state and region on which we report, and the diversity of interests, attitudes and experiences of our audience. We approach subjects in an open-minded, sensitive and civil way.

77. In addition to mandating compliance with these core principles, NHPR regulates other aspects of journalist conduct. Under the *News Code of Ethics*, for example, NHPR's journalists must:

- not engage in “writing that calls into question [NHPR’s] ability to report fairly on a subject”;
- not have or be perceived to have a conflict between their personal opinions and professional responsibilities;

- “[c]onduct themselves at all times in a manner that leaves no grounds for belief, or even the appearance, that information they have gathered on the job has been used for personal gain, financial or otherwise;”
- “treat the people they cover fairly and with respect”; and
- “think carefully about the boundaries between legitimate journalistic pursuit and an individual’s right to privacy . . . [o]nly an overriding public need to know can justify intrusion into anyone’s privacy.”

78. The NHPR *News Code of Conduct* is especially clear about the standards governing when, how, and why journalists use anonymous sources. NHPR’s “strong preference” is to report using on-the-record sources only. Its journalists must “make every reasonable effort to” to attribute information to the people it came from.

79. Before quoting anonymous sources, NHPR journalists have an “obligation to satisfy” themselves that those sources are “credible and reliable, and there is a journalistically justifiable reason to let [the anonymous sources] speak without attribution.” According to the code, attempting to satisfy that obligation after “a story has aired and a question is raised about” the credibility of anonymous sources is “never” a position NHPR should be in.

80. These standards apply to all sources, even alleged victims of sexual assault. Although the *News Code of Ethics* specifies that NHPR will not “name victims of sexual assault,” the code does not release journalists of their obligation to first verify the alleged victims of sexual assault are, like all other anonymous sources, “credible and reliable,” before publishing their allegations without attribution. “The audience deserves more information, not less.”

81. NHPR moreover requires that its newsroom correct “substantive errors of fact in a timely way.” No matter how those errors come to light, when they do, the *News Code of Ethics* imposes an “affirmative responsibility” on NHPR journalists to investigate and correct them.

82. In sum, NHPR's *News Code of Ethics* paints an image of its journalists as ethical and accountable, and of NHPR's reporting as credible and reliable. But, as NHPR's reporting about Eric reveals, its public display of ethical standards is not how stories about Eric were handled behind the closed doors of the NHPR newsroom. When it came to Eric, adherence to the NHPR *News Code of Ethics* apparently was optional.

### **III. NHPR'S PUBLIC ASSAULT ON ERIC'S REPUTATION STARTED IN DECEMBER 2020 AND HAS NOT RELENTED.**

83. Although Eric is not currently seeking recovery for the false statements about Eric made in NHPR's December 2020 reporting, that reporting is relevant to the claims in this Complaint for at least three reasons.

84. First, that reporting demonstrates NHPR's propensity to defame Eric using unreliable, predominantly anonymous sources, and intentionally limited investigations designed to reach predetermined conclusions.

85. Second, it shows a willingness on Chooljian's part to forego compliance with the NHPR *News Code of Ethics* and a willingness on NHPR's part to allow it.

86. Third, it reveals that there is a pattern to Chooljian's reporting about Eric. She defames him directly and by implication by using deceptive partial quotes from sources, by adopting anonymous source information as unimpeachable fact, by omitting material context, and by reporting based on flawed assumptions, all with knowledge or in reckless disregard of the falsity of her defamatory statements.

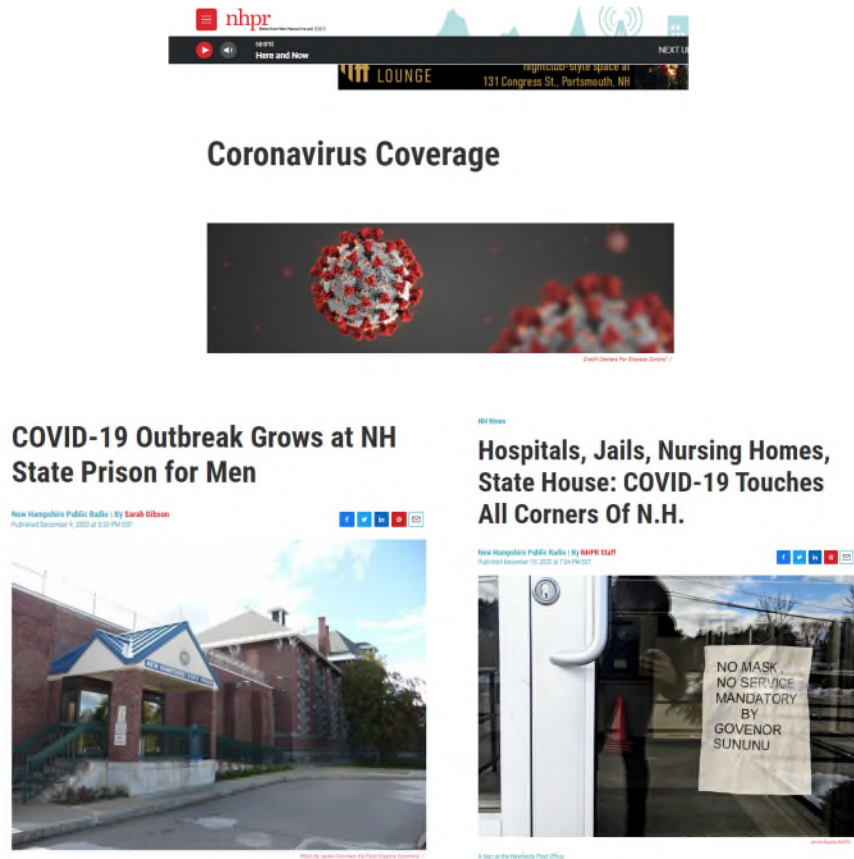
87. Indeed, Chooljian's first report about Eric was published on December 2, 2020. It was titled, *Major N.H. Addiction Treatment Provider Dealing With Covid-19 Outbreak*.<sup>10</sup> While

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<sup>10</sup> Chooljian, L., *Major N.H. Addiction Treatment Provider Dealing With Covid-19 Outbreak*, NHPR (Dec. 2, 2020), available at <https://www.nhpr.org/nh-news/2020-12-02/major-n-h-addiction-treatment-provider-dealing-with-covid-19-outbreak>. A true and correct copy of this report is attached to the Complaint as Exhibit 8.

NHPR’s COVID-19 reporting generally followed a consistent benign template, the way NHPR covered the outbreak at GRC was different.

88. To start, the lead photograph used for this article, placed just beneath the title, was not a stock image of the COVID-19 virus, a picture of masks or mask requirements, or an image of the facility where the outbreak supposedly occurred—all images NHPR had used when reporting on other COVID-19 outbreaks in the state<sup>11</sup>:



89. Instead, NHPR used an undated photograph of Eric, not wearing a mask, as the featured image for Chooljian’s December 2, 2020 COVID-19 story.

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<sup>11</sup> See, e.g., Gibson, S., *COVID-19 Outbreak Grows at NH State Prison for Men*, NHPR (Dec. 9, 2020), available at <https://www.nhpr.org/nh-news/2020-12-09/covid-19-outbreak-grows-at-nh-state-prison-for-men>. A true and correct copy of this report is attached to the Complaint as Exhibit 9.



90. On information and belief, NHPR consciously placed Eric at the center of the December 2, 2020 article because they already knew a follow-on story was in the works.

91. On information and belief, NHPR knew the next report would falsely claim that Eric had lied about his company’s compliance with COVID-19 protocols.

92. Two weeks later, on December 14, 2020, NHPR published that second story. Chooljian wrote this report too, titled, *Clients, Staff Say Major N.H. Addiction Treatment Center Mishandled COVID Outbreak*.<sup>12</sup> As the December 2, 2020 report foreshadowed, this article put Eric in NHPR’s crosshairs without justification.

93. In it, Chooljian presented two statements of fact about Eric that were untrue. First, her reporting implied that Eric had lied about GRC having a “COVID-19 protocol in place.” Second, she concluded that Eric’s company “failed to take basic steps to protect residents from a COVID-19 outbreak...”

94. Chooljian supposedly substantiated these false claims by using information gleaned from an undisclosed number of “[i]nterviews with clients, their relatives, current and former staff,

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<sup>12</sup> Chooljian, L., *Clients, Staff Say Major N.H. Addiction Treatment Center Mishandled COVID Outbreak*, NHPR (Dec. 14, 2020), available at <https://www.nhpr.org/nh-news/2020-12-14/clients-staff-say-major-n-h-addiction-treatment-center-mishandled-covid-outbreak>. A true and correct copy of this report is attached to the Complaint as Exhibit 10.

and internal communications.” And she purported to bolster that substantiation by inflating the number and associated credibility of these mostly unnamed sources.

95. Of her supposed multitude of sources, however, only three went on the record. And of the three, only two were former GRC clients, with the other being one of their mothers. Chooljian used the illusion of many to prop up her attack on one: Eric.

96. She also used that illusion to mask obvious credibility issues with her on- and off-the-record sources. For example, Chooljian—given the timing of her reporting—necessarily would have interviewed the two on-the-record former GRC client sources while they still were in active treatment for their addiction or immediately after they had prematurely discharged from it. She nonetheless heavily weighted their accounts in support of her erroneously claiming that Eric had lied about GRC’s COVID-19 protocols. Chooljian did so knowing or in reckless disregard for the fact that both on-the-record sources could not have been in a mental state capable of objectively interpreting their treatment environment and providing Chooljian with credible descriptions of how Eric’s company was managing the COVID-19 pandemic.

97. In addition to creating an inflated perception about the number and credibility of her sources, Chooljian also purposely omitted material information from her description of what transpired during her interview with Eric. Her incomplete recitation of their interview had the effect of falsely portraying Eric as evasive, which misleadingly strengthened Chooljian’s claim that Eric was dishonest about GRC’s COVID-19 response.

98. After NHPR’s December 2, 2020 report about GRC’s COVID-19 outbreak but before publishing Chooljian’s December 14, 2020 article, GRC announced an innovative plan to dedicate a portion of its Green Mountain Treatment Center facility to clients who tested positive

for COVID-19 *and* were undergoing detoxification from substance use. Chooljian, under the guise of wishing to learn more about GRC’s new innovative program, requested to interview Eric.

99. So while Chooljian reported that she “tried to ask” Eric about numerous COVID-19 “complaints” that NHPR had received about GRC but that Eric “declined to respond,” she failed to disclose the deceptive nature of her questions. She did not report that, before they met, Chooljian had promised Eric’s press representative that she would limit her questions to the subject of the interview (GRC’s opening of a new COVID-specific treatment unit), but Chooljian breached that ground rule which is commonly set for news media interviews of this kind. Nor did she report that her post-interview exchange with Eric’s representative was supposed to be off-the-record, yet NHPR published it anyway—yet another deviation from customary, ethical reporting practices.

100. Consistent with these departures from journalistic norms, NHPR also published Chooljian’s December 14, 2020 report knowing that her investigation was materially incomplete.

101. Indeed, NHPR hastily published Chooljian’s report without waiting for input from the New Hampshire Department of Health and Human Services (“NHDHHS”)—to which GRC reported the outbreak. Put another way, NHPR, through Chooljian, claimed Eric had lied about GRC’s COVID-19 protocols and claimed that his company failed to take the “basic steps” to protect its clients, yet did so without waiting to see if the state’s authoritative source on this issue agreed with those false statements.

102. But even without NHDHHS weighing in, NHPR knew that, since the pandemic’s onset 10 months earlier, Eric’s company had successfully safeguarded its residents from a COVID outbreak. In fact, Eric and GRC did so while combatting another, equally prominent and dangerous crisis: the opioid epidemic. When the virus spread at GRC, Eric oversaw a response that kept his

employees and clients alive *and* in treatment. That an outbreak occurred 10 months later does not somehow nullify Eric and his company's successful management of the pandemic up to that point.

103. Yet Chooljian was laser focused on calling Eric a liar and could not see beyond her blinding desire to prove it at all costs. That is why she concluded her December 14, 2020 report with a final attack on Eric's trustworthiness. She did so by using an incomplete quote that was plucked from a former client's mother, who herself had no first-hand knowledge about Eric or GRC's COVID-19 practices, but reportedly said that she "wouldn't take Eric Spofford's word for" whether GRC could safely care for COVID-positive substance use disorder clients.

104. The mother's specific distrust of Eric, as opposed to his company or GRC staff, was untethered to anything that she or her son were attributed with saying in the story. On information and belief, while interviewing the mother, Chooljian posed a question that she knew would elicit an on-the-record statement that ostensibly corroborated the false claims about Eric.

105. Four days later, on December 18, 2020, NHPR and Chooljian continued their assault on Eric's reputation. This third story covered GRC's COVID-19 outbreak again. NHPR reporter Rick Ganley and Chooljian recorded and transcribed their discussion and titled it, *Outbreak Grows At Major N.H. Addiction Treatment Center*.<sup>13</sup>

106. While the report began with Chooljian regurgitating her earlier reporting of anonymous complaints about Eric's company failing to safeguard against COVID-19, the broadcast shifted to her pejoratively describing Eric's role in helping the state respond to its opioid addiction crisis. Chooljian emphasized New Hampshire's supposed dependence on Eric and his

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<sup>13</sup> Chooljian, L. et al., *Outbreak Grows at Major N.H. Addiction Treatment Center*, New Hampshire Public Radio (Dec. 18, 2020), available at <https://www.nhpr.org/nh-news/2020-12-18/outbreak-grows-at-major-n-h-addiction-treatment-center>. A true and correct copy of this report is attached as Exhibit 11.



company, implying that the state was indebted to him for how he “has really made himself available to kind of bail out the state when it’s in a tough spot.”

107. Then the broadcast pivoted to Chooljian explaining how she contacted the NHAG about the GRC COVID-19 outbreak, which advised that the NHAG and Eric’s company had “worked through it ... to make sure they were complying, and that was it.” While Eric worked cooperatively with the NHAG concerning GRC’s COVID compliance, Chooljian and Ganley negatively posited, “restaurants, pizza places, [and] bars around the state” were “dinged” by the NHAG for far lesser noncompliance. From that juxtaposition, Chooljian and Ganley falsely implied that Eric had received preferential treatment from the state because, as Chooljian setup earlier in her reporting, the state allegedly owed him one.

#### **IV. NHPR PUBLISHED A DEFAMATORY HIT PIECE ABOUT ERIC**

##### **A. A Synopsis of the Hit Piece**

108. On March 22, 2022, NHPR published the Article and the Podcast, which were littered with false and defamatory statements about Eric.<sup>14</sup> Chooljian is credited with writing both, but Moon is credited for contributing to them and Barrick, as the News Director, necessarily edited and approved publication.

109. The Article and Podcast are titled, *He built New Hampshire’s largest addiction treatment network. Now, he faces accusations of accusations of sexual misconduct*. The Article contains approximately 4,000 words. The Podcast is nearly 30 minutes long.

110. Both the Article and Podcast falsely reported and implied, as fact, that Eric sexually harassed a former GRC client and sexually assaulted two former GRC employees.

111. The NHPR Defendants purported to have substantiated these defamatory claims based on interviews of “nearly 50 former clients, current and past employees, and others in New Hampshire’s recovery community.” None of the supposed accusers, however, agreed to identify themselves on the record. And of the “nearly 50” sources interviewed, only four were attributed with statements in support of the Article and Podcast.

112. The malice and reckless disregard for truth with which the Article and Podcast were investigated, written, and published are evident even when the slightest scrutiny is applied.

**B. A Biased Reporter and a Donor-Hungry Nonprofit**

113. Since December 2, 2020, Chooljian’s reporting has focused exclusively on one person: Eric Spofford.<sup>15</sup>

114. For the almost two years since she first started covering Eric, Chooljian pried into all facets of his life, searching for something—anything—to take him down.

115. On information and belief, Chooljian viewed Eric as her opportunity to ascend the journalism ranks. To Chooljian, a #MeToo-styled report about a white male, Republican donor, and bold and successful businessman, who made money in the substance use disorder treatment business, had all the markings of a career-defining piece.

116. Chooljian, on information and belief, incorrectly interpreted Eric’s financial status, political affiliation, and business dealings as attributes suggestive of smoke and then wrongly predetermined that smoke meant there was fire—that is, an explosive story to tell.

117. On information and belief, taking down Eric became a means to Chooljian’s end goal: to join a national news organization.

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<sup>15</sup> *Lauren Chooljian*, NHPR (last visited Sept. 17, 2022), available at <https://www.nhpr.org/people/lauren-chooljian>. A true and correct copy of this webpage is attached to the Complaint as Exhibit 12.

118. On information and belief, Chooljian’s ambition blinded her and made it impossible for her to investigate and report about Eric objectively.

119. Even assuming Chooljian believed she could remain objective, she is marked by an unshakeable appearance of bias against Eric given her exclusive focus on him for nearly two years of reporting, including her attempted “gotcha” of Eric during their December 2020 interview.

120. Either way, after nearly two years of a cherry-picked investigation, Chooljian turned up nothing credible for her big piece.

121. On information and belief, given the time and resources NHPR had committed to Chooljian’s investigation of Eric since 2020, she felt pressure to deliver something big.

122. On information and belief, NHPR was depending on Chooljian’s piece to aid its fundraising efforts this year. If Chooljian could deliver reporting that took down someone NHPR viewed as a prominent figure in the state, that would garner national attention and greater visibility to donors nationwide.

123. Although Chooljian’s investigation turned up empty, NHPR decided to publish the Article and Podcast anyway, doing what could be done to give her reporting an aura of legitimacy.

**C. NHPR Maliciously Sensationalized the Article and Podcast by using a False Clickbait Title, False Salacious Metatags, and False Innuendo**

**i. *The Clickbait Title***

124. Eric has not sexually assaulted anyone. Nor has any law enforcement agency ever accused him of doing so. Only NHPR has.

125. The title of Chooljian’s hit piece, “*He built New Hampshire’s largest addiction treatment network. Now, he faces **accusations of sexual misconduct**,” (emphasis added) was equivalent to NHPR reporting that Eric had been criminally charged for sex crimes.*

126. That false title, or at least the false implication created by it, led another media outlet, NH Journal, to incorrectly report that Eric Spofford had been criminally charged for sexual misconduct.<sup>16</sup> Although NH Journal retracted its false statement, it never would have made that egregious misstatement but for NHPR’s false clickbait headline.

127. While the word “accusation” is a term of art in American criminal jurisprudence, mainstream usage of that term is in sync with its legal meaning.

128. Only law enforcement agencies, whose officials are sworn to pursue justice exclusively through the criminal process, can formally accuse a person of a criminal act. Indeed, *Black’s Law Dictionary* defines “accusation” as “[a] statement that a person has engaged in an illegal or immoral act; a statement saying that someone is guilty of a crime or of doing something wrong”; or as “[a] formal charge of criminal wrongdoing.” *Black’s Law Dictionary* defines the word “accuse” to mean “[t]o charge (a person) judicially or publicly with an offense; to make an accusation against <she accused him of the crime> <he was accused as an accomplice>.” Consistent with *Black’s* definitions, Merriam-Webster defines “accuse” to mean “to charge with a fault or offense” or “to charge with an offense judicially or by a public process.”

129. Law enforcement agencies typically do not make accusations of criminality until after a thorough investigation has been conducted, witnesses are identified and vetted, and physical evidence has been retrieved, and deemed reliable and admissible. In most sex crime cases, the investigation, witnesses, and evidence must first be presented to a grand jury who, in turn, decides

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<sup>16</sup> Fisher, D., *Sununu Ally Bettencourt Arrested for Domestic Violence*, NH Journal (May 8, 2022), available at <https://nhjournal.com/sununu-ally-bettencourt-arrested-for-domestic-violence/>. A true and correct copy of this article is attached to the Complaint as Exhibit 13.

whether a person will stand accused of violating the criminal law. Only when the grand jury returns a true bill against that person does he then become “the accused.”<sup>17</sup>

130. The United States and New Hampshire constitutions provide procedural and substantive protections to the accused facing “accusations” of criminal conduct. These often are described as “Rights of the Accused.”<sup>18</sup> Among those rights, for example, under the Sixth Amendment to the United States Constitution, “the accused shall enjoy the right to . . . be informed of the nature and cause of the accusation [and] to be confronted with the witnesses against him.”

131. NHPR knew the significance of claiming that Eric was facing “accusations of sexual misconduct.” To title Chooljian’s report in that manner was to claim and imply that her coverage of Eric was about formal criminal accusations against him, brought by law enforcement, and which he now would face as the accused. NHPR knew that is not even remotely true.

132. The title, and the overall gist and sting of the Article and Podcast, that that title established, were false and defamatory.

**ii. *The Metatags***

133. NHPR falsely stated and implied that Eric had been formally accused of committing the crime of sexual assault through the Article and Podcast’s Metatags.

134. Metatags are keywords or short phrases that are used both to describe a webpage’s content and to group it with supposedly related content on that same website.

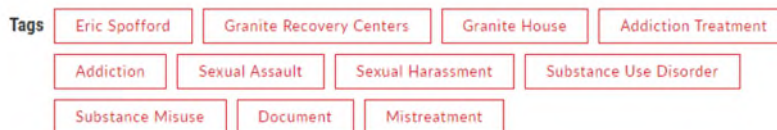
135. NHPR used these Metatags in the Article and Podcast:

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<sup>17</sup> See McNamara, R., N.H. Prac. Series: Criminal Practice & Procedure § 1.01 (sixth ed. ) (“A crime is a public wrong, raising an issue between the State and *the accused*.”) (emphasis added).

<sup>18</sup> See, e.g., *State v. Farrell*, 145 N.H. 733, 740 (2001) (“[T]he New Hampshire Constitution is at least as protective of the due process rights of the accused as the Federal Constitution”).

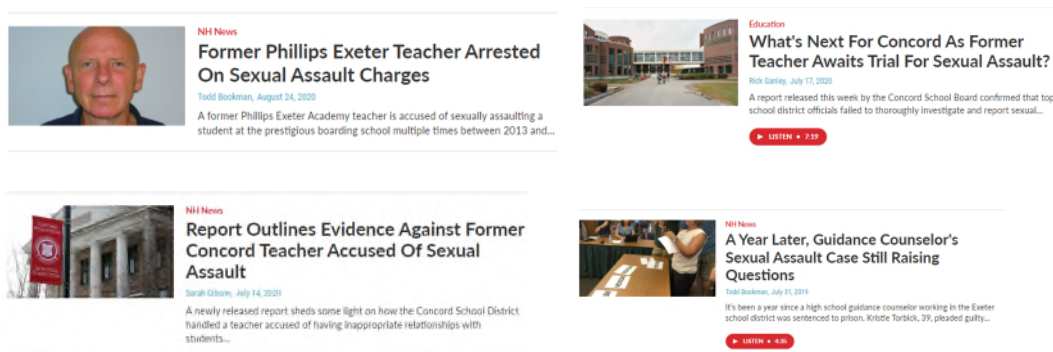
We rely on your support. To keep this journalism free and support the coverage that holds the powerful accountable, [give to NHPR today.](#)



136. The “Eric Spofford” and “Sexual Assault” Metatags equate to a knowingly false statement that Eric engaged in or was formally accused of criminal conduct involving sex. NHPR’s use of these Metatags demonstrates its malice or reckless disregard for the truth in three ways.

137. First, an entire section of New Hampshire’s criminal code is dedicated to prohibiting “Sexual Assault and Related Offenses.” *See* RSA § 632-A (criminalizing “Aggravated Felonious Sexual Assault,” “Felonious Sexual Assault,” and “Sexual Assault”). NHPR used the Sexual Assault Metatag knowing or recklessly disregarding the meaning of that phrase under the New Hampshire criminal code.

138. Second, the Sexual Assault Metatag, when clicked, links to NHPR reports in which the individual covered actually was facing accusations of sexual assault made by state prosecutors.<sup>19</sup> The Article and Podcast top the list of headlines, like:



<sup>19</sup> *See, e.g., Sexual Assault*, NHPR (last visited Sept. 17, 2022), available at <https://www.nhpr.org/tags/sexual-assault>. A true and correct copy of this webpage is attached to the Complaint as Exhibit 14.

139. Third, two weeks before NHPR published the Article, Chooljian submitted a Right-to-Know request to the NHAG.<sup>20</sup> In it, she requested “any complaints regarding Eric Spofford, the former CEO of Granite Recovery Centers, or any complaints about the treatment properties he founded.” Although, as most experienced reporters know, the New Hampshire Right-to-Know law does not require that a requestor supply a reason for a public records request, Chooljian volunteered her rationale, which indicates her desire to seize any opportunity to smear Eric’s reputation.

140. Chooljian claimed that she was “reaching out because over the past year” she had allegedly “substantiated multiple allegations of sexual misconduct by Spofford while he was the CEO of Granite Recovery Centers.” Her email clarified, however, that the “multiple allegations” actually were attributable only to three people: two former GRC employees and a former client.

141. Hypocritically, Chooljian did not provide the NHAG the identities of these supposed crime victims. Nor did she provide any evidence of the ostensible wrongdoing for law enforcement authorities to investigate. She instead disclosed her “plan to report these allegations” and expressed merely a “curios[ity]”—not a concern—“if any additional complaints ever reached the AG’s office.” Put another way, Chooljian claimed to have uncovered criminal conduct, but did not provide the identities or evidence to the NHAG. Her desire to publish the story rather than to help alleged victims of sexual assault confirms that her investigation was tainted by a selfish ambition for personal acclaim and untethered to any objectivity.

142. Long-time NHAG Associate Attorney General Jeff Strelzin—head of the NHAG’s Division of Public Protection—responded to Chooljian’s Right-to-Know request the same day as it was received. Strelzin revealed that, over almost the last decade, the NHAG had received nine complaints about GRC. But, at no time, as Strelzin made clear, had the NHAG ever “received any

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<sup>20</sup> Email from Chooljian, L. to NHAG (Mar. 3, 2022). A true and correct copy of this email is attached to the Complaint as Exhibit 15.

complaints against Spofford or any of the properties he founded that involve allegations of sexual assault.” In other words, by March 7, 2022, the NHPR Defendants knew that no one had ever made an accusation to the NHAG that Eric committed sexual assault and that the NHAG never had investigated Eric for allegedly engaging in such conduct.

143. Because Strelzin’s disclosure cut against Chooljian’s predetermined narrative, she immediately pushed back for clarity about the nine complaints pertaining to GRC. Strelzin recommended that Chooljian make a separate Right-to-Know request for the Consumer Protection Bureau to produce them.

144. Two days later, NHPR, through Moon, did just that. But as NHPR had done when Chooljian reported about Eric in December 2020, NHPR published the Article and Podcast *without* first receiving the documents Moon requested from the Consumer Protection Bureau. NHPR falsely accused Eric of having engaged in sexual assault before it had even completed its investigation with the NHAG.

145. On information and belief, NHPR published the Article and Podcast before receiving the NHAG’s response to Moon’s request, because it knew the NHAG’s response would not support the predetermined conclusion NHPR wanted to report about Eric’s conduct.

146. In sum, before publishing the hit piece, the NHPR Defendants knew that Eric was not facing accusations of sexual assault and that knowledge came from the top law enforcement agency in the state. But NHPR titled and Meta-tagged the Article and Podcast as if Eric had been charged with sexual assault anyway.

**iii. *The Innuendo***

147. The NHPR Defendants also used innuendo throughout the Article and Podcast to sensationalize Chooljian’s reporting.



148. The Article, for example, includes a photograph of a GRC facility (Green Mountain Treatment Center). Although the facility could have been photographed without an obstructed view, the NHPR Defendants used an image of the facility obscured from view by a tall fence, trees, and the snow.

149. On information and belief, the NHPR Defendants selected this photograph to symbolize and accentuate Chooljian's false claims in the Article and Podcast. The image was used to visually lead readers and listeners to erroneously believing that Eric had evaded accountability for criminal conduct he committed within the confines of his business.

150. The Article and Podcast, moreover, included what NHPR styled as a "**CONTENT WARNING.**" Though these warnings supposedly were to caution readers about the Article and Podcast's subject matter, the Title, Metatags, and, on the Podcast, the prelude, already accomplished that. The NHPR Defendants' use of content warnings in the Article and Podcast was part and parcel of its effort to sensationalize Chooljian's false and defamatory reporting.

151. But the sensationalism did not stop there. The NHPR Defendants' decision to anonymize the two alleged accusers was essential to the theatrics of this hit piece.

152. The NHPR Defendants knew that anonymity inflated the accusers' credibility because identifying them would immediately reveal them as biased and untrustworthy sources.

153. The NHPR Defendants knew that anonymity helped underscore their defamatory portrayal of Eric as a powerful figure who would retaliate against dissenters.

154. The NHPR Defendants knew that keeping the accusers anonymous helped perpetuate the false claim that there are others who have not yet come forward.

155. And the NHPR Defendants knew that revealing the accusers' identities would expose their unreliability as sources and undermine the reporting that was based on those sources.

156. The NHPR Defendants knew that anonymizing these accusers misleadingly increased the believability and profitability of the Article and Podcast.

157. But the NHPR Defendants did not *actually* care about keeping these accusers anonymous. If it did, then the NHPR Defendants never would have used snippets from the accusers' interviews in the Podcast without first masking their voices. Yet that is what happened, and the accusers were immediately recognizable based on their voices. The NHPR Defendants' effort to protect the accusers' identities was a hollow promise made to dupe the accusers into interviews and to sensationalize the Article and Podcast.

158. The NHPR Defendants' lack of a legitimate concern for maintaining accuser anonymity is demonstrative of its malice and reckless disregard for the truth. On the one hand, the NHPR Defendants portrayed Eric as abusive and retaliatory, and used that as its rationale for suppressing accusers' and sources' identities. The NHPR Defendants also used that rationale to imply that there are other women with allegations against Eric but who refused to come forward out of fear of what Eric might do. On the other hand, however, the NHPR Defendants themselves outed these accusers, know that they outed them, and has done nothing to undo that outing. The NHPR Defendants' proclaimed need to protect accuser identities was a charade geared toward embellishing its false reporting about Eric.

159. All told, the NHPR Defendants' defamatory title, Metatags, imagery, innuendo, and false concern for accuser anonymity were deliberately aimed at corrupting readers and listeners against Eric. By the time NHPR's audience reached the substance of Chooljian's reporting, they already had been programmed to accept, as irrefutable truth, the false narrative that Eric sexually harassed and assaulted his clients and employees.

#### **D. The Unreliable Sources**

160. The NHPR Defendants' manipulation of the Article and Podcast's atmospherics also helped to conceal the holes in Chooljian's investigation and reporting.

161. But those holes are so wide and deep that even a well-designed deployment of special effects could not cover up the falsities and defamation.

162. The most obvious hole in Chooljian's reporting is her unprincipled reliance on the unreliable say-so of predominantly anonymous and biased sources.

163. No source—whether anonymous or on-the-record—substantiated the NHPR Defendants stating and implying as fact that Eric sexually harassed a former client and sexually assaulted two former GRC employees.

164. Full stop.

##### ***i. Piers Kaniuka***

165. Kaniuka is not a defendant in this case because he retracted the false statements attributed to him in the NHPR Article and Podcast. Well, he tried to do so.

166. In a notarized letter sent to NHPR on May 17, 2022, Kaniuka told NHPR's Board of Trustees and Chooljian that he was

*writing to clarify and correct statements by me that were included in the March 22, 2022 New Hampshire Public Radio (NHPR) article about Eric Spofford entitled, He built New Hampshire's largest addiction treatment network. Now, he faces accusations of sexual misconduct.*

Specifically, I am concerned with your use of my statement comparing Mr. Spofford to Harvey Weinstein and my statement that Mr. Spofford should be prosecuted. At the time I made those statements to Ms. Chooljian, I naively assumed that I would have been provided an opportunity to vet any statements I made, and to provide permission for them to be used, prior to their publication as part of the article.

I regret making those statements. I *did not* have any direct personal knowledge concerning any sexual abuse, misconduct, or other inappropriate behavior by Mr. Spofford with employees, clients, or former clients.<sup>21</sup>

167. NHPR has suppressed Kaniuka’s retraction from the public. It will neither retract the Article and Podcast, nor amend them to, at minimum, reference Kaniuka’s May 17 disclosure.

168. NHPR instead has decided for its readers and listeners that Kaniuka’s statement is irrelevant to Chooljian’s reporting about Eric. Yet NHPR knows the opposite is true.

169. Kaniuka was one of only four on-the-record sources identified in Chooljian’s reporting. Of those four, Kaniuka was the only one who had known Eric for nearly two decades. Two of the others had been acquainted with Eric as employees of GRC for less than three months each, and one had never even met Eric.

170. Kaniuka therefore was someone who, on information and belief, Chooljian relied on to orient her investigation, identify sources willing to anonymously defame Eric, and who was capable of appearing authoritative in his knowledge of Eric given their past relationship.

171. Kaniuka also was the person who made the vilest statements about Eric on the record in the Article and Podcast. Chooljian credited Kaniuka with possessing information that substantiated him comparing Eric to Harvey Weinstein—a convicted, incarcerated rapist.

172. Chooljian moreover used Kaniuka’s hypocritical claims that, “[t]he recovery industry needs a ‘Me Too’ movement,” and that Eric should be “shunned, shamed, and probably prosecuted,” to support her false statement of fact that Eric had “prey[ed] on vulnerabilities” found in “people struggling to recover from substance use disorder, who have sometimes experienced homelessness, abuse or sexual trauma.”

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<sup>21</sup> Notarized Letter from Kaniuka, P. to Chapman, et al., *Statements Attributed to Piers Kaniuka* (May 17, 2022). A true and correct copy of this letter is attached to the Complaint as Exhibit 16.

173. It also is from the lens of Kaniuka's lies that Chooljian falsely reported that Eric had sexually assaulted Employees A and B, both former GRC employee. Without Kaniuka's statements and apparent credibility, on information and belief, the NHPR Defendants would not authorize publication of the Article and Podcast or, at a minimum, would not allow their publication with coverage related to Employees A and B.

174. Since Kaniuka informed NHPR about his dishonesty, NHPR, through counsel, has attempted to justify its decision to do nothing about it. That attempted justification further demonstrates the malice and reckless disregard for the truth that has plagued NHPR's coverage of Eric since Chooljian first started reporting about him in December 2020.

175. Indeed, rather than publicly report about the receipt of Kaniuka's retraction and NHPR's interpretation of it, NHPR chose to quietly address the retraction through its lawyer who contended that Kaniuka's statement was meaningless and that, regardless, NHPR is untouchable because of the First Amendment.

176. While Kaniuka expressly wrote to "correct statements" attributed to him in the Article and Podcast, NHPR's counsel somehow interpreted that to mean that Kaniuka "does not dispute the accuracy of any of the information in the article."<sup>22</sup>

177. While Kaniuka expressly wrote to "clarify" statements attributed to him in the Article and Podcast because he did not have the "direct personal knowledge" to make them, NHPR's counsel somehow interpreted that to mean that Kaniuka "unmistakably implie[d] that he has other sources of information about the alleged misconduct."

178. But NHPR's brazen disregard for reporting the truth about Eric perhaps is best captured by its view, espoused through counsel, of the First Amendment. To NHPR, the First

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<sup>22</sup> Letter from Shutz, S. to Levine, B. (May 19, 2022). A true and correct copy of this letter is attached to the Complaint as Exhibit 17.

Amendment protection afforded to the press is like a “buzzsaw” with which NHPR would cut Eric down again if he dared to stand up for his rights by suing NHPR.

179. No amount of legal rhetoric, however, can alter the simple fact that Kaniuka had no knowledge of Eric’s supposed sexual assault of employees. However NHPR viewed Kaniuka’s May 17, 2022, letter (whether as a complete retraction of his on-the-record statements, a concession that he was dishonest with Chooljian about what he knew, or even to avoid a lawsuit by Eric), the fact that Kaniuka sent the letter was highly relevant information going to the heart of the truth or falsity of the assertions in the report.

180. NHPR’s suppression of Kaniuka’s statement therefore demonstrates its actual malice, reckless disregard for the truth, and that its *News Code of Ethics* exists in name only. If “[t]he audience deserves more information, not less,” then NHPR’s continued withholding of Kaniuka’s retraction is explained only by its malice.

181. Suppressing Kaniuka’s statement is especially egregious given what Chooljian necessarily uncovered about him through her investigation.

182. Chooljian knows that Eric and Kaniuka once were close. Kaniuka was Eric’s first recovery counselor and sponsor. Kaniuka acted as Eric’s spiritual, professional, and personal advisor and played a critical role in the early stages of Eric’s recovery journey.

183. Even as Eric progressed on that journey, he and Kaniuka stayed in touch. When Eric began operating his first sober living residence in New Hampshire, The Granite House, he consulted with Kaniuka about programming and ways to help residents stay sober.

184. But Kaniuka was not supportive of Eric growing his business. And while that caused them to discontinue regular communication, Eric still respected Kaniuka.

185. By 2010, Eric's business (GRC) was growing in New Hampshire at a pace that matched the spread of the country's opioid epidemic. Kaniuka, meanwhile, continued working as a program director at the treatment facility (The Plymouth House) where he and Eric first met.

186. Two years later, to Eric's surprise, Kaniuka was exiled from the recovery community. Kaniuka had been terminated for abusing a hallucinogen called Ayahuasca, and for doing so, on information and belief, with colleagues and clients. Ayahuasca's key active ingredient is N, N-Dimethyltryptamine (DMT), which is categorized under Schedule I of the Controlled Substances Act.

187. Word of Kaniuka's Ayahuasca use and his related termination spread throughout the New Hampshire recovery community. If, as Chooljian reported, she spoke with "others in New Hampshire's recovery community," then she knew about Kaniuka's 2012 expulsion and what that meant for his credibility.

188. At that time, moreover, on information and belief, allegations that Kaniuka had inappropriate relationships with clients also had surfaced. One of Kaniuka's clients provided written notice of Kaniuka's conduct to his former employer. If, as Chooljian reported, she actually interviewed "others in New Hampshire's recovery community," then she also learned about Kaniuka's hypocritical misconduct with clients, which undermined his reliability as a source.

189. Kaniuka's Ayahuasca use and client misconduct kept him out of the recovery industry for four years. He spent his exile hiding in academia, teaching psychology at now defunct Burlington College in Vermont. Eric and Kaniuka barely spoke during that time. But they reconnected in 2016.

190. That is when Kaniuka convinced Eric that Kaniuka's previous misgivings were things of his past and that he was ready to rejoin the recovery community in New Hampshire.

Given their history, Eric risked his industry reputation and relationships to help Kaniuka resuscitate his recovery industry career.

191. Because Chooljian reported about Kaniuka joining GRC in 2016, she must have known about his several year hiatus from the addiction treatment industry that preceded his employment by Eric's company. She either knew that Kaniuka had been forced into that time away from working in recovery or recklessly disregarded the truth of why Kaniuka stepped away.

192. While, in 2016, Kaniuka worked to regain traction in New Hampshire's recovery community, Eric was catapulting to national acclaim, becoming a leading authority on the country's strategy for combatting the opioid epidemic.

193. In that vein, although Kaniuka and Eric jointly wrote *Real People, Real Recovery: Overcoming Addiction in Modern America*, Eric was the principal benefactor of the praise.

194. Unsurprisingly, by 2019, Kaniuka was jealous of Eric's success and esteem in the industry that Kaniuka had been in for a decade longer. This was obvious to Chooljian and the other NHPR Defendants. While he stayed employed with GRC, he used his role as Director of Spiritual Life to develop a loyal following of acolytes.

195. On information and belief, Kaniuka mobilized his cult-like following to serve as sources for the Article and Podcast.

196. Kaniuka eventually disengaged from fulfilling his job responsibilities at GRC and quit in mid-May 2020.

197. While Chooljian tethered Kaniuka's resignation to his knowledge of an employee's sexual assault allegations against Eric, his May 17, 2022 retraction proves that could not be why Kaniuka left—he possessed no such knowledge.



198. While Chooljian praised Kaniuka for walking out on GRC because of Eric’s alleged conduct, the May 17, 2022 retraction proves that Kaniuka is undeserving of that praise—he possessed no such knowledge.

199. Even if Kaniuka did leave GRC because of a sexual assault allegation against Eric, the praise Chooljian showered him with is deeply contradictory. Kaniuka, as Chooljian herself reported, was a “popular presence among clients”—he was the “*most recognizable figure at GRC besides*” Eric, and held a director-level position.

200. By Chooljian’s own account, Kaniuka had the prestige, privilege, and podium from which he could have done something to out Eric for his alleged misconduct—if it had actually occurred. Yet Kaniuka walked out without doing anything, apparently hoping that the sheer fact of his resignation would trigger a “snowball” effect of *other people* outing Eric.

201. Rather than chastise Kaniuka’s silence as perpetuating alleged misconduct (or recognizing that his failure to speak out was evidence that nothing happened), Chooljian gave Kaniuka a hero’s welcome in the Article and Podcast two years later.

202. Chooljian’s free pass of Kaniuka’s cowardice, exemplifies her malice for Eric and is yet another illustration of her reckless disregard for the truth in her reporting. Kaniuka’s claims about Eric, when given unbiased consideration, did not add up. Chooljian and the NHPR Defendants knew that before the Article and Podcast were published.

**ii. “Elizabeth”**

203. Chooljian reported about an anonymous source, “Elizabeth,” and her supposed claims that Eric sent her a picture of his penis on Snapchat five years ago.

204. Elizabeth said that this happened one day after she completed her substance use disorder treatment at GRC.

205. Elizabeth does not have a copy of the alleged picture (which Eric never sent). Nor does she have any other messages from Eric demonstrating that he sexually harassed her (because he did not).

206. Chooljian did not see the picture on which Elizabeth's claim is based (because it never existed). Nor did Chooljian see any other contemporaneous records that corroborated the allegation (because there are none).

207. Chooljian, however, apparently did review Elizabeth's text messages. Those texts, Chooljian reported, confirmed that Elizabeth received a scholarship for treatment at GRC in 2017.

208. Elizabeth did receive a scholarship for treatment at GRC. She did because Eric's friend—a celebrity actor and musician from the Northeast—requested that Eric do so as a favor.

209. Eric did not know Elizabeth then. Nor did he take lightly the request to admit someone into his program free of charge. Despite Elizabeth's string of relapses and readmissions, Eric arranged for her to receive treatment, at no cost to her.

210. If Chooljian was meaningfully investigating Elizabeth's claim and credibility, she necessarily would have probed for more information about the person who helped arrange for her to receive free treatment at GRC. Chooljian would have discovered the celebrity status of that person and his relationship to Eric. She would have necessarily concluded that, if Elizabeth was close enough to this celebrity that he would seek favor from Eric on her behalf, Eric would have done everything in his power to ensure Elizabeth's experience at GRC was exceptional.

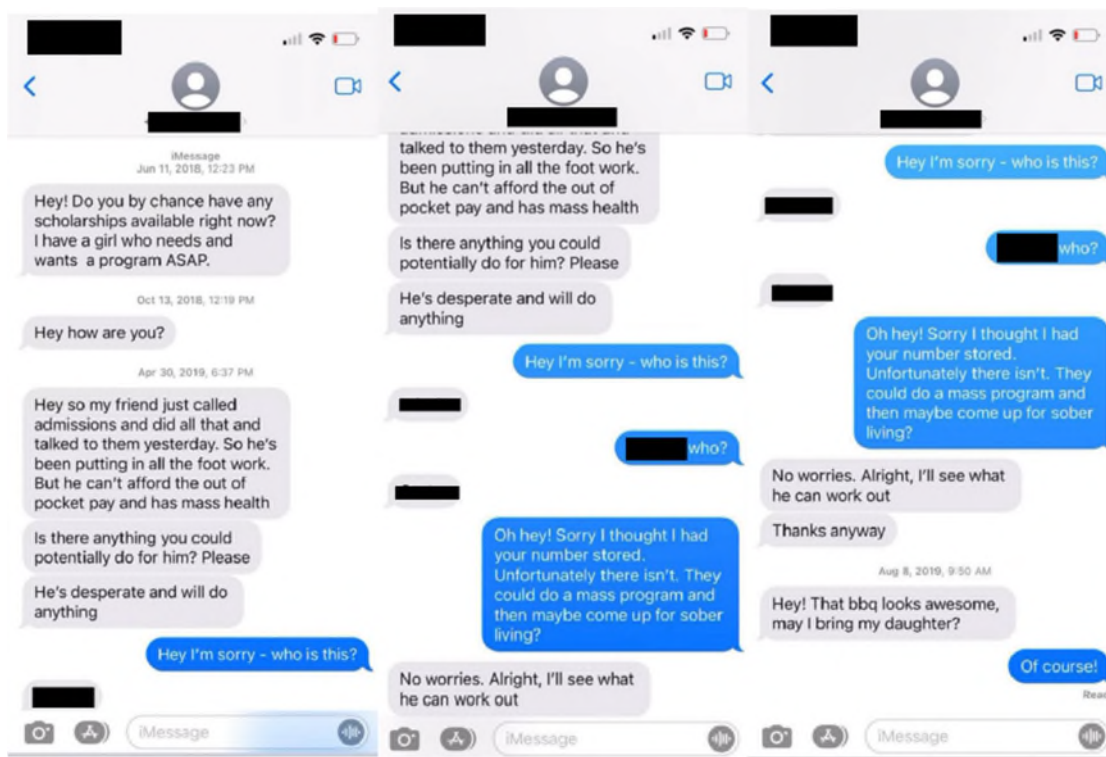
211. Similarly, if Chooljian cared about corroborating Elizabeth's claim against Eric, she would have sought and reviewed any text messages between them.

212. On information and belief, if Elizabeth had text messages dating back five years (which allegedly Chooljian used to corroborate Elizabeth’s 2017 GRC treatment), then Elizabeth also had other text messages she sent Eric over the years.

213. If Chooljian legitimately wished to substantiate her claim that Eric had sexually harassed Elizabeth, she would have insisted on reviewing their text messages.

214. On information and belief, Chooljian did review Elizabeth’s text exchanges with Eric, but, because those messages conflicted with Chooljian’s reporting and Elizabeth’s claim, Chooljian suppressed them.

215. Excerpts from those June 2018, April 2019, and August 2019 text messages follow:



216. Indeed, nothing about Elizabeth’s messages with Eric suggest—even remotely—that she had been sexually harassed by him. Nor do these messages indicate that she was “scared” of Eric or that she attributed his harassment to her relapsing. The opposite is true.

217. Elizabeth—not Eric—initiated the text messages. Eric did not have her phone number stored in his phone. And even after Elizabeth disclosed who she was, Eric did not save her contact information.

218. Elizabeth moreover apparently felt comfortable requesting that Eric’s company cover the cost of treatment—for two of her friends. Eric did not respond to Elizabeth’s first inquiry and respectfully declined her second request. In total, Elizabeth asked Eric to cover more than \$40,000 in treatment expenses for people he did not know.

219. Had Elizabeth felt the vitriol and anger toward Eric that she supposedly conveyed to Chooljian, she could have responded to Eric’s refusals to scholarship her friends with threats or insinuations about his alleged sexual harassment of her. Because that did not happen, Elizabeth accepted Eric’s decision and apparently remained supportive of him and GRC. In fact, just months before Chooljian interviewed Elizabeth, Elizabeth and her young daughter attended a recovery industry event hosted by Eric—not something that one would expect to happen if Eric had actually sexually harassed Elizabeth.

220. Chooljian either knew about these text messages and buried them or deliberately avoided uncovering this and other evidence that undermined Elizabeth’s credibility and claim. And because Chooljian had no records on which she could rely to corroborate Elizabeth’s allegation—again, because the allegation is false—Chooljian needed another way to substantiate it.

221. She purported to do so through Justin Downey. As Chooljian reported, Elizabeth said she told “two friends . . . about the messages *at the time*” when she received them. Since then, one friend overdosed, the other allegedly was Downey.

222. Downey did not tell Chooljian he saw any harassing messages from Eric to Elizabeth. Nor did Chooljian specify what, exactly, Downey actually “confirmed” about

Elizabeth's "story." In fact, Chooljian inconsistently reported the nature of Downey's corroboration. In the Article, Chooljian wrote that Downey "*independently* confirmed Elizabeth's story," yet in the Podcast, Chooljian was silent about whether Downey's confirmation was, as she claimed in the Article, actually "independent."

223. Through Chooljian's manipulation of context, NHPR weaponized Downey's statement as a direct attack against Eric and as ambiguous corroboration of Elizabeth's story. That manipulation is most evident in the Podcast:

LAUREN CHOOLJIAN: Still Elizabeth says she never agreed to meet up with him, but she was scared to shut him down completely. I haven't seen these messages. Snapchat messages disappear once the recipient views them, and Elizabeth didn't take screenshots. And the way Snapchat works, if Elizabeth had taken screenshots, Spofford would have been notified on the app. She says she did tell two friends while this was all happening to her: One of them has since died of an overdose, the other is Justin Downey, *and he confirmed Elizabeth's story.*

JUSTIN DOWNEY: She told me *that this happened to her*, and I was like, what makes this guy think that this type of behavior is ok with a girl this vulnerable, right? If you're a (beep) rehab owner, why are you in contact with a – with the clientele after they leave there? You're supposed to have boundaries.

Ex. 2 at 6:19-7:10.

224. That Chooljian purported to have corroborated Elizabeth's story based exclusively on Downey and his ambiguous confirmation is troubling.

225. First, on information and belief, Downey still was using controlled substances in 2017 when Elizabeth supposedly told him about Eric's conduct. While Downey may no longer be using heroin, on information and belief, he continues to use mind-altering controlled substances, specifically, Ayahuasca, and does so with Kaniuka. The timing of his sobriety, his continued use of a Schedule I drug, and his connection to Kaniuka (who is biased and has a vendetta against Eric) were known to or recklessly disregarded by the NHPR Defendants before they wrote and published the Article and Podcast.

226. Second, even a cursory review of Downey’s online presence reveals that he is biased against Eric’s recovery methodology, mentally unstable, and a convicted felon who conceded that, just a short time ago, “[w]omen just became objects of sex and pleasure to [him]” and that “[m]en became objects of physical destruction”—he felt nothing “for anybody unless he was fucking it or trying to kill it.”<sup>23</sup>

227. Although Downey claims he is in recovery and is at the helm of his own nonprofit addiction treatment organization, that does not erase his not-so-distant past of grossly mistreating and objectifying women. Chooljian knowingly or recklessly gave Downey a platform for him to reposition himself as supportive of women while also bashing an industry leader using false innuendo about what he ostensibly knew about Eric and Elizabeth.

228. Third, Downey purported to recall the exact conversation he had with Elizabeth five years ago. His recitation of that conversation, however, was that he made generic criticisms about Eric. Downey apparently did not offer to help Elizabeth report the harassment. Nor did he seek her permission to do so himself. Downey—the head of a nonprofit organization that purports to help vulnerable addicts—did nothing with the information Elizabeth allegedly gave him until it became advantageous for him and his reputation to do so. That is because Elizabeth never actually gave him that information. All of this would have been obvious to the NHPR Defendants if they cared to report accurately about Eric.

229. The obvious holes in Elizabeth’s story and the supposed corroboration did not stop the NHPR Defendants from falsely reporting, as fact, that Eric had sexually harassed her.

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<sup>23</sup> A true and correct copy of the blog post by Joanne Arnold containing these quotes, and titled “*Trauma, Addiction and the Greatest Life Cheat: A Conversation with Justin Downey*,” is attached at [Exhibit 18](#). The blog post is available at <https://www.joannearnold.com/posts/trauma-addiction-and-the-greatest-life-cheat-a-conversation-with-justin-downey>.

230. Chooljian made two unequivocal statements to that effect: In the Article, Chooljian wrote that Elizabeth relapsed two weeks after completing treatment at GRC. To lay blame for her relapse at Eric's feet, Chooljian labeled Eric's conduct as "harassment," then tethered it to a partial quote from Elizabeth, which misleadingly suggested that the unsubstantiated statement of harassment actually came from Elizabeth, when in fact it came from Chooljian. In the Podcast, after cutting away from Elizabeth's recorded interview, Chooljian empathizes with Elizabeth's plight of "dealing with substance use disorder" and having to "shut down sexual harassment."

231. Although Chooljian knew her claims were made by a deeply unreliable source and supposedly corroborated by an equally untrustworthy witness, the NHPR Defendants published them anyway, intentionally, or recklessly disregarding, the falsity of these statements.

***iii. "Employee A"***

232. Chooljian also purported to tell the story of a former GRC employee who was identified only as Employee A in the Article and Podcast.

233. Like Elizabeth, Employee A's allegations about Eric also are several years old.

234. While Employee A claimed that Eric sent her inappropriate Snapchat messages at some unspecified time in 2018, Employee A does not have the alleged Snapchat messages. Nor did she show or tell anyone about the Snapchat messages when she supposedly received them. That is because the messages never happened.

235. Chooljian moreover did not see any Snapchat messages between Employee A and Eric. Nor did any of the other NHPR Defendants.

236. But unlike the reporting about Elizabeth, Chooljian did not inform readers and listeners that neither she nor any other reporter at NHPR saw the Snapchat messages. Both the Article and Podcast nonetheless address Employee A's allegations of inappropriate Snapchat

messages without expressly acknowledging that the existence of these messages is based solely on Employee A's uncorroborated say-so.

237. That ambiguity was intentional. By staying silent about the Snapchat messages, Chooljian created a subconscious impression that she actually did see the messages or something that proved their existence other than Employee A telling her about them.

238. Chooljian had legitimate reason to doubt the veracity of Employee A's account of the alleged Snapchat messages. Employee A, according to the Article and Podcast, claimed that Eric sent messages, including one about "how sex was part of his 12-step work." Chooljian blindly dubbed that message "inappropriate."

239. Had her investigation been rooted in a modicum of neutrality, Chooljian would have understood that sex *is* legitimately part of the work addicts do in recovery. GRC's treatment program was rooted in Alcoholics Anonymous and *The Big Book*—*i.e.*, "12-step work." The fourth step in *The Big Book* requires addicts to take a personal inventory of their lives, including of their sex lives. The statement that sex is part of someone's 12-step work thus very well could have been an entirely appropriate thing for someone in recovery to say. That Chooljian recklessly described that statement as "inappropriate" is yet another mile marker reflecting how far astray from the truth Chooljian went in covering Eric.

240. The NHPR Defendants' more egregious falsity concerning Employee A is rooted in Chooljian's affirmative conclusion that Eric sexually assaulted this former GRC employee.

241. To be clear, Eric denies ever having sex with Employee A. That Employee A claims otherwise is false.

242. Yet according to Chooljian's reporting, at some unspecified time when Employee A worked at GRC, she attended a meeting at Eric's office in Salem, New Hampshire.



243. NHPR published Employee A's own explanation of what she claims happened between her and Eric inside his office:

I had no idea what that meeting was about, but obviously he did. So he was very quick to like, um, like, just pull me in and start kissing me, and he went to his desk and he grabbed out a condom, and... and... we did end up having...sex, uhm, on his couch, in his office.

244. In her initial, undirected explanation of what supposedly happened with Eric, Employee A *did not* tell NHPR that Eric sexually assaulted her. Yet Chooljian falsely reported that Employee A did: "A former GRC employee told NHPR that in 2018, Spofford sexually assaulted her during the workday."; "NHPR has learned of sexual assault allegations involving at least two of Spofford's employees."

245. It was Chooljian who transformed Employee A's unvarnished account into the sexual assault story NHPR wanted and needed by leading Employee A to claim that the alleged sexual interaction was nonconsensual.

246. Moreover, by asking Employee A if she wanted her alleged sexual encounter with Eric to happen, Chooljian presupposed that Employee A's response would describe how she felt then as opposed to how she felt about it in hindsight—three years later.

247. That ambiguity rendered the response Chooljian received unreliable, and incapable of shedding light on the consensual nature of the supposed sexual encounter (which never happened in any event). Yet that did not stop the NHPR Defendants from unequivocally accusing Eric of sexually assaulting Employee A.

248. Worse, the NHPR Defendants described Eric's conduct as sexual assault based on a telephone interview Chooljian conducted with Employee A while she was "driving around."

249. That Employee A could not, or was not required by the NHPR Defendants, to devote her complete attention to describing her alleged sexual encounter with Eric is telling. As is

discernable from the Podcast, Employee A activated her turn signal as she fumbled through telling Chooljian a story of something that allegedly occurred nearly five years ago.

250. That Employee A could not, or was not required by NHPR to, complete this interview in person or by video conference also is telling. It reveals that Chooljian had no way of meaningfully assessing Employee A's credibility using traditional techniques for such an evaluation, like evasive eye contact, shifting posture, and other body language tells.

251. This also meant that Chooljian completed her interview of Employee A without knowing whether someone or something was influencing her during it. Employee A, for example, could have participated in the interview while someone with an interest in seeing Eric's reputation harmed was in the vehicle with her, coaching her on how to answer Chooljian's questions or pushing her to answer Chooljian's questions in a particular way.

252. The recklessness with which Chooljian conducted Employee A's interview is itself enough to disqualify her as a source.

253. Chooljian's ostensible corroboration of Employee A's story also should have disqualified her as a source for the Article and Podcast.

254. While Chooljian reported that "three sources independently confirmed details of Employee A's story," she did not clarify whether any of these sources confirmed *all* or only *some* of the "details" of Employee A's story, nor did she clarify whether any of the "details" relayed by these sources were *inconsistent* with Employee A's story. Chooljian's vague reference to "details" misleadingly implied that each source confirmed each detail of Employee A's story with no gaps or inconsistencies.

255. But that is untrue. Chooljian's own reporting confirms it. She described only one of the supposedly independent corroborating sources' interviews, writing that one source was

Employee A’s “friend” who “recalled an anguished phone call soon after Employee A was fired,” during which Employee A supposedly told that friend “about the firing, the Snapchat messages, the condoms in Spofford’s desk drawer and an unwanted sexual proposition.”

256. Notably omitted from that source’s corroboration is an explicit confirmation that Employee A told her friend about having sex with Eric in his office. Had that been true, then Chooljian would have unambiguously said so.

257. Because it was not, rather than transparently report about this substantial gap in Employee A’s corroboration, Chooljian kept it under wraps. She instead used an amorphous reference to the “friend” learning of an “unwanted sexual proposition.” But even that ostensible corroboration was untethered to a time, place, or even to Eric specifically.

258. The Article and Podcast are devoid of the specificity necessary to ethically represent that Employee A’s alleged sexual encounter with Eric—which the NHPR Defendants has dubbed a sexual assault—had been independently corroborated. It was not.

259. The NHPR Defendants know the opposite is true. Indeed, on the same day and at the same time NHPR published the Article and Podcast, it also published a solicitation, titled, *How to contact NHPR about allegations regarding Eric Spofford*.<sup>24</sup>

260. In this publication, NHPR described Chooljian’s reporting as having “found a pattern of alleged sexual misconduct, abusive leadership, and retaliation by Spofford.”

261. Rather than present itself neutrally, NHPR used this publication to seek favor from its readers—“we need your help.”

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<sup>24</sup> NHPR Staff, *How to contact NHPR about allegations regarding Eric Spofford*, New Hampshire Public Radio (Mar. 22, 2022), available at <https://www.nhpr.org/nh-news/2022-03-22/how-to-contact-nhpr-about-allegations-regarding-eric-spofford>. A true and correct copy of this solicitation is attached to the Complaint as Exhibit 19.

262. That plea for help is telling. On information and belief, NHPR knew that its coverage of Eric was published without credible substantiation and hoped a public call to action would back-fill the holes in Chooljian’s reporting.

263. The strategy partially worked. NHPR did receive reliable evidence in response. It just was not the kind that NHPR wanted.

264. Former GRC Director of Human Resources Lysie Metivier read the Article and listened to the Podcast on March 22, 2022.<sup>25</sup>

265. Metivier was “shocked by the title” because, as she recalled, she thought NHPR was reporting that Eric had been “criminally charged for committing some unlawful sex crime.” Even after she finished reading the Article and listening to the Podcast, Metivier “was unclear” about whether Eric actually had engaged in criminal conduct.

266. The Article and Podcast perplexed Metivier. After all, she was GRC’s Director of Human Resources and worked closely with Eric for more than two years. To Metivier, NHPR and Chooljian’s false depiction of Eric as someone who “preyed on vulnerable people and wielded his power to avoid consequences,” was untethered to any experience she had with him.

267. That NHPR and Chooljian got its reporting about Eric so wrong, however, is less surprising. Metivier served as GRC’s Director of Human Resources from October 2017 until the beginning of March 2020—the time period when, according to NHPR’s coverage, Eric allegedly engaged in sexual misconduct. Yet, neither Chooljian nor another NHPR reporter spoke to Metivier before NHPR published the Article and Podcast

268. The failure to get Metivier’s first-hand take on Eric was deliberate. Chooljian interviewed GRC’s other former Director of Human Resources, Nancy Bourque, who worked at

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<sup>25</sup> Sworn Affidavit of Lysie Metivier ¶ 15 (Sept. 8, 2022) (“Metivier Aff.”). A true and correct copy of the Metivier Affidavit is attached to the Complaint as Exhibit 20.

GRC *after* Metivier and *after* the time when the falsely alleged sexual misconduct is claimed to have happened. Chooljian knew that Metivier had relevant first-hand knowledge and that Bourque did not. On information and belief, Chooljian also must have known that Metivier onboarded and trained Bourque to take over the role of GRC’s Director of Human Resources.

269. Whether Bourque volunteered that information to Chooljian or not, her investigation necessarily would have led her to Metivier, and Chooljian must have understood that Metivier—*not Bourque*—was the GRC Director of Human Resources with contemporaneous personal knowledge of the time period relevant to NHPR’s reporting.

270. But just like her COVID-19 coverage of Eric—where NHPR hastily published a defamatory piece based on Chooljian’s incomplete investigation—Chooljian must have made a calculated decision to submit her reporting for publication *without* seeking input from Metivier.

271. Chooljian knew that Metivier could irreparably destabilize the already flimsy narrative Chooljian had constructed. And since NHPR, for its part, would not mandate adherence to its *News Code of Ethics*, there was no incentive to subject Chooljian’s reporting to information that had even the potential to undercut Chooljian’s predetermined false narrative.

272. On March 22, 2022, just hours after NHPR published the Article and Podcast, Metivier sent Chooljian a text message to which Chooljian responded immediately. Ex. 20 (Metivier Aff.) ¶¶ 19, 21. Chooljian pushed to speak with Metivier later that afternoon, Metivier agreed, and a call was set. *See id.* ¶ 20.

273. Chooljian and Metivier did, in fact, speak the same day as when the Article and Podcast were published. As Metivier’s sworn affidavit demonstrates, the information she gave Chooljian during their call was reliable, indispensable to NHPR’s reporting about Eric in the

Article and Podcast, and substantially impeached the credibility of Chooljian's investigation, sources, and journalism.

274. During their call, Metivier revealed that, though she did not suffer from substance use disorder, her son's biological father did. *See id.* ¶¶ 8, 9. Metivier explained to Chooljian that he sought treatment at GRC during Metivier's first month of employment with the company. *See id.* Metivier described how she herself struggled to deal with her biological son's father's addiction but that, with the encouragement and support of Eric and other GRC employees, she found relief through participation in GRC's family recovery meetings. *See id.* ¶ 10.

275. While Metivier's participation in these meetings helped her personally, they also played an important role in developing trustworthy relationships with her colleagues. Metivier Aff. ¶ 11. These meetings helped Metivier build a rapport with her co-workers. *See id.* ¶¶ 11, 12.

276. That is why Metivier believed then, and still believes now, that GRC employees were comfortable seeking her advice and guidance both as a friend and in her capacity as the Director of Human Resources, no matter the issue. *See id.*

277. During her more than two-year tenure stewarding the GRC Human Resources department, Metivier "neither received nor investigated a complaint, allegation, or even a rumor, from any GRC employee, involving accusations that Eric Spofford had engaged in sexual misconduct." *Id.* ¶ 14. She told Chooljian that when they spoke on March 22, 2022. *See id.* ¶ 23.

278. But that did not appear to cause Chooljian even a moment's pause. *Id.* ¶ 24. Metivier recalled, instead, that Chooljian ignored that significant disclosure, and pushed Metivier to address other topics about Eric that conceivably advanced NHPR's narrative. *See id.*

279. Each topic Chooljian transitioned to, however, resulted in Metivier disclosing information that credibly called into question whether NHPR and Chooljian got the Article and Podcast right. *See generally id.* ¶¶ 23–48.

280. In response to a question about whether Metivier recognized any of the anonymous sources’ voices from the Podcast, for example, Metivier said she could identify Employee A. Metivier reported having “serious doubts about the truthfulness of Employee A’s allegation” and provided a credible explanation for why. *See id.* ¶ 32.

281. Metivier recalled describing how she and Employee A had developed a close relationship because of their shared experiences in relationships with people with substance use disorder (Metivier and her son’s biological father; Employee A and her mother). *Id.* ¶ 33. Because of their closeness, Metivier said to Chooljian, Metivier knew about Employee A’s attempts at and actual romantic relationships with GRC colleagues. Metivier Aff. ¶ 35.

282. Metivier reported to Chooljian that Employee A was attracted to and wanted a relationship with former GRC executive Jeffrey Hatch. *Id.* ¶ 36. Employee A knew that Hatch and Eric were friends, and notwithstanding her supposed claim against Eric, she still apparently was interested in a relationship with Hatch. *See id.* That is, until Hatch turned her down.

283. Though, as Metivier recalled telling Chooljian, Employee A was devastated by Hatch’s rejection, Metivier remembered that Employee A almost instantly shifted her romantic interest to an admissions specialist, who she started dating soon after. *See id.* ¶ 38.

284. Metivier told Chooljian that Employee A had *never* even suggested that she was “attracted to, harassed by, . . . intimate with” or sexually assaulted by Eric. *See id.* ¶ 39. If true, Metivier was confident that Employee A would have told Metivier. *See id.*

285. That Employee A did not ever report her allegation of sexual assault to Metivier—in spite of Metivier’s role at the company and personal friendship with Employee A—cut directly against Employee A’s credibility and directly conflicted with Chooljian’s representation in the Podcast that Employee A “told people who she thought could do something about [Eric’s alleged conduct],” but nothing happened.

286. That helps to explain why, after Metivier completed her explanation about Employee A, Chooljian turned “adversarial—combative even” during their phone call. *Id.* ¶ 40. Chooljian, Metivier described, challenged Metivier’s recollection and pejoratively doubted her capabilities as a Human Resources professional. *See id.* ¶¶ 42, 43.

287. Chooljian kept pushing Metivier to call the supposed accusers liars. But Metivier refused—a testament to Metivier’s experience as a Human Resources professional.

288. Metivier instead responded by grounding her concerns about the truthfulness of Employee A’s accusations in knowledge of and experiences Metivier had with Employee A during the relevant time period. *See id.* Metivier reiterated her belief that there “was very good reason to question the truthfulness of [Employee A’s] claims.” *See id.* ¶ 42.

289. Metivier also demonstrated the reliability of her recollection. Metivier told Chooljian that Employee A’s description of Eric’s office at GRC was inaccurate. To the best of Metivier’s recollection, “Eric did not have a couch in his office when Employee A claimed to have had an intimate encounter with him in there.” *See id.* ¶ 44.

290. Chooljian was apparently unmoved, according to Metivier. *See id.* ¶ 45. By the end of their call, Metivier felt “uncomfortable” and “pressured not to continue disclosing the information” she had that proved NHPR’s coverage of Eric was false. *See id.* ¶ 46. While their call concluded with Chooljian promising to speak with Metivier again, that never happened. *Id.* ¶ 48.



291. Metivier was not the only former GRC employee to contact Chooljian with information that cast serious doubt on NHPR's reporting.

292. On the day when the Article and Podcast were published, numerous other former GRC employees and clients—many of whom were there during the relevant time period—gave Chooljian information that contradicted what she had written and said about Eric. As with Metivier, however, Chooljian knowingly suppressed or recklessly disregarded that information.

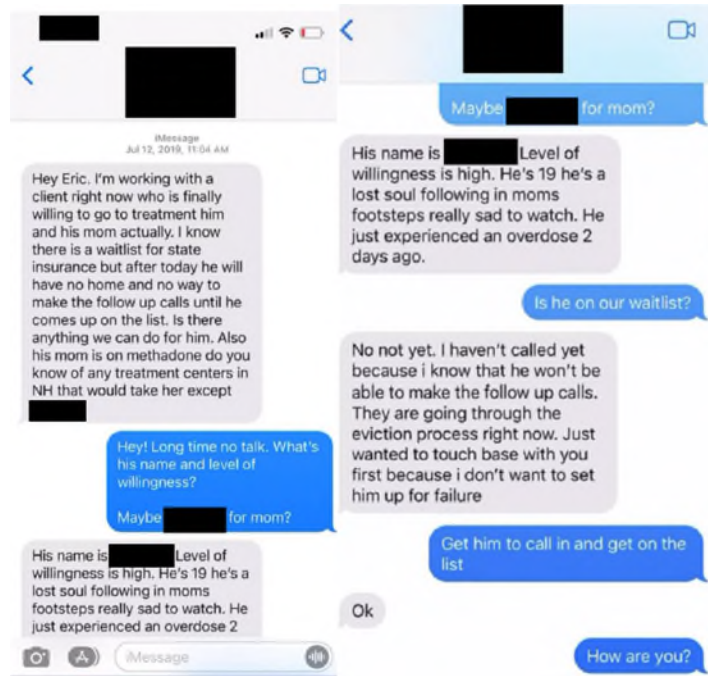
293. To this day, on information and belief, Chooljian has either: (a) never disclosed her discussion with Metivier to anyone else at NHPR, and has thus unilaterally buried this evidence; or (b) NHPR and other others in the NHPR newsroom know about Metivier and, as an organization, they have decided to suppress the credible information that Metivier provided.

294. Either way, NHPR possessed credible information from a reliable witness that was material to its coverage of Eric in the Article and Podcast, but—like the Kaniuka retraction—NHPR did nothing with it.

295. Finally, Chooljian either knows that Employee A communicated with Eric after he supposedly sexually assaulted her, or Chooljian recklessly disregarded pursuing that line of inquiry despite its relevance and import to her reporting.

296. Employee A did, indeed, send Eric text messages after having allegedly been sexually assaulted and terminated by him the year before.

297. Those text messages reveal that Employee A initiated the interaction with Eric and was comfortable requesting that he help her with a work-related matter:



298. The text messages also suggest that Employee A viewed GRC as a safe place for a “lost soul” who had just “experienced an overdose” to seek sanctuary and pursue recovery.

299. Employee A’s text messages are inconsistent with someone who claims to have been sexually assaulted and wrongfully terminated by Eric the year before.

300. Chooljian knew that Employee A had spoken with Eric since the supposed sexual assault or recklessly disregarded it.

301. Employee A was not a reliable source, and NHPR and Chooljian knew or recklessly disregarded that Employee A had been dishonest.

***iv. “Employee B”, Nancy Bourque, and Brian Stoesz***

302. The Article and Podcast also include reporting about an “Employee B,” who “declined to be interviewed for” the NHPR Defendants’ hit piece.

303. NHPR nevertheless published Chooljian’s reporting about Employee B’s supposed allegations against Eric without Employee B’s involvement or consent.

304. To do so was a remarkable departure from core principles of ethical journalism. To use Employee B’s story as grounds for affirmatively stating and implying that Eric had sexually assaulted her epitomizes the NHPR Defendants’ malice and reckless disregard for the truth.

305. This deeply flawed reporting style produced a false and defamatory account of Employee B’s alleged experience.

306. First, the Article and Podcast do not describe, even generally, the supposed circumstances of Employee B’s sexual encounter with Eric. There is no reference to where the supposed sexual assault occurred, what actually occurred, or when it happened. Chooljian only reported that Employee B’s supposed “allegation came up in 2020.” By not disclosing anything more about Employee B’s allegation, Chooljian misleadingly implied that the incident occurred at the same time when the allegation surfaced in 2020. In other words, the NHPR Defendants published a story about a former employee that Chooljian did not interview, without a single detail about what that employee supposedly alleged happened, and with a deliberately misleading description of when it supposedly occurred.

307. Second, that none of the sources Chooljian interviewed to retell Employee B’s story could provide these details demonstrates that they are not credible. While NHPR should have known before publishing the Article and Podcast, it certainly knows now that Kaniuka cannot be relied on as a source for any of its reporting about Eric.

308. The same rings true for Bourque and Stoesz. Chooljian reported that Bourque produced handwritten notes from “her conversation with Employee B,” and that those notes included the words “boundaries” and “predator.” Chooljian does not say when these notes were taken or whose words those were. Nor does she report that the conversation that Bourque had with Employee B actually was about Eric. Chooljian instead—contrary to the *NHPR News Code of*

*Ethics*—manipulated the context to imply that Employee B had told Bourque that *Eric* had crossed “boundaries” and was a “predator.”

309. Yet apparently absent from these notes is any reference to Eric sexually harassing or assaulting Employee B. Had Employee B said Eric’s name or the words “sex”, “harassment”, “consensual,” or “assault” to Bourque, then surely the Director of Human Resources would have captured that in her notes. And had any of those words been in Bourque’s notes, that unquestionably would have been included in Chooljian’s reporting.

310. That these words were not in Bourque’s notes, however, is unquestionably of equal import to the Article and Podcast. If Employee B disclosed a non-consensual sexual relationship with Eric to Bourque but Bourque did not include any reference to it in her notes, then that reflects negatively on her credibility as a Human Resources professional and renders her unreliable as a source for NHPR’s reporting. If, as is more likely the case, Bourque’s notes did not include reference to anything indicating a sexual assault because no such reference was made, then that refutes what Bourque supposedly told Chooljian.

311. Rather than acknowledging facts that seriously undermined Bourque’s reliability as a source, Chooljian plucked from the notes what she could, and embraced Bourque’s uncorroborated account of her discussion with Employee B as fact, saying on the Podcast: “Bourque says this employee told her that she and Spofford had a sexual relationship, and it was not always consensual.”

312. Chooljian thus knew or recklessly disregarded that Bourque could not credibly be relied upon for retelling the accusations of a supposed victim of sexual assault, particularly since that accuser had not even come forward herself.

313. Stoesz’s credibility fared no better before the Article and Podcast were published. Chooljian painted Employee B’s allegations against Eric as the “final straw” for Stoesz, which led him to abruptly resign. Yet Chooljian paid mere lip-service to the fact that Stoesz had “already started looking for other jobs” *before* he supposedly learned about Employee B’s allegation. For Chooljian to report that Stoesz resigned from GRC *because of* Employee B’s allegations therefore was, on its face, dishonest.

314. Worse, as she had done with Kaniuka, Chooljian inexplicably implied that Stoesz’s quiet resignation somehow was a noble undertaking that shined a light on Eric’s alleged misconduct. This unsupported inference served to bolster Stoesz’s credibility despite Chooljian knowing or recklessly disregarding reasons that made Stoesz an unreliable source.

315. Even when Chooljian gave Stoesz the stage to role-play his supposed confrontation of Eric, Stoesz said nothing that indicated his resignation was tied to Employee B’s allegations:

BRIAN STOESZ: “Here’s your company credit card, here’s all your keys, Do not under any circumstances ever contact me again.” And he stands up, and he said, “I don’t know what the (beep) you’re talkin’ about.” I said, “You know exactly what I’m talkin’ about and don’t ever treat me like an idiot again, goodbye.”

Ex. 2 at 15:9–14.

316. Chooljian instead manipulated the context to imply that Stoesz made the connection between his resignation and Employee B’s allegations when Stoesz informed Eric of his resignation. That Chooljian devoted more effort to supporting Stoesz’s version of events versus criticizing him as yet another executive who left the company rather than do something to help a supposed victim is further evidence of Chooljian’s contempt for Eric.

317. That hypocrisy is made worse by Chooljian omitting from the report that Stoesz demanded a six-figure severance package from Eric and GRC despite having no legal entitlement to such compensation.

318. In sum, the NHPR Defendants purported to recount the sexual assault allegations of a former employee who they did not interview. That alone should have deterred the NHPR Defendants from reporting on Employee B’s allegations. But it did not.

319. The NHPR Defendants instead claimed to retell Employee B’s story using information gleaned from three sources whom Chooljian and the NHPR Defendants knew or recklessly disregarded were deeply unreliable and motivated to defame Eric.

**E. The NHPR Report Was Misleadingly Reinforced and Dispersed to a Wider Audience by Other Media Outlets, NHPR Personnel (Including Defendants), and Others**

320. The Article and Podcast were just the beginning. Once they were published, the NHPR Defendants and other NHPR personnel pushed the story on their social media channels and invited other media outlets to do the same.

321. On March 22, 2022, for example, the New England News Collaborative (“NENC”) republished the Article.<sup>26</sup> That republication expanded the Article and Podcast’s reach beyond New Hampshire and exposed new audiences to the defamatory content.

322. The NENC’s republication repeated the defamatory headline that falsely stated and implied that Eric is facing “accusations of sexual misconduct.” As with the original publication, the title of NENC’s republication stated and falsely implied that Eric was facing official accusations of sexual misconduct that had been made to or by some governmental authority. That was not true.

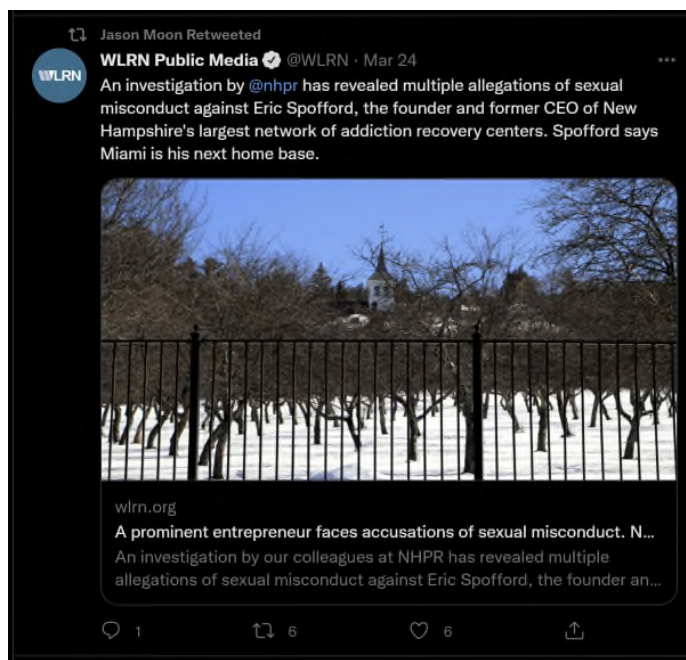
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<sup>26</sup> Chooljian, L., *He built New Hampshire’s largest addiction treatment network. Now, he faces accusations of sexual misconduct*, NECN (Mar. 22, 2022), available at <https://nenc.news/he-built-new-hampshires-largest-addiction-treatment-network-now-he-faces-accusations-of-sexual-misconduct/>. A true and correct copy of the NENC republication is attached to the Complaint as Exhibit 21.

323. Two days later, Connecticut Public, Connecticut’s public media source, republished the Article on its Facebook. Connecticut Public’s Facebook post stated that, “[a]fter multiple allegations of sexual misconduct, abusive leadership, and retaliation, Eric Spofford the CEO of New Hampshire’s largest addiction treatment network, is *under investigation*.” (emphasis added). Connecticut Public’s Facebook post is a manifestation of the false and defamatory Article and Podcast, including the inference about Eric that was principally attributable to the Article and Podcast’s title.<sup>27</sup>

324. WLRN, the Miami and South Florida NPR affiliate, also republished NHPR’s false story on March 24, 2022. WLRN did so using an equally dishonest title, *A prominent entrepreneur faces accusations of sexual misconduct. Now he’s coming to Miami*.<sup>28</sup>

325. Moon retweeted WLRN’s tweet when it published the story:



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<sup>27</sup> A true and correct copy of the Facebook post is attached to the Complaint as Exhibit 22.

<sup>28</sup> A true and correct copy of WLRN’s republication of the Article and Podcast is attached to the Complaint as Exhibit 23 and is available at <https://www.wlrn.org/news/2022-03-24/a-prominent-entrepreneur-faces-accusations-of-sexual-misconduct-now-hes-coming-to-miami>.

326. As NHPR designed it, the bogus claims in the Article and Podcast made its way into New Hampshire politics.

327. On March 23, 2022, during an unrelated press conference, Chooljian jumped Governor Sununu with questions about the Article and Podcast. In response, the Governor stated that the “treatment network Spofford founded is ‘tremendous’ and has ‘saved thousands of lives.’” The Governor also stated that he “has faith in the state’s process for vetting the organizations it does business with, including Granite Recovery Centers.”

328. Only after Chooljian “pressed further about the claims against Spofford” and connected the Governor to Eric through fundraising events, did the Governor dutifully state that “obviously, they’re very serious, they have to be taken seriously and investigated, of course.” Chooljian omitted from her March 23 report the questions that she posed to the Governor or how she described the allegations against Eric to him in the moment. On information and belief, Chooljian baited the Governor to provide an answer using the language that helped NHPR further its false narrative that Eric had committed sex crimes.

329. On March 25, 2022, the New Hampshire Democratic Party (“NHDP”) weaponized the Article and Podcast against Governor Sununu and then congressional candidate Matt Mowers.<sup>29</sup> The NHDP story was pejoratively titled, *Does Matt Mowers Still Stand With Eric Spofford Among Sexual Misconduct Allegations?*. In it, the NHDP props up NHPR’s false and defamatory reporting about Eric by describing the Governor as “scrambling to separate himself

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<sup>29</sup> *Does Matt Mowers Still Stand With Eric Spofford Among Sexual Misconduct Allegations*, New Hampshire Democratic Party (Mar. 25, 2022), available at <https://www.nhdp.org/post/does-matt-mowers-still-stand-with-eric-spofford-among-sexual-misconduct-allegations>. A true and correct copy of this article is attached to the Complaint as Exhibit 24.



from Spofford” and attacking Mowers for not “disavow[ing]” Eric, even though there was no reason for anyone to “disavow” Eric.

330. As alleged above, on May 8, 2022, NH Journal published an article about New Hampshire Deputy Insurance Commissioner D.J. Bettencourt, titled *Sununu Ally Bettencourt Arrested for Domestic Violence*.<sup>30</sup> The article quotes an NHDP spokesperson as stating: “This despicable conduct by D.J. Bettencourt is appalling and disturbing, and Sununu has once again surrounded himself with allies who are violent against women.” The article then explains that “the ‘once again’ comment is a reference to Eric Spofford, founder and former CEO of Granite Recovery Centers, who is facing multiple accusations of sexual misconduct.” As NH Journal eventually noted in the article, “[a]n earlier version of this story incorrectly reported Eric Spofford had been *charged* with sexual misconduct. NH Journal regrets the error.”

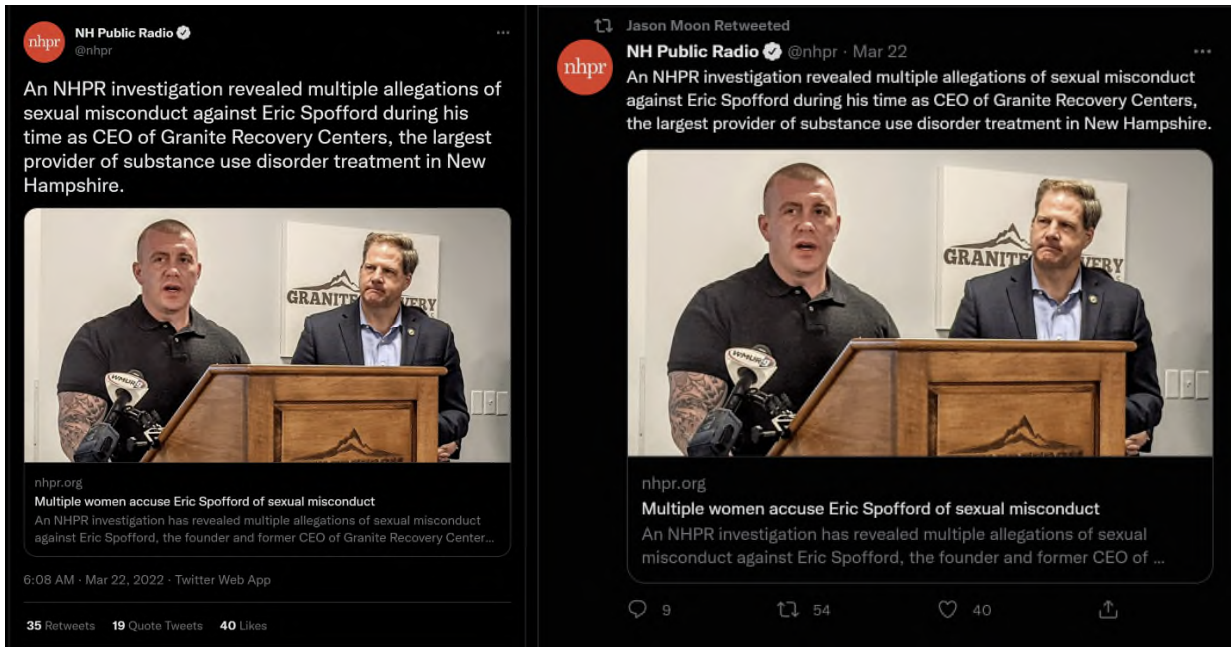
331. To its credit, NH Journal corrected the erroneous claim that Eric had been criminally charged. That error occurred, however, because of NHPR’s false reporting about Eric.

332. NHPR and its personnel amplified the harm caused by the defamatory coverage of Eric through a coordinated campaign of tweeting, retweeting, and otherwise maximizing visibility of the Article and Podcast on Twitter.

333. As of this filing, NHPR has nearly 50,000 Twitter followers and its initial tweet about the Article and Podcast had been retweeted 35 times, including by Moon:

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<sup>30</sup> See Ex. 3, *supra* n. 5 (emphasis added).



334. As of this filing, Moon has 3,000 Twitter followers. He retweeted a tweet made by a ProPublica reporter with nearly 14,000 followers. That report described the Article and Podcast as “a disturbing study of what appears to be gross abuse of power by one man who got rich in running addiction treatment centers.”



335. Rebecca Lavoie, NHPR’s Director of On-Demand Audio, retweeted NHPR’s initial tweet to her more than 20,000 Twitter followers, pushing them to read reporting about Eric’s “patterns of workplace misconduct and alleged sexual abuse”:



336. Former NHPR reporter Annie Ropeik baselessly tweeted to her nearly 4,000 followers that the Article and Podcast were substantiated by “exhaustive sourcing” and underwent “scrupulous fact-checking is evident in every sentence”:



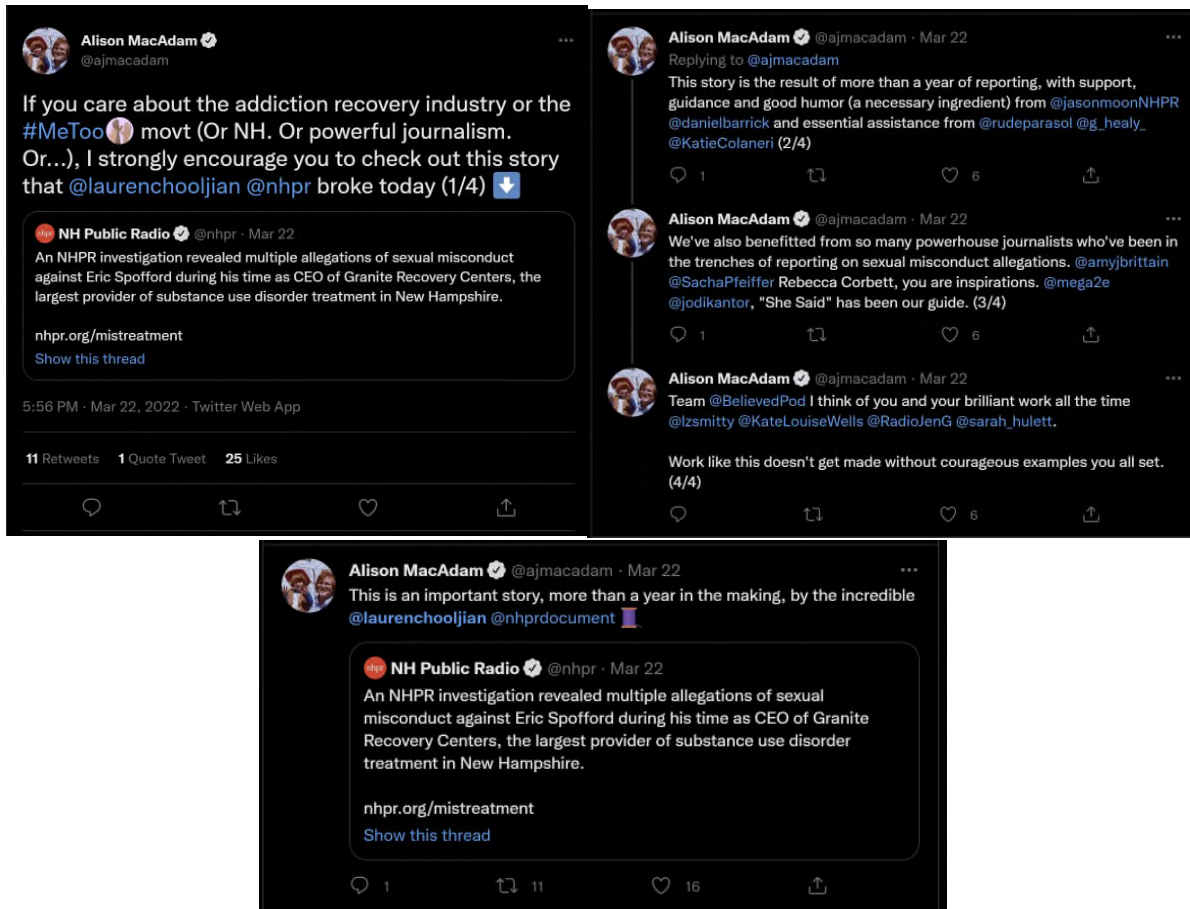
337. James Bandler, a self-described “Pulitzer Prize winning reporter at ProPublica,” tweeted a link to Article and Podcast to his over 2,000 Twitter followers, and described the reporting as the “kind of reporting . . . [that] will save lives.”



338. Freelance reporter and podcast creator Max Green retweeted NHPR’s initial tweet about the Article and Podcast to his over 2,000 Twitter followers and described them as containing “disturbing allegations of abuse of power and sexual assault”:



339. National Public Radio and NHPR editor Alison MacAdam retweeted NHPR’s initial tweet about the Article and Podcast and created a four-part tweet thread that connected the coverage about Eric to the “Me Too” movement and sexual misconduct allegations:



340. These tweets merely are examples of how NHPR engaged in a strategic Twitter campaign to spread the false and defamatory content contained in the Article and Podcast.

341. The breadth of NHPR’s defamation of Eric may never be fully known.

**V. NHPR BASELESSLY IMPLICATED ERIC IN ALLEGED ACTS OF VANDALISM**

342. On June 1, 2022, Eric, through members of his legal team, requested that the NHAG investigate whether NHPR or any of its employees were involved in a conspiracy to falsely report to law enforcement that Eric was behind the alleged vandalism that had allegedly occurred at the homes of NHPR reporters and their family members.<sup>31</sup>

<sup>31</sup> Letter and attached exhibits from Levine, B. to Formella, J. (June 1, 2022). A true and correct copy of this letter is attached to the Complaint as Exhibit 25.

343. On April 24, 2022, homes connected to NHPR reporters and one of their families were vandalized with spray paint. No media outlet covered the alleged vandalism when it first happened.

344. On May 17, 2022, as alleged above, Kaniuka sent a notarized letter to NHPR's Board of Trustees confirming that the statements attributed to him in the Article and Podcast were inaccurate and not based on his personal knowledge.

345. On May 18, 2022, Eric, through counsel, requested that NHPR retract the Article and Podcast in light of Kaniuka's disclosure.

346. On May 19, 2022, as alleged above, NHPR, through its counsel, disputed the relevance of Kaniuka's May 17 letter.

347. On May 20, 2022, Eric and NHPR's counsel spoke telephonically. During that call, the lawyers discussed a potential compromise: In exchange for Eric agreeing not to sue, NHPR would agree to published Kaniuka's notarized letter as an Editor's Note to the Article and Podcast. Although the agreement was not finalized during their call, the attorneys agreed to continue a good faith dialogue over the weekend and through the following week.

348. On May 23, 2022, Eric, through counsel, expressed his gratitude that NHPR, through its counsel, had engaged in a good faith dialogue during the May 20 telephone call. In the correspondence sent to NHPR's counsel, though Eric's counsel lacked the authority to settle the dispute "for anything short of a complete retraction," his counsel also suggested the possibility of resolving the case through some "lesser corrective action" by NHPR.

349. For the next three days, NHPR and its counsel were radio silent. The once promising pre-filing settlement discussions had inexplicably come to a halt. Eric and his legal team were perplexed by NHPR's sudden unwillingness to engage pre-suit.

350. On May 26, 2022, Eric and his counsel were ambushed. The way that ambush unfolded demonstrates NHPR's malice and contempt for Eric.

351. It started with a letter from NHPR's counsel sent to Eric's counsel at 4:59 p.m.

352. In it, NHPR's counsel confirmed having received correspondence, emails, and phone messages from Eric's counsel, but stated that NHPR would no longer pursue a compromise with Eric because of "an ongoing criminal investigation."

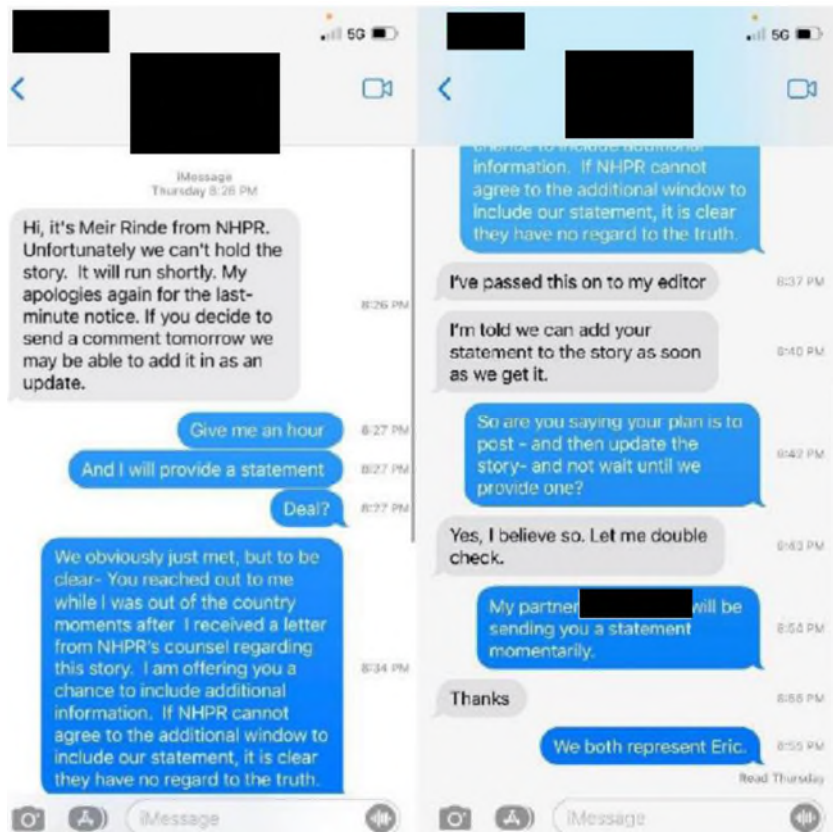
353. The investigation, NHPR's counsel first explained to Eric's team, concerned alleged "acts of vandalism, including two early on Saturday morning (the day after our May 20 conversation), directed at NHPR news staff involved in reporting" about Eric. NHPR apparently already knew about a press release that had been issued by the Middlesex County District Attorney's Office about the alleged vandalism less than two hours earlier.

354. At 5:27 p.m., Eric's counsel received a telephone call and voicemail from Meir Rinde, who identified himself as a freelance reporter on assignment for NHPR.

355. About 12 minutes after that, Rinde sent an email to Eric's counsel requesting that Eric provide a comment for a report Rinde was writing about the alleged vandalism for NHPR. Rinde explained that his article would include reference to the Article and Podcast and that Eric had until noon the following day (May 27, 2022) to provide comment.

356. Less than an hour after Rinde's first email, he sent Eric's counsel a second. In this email, Rinde inexplicably shortened the deadline for Eric's comment to "ASAP." Rinde revealed that NHPR expected to publish about the alleged vandalism later that evening.

357. Eric's counsel was traveling internationally at the time. He did not gain access to his email until 7:18 p.m. When Eric's counsel did, he immediately contacted Rinde by text message. They exchanged the following texts:



358. Eric and his team scrambled to prepare a statement for inclusion in NHPR’s forthcoming report. By 8:54 p.m., Eric’s counsel provided the statement, specifically requesting that it be attributed to “ERIC SPOFFORD” and that “IT SHOULD BE INCLUDED IN ITS ENTIRETY IN THE TEXT OF THE STORY.”

359. Eric’s statement read, in its entirety, as follows:

NHPR would rather perpetuate lies about me than admit the article was for clicks and advertising dollars. I have nothing to do with whatever happened to people who work for NHPR. I shouldn’t even need to dignify these unfounded accusations with a response. While I already knew that NHPR’s journalism lacked any ethical standards, this latest stunt proves the lengths that NHPR will go to silence the truth.

It’s obvious why NHPR is engaging in this coordinated attack against me: it wants to deter me from bringing lawful defamation claims based on an article they wrote about me last March, because NHPR knows that I will win. On May 23, my attorneys advised NHPR of the legal avenues that I will be pursuing. And earlier this month, NHPR’s star source, Piers Kaniuka, also retracted his statements in the article in a letter to NHPR. When faced with sources that were unraveling and



legitimate defamation claims looming, NHPR chose to double down and spin yet another hit piece about me – that I vandalized NHPR’s journalists’ homes. NHPR has seen a video of the suspect. Clearly, the guy in the video is not me. But NHPR is trying to draw a speculative connection to me, and has corralled its media buddies to pick up the vandalism story so that it can point fingers at me in another article.

Let me be clear – not only was I completely uninvolved with these incidents of vandalism, I also do not support or condone them. I also don’t need to vandalize someone’s property. I have truth on my side and I will vindicate myself through *lawful* means. I have no motive to vandalize a reporter’s property months after an article was written about me, when I am already expending significant resources to litigate these defamation claims. NHPR is quick to pin this on me, but the reporter apparently spoke with “nearly 50 former clients, current and past employees, and others in New Hampshire’s recovery community.” If these incidents are somehow connected to the article she published, maybe NHPR should consider whether one of these individuals she engaged with – some who have criminal histories, and who struggle with addiction and mental health – could be the culprit. One of her star sources is a self-described “monster” who publicly said in an interview that he does not “feel a fucking thing for anybody unless [he] was either fucking it or trying to kill it.” Many people in recovery have credited me with saving their lives. Perhaps one of them felt compelled to do these acts in a misguided attempt to defend me. I would never condone it, but I have no control over what other people do.

The timing of this reporting and the rush to point fingers at me is incredibly suspicious. NHPR claims that three of these incidents occurred on April 24 – then why didn’t NHPR report on these incidents at that time? Why did they wait until merely days after I sent legal notices asserting legitimate defamation claims? To try to deter me from bringing legal action, because they know I will win.

NHPR doesn’t care about the truth. If it did, it would’ve posted Piers Kaniuka’s recanting statement which it has had for over a week.

360. At 11:17 p.m., Rinde’s article was published by NHPR (the “Vandalism Article”).<sup>32</sup>

361. NHPR published the Vandalism Article knowing that it falsely implied Eric was involved in vandalizing NHPR reporters’ homes even though NHPR knew there was no evidence to support that conclusion.

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<sup>32</sup> Rinde, M., *Law enforcement investigating vandalism targeting homes of NHPR journalists*, NHPR (May 26, 2022), available at <https://www.nhpr.org/nh-news/2022-05-26/law-enforcement-investigating-vandalism-nhpr-journalists>. A true and correct copy of this article is attached to the Complaint as Exhibit 26.

362. The Vandalism Article focuses on no other potential suspects aside from Eric. Rinde does not name the subjects of any other articles written by either Chooljian or by the other victim, Dan Barrick, who may have a motive to retaliate against them.

363. The Vandalism Article described the vandalism incidents and stated that security footage had captured images of the suspect. The main photograph published with the article showed an image of the suspect, a thin man in a blue jacket. It is unmistakably clear that the person in the image is not Eric.

364. Regardless, the article still baselessly linked Eric to the vandalism. Moreover, despite having included images of Eric along with articles in the past, NHPR failed to include an image of Eric in the Vandalism Article. On information and belief, this was omitted in order to obscure to the unsuspecting reader that the person in the security footage looks nothing like, and is undoubtedly not, Eric.

365. The Vandalism Article stated that New Hampshire police “had leads on potential suspects” but that they “declined to identify” them. It went on to state that Chooljian “since December 2020 has been reporting on problems at Granite Recovery Centers” and that “[h]er two most recent articles . . . described sexual misconduct allegations against Eric Spofford, the former CEO of Granite Recovery Centers.”

366. Immediately following these statements, the article quotes the Melrose, Massachusetts Police Chief as having stated: “I would certainly think [Spofford] may be interviewed by the authorities. He may have some information that might support a case....”

367. Notably, “Spofford” was inserted in brackets into the quote from the Melrose Police Chief. This implies that the Police Chief used the pronoun “he” instead of Eric’s name.

368. Put another way, the Melrose Police Chief did not affirmatively raise Eric as a person involved in the investigation but, instead, was responding to a leading question from the reporter, who *asked* whether Eric was being investigated.

369. NHPR published the article using the name “Spofford” inserted in brackets so as to leave no doubt in the minds of its readers that Eric was a suspect, which was false. In fact, no law enforcement authority has ever asked Eric a single question about these vandalism incidents, presumably because it was clear to the authorities that Eric had nothing to do with them. That did not deter NHPR from its false reporting about Eric.

370. Only a portion of the statement Eric provided to NHPR was published, and it was placed at the end of the Vandalism Article. Notably, the portion that was published *omitted* the portions of Eric’s statement that discussed Kanuika’s retraction.

371. The Vandalism Article is demonstrative of just how far NHPR will go to defame and discredit Eric with no regard to the truth or falsity of its reporting.

372. The Vandalism Article’s false implication of Eric in criminal activity gained national attention just days after the article was published, including in such publications as *The Washington Post*.<sup>33</sup>

373. The Washington Post article specifically republished the quotes from the Melrose Police Chief stating that “[Spofford]” may be interviewed by police.

374. The Washington Post article also republished information from Choojlian’s prior articles about Eric. It stated that her work “exposed allegations of sexual misconduct against” Eric.

375. Anonymous comments on the Washington Post article confirm that the Vandalism Article has misled the public to believe Eric is responsible for the alleged vandalism:

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<sup>33</sup> A true and correct copy of the Washington Post article is available at [Exhibit 27](#). The Washington Post article is available at <https://www.washingtonpost.com/nation/2022/06/01/new-hampshire-journalist-vandalism-attacks/>.

^ **Voice\_of\_reason\_** 3 months ago (Edited)

Eric Spofford, the major suspect, has made multiple political contributions.

All to Republicans.

<https://www.opensecrets.org/search?q=eric+spofford&type=donors>

👍 21    ↩ Reply    <

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^ **Mithra Bojangles** 3 months ago

Check out Chooljian's exposé on this Spofford scumbag;a typical 12-Step "recovery" guru. Tatted-up dude got into some legal trouble for a weapons violation, which he apparently exaggerated along w/extent of his previous drug addiction. The guy supposedly stops using drugs(aka "gets sober") at age 21, then buys a house w/financial help from his dad which he turns into a sober home & starts raking in the money.

Spofford is now 37. This month, he purchased a waterfront home in Miami for \$20.75 million. He has expressed ambitions to remain in the addiction treatment industry and expand nationwide.

& he's donated at least \$24 thousand to Republican candidates. Reminds me of John F. Gilligan,CEO of Fayette Co.(now Human Service Center) which gets millions in govt grants, who donated thousands to Ray LaHood's campaigns & even wrote a book w/him about Library of Congress(was that a campaign kickback like Ted Cruz campaign buying copies of his own book?).

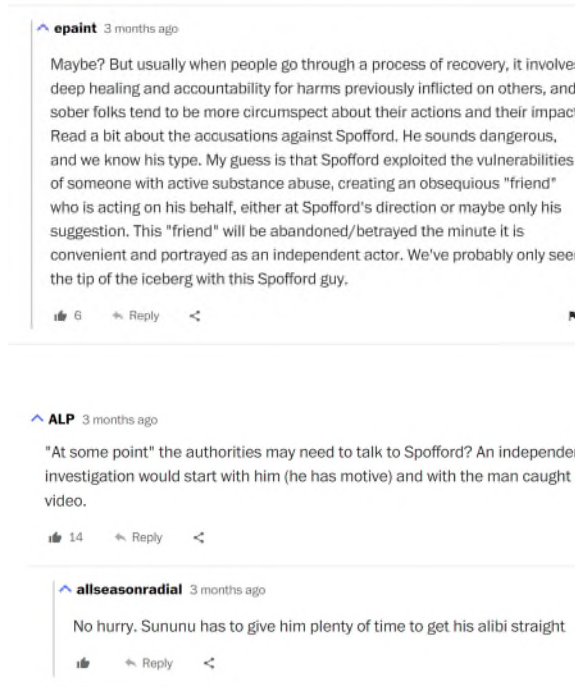
This Spofford guy allegedly tells chicks that sex is part of his 12-Step work,sends them pee-pee pics, & has sex in his office w/subordinate(s). Another associate was arrested for trafficking fentanyl so Mike Pence canceled his visit. But of course NH DHS didn't find major issues w/that program(usually such state agencies are run by 12-Step mafia).

Spofford's rehab has been called cult-like. Psychiatrist George Vaillant wrote in the *Natural History of Alcoholism,Revisited*, that A.A. is a "cult which indoctrinates members common to cults the world over"; that prevalence of AA hardliners as rehab staff/admin "confounds dispassionate research" & that AA members are "extremely & erroneously opinionated."

A.A. grew out of Oxford Group,whose leader Buchman also had an obsession with sexual-oriented group confessions,as did O. Hobart Mowrer who formed GROW. He wrote an article that A.A. was the "Third Reformation of the Church." Mowrer committed suicide.

Newsweek published an exposé on "Midtown" AA group cult's exploitation.

👍 11    ↩ Reply    <



376. These comments, among many others, make clear that NHPR’s defamatory reporting tarnished Eric’s reputation in the very field in which he primarily earns his living.

**VI. DEFENDANTS’ FALSE AND DEFAMATORY STATEMENTS ABOUT ERIC HAVE DESTROYED HIS HARD-EARNED REPUTATION, AND HAVE PROFOUNDLY HARMED HIM PERSONALLY AND PROFESSIONALLY**

377. The Defendants’ false and defamatory statements have harmed Eric in a multitude of ways.

378. Every step Eric takes in the business world now is hindered by the negative reputational impact of the false and defamatory statements made in the Article and Podcast.

379. For example, personal and commercial lenders have denied Eric lines of credit or access to debt because of the Article and Podcast. Investor groups, moreover, have required that Eric supply “letters of explanation to address the Article and Podcast before they even consider presenting investment opportunities with Eric’s companies to their investors. Because of the false and defamatory statements in the Article and Podcast, Eric has personally and professionally

experienced significant setbacks in growing his investment portfolio and expanding his business ventures.

380. The Article and Podcast also have interfered with multi-million dollar real estate transactions. At least one prospective buyer, having read the Article and listened to the Podcast, required that the new owner of GRC provide information about its financial performance after the Article and Podcast were published.

381. Existing and longstanding business relationships also have become estranged or lost as a result of the Article and Podcast. An Information Technology company and high-end executive recruiting firm, for example, both have refused to continue working with Eric and his companies. Eric moreover has been estranged from participating in exclusive business and political in New Hampshire. Eric once actively followed and was engaged in New Hampshire's unique political process, but now finds himself a pariah who no politician—publicly—will affiliate with while the Article and Podcast remain published.

382. These examples, of course, are of the losses, missed opportunities, estrangements, and cancellations that Eric knows about. On information and belief, Eric's damages extend far beyond these examples and could be more extensive than he ever may actually know.

383. And while the professional harms to Eric are numerous and far reaching, the toll the Defendants' lies have taken on his personal life are equally if not more devastating.

384. Needless to say, Eric's personal reputation has been severely damaged. He no longer feels comfortable at home in New Hampshire. After the Article and Podcast were published, Eric was essentially forced to spend most of his time outside of New Hampshire to escape the constant barrage of negative attention.

385. Worst of all, Eric was devastated to learn that his eleven-year-old son has been ridiculed because of the Article and Podcast, and has been exposed to the contents thereof. Knowing that his son has been bullied and exposed to false allegations that cast Eric as a power-hungry, abusive sexual predator, is something that has impacted Eric profoundly. While he hopes this lawsuit will make him whole for his monetary losses, nothing will ever reverse the unimaginable harm done by this article to Eric and his family.

### **CAUSES OF ACTION**

#### **COUNT ONE: DEFAMATION (The NHPR Defendants)**

386. Plaintiff realleges and incorporates herein by reference each of the prior paragraphs.

387. As alleged in detail above, Defendants NHPR, Chooljian, Moon, and Barrick have each published false and defamatory statements of and concerning Eric either negligently, or with a knowing or reckless disregard of their falsity and thereby caused and continue to cause Eric damages.

388. The clear and essential gist of Defendants NHPR, Chooljian, Moon, and Barrick's overall publications is that Eric sexually harassed and assaulted former clients and employees, and is an abusive boss who retaliates against employees who speak out about alleged misconduct, and whose political connections shielded him from accountability. Eric sues here based upon the overall knowing, slanted, false, and defamatory sting of the publications in their entirety, as well as over specific statements set forth in the publications which are too numerous to allege here in their entirety.

389. Without limitation, these statements in the Article include:

- a. The clickbait headline stating that Eric "faces accusations of sexual misconduct";

- b. The subheadings that included the following: “Preying on vulnerabilities”; “An employee alleges sexual assault”; and “Spofford ‘answered to no one’”;
- c. “The [explicit Snapchat messages that Elizabeth claimed to have received, including a photo of a penis and invitations to meet for sex] came from Eric Spofford”;
- d. “Elizabeth is not alone.”
- e. Employee A reported that Eric “sexually assaulted her during the workday” in 2018.
- f. Employee B “told several colleagues” in 2020 that Eric “sexually assaulted” her.
- g. “[A] dark portrait emerges of [Eric] as a polarizing figure who preyed on vulnerable people and wielded his power to avoid consequences.”
- h. Piers Kaniuka stated that he “certainly didn’t know [Eric] was going to turn out to be like Harvey Weinstein,” and Eric “should . . . probably [be] prosecuted.”
- i. “NHPR has learned of sexual assault allegations involving at least two of [Eric’s] employees [Employees A and B],” implying there could be more.
- j. Eric sent Snapchat messages to Employee A that included “a message about how sex was part of his 12-step work. Then pictures of [Eric] shirtless. And then, pictures of his penis.”
- k. Employee A stated that Eric asked her “for a one-on-one meeting in his office,” “he closed the door, started kissing her, and then got a condom from his desk drawer,” and “they had sex on a couch in [Eric’s] office.”



- l. Employee A told NHPR “she did not want to do it, ‘but [she] didn’t know how to tell him no.’”
- m. Each of the statements alleged in Count II below by Defendants Bourque, Stoesz, and Downey that Defendants NHPR, Chooljian, Moon, and Barrick published.

390. Without limitation, the statements in the Podcast include the following unique statements not published in the Article:

- a. MALE HOST: “NHPR’s Lauren Chooljian has uncovered multiple allegations of sexual misconduct against Spofford.”
- b. CHOOLJIAN: “Eric Spofford, the guy sending Elizabeth images of his penis, he was the CEO and founder of the treatment center she just left. And what Elizabeth says happened to her, it turns out she’s not alone. I’ve learned of a pattern of alleged sexual misconduct by Eric Spofford, including harassment, and credible allegations of sexual assault from women who worked for him.”
- c. CHOOLJIAN: “How [Eric] treats other people, it matters, which brings us back to Elizabeth and the Snapchat messages -- they sent her into a complicated mental spiral.”
- d. CHOOLJIAN: “Spofford started messaging her on Snapchat. At first, it seemed innocuous but then she says things escalated. She got a message about how sex was part of his 12-step work, then pictures of Spofford without a shirt on, and then pictures of his penis. . . . but then one day he invited her to a one-on-one meeting in his office.”

- e. EMPLOYEE A: Eric “was very quick to, um, like just pull me in and start kissing me, and then he – he went to his desk and he grabbed out a condom, and – and we did end up having sex, um, on his couch in his office.”
- f. LAUREN CHOOLJIAN: “Bourque says [Employee B] told her that she and [Eric] had a sexual relationship and it was not always consensual, and that [Eric] was retaliating against her because she tried to end things. It goes without saying that most workplaces frown upon relationships between leaders and their employees, and non-consensual sexual activity, *that’s sexual assault.*” (emphasis added.)

391. Defendants NHPR, Chooljian, Moon, and Barrick’s statements are false and defamatory.

392. Defendants NHPR, Chooljian, Moon, and Barrick’s false statements constitute defamation *per se* in that they injured Eric in his professional capacity as a business and real estate investor, including in the recovery industry, and accused him of having committed a crime or crimes (including sexual assault).

393. Defendants NHPR, Chooljian, Moon, and Barrick’s false statements constitute defamation of a private citizen and were published negligently.

394. To the extent Eric is determined to be a limited or general purpose public figure, and he should not be, Defendants NHPR, Chooljian, Moon, and Barrick published their false and defamatory statements of and concerning Eric with actual malice—with a knowing or reckless disregard of their falsity.

395. Defendants NHPR, Chooljian, Moon, and Barrick intended their false statements to be widely published and disseminated on the internet through nhpr.org and other websites. As

they intended, Defendants NHPR, Chooljian, Moon, and Barrick's statements were published and disseminated throughout the United States and the world.

396. Defendants NHPR, Chooljian, Moon, and Barrick compounded their wrongdoing by continuing to publish and promote their defamatory publications, and by failing and/or refusing to retract or update the publications even after being notified that the clickbait, headlines, ledes, and substance of the publications were false and defamatory.

397. In so doing, Defendants NHPR, Chooljian, Moon, and Barrick's false and defamatory statements subjected Eric to ridicule and scorn, sabotaging his reputation. The consequences of the false allegations in the publications at issue have harmed Eric and his work.

398. As a result of Defendants NHPR, Chooljian, Moon, and Barrick's campaign to spread malicious lies concerning Eric, including the false statements alleged above, Eric has suffered substantial damages in the form of personal, professional, and moral reputational harm, emotional harm, embarrassment, humiliation, and pain and suffering in an amount to be proven at trial.

399. As a result, Defendants NHPR, Chooljian, Moon, and Barrick are liable in damages to Eric.

**COUNT TWO:  
DEFAMATION  
(The Source Defendants)**

400. Plaintiff realleges and incorporates herein by reference each of the prior paragraphs.

401. As alleged in detail above, Defendants Bourque, Stoesz, and Downey have each published false and defamatory statements of and concerning Eric either negligently or with a knowing or reckless disregard of their falsity and thereby caused and continue to cause Eric damages.

402. The clear and essential gist of Defendants Bourque, Stoesz, and Downey’s overall publications is that Eric sexually harassed and assaulted former clients and employees, and is an abusive boss who retaliates against employees who speak out about alleged misconduct, and whose political connections shielded him from accountability. Eric sues here based upon the overall knowing, slanted, false, and defamatory sting of the publications in their entirety, as well as over specific statements set forth in the publications which are too numerous to allege here in their entirety.

403. Without limitation, the statements by Bourque include the following:

- a. “There’s patterns to behaviors like this . . . Sexual harassment is not about sex, it’s about power . . . Having that [power] over somebody, it can destroy their life.” This statement implied that Eric sexually harassed Employee B.
- b. Bourque shared with NHPR handwritten notes she took during her conversation with Employee B that included the words “boundaries” and “predator.” This statement falsely implied that Eric sexually assaulted Employee B.

404. Without limitation, the statements by Stoesz include the following:

- a. Stoesz falsely implied to NHPR that Eric sexually assaulted Employee B;
- b. Stoesz said he told his wife: “I don’t have much, but I do have a reputation. I don’t want any affiliation with anything [at GRC].” In context, that statement falsely implied that Eric sexually assaulted Employee B and Stoesz left GRC as a result.

405. Without limitation, the statements by Downey include the following:

- a. Downey falsely confirmed Elizabeth’s story to NHPR.

b. Downey also stated: “[Elizabeth] told me that this happened to her and I was like, what makes this guy think that this type of behavior is okay with a girl this vulnerable, right? If you’re a rehab owner, why are you in contact with the clientele after they leave there? You’re supposed to have boundaries.” Again, these statements falsely implied that Eric sexually harassed Elizabeth.

406. Defendants Bourque, Stoesz, and Downey’s statements are false and defamatory.

407. Defendants Bourque, Stoesz, and Downey’s false statements constitute defamation *per se* in that they injured Eric in his professional capacity as a business owner in the addiction treatment and recovery industry, and accused him of having committed a crime or crimes (including sexual assault).

408. Defendants Bourque, Stoesz, and Downey’s false statements constitute defamation of a private citizen and were published negligently.

409. To the extent Eric is determined to be a limited or general purpose public figure, and he should not be, Defendants Bourque, Stoesz, and Downey published their false and defamatory statements of and concerning Eric with actual malice, that is, with a knowing and/or reckless disregard of their falsity.

410. Defendants Bourque, Stoesz, and Downey intended their false statements to be widely published and disseminated on the internet through nhpr.org and other websites. As they intended, Defendants Bourque, Stoesz, and Downey’s statements were published and disseminated throughout the United States and the world.

411. In so doing, Defendants Bourque, Stoesz, and Downey’s false and defamatory statements subjected Eric to ridicule and scorn, sabotaging his reputation. The consequences of the false allegations in the publications at issue have harmed Eric and his work.

412. As a result of Defendants Bourque, Stoesz, and Downey's campaign to spread malicious lies concerning Eric, including the false statements alleged above, Eric has suffered substantial damages in the form of personal, professional, and moral reputational harm, emotional harm, embarrassment, humiliation, and pain and suffering in an amount to be proven at trial.

413. As a result, Defendants Bourque, Stoesz, and Downey are liable in damages to Eric.

**COUNT THREE:  
DEFAMATION BY IMPLICATION  
(All Defendants)**

414. Plaintiff realleges and incorporates herein by reference each of the prior paragraphs.

415. As alleged in detail above, Defendants have each published statements of and concerning Eric that, even if true, constitute defamation by implication because Defendants intended to impart or endorsed a false and defamatory implication or meaning of the statements.

416. The clear and essential false implications of Defendants' overall publications are that one or more individuals made official accusations of sexual misconduct to some governmental authority, that some governmental authority accused Eric of sexual misconduct, and that Eric sexually harassed and assaulted former clients and employees, and is an abusive boss who retaliates against employees who speak out about alleged misconduct, and whose political connections shielded him from accountability.

417. Eric sues here based upon the overall knowing, slanted, false, and defamatory sting and implication of the publications in their entirety.

418. The inferences that Defendants intended to impart or endorsed in the publications at issue are false and defamatory.

419. The false inferences that Defendants intended to impart or endorsed constitute defamation *per se* in that they injured Eric in his professional capacity as a business owner in the

addiction treatment and recovery industry and accused him of having committed a crime or crimes (including sexual assault).

420. The false inferences that Defendants intended to impart or endorsed constitute defamation of a private citizen and were published negligently.

421. To the extent Eric is determined to be a limited or general purpose public figure, and he should not be, Defendants published their statements of and concerning Eric intending to impart or endorsing the defamatory implication or meaning of the statements and did so with actual malice, that is, with a knowing and/or reckless disregard of the falsity of the intended implications.

422. Defendants intended the false inferences to be widely published and disseminated on the internet through nhpr.org and other websites. As they intended, Defendants' statements and their intended false inferences were published and disseminated throughout the United States and the world.

423. Defendants compounded their wrongdoing by continuing to publish and promote their defamatory publications, and by failing and/or refusing to retract or update the publications even after being notified that the clickbait, headlines, ledes, and substance of the publications were false and defamatory by implication.

424. In so doing, Defendants' false and defamatory statements subjected Eric to ridicule and scorn, sabotaging his reputation. The consequences of the false implications in the publications at issue have harmed Eric and his work.

425. As a result of Defendants' campaign to spread malicious lies concerning Eric, through deliberate implication and innuendo, Eric has suffered substantial damages in the form of personal, professional, and moral reputational harm, emotional harm, embarrassment, humiliation, and pain and suffering in an amount to be proven at trial.

426. As a result, Defendants are liable in damages to Eric.

**COUNT FOUR:  
FALSE LIGHT INVASION OF PRIVACY  
(All Defendants)**

427. Plaintiff realleges and incorporates herein by reference each of the prior paragraphs.

428. Defendants gave publicity to the false statements of and concerning Eric alleged above.

429. Defendants' conduct placed Eric before the public in a false light because, as alleged above, the statements at issue were false, or even if true, created the false impression that one or more individuals made official accusations of sexual misconduct to some governmental authority, that some governmental authority accused Eric of sexual misconduct, and that Eric sexually harassed and assaulted former clients and employees, and is an abusive boss who retaliates against employees who speak out about alleged misconduct, and whose political connections shielded him from accountability.

430. The false light in which Defendants placed Eric would be highly offensive to any reasonable person.

431. Defendants negligently disregarded the falsity of the publicized matters and the false light in which Eric would be placed.

432. To the extent Eric is determined to be a limited or general purpose public figure, and he should not be, Defendants had knowledge of or acted in reckless disregard as to the falsity of the publicized matters and the false light in which Eric would be placed.

433. Defendants intended their false statements and inferences to be widely published and disseminated on the internet through nhpr.org and other websites. As they intended,



Defendants' statements and their intended false inferences were published and disseminated throughout the United States and the world.

434. Defendants compounded their wrongdoing by continuing to publish and promote their false statements and implications, and by failing and/or refusing to retract or update the publications even after being notified that the clickbait, headlines, ledes, and substance of the publications were false and defamatory.

435. In so doing, Defendants' false statements subjected Eric to ridicule and scorn, sabotaging his reputation. The consequences of the false implications in the publications at issue have harmed Eric and his work.

436. As a result of Defendants' campaign to spread malicious lies concerning Eric, through deliberate false statements, implication, and innuendo, Eric has suffered substantial damages in the form of personal, professional, and moral reputational harm, emotional harm, embarrassment, humiliation, and pain and suffering in an amount to be proven at trial.

437. As a result, Defendants are liable in damages to Eric.

**JURY TRIAL DEMANDED**

438. Plaintiff Eric Spofford demands a jury trial on all claims and issues so triable.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Eric Spofford respectfully requests that the Court grant him the following relief:

- a. enter judgment on all counts in his favor and award him damages, including punitive damages permitted by law, in the amount assessed by the jury on each Count, including fees, costs, and interest; and
- b. grant such other and further relief as the Court deems just and proper.

Dated: September 20, 2022

Respectfully submitted,

**ERIC SPOFFORD**

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## ADDENDUM 2

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# EXHIBIT 1

[Document](#)

# He built New Hampshire's largest addiction treatment network. Now, he faces accusations of sexual misconduct.

New Hampshire Public Radio | By [Lauren Chooljian](#)

Published March 22, 2022 at 6:00 AM EDT

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The Green Mountain Treatment Center in Effingham is Granite Recovery Centers' flagship facility.

*Allegra Boverman*

**CONTENT WARNING:** *This story includes descriptions of sexual misconduct and substance use disorder.*

---

Elizabeth walked out of Green Mountain Treatment Center in 2017 on what she described as a spiritual high. She was newly sober and excited to start the next chapter of her recovery from opioid addiction.

Those feelings were fleeting. Just one day after leaving treatment, she said she received unsolicited, explicit Snapchat messages, including a photo of a penis and invitations to meet for sex.

The content of these messages disturbed her, but it was the sender that broke her. The messages came from Eric Spofford, the founder of Granite Recovery Centers (GRC), the parent company of the facility Elizabeth had just left. Spofford is one of the most prominent and influential figures in New Hampshire's response to the opioid epidemic.

Two weeks later, Elizabeth relapsed. She began using opioids again. While relapses are [common in recovery](#), she said Spofford's harassment, "definitely, definitely, 100% set me back in my recovery." NHPR agreed to identify Elizabeth by her middle name only, because she's concerned about the repercussions of speaking publicly.

**[If you were a former Granite Recovery Centers employee or client, or if you have information related to our investigation, please click here to find out how to get in touch.](#)**

Elizabeth is not alone. An NHPR investigation has discovered multiple allegations of sexual misconduct, abusive leadership, and retaliation by Spofford while he was CEO of GRC.

A former GRC employee told NHPR that in 2018, Spofford sexually assaulted her during the workday. In 2020, according to multiple sources, another GRC employee told several colleagues that Spofford had sexually assaulted her, leading some of them, including the chief operating officer, to quit the company. Multiple sources say Spofford told them he negotiated a paid settlement with this employee that had the effect of silencing her.



Gov. Chris Sununu visited GRC's headquarters on July 22, 2021.

*Jason Moon*

GRC is the largest provider of substance use disorder treatment in New Hampshire and serves thousands of people across New England each year, at a time when the need for treatment continues to outpace availability. Many clients, including some who spoke with NHPR, say they have GRC to thank for their recovery.

But in interviews with nearly 50 former clients, current and past employees, and others in New Hampshire's recovery community, a dark portrait emerges of Spofford as a polarizing figure who preyed on vulnerable people and wielded his power to avoid consequences.

Spofford did not respond to specific questions about the allegations. His lawyer, Mitchell Schuster, said in a written statement, "Mr. Spofford denies any alleged misconduct -- in particular, the sexual assault accusations, which are not only categorically untrue, but defamatory in nature." Schuster threatened legal action if NHPR published its story.

"Eric Spofford," Schuster wrote, "has spent most of his adult life pulling thousands of people out of the depths of addiction, depression and trauma."

The statement continues, "Some recovering addicts are uniquely suited to work in the field and are able to use their past experiences to help others in need. Others relapse and revert to the lies that tragically go hand-in-hand with addiction."

Schuster also said that “former and current” GRC employees “refused to corroborate these false allegations.” But when asked to provide contact information so NHPR could interview these people, Schuster did not respond.

[Read the entire statement here.](#)

*“The recovery industry needs a ‘Me Too’ movement.”*

Piers Kaniuka, former GRC Director of Spiritual Life

These allegations, reported publicly for the first time here, raise troubling questions about Spofford’s leadership, the company that made him wealthy, and New Hampshire’s reliance on Spofford to address the opioid epidemic.

As the scale of the epidemic ballooned over the past decade, so did Spofford’s [prominence](#). At an appearance with Spofford in July 2021 at GRC’s corporate offices in Salem, Gov. Chris Sununu championed Spofford, saying he is “one of the first guys I’ll pick up the phone to” for advice about responding to the opioid crisis. Sununu’s office did not respond to several requests for comment.

In December 2021, Spofford announced he [sold](#) GRC to BayMark Health Services, a Texas-based treatment company, for an undisclosed sum. (Spofford [said](#) the amount was “more money than I’d ever seen in my entire life.”) In a statement to NHPR, a BayMark representative said the company “cannot provide comment on tips or allegations that pertain to time periods prior to our ownership and management.” BayMark did not respond to NHPR’s questions about whether BayMark was aware, prior to the sale, of Spofford’s alleged behavior.

GRC's website does not list a current CEO. A request for comment to the company's chief financial officer went unanswered.

Spofford has 174,000 followers on Instagram and posts frequently, including tips about entrepreneurship and images of his private jet and luxury cars. [Click to view this post on Instagram](#)

Spofford is now 37. This month, he purchased [a waterfront home in Miami](#) for \$20.75 million. He has expressed ambitions to remain in the addiction treatment industry and expand nationwide. Calling himself a “soldier without a war” in a recent [YouTube](#) series, Spofford said he’s “looking at doing it again.”

But people who worked with Spofford and witnessed his behavior say he should not be in the addiction treatment field.

“He should be shunned, shamed and probably prosecuted,” said Piers Kaniuka, the former director of spiritual life at GRC, who wrote a book with Spofford in 2019 called [“Real People Real Recovery”](#).

Kaniuka said that when he went to work at GRC, he knew “fully well that [Spofford] had liabilities. I certainly didn’t know he was going to turn out to be like Harvey Weinstein. I wouldn’t have [joined the company] if I had known that.”

He added, “The recovery industry needs a ‘Me Too’ movement.”

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## Preying on vulnerabilities

In recent years, there has been no shortage of headlines and lawsuits exposing sexual harassment and assault by powerful men. In Spofford’s case, he worked with an especially vulnerable population: people struggling to recover from substance use disorder, who have sometimes experienced homelessness, abuse or sexual trauma.

When Elizabeth first met Spofford, she was in her mid-20s. She had a history of heroin addiction and told NHPR she had relapsed after a serious bike accident. When she was at Green Mountain Treatment Center – GRC’s flagship facility – in 2017, she remembers Spofford was hard to miss. He’d fly to the Effingham campus in a helicopter, landing in the front yard. On Elizabeth’s final day of treatment, she said Spofford asked her to have lunch with him and another colleague in the Green Mountain cafeteria.

Elizabeth figured Spofford talked to her because they had a friend in common. Or because she was “scholarshipped,” meaning she received free treatment on Spofford’s sign-off — a common practice, according to several former GRC employees.

Clients or their families usually pay for treatment out-of-pocket or through private insurance or [Medicaid](#). Costs vary widely throughout the industry, but a single day of inpatient treatment can cost several hundred dollars. NHPR reviewed text messages and internal documents that confirm Elizabeth received her 2017 treatment at no cost.

Elizabeth spent one month at Green Mountain, detoxing and then attending group sessions, learning the 12-step method of recovery, and bonding with staff and other clients. She left in a “really, really good place.”

The next day, she said Spofford reached out to her on Snapchat.

She recalled the messages he sent: “He was already planning to come see me, wanted to take me out, wanted to do explicit things with me, was sending me pictures — dick pictures.”

NHPR has not viewed any Snapchat messages sent by Spofford. Videos, photos and messages sent via Snapchat disappear after the recipient views them. If the recipient takes a screenshot to save the message, the sender is notified.

*“A girl who's a month sober does not love herself yet, does not even know who she is, does not feel any validation from anything within herself.”*

Elizabeth, a former GRC client who says she received explicit Snapchat messages from Spofford

Elizabeth said she told two friends about the messages at the time. One of them died of an overdose soon afterwards. The second, Justin Downey, independently confirmed Elizabeth's story in an interview with NHPR.

“What makes this guy think this type of behavior is okay with a girl this vulnerable?” Downey said. The CEO of a treatment center, he added, is “supposed to have boundaries.”

Spofford's messages sent Elizabeth into a complicated mental spiral, just as she was trying to reorient her life.

“A CEO of a treatment center I left 24 hours ago should not be sending me pictures of his dick,” she said. “That's just integrity 101, right?”

At the same time, Elizabeth said it was a vulnerable moment in her life.

“A girl who's a month sober does not love herself yet, does not even know who she is, does not feel any validation from anything within herself,” Elizabeth told NHPR. “I felt like this man that has presented himself with all this power and prestige and money, which has been shoved in my face for 30 days, wants me. So I must be good enough.”

Elizabeth worried about the consequences of rejecting Spofford. “I think that's common for women,” she said. “He just painted himself almost larger than life, right? So I can't screw with him or make him upset.”

She feared Spofford might tarnish her reputation or even cause her to lose her bed in the sober home where she moved after treatment. So she said that while she didn't encourage Spofford's advances and never met up with him, she didn't explicitly tell him to stop sending the messages.

Elizabeth said the messages continued occasionally over the next two years. She recalled a message he sent in 2019, after she saw Spofford at an event he was attending with his girlfriend.

“He texted me as soon as I left, telling me how good my ass looked, that he wanted to meet up with me and f\*\*\* me,” she said.

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## An employee alleges sexual assault

NHPR reporting indicates that Spofford also mistreated women who worked for him. More than a dozen former GRC employees told NHPR they've known for years that Spofford acted inappropriately with female staff. These sources range from high-ranking managers to entry-level staff.

NHPR has learned of sexual assault allegations involving at least two of Spofford's employees. To avoid confusion while protecting the women's identities, NHPR will refer to them as Employee A and Employee B.

*"A lot of people that I worked with put Eric on this pedestal of: 'Eric is the greatest man in recovery...I was not about to be the person to say otherwise.'"*

Employee A, who accuses Spofford of sexual harassment and sexual assault

Employee A agreed to tell her story to NHPR on the condition that her name be withheld because she fears Spofford will retaliate against her. She began working at GRC in an entry-level role at one of the company's sober homes, and she said she loved her job. Things started to "get weird," she said, once she was promoted to a supervisor position.

Around 2018, Spofford started sending her seemingly innocuous messages on Snapchat. Gradually, Employee A said, the communications became inappropriate: a message about how sex was part of his 12-step work. Then pictures of Spofford shirtless. And then, pictures of his penis.

As the photos escalated, Employee A said, she got "super nervous." She had a criminal record, and she felt indebted to Spofford for giving her a chance.

"I needed to do whatever it took to keep this job," she said.

She would respond to his messages with one-word answers to appear responsive but not encouraging, she said.

"A lot of people that I worked with put Eric on this pedestal of: 'Eric is the greatest man in recovery,'" Employee A said. "I was not about to be the person to say otherwise."

In the midst of this, Spofford asked Employee A for a one-on-one meeting in his office. She recalls that when she arrived, he closed the door, started kissing her, and then got a condom from his desk drawer. She didn't know how to react.

She said they had sex on a couch in Spofford's office. She told NHPR she did not want to do it, "but I didn't know how to tell him no."

At first, Employee A didn't tell anyone what happened. She said Spofford kept asking her for meetings, but she made up excuses to avoid him.

A few months later, she said, Spofford saw her at GRC's headquarters having lunch with a male colleague she had dated. Spofford started "yelling and screaming and telling me to leave the property," she said.

Employee A said she confronted Spofford about his reaction. She was fired the next day by her immediate boss, who told her the cause was incomplete work. But Employee A believes it was retaliation by Spofford.

Three sources independently confirmed details of Employee A's story. In an interview with NHPR, one of them, a friend, recalled an anguished phone call soon after Employee A was fired. The friend said Employee A told her about the firing, the Snapchat messages, the condoms in Spofford's desk drawer and an unwanted sexual proposition.

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## **"A very well known drug addict"**

Spofford built GRC with his personal story at its center: a teenage heroin user turned CEO of a multi-million dollar company, whose struggles made him particularly sensitive to the needs of his clients. Until recently, GRC's homepage featured a large photo of Spofford and the quote, "Where you're going, I've been."

According to the book Spofford and Kaniuka published in 2019, "Real People Real Recovery," he grew up in Salem. His father ran a logging company. His parents split up when he was in fifth grade. He began selling marijuana and, by his mid-teens, he was selling and using opioids.

"At only 15," he writes, "I was a full-blown heroin addict."

1/4

[Click here to view this post on Instagram.](#)

Spofford dropped out of high school and lived a hard life of heroin addiction, drug trafficking and homelessness. He said he overdosed five times and went to jail several

times. (NHPR could only confirm one overdose and one arrest and related jail time in Maine, for carrying a concealed weapon.)

Spofford said he finally stopped using drugs for good in 2006, at the age of 21. Two years later, with financial backing from his father, Spofford secured a loan to buy a house in Derry. Spofford turned the building into an 11-bed sober living facility, The Granite House, and he became its first resident.

Spofford started his business as overdose deaths were beginning a steep, steady climb in New England. From that first sober home, GRC grew into a sprawling treatment network that now includes three residential treatment facilities, detox, outpatient treatment and multiple sober homes. The need for treatment was — and remains — immense; in 2019, Spofford [said](#) he had a waiting list of 40 to 60 people a day.

Part of GRC's growth has been fueled by state contracts including, since 2019, more than \$3 million dollars in [no-bid contracts](#) to temporarily house people waiting for treatment [or in need of shelter](#).

If his [social media](#) and other public commentary are any indication, Spofford grew wealthy as his business expanded. He frequently posts pictures and videos of his travels by luxury car, yacht and private jet.

As GRC's footprint grew, so did Spofford's reputation. Spofford has been repeatedly lauded by New Hampshire politicians and business leaders. In 2015, then-U.S. Sen. Kelly Ayotte invited him to Washington, D.C., to testify at a [Senate hearing](#) on opioid abuse. In 2018, he was [recognized](#) by the U.S. Small Business Administration as "Young Entrepreneur of the Year for New Hampshire and New England."

This past summer, Sununu stood side by side with Spofford for a photo op at GRC's corporate headquarters in Salem. Sununu enthusiastically praised the company, saying, "They're embedded in their community. People know them. It's great." He added that New Hampshire needs "more of this all across the state."

In 2019, GRC was set to host a visit at its headquarters from then-Vice President Mike Pence. It was canceled at the last minute, when White House officials realized that a high-ranking [GRC employee](#) and close friend of Spofford's, Jeff Hatch, had been caught trafficking fentanyl across state lines. (Hatch was recently [sentenced](#) to three years probation.)

Spofford has leaned into his political connections, while stressing his against-all-odds rise to power. "What a weird claim to fame: I'm a very well known drug addict in this state," he said at a GRC event in 2018. "I know the governor personally. I know the commissioner. I know most of the legislation."

Spofford held a fundraiser last year for a Republican [congressional](#) candidate at his Windham home. In 2020, he had VIP access to a rally for former President Donald



Trump. Granite Recovery Centers, under Spofford's leadership, gave [\\$7,000](#) to Sununu's campaign. Spofford has also personally [contributed](#) \$7,000 to Sununu. In 2019, he donated \$10,000 to the New Hampshire GOP.

In addition to his business endeavors, Spofford pitches himself as a coach to aspiring entrepreneurs. (Screenshot from [ericspofford.com](#))

He has cultivated a personal brand on social media, offering unvarnished tips about entrepreneurship. For example, in [one video](#) for his 174,000 Instagram followers, Spofford offered two "integral tools" for winning in business: "figuring it the f\*\*\* out" and "balls." He says, "I think balls is one of the most important ingredients to success that you can possibly find."

Now that Spofford has sold GRC, he is building a new company, Spofford Enterprises, which describes itself as an [entrepreneurial investment firm](#). The firm's website says it has offices in both Salem, N.H. and Miami, Florida, and Spofford has [made it clear on social media](#) that Miami is where he sees his future.

Part of that future is opening new addiction treatment centers, according to Spofford's multiple "Day in the Life" YouTube videos. [A camera follows him](#) as he tours facilities across the country. He's claimed on social media to have purchased properties in Texas, New Jersey and Ohio.

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## **An exodus of staff after allegations come to light**

The final straw for Brian Stoesz and Piers Kaniuka came in the spring of 2020. Stoesz, the chief operating officer at GRC, had only been in his job a few months, but Kaniuka, the company's director of spiritual life, had known Spofford for years.

In "Real People Real Recovery," the book he co-authored with Kaniuka, Spofford wrote, "Piers was the first person I had met in recovery who made sense to me." Spofford said he was 19 when he met Kaniuka at a detox facility. Kaniuka later became his sponsor in the recovery process.

In 2016, Kaniuka agreed to join GRC's staff, and he was a popular presence among clients. He said at first, he didn't believe the rumors about Spofford's treatment of women.

"I fault myself for not coming to this sooner," he told NHPR, "but I'm not the only one."

NHPR has learned that at least four staff members, including Stoesz and Kaniuka, quit GRC in the spring of 2020 because of allegations that Spofford sexually assaulted an employee and then retaliated against her. Another member of the leadership team was fired as a result of the fallout.

Kaniuka, Stoesz and Nancy Bourque, GRC's former Human Resources Director, all said they spoke directly with this employee. This employee declined to be interviewed for this story. Because of that, NHPR is not using her name and will only reveal limited details of the allegations. NHPR will refer to her here as Employee B.

Bourque shared with NHPR handwritten notes she took during her conversation with Employee B. They include the words "boundaries" and "predator."

Bourque and Stoesz said Spofford brought in a moderator, an attorney, to look into the allegations and talk with staff. Stoesz said Spofford tried to prime him for his interview, saying to Stoesz, "Just remember... there's not a shred of truth with anything [Employee B] says." Neither Bourque nor Stoesz ever saw the results of any internal investigation, and Bourque said she was not interviewed.

*Bourque shared with NHPR handwritten notes she took during her conversation with Employee B. They include the words "boundaries" and "predator."*

Stoesz said he called his wife and told her, "I don't have much, but I do have a reputation. I don't want any affiliation with anything here." He then resigned abruptly from GRC.

For Kaniuka, the accusations hit especially hard because he knew Employee B well. He decided to resign. He told NHPR he wanted his departure to "make things really inconvenient and awkward for [Spofford], and my hope was that this was going to snowball from that point on. But it never did."

Employee B left the company soon after Bourque, Stoesz and Kaniuka learned of the allegations. The circumstances of her departure are unclear, but multiple sources told NHPR that Spofford said he arranged a paid settlement with Employee B that had the effect of silencing her.

Bourque recalls that Spofford said a settlement had been signed, telling the HR director, "We put that all to bed."

NHPR's reporting indicates this is not the only time Spofford used paid separation agreements, with strict non-disclosure requirements, to keep damaging allegations about GRC under wraps.

NHPR has not viewed any settlement between GRC and Employee B, but has seen multiple other separation agreements signed by Spofford that prohibit the signatories from saying anything "derogatory or disparaging" that could damage the "reputation or

goodwill” of the company or any person associated with it. The agreements say the employees would be required to return severance payments or other money GRC paid them if they violated any terms of the contract.

Soon after Kaniuka and Stoesz resigned, Spofford fired Bourque, the HR director. In a text message viewed by NHPR, Spofford claimed Bourque had mishandled Employee B’s case and wrote, “You did not have my back.”

“So now,” Bourque said, “Anybody that knew anything is gone.”

“There’s patterns to behaviors like this,” Bourque added. Explaining her decision to speak to NHPR, the former HR director said, “Sexual harassment is not about sex, it’s about power ... Having that [power] over somebody, it can destroy their life.”

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## **Spofford “answered to no one”**

NHPR has spoken with more than a dozen former employees who shared complicated memories of their time at GRC. They described a passionate, mission-driven community that saved lives. For some who had previously gone through GRC’s programs themselves, it was the only sober community they knew. Some felt indebted to Spofford for their sobriety or their livelihood (and sometimes both).

Spofford also inspired fear. Multiple sources described GRC under Spofford as a “cult”-like environment, in which Spofford demanded total loyalty, placed his favorites in positions for which they were unqualified, and acted abusively towards staff. A lawsuit filed by one former employee over a financial dispute claims Spofford “mercilessly harassed and belittled” the employee.

Brian Stoesz, the former chief operating officer, and Piers Kaniuka, the former director of spiritual life, said they often heard Spofford speak disparagingly of women. Many former employees who spoke to NHPR, including Stoesz and Kaniuka, said some of Spofford’s descriptors for women were “crazy,” “nuts” and “borderline.”

Spofford described using “pimp hands” in his treatment of employees, according to two sources. Kaniuka defined the phrase this way: “You abuse your staff, and then you’re nice to them and then you abuse them.”

“I’ve never worked in an environment that was so maliciously abusive — bullying, intimidation, hostile,” Stoesz said.

According to many GRC staff, there didn't appear to be any way to hold Spofford accountable for his behavior in the workplace. When Spofford was CEO, he held all the power.

"I mean, who does the owner report to?" Bourque, the former HR director, said. Bourque said there was a board with only three members, and Spofford was one of them. And since GRC is a private, for-profit company, "[Spofford] really answered to no one."

*Multiple sources described GRC under Spofford as a "cult"-like environment, in which Spofford demanded total loyalty, placed his favorites in positions for which they were unqualified, and acted abusively towards staff.*

As far as government oversight, the state of New Hampshire is responsible for licensing and overseeing some types of substance use disorder treatment, such as residential treatment. The Department of Health and Human Services makes annual visits to each of the facilities it licenses, and public documentation suggests that the only violations the state found at GRC residential facilities were minor, such as incorrect paperwork. The department, citing state law, said any documentation beyond annual visits could not be shared publicly.

In a statement to NHPR, the New Hampshire Attorney General's office said it had received nine complaints involving Granite Recovery Centers between 2013 and 2022. The complaints included sanitation, poor conditions, COVID protocol violations and what it called "staffing issues." The AG's office said it had not received any complaints of sexual assault against Spofford.

For allegations of sexual misconduct to emerge, the women affected would need to report them to authorities. But many sources told NHPR they haven't come forward yet, or would only do so anonymously, because of the climate of fear Spofford created.

The most common concern among sources is that if they tell the truth about what they experienced at GRC, Spofford will retaliate by ruining their reputations, getting them fired from current jobs or forcing them into legal battles they can't afford.

Elizabeth, the former client who said she received explicit Snapchat messages from Spofford, said she is now sober. She told NHPR she hopes her decision to speak out can bring change. "If I can do anything to make at least one treatment center better, I'm happy to do that."

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**Jason Moon contributed reporting.**

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### [Lauren Chooljian](#)

Lauren is a Senior Reporter/Producer for NHPR's narrative news unit, Document.

[See stories by Lauren Chooljian](#)

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## EXHIBIT 2

1 **He built New Hampshire's largest addiction treatment network.**

2 **Now, he faces accusations of sexual misconduct**

3  
4 \_\_: Today, we are bringing you the results of a yearlong  
5 investigation from NHPR's document team. It involves  
6 serious allegations against one of the most important  
7 figures in New Hampshire's response to the opioid crisis.  
8 Eric Spofford is the founder of Granite Recovery Centers,  
9 the state's biggest provider of substance use disorder  
10 treatment, and Spofford has become a pretty powerful guy.

11 ERIC SPOFFORD: I'm about as well-known as a -- of a drug  
12 addict -- what a weird claim to fame, I'm a very well-  
13 known drug addict in the state. (laughter) I know the  
14 governor personally.

15 \_\_: Now, NHPR's Lauren Chooljian has uncovered multiple  
16 allegations of sexual misconduct against Spofford.  
17 Through a lawyer, Spofford denied "any alleged  
18 misconduct." A warning, parts of this story may not be  
19 suitable for some listeners. Here's Lauren.

20 LAUREN CHOOLJIAN: Elizabeth arrived at a treatment center at  
21 night. It was 2017, she was high, pretty out of it, but  
22 eventually, she started to see, this place had a totally  
23 different vibe than the treatment centers she'd been to  
24 before.

1 ELIZABETH: I remember I had my first like real God moment  
2 there 'cause the view is incredible.

3 LAUREN CHOOLJIAN: Elizabeth was at Green Mountain Treatment  
4 Center. It's the flagship facility of Granite Recovery  
5 Centers. The campus is in Effingham up on this big hill.  
6 From the top, you can see trees for miles and the white  
7 mountains in the distance.

8 ELIZABETH: Like watching a sunset, we all -- actually, it  
9 was really cool. One time, we all screamed from the  
10 mountain, and it felt so good. It was like a movie,  
11 (music plays) all right, we just sat there and screamed.

12 LAUREN CHOOLJIAN: This is one of Elizabeth's favorite  
13 moments from her 30 days at Green Mountain back in 2017,  
14 but these days, when she thinks back, bad memories come  
15 up.

16 ELIZABETH: For the last few years, thinking of Green  
17 Mountain, it's very difficult to not think of Eric and  
18 then like the years following of his (beep) creepy  
19 (beep). It's almost like a shadow. (music plays)

20 LAUREN CHOOLJIAN: Elizabeth is her middle name. We're not  
21 using her full name because she fears retaliation for  
22 talking publicly about what happened to her. The day  
23 after she left Green Mountain, she says she started  
24 receiving messages on Snapchat from Eric Spofford.



1 ELIZABETH: He was already plannin' to come to see me, um,  
2 wanted to take me out, um, wanted to do explicit things,  
3 uh, was sending me pictures, (beep) pictures.

4 LAUREN CHOOLJIAN: Eric Spofford, the guy sending Elizabeth  
5 images of his penis, he was the CEO and founder of the  
6 treatment center she just left. And what Elizabeth says  
7 happened to her, it turns out she's not alone. I've  
8 learned of a pattern of alleged sexual misconduct by Eric  
9 Spofford including harassment, incredible allegations of  
10 sexual assault from women who work for him. All these  
11 allegations raised questions about Spofford's leadership,  
12 the company that made him wealthy, and New Hampshire's  
13 reliance on Spofford to help address the addiction  
14 crisis. Spofford declined to be interviewed for this  
15 story. Instead, his lawyer sent a written statement.  
16 You can read the whole thing at our website. He called  
17 the allegations false and unsubstantiated and threatened  
18 legal action. Spofford's lawyer also said there are  
19 people who "refuse to corroborate these false  
20 accusations," but when I asked to speak with those  
21 people, the lawyer didn't email me back. (music plays)  
22 I'm gonna share the rest of Elizabeth's story in a  
23 moment, but first, I need to tell you more about Spofford  
24 because Spofford has used his own story to build power in

1 a way that makes him seem untouchable to the people I've  
2 spoken with, and that's one reason these allegations have  
3 stayed under wraps for years. Spofford is 37. He grew  
4 Granite Recovery Centers into a multimillion-dollar  
5 company, he now owns a private jet and drives a Rolls-  
6 Royce, but it was a journey to get there. Spofford talks  
7 about it all the time on social media and in interviews.

8 ERIC SPOFFORD: Like don't look at me, look at my lifestyle,  
9 look at the car that I pulled in, uh, you know, my  
10 pictures in Instagram and be like, oh, I want to be like  
11 that guy 'cause you don't know what I had to go through  
12 to get here, pal.

13 \_\_: No.

14 ERIC SPOFFORD: My journey to get here would kill most (beep)  
15 most people.

16 \_\_: Yeah.

17 ERIC SPOFFORD: That's a fact.

18 \_\_: Right.

19 LAUREN CHOOLJIAN: At 15, Spofford says he was a "full-blown  
20 heroin addict." It took him years to get sober, then in  
21 2008, he started his treatment business with one small  
22 sober home, and he expanded quickly at a time when New  
23 Hampshire desperately needed more addiction treatment.  
24 Spofford opened residential treatment facilities and more

1       sober homes serving people throughout New England and  
2       beyond, and he received several million dollars in state  
3       contracts along the way. At Granite Recovery Centers,  
4       GRC for short, Spofford's story was front and center, the  
5       big idea, only someone who's been there can really  
6       understand addiction. And that idea has been really  
7       attractive to the state's leaders.

8   CHRIS SUNUNU: Again, not just to keep, uh, championing, uh,  
9       Eric but a founder that has walked the walk, uh,  
10      understands the issues, uh, from a very personal and  
11      firsthand perspective.

12   LAUREN CHOOLJIAN: Governor Chris Sununu visited GRC's  
13      headquarters in Salem last summer.

14   CHRIS SUNUNU: -- this might be happening, he's one of the  
15      first guys I'll pick up the phone to frankly because this  
16      organization and his staff, uh, they get it, uh, and --  
17      and again, I -- I love that --

18   LAUREN CHOOLJIAN: It's important to note, Spofford isn't the  
19      boss of GRC anymore. He announced in December, he sold  
20      the company to a treatment provide called BayMark Health  
21      Services, but Spofford is not out of the game. He's made  
22      clear on social media that he's looking at real estate  
23      all around the country, and he wants to open new  
24      treatment facilities. How Spofford treats other people,

1       it matters, which brings us back to Elizabeth and the  
2       Snapchat messages -- they sent her into a complicated  
3       mental spiral.

4   ELIZABETH:       -- that I knew in my core it wasn't right  
5       because I know that a CEO of a treatment center I left 24  
6       hours ago should not be sendin' me pictures of his  
7       (beep). That's just integrity 101, right?

8   LAUREN CHOOIJIAN:   But Elizabeth also saw Spofford as this  
9       powerful and wealthy guy. When she was at Green  
10      Mountain, Spofford would visit the campus in a  
11      helicopter, so she didn't know how to respond to him.

12   ELIZABETH:       A girl who's a month sober does not love  
13      herself yet, does not even know who she is, does not feel  
14      any validation from anything within herself, right? So I  
15      felt special if you (inaudible), I felt like this man  
16      that has presented himself with all this power and  
17      prestige and money, which has been shoved in my face for  
18      30 days wants me, so I must be good enough.

19   LAUREN CHOOIJIAN:   Still Elizabeth says she never agreed to  
20      meet up with him, but she was scared to shut him down  
21      completely. I haven't seen these messages. Snapchat  
22      messages disappear once the recipient views them, and  
23      Elizabeth didn't take screenshots. And the way Snapchat  
24      works, if Elizabeth had taken screenshots Spofford

1 would've been notified on the app. She says she did tell  
2 two friends while this was all happening to her: One of  
3 them has since died of an overdose, the other is Justin  
4 Downey, and he confirmed Elizabeth's story.

5 JUSTIN DOWNEY: She told me that this happened to her, and I  
6 was like what makes this guy think that this type of  
7 behavior is okay with a girl this vulnerable, right? If  
8 you're a (beep) rehab owner, why are you in contact with  
9 a -- with a clientele after they leave there? You're  
10 supposed to have boundaries.

11 LAUREN CHOOIJIAN: A few weeks after Spofford started  
12 messaging her, Elizabeth says she relapsed.

13 ELIZABETH: It definitely, defi-- like 100 percent, um, set  
14 me back in my recovery. I don't doubt in my mind for a  
15 second he didn't know what kind of emotional and  
16 vulnerable state I was in.

17 LAUREN CHOOIJIAN: It is hard enough for anyone to shut down  
18 sexual harassment. For people dealing with substance use  
19 disorder, there are so many more complicated layers to  
20 push through. Many have lived through trauma,  
21 experienced sexual abuse or homelessness, and they might  
22 be less likely to call for help or to be believed when they  
23 do. One former GRC employee put it this way, "The  
24 treatment industry needs a Me Too movement." (music

1 plays) I've told you this story of a former GRC client,  
2 but in my reporting, I've also heard allegations from GRC  
3 employees. One of them agreed to speak with me as long  
4 as we did not use her name because she feared  
5 retaliation. She has a criminal record, and when she got  
6 the job at GRC, she felt indebted to Spofford, he gave  
7 her a chance.

8 \_\_: I thought in my mind that this was the only job that will  
9 ever hire me again, and I needed to keep this job, and I  
10 needed to do whatever it took to --to keep this job.

11 LAUREN CHOOLJIAN: She started out in an entry-level position  
12 at one of GRC's sober houses for women, and she says she  
13 loved it. She loved watching the women grow. But around  
14 2018, she was promoted to supervisor, and that is when  
15 she says things got weird. Spofford started messaging  
16 her on Snapchat. At first, it seemed innocuous but then  
17 she says things escalated. She got a message about how  
18 sex was part of his 12-step work, then pictures of  
19 Spofford without his shirt on, and then pictures of his  
20 penis. Just like Elizabeth, this employee didn't know  
21 what to do. She remembers sending back short messages  
22 just to acknowledge that he texted her, but then one day  
23 he invited her to a one-on-one meeting in his office.  
24 And I should say what she's about to describe maybe

1           upsetting for some listeners. She was driving around  
2           while she told me this story.

3   \_\_\_: I had no idea what that meetin' was about, but, uh,  
4           obviously he did. So he was very quick to, um, like just  
5           pull me in and start kissing me and then he -- he went to  
6           his desk, and he grabbed out a condom, and -- and we did  
7           end up having sex, um, on his couch in his office.

8   LAUREN CHOOLJIAN: Did you want that to happen?

9   \_\_\_: No. But I also didn't know how to tell him no.

10   LAUREN CHOOLJIAN: It was the middle of the workday at GRC's  
11           corporate headquarters.

12   \_\_\_: There were people working outsi-- like he has blinds on -  
13           - in his office, and his door locks, so there were --  
14           there were people working, um, like pretty much right  
15           outside of his office door. Um, so I didn't -- I had no  
16           idea how to -- I didn't know what to do.

17   LAUREN CHOOLJIAN: After that, she tried to avoid him, she  
18           made excuses to not meet with him, several months later,  
19           she was fired. Her immediate boss told her it was for  
20           incomplete work, but she thinks it was retaliation by  
21           Spofford. I spoke with three people who independently  
22           confirmed details of this story. One is a friend this  
23           employee called right after she was fired who remembered  
24           an anguished phone call and even the condoms in

1 Spofford's desk drawer. One thing to note, this employee  
2 was really hesitant to talk to me, she's been down this  
3 road before, she's told people who she thought could do  
4 something about it and then nothing. Spofford remained  
5 in charge, and now he's on to new things now that he's  
6 sold GRC.

7 ERIC SPOFFORD: I closed on December twenty-first; I saw more  
8 money than I'd ever seen in my entire life.

9 LAUREN CHOOLJIAN: We don't know exactly how much money he  
10 made, but judging by his social media post like this one  
11 it was substantial. He just bought a home in Miami for  
12 nearly \$21 million. Over the past few weeks, Spofford  
13 has posted a series of YouTube videos about his latest  
14 business projects. A camera follows him around as he  
15 flies on his private jet to Ohio and Texas and Tennessee.  
16 In one video, he's on the phone with a business contact.

17 \_\_: How are you, sir?

18 ERIC SPOFFORD: Hey I'm very well, how are you?

19 LAUREN CHOOLJIAN: Spofford tells him I'm totally out of GRC  
20 now.

21 ERIC SPOFFORD: Um, you know, they bought 100 percent of -- of  
22 the business and so that left me kind of a soldier  
23 without a war if that makes sense.

24 \_\_: Right, right.



1 ERIC SPOFFORD: And, um, you know, so lookin' at -- at doin' it  
2 again. Um, you know, I'm lookin' at --

3 LAUREN CHOOLJIAN: Doing it again, starting more addiction  
4 treatment centers. (music playing) For more than a year  
5 now, this investigation kept coming around to one big  
6 question, how did Spofford get away with it all? Coming  
7 up, we're gonna tackle that question, and we'll tell you  
8 about a moment when the allegations nearly came out.

9 BRIAN STOESZ: I said, "You know exactly what I'm talkin'  
10 about and don't ever treat me like an idiot again,  
11 goodbye." (music playing)

12 LAUREN CHOOLJIAN: I've described two allegations of sexual  
13 misconduct against Eric Spofford. I'm gonna talk about  
14 one more now because it helps explain just how impossible  
15 it was within GRC's workplace to hold Spofford  
16 accountable. This allegation came up in 2020, and it had  
17 a big impact inside GRC. You're not gonna hear from the  
18 woman who made this accusation; all I will tell you is  
19 that she used to work at GRC. The employee declined to  
20 speak with me, so we've chosen not to identify her, and  
21 we're only gonna share limited details about what  
22 happened to her. I know this story though because a lot  
23 of people who used to work with Spofford told me about  
24 it, including the former chief operating officer Brian

1           Stoesz.

2   BRIAN STOESZ:  What the catalyst was for me was all of a  
3           sudden one day out of the blue, he -- he calls me and  
4           says, "I want (beep) fired."

5   LAUREN CHOOLJIAN:  That beep you just heard is covering up  
6           the name of the employee that this phone call is about.  
7           Stoesz says Spofford called him all worked up and said.

8   BRIAN STOESZ:  "I want her effin' (beep) fired."  I'm like,  
9           "Eric, she does a good job, why don't I give her  
10          performance improvement plan?  What are your concerns?"  
11          So he just said, "Well, she's insubordinate, um, she  
12          talks back to people, she's unprofessional."  I'm like,  
13          "Okay, I'll write up a plan."  So I wrote up a plan, I  
14          send it to him, he s-- emails me back, he said, "This is  
15          garbage."

16   NANCY BOURQUE:  Brian called me, and he said, "I need your  
17          help."

18   LAUREN CHOOLJIAN:  This is Nancy Bourque, she was the  
19          director of human resources at the time, and she  
20          remembers thinking, this situation sounds so bizarre.

21   NANCY BOURQUE:  Like you're the owner company, like why are you  
22          gettin' so involved in this?  But he tended to swoop in  
23          to all these situations, so I thought like, well, here he  
24          goes again.

1 LAUREN CHOOLJIAN: Eventually, there's a meeting with the  
2 employee and a so-called corrective action plan gets  
3 finalized. I've seen a signed copy of it, it says this  
4 employee could lose her job if she got in trouble again.  
5 The next day, Bourque talked to the employee.

6 NANCY BOURQUE: I said, "What's goin' on?" and she goes, "I  
7 know why that happened yesterday, I know why." And she  
8 goes, "It's because I set boundaries, I set appropriate  
9 boundaries," and I said, "Okay," I said, "I don't wanna  
10 put words in your mouth, but are you sayin' that certain  
11 boundaries had been crossed?" And she said, "Oh yes."

12 LAUREN CHOOLJIAN: Bourque says this employee told her that  
13 she and Spofford had a sexual relationship, and it was  
14 not always consensual, and that Spofford was retaliating  
15 against her because she tried to end things. It goes  
16 without saying that most workplaces frown upon  
17 relationships between leaders and their employees, and  
18 nonconsensual sexual activity, that's sexual assault.  
19 Bourque took handwritten notes during her conversation  
20 with this employee, I've seen them, two of the words she  
21 wrote are *boundaries* and *predator*. Bourque remembers  
22 feeling torn because she's the HR director.

23 NANCY BOURQUE: And I said I will do everything I can to  
24 protect you and your job, but I also have to report this,

1 right? I'm not -- I'm -- you know, I'm -- I work for the  
2 company, I report to the owner.

3 LAUREN CHOOLJIAN: The owner, Eric Spofford.

4 NANCY BOURQUE : It's my position, I have to, and I felt so  
5 conflicted.

6 LAUREN CHOOLJIAN: The next day, Bourque met with Spofford.

7 NANCY BOURQUE: I just flat out said, "Before I say anything,"  
8 I said, "you need to know how uncomfortable I am right  
9 now with what I have to share with you" and so I told  
10 him. I said, "I received, you know, a very serious  
11 allegation that has to do with you and this person." At  
12 first, he was just like, "What?"

13 LAUREN CHOOLJIAN: And then Bourque says Spofford started to  
14 get really upset, and the word she says Spofford used to  
15 describe this employee, they track with what a lot of  
16 people have told me about how Spofford spoke about women  
17 who had crossed him.

18 NANCY BOURQUE: He goes like, "This is crazy, this is insane,  
19 she is a psycho, she's this, she's that, she's -- she's  
20 crazy."

21 LAUREN CHOOLJIAN: Both Bourque and Brian Stoesz, the COO,  
22 say Spofford brought someone in from outside the company  
23 to look into the allegations and interview staff. Stoesz  
24 says before his interview, Spofford tried to coach him.

1 BRIAN STOESZ: So Eric said, "Listen, I know they're gonna  
2 talk to you, she's just -- she's a pathological  
3 borderline, just remember that. She's a borderline, and  
4 there's not a shred of truth with anything she says."

5 LAUREN CHOOLJIAN: Stoesz had already started looking for  
6 other jobs, but these allegations and the way they were  
7 playing out, it was too much. Stoesz called a meeting  
8 with Spofford and Bourque and resigned on the spot.

9 BRIAN STOESZ: "Here's your company credit card, here's all  
10 your keys, do not under any circumstance ever contact me  
11 again." And he stands up, and he said, "I don't know  
12 what the (beep) you're talkin' about." I said, "You know  
13 exactly what I'm talkin' about and don't ever treat me  
14 like an idiot again, goodbye." That was it.

15 LAUREN CHOOLJIAN: Stoesz was not the only one to quit. Next  
16 to go was Piers Kaniuka, the director of spiritual life  
17 at GRC. He was popular; people tell me they were really  
18 inspired by the lectures he gave on recovery. He and  
19 Spofford have a long history, Kaniuka helped Spofford get  
20 sober over a decade, and they even wrote a book together  
21 called *Real People Real Recovery*. Spofford hired Kaniuka  
22 in 2016.

23 PIERS KANIUKA: I -- I went into this knowing fully well that  
24 he had liabilities. Um, I certainly didn't know that he

1           was gonna turn out to be like Harvey Weinstein.

2   LAUREN CHOOLJIAN:    Kaniuka said he'd heard rumors about  
3           Spofford's behavior before, but then he spoke with this  
4           employee, and that convinced him there was a pattern. He  
5           told me he faults himself for not realizing it sooner.  
6           Kaniuka decided to just walk out. He was the most  
7           recognizable figure at GRC besides Spofford, so he  
8           figured if he left suddenly, Spofford's reputation might  
9           take a hit. His hope he says was that "This was going to  
10          snowball.

11   PIERS KANIUKA: He is -- he should not be in this field, he  
12          should be shunned, shamed, and probably prosecuted.

13   LAUREN CHOOLJIAN:    So Stoesz, the COO, he was gone; Kaniuka  
14          was gone; and then a few weeks later, Bourque, the HR  
15          director, she says she noticed that the employee at the  
16          center of all this was gone too.

17   NANCY BOURQUE: So then I saw Eric that afternoon, and he was  
18          like, "Oh, yeah, I meant to tell you, we've put that all  
19          to bed, situation's done, she signed off on everything,  
20          so we can put that behind us."

21   LAUREN CHOOLJIAN:    What Spofford was saying according to  
22          Bourque is that he signed a paid settlement with the  
23          employee who had just accused him of sexual assault. In  
24          fact, multiple sources told me this. I have not seen

1           this settlement, but I've seen other agreements Spofford  
2           made, and they included clauses like NDAs that have  
3           become notorious in other sexual misconduct cases for  
4           silencing people.

5   NANCY BOURQUE: And then the next morning, I came in, I was in  
6           the office five minutes, and two people came in and said  
7           that I was done.

8   LAUREN CHOOLJIAN:   Spofford fired Bourque. In a text message  
9           he sent her, which I've seen, Spofford took issue with  
10          how she handled the allegations. He texted "You did not  
11          have my back."

12   NANCY BOURQUE: And so now, anybody that knew anything is gone.  
13          And you can write your own narrative now about how bad we  
14          all were.

15   LAUREN CHOOLJIAN:   So that was it. Rumors spread, a few more  
16          people quit, multiple sources told me there was talk of  
17          legal action from a group of women with accusations  
18          against Spofford, but it appears nothing came of that.  
19          Spofford would remain CEO and then executive chairman for  
20          almost two more years. And being the boss of a for-  
21          profit company made him wealthy, it gave him access to  
22          powerful people like Governor Chris Sununu, so many  
23          sources I talk to feel like Spofford is untouchable.  
24          It's a classic power story. Again, Spofford declined our

1 request for an interview. I only got a written statement  
2 from his lawyer denying "all alleged misconduct."

3 Spofford sold Granite Recovery Centers in December, and  
4 in the last few weeks, he's announced on social media  
5 that he plans to open more treatment centers around the  
6 country. Here he is in a recent YouTube video.

7 ERIC SPOFFORD: And so we're lookin' to secure a couple of  
8 facilities, a couple of states right now and so I -- I  
9 just need to be able to come up with a vision and a  
10 thesis and make this thing work in my head.

11 LAUREN CHOOIJIAN: I've tried to figure out who could've held  
12 Spofford accountable for sexual misconduct and it seems  
13 like inside his company, there was really no way to do  
14 that. Here's Nancy Bourque again, the former HR  
15 director.

16 NANCY BOURQUE: I mean who does the owner report to? You know,  
17 it was a for-profit, so he really answered to no one.

18 LAUREN CHOOIJIAN: At many companies, the CEO is accountable  
19 to a board of directors, but Nancy Bourque says there  
20 were just three people on the GRC board, one of them was  
21 Spofford. As for who could provide accountability  
22 outside the company, that's tricky too. Maybe the state  
23 or some national organization? But what I've learned is  
24 the system that we have in place right now, it's not



1 built to stop an owner from sexually harassing or  
2 assaulting clients and employees. Take the state of New  
3 Hampshire, it does regulate some types of addiction  
4 treatment, some of GRC's residential facilities are  
5 licensed ,but the only violations the state has found are  
6 administrative like incorrect paperwork. What about law  
7 enforcement? Well as far as we know, no one called the  
8 police, and when it comes to national organizations,  
9 there are gaps there too.

10 MIKE JOHNSON: I feel like people would like to have -- like  
11 they want to be able to point. Whether it's the state  
12 law or it's accreditation or it's something else, they  
13 wanna be able to say aha, you know, you know, you failed  
14 to, um, uncover this.

15 LAUREN CHOOLJIAN: This is Mike Johnson. He works with an  
16 organization called CARF, Commission on Accreditation of  
17 rehabilitation Facilities. GRC paid CARF to come in and  
18 accredit them giving them a sticker for their website  
19 that shows GRC facilities have met a certain level of  
20 quality. But CARF's people are not comin' around that  
21 often, and when I talked to him, Johnson was disturbed by  
22 what I'd found, but he basically told me, "Look, there's  
23 only so much any accreditation group can achieve."

24 MIKE JOHNSON: In -- in any state, in any business anywhere if

1 a person wants to be a bad actor, they can probably  
2 figure out a way to be a bad actor.

3 LAUREN CHOOLJIAN: So in order to hold an owner of an  
4 addiction treatment company accountable for alleged  
5 sexual misconduct, the burden is on the people who were  
6 harmed. They have to come forward even if they're afraid  
7 of retaliation, even if they don't think anyone will  
8 believe them. In a statement from Spofford's attorney,  
9 he accused our sources of deceptive behavior, and he  
10 wrote, "Some recovering addicts are uniquely suited to  
11 work in the field and are able to use their past  
12 experiences to help others in need. Others relapse and  
13 revert to the lies that tragically go hand in hand with  
14 addiction." (music playing) It's a huge risk to speak  
15 out, but as one of the women who talked to me put it, "If  
16 I can do anything to make at least one treatment center  
17 better," she said, "I'm happy to do that." Lauren  
18 Chooljian, NHPR News. (music playing)

19

20

END OF AUDIO FILE

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# Sununu calls allegations against Spofford 'serious,' says they should be investigated

New Hampshire Public Radio | By [Lauren Chooljian](#)

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*Jason Moon / NHPR*

Gov. Chris Sununu appeared next to Eric Spofford at Granite Recovery Centers' headquarters on July 22, 2021.

Gov. Chris Sununu is distancing himself from Eric Spofford, the founder of Granite Recovery Centers, the largest network of addiction treatment centers in the state. An [NHPR investigation](#) has found multiple allegations of sexual misconduct against Spofford involving his employees and a former client.

The allegations span several years, dating back to 2017, a period in which Spofford built a reputation as a leader in New Hampshire's addiction treatment industry. Spofford has donated thousands of dollars to Sununu's political campaigns, and said that he "knows the governor personally." Sununu, in turn, has repeatedly praised Spofford and said Spofford is someone he turns to for advice in dealing with the opioid crisis.

But asked Wednesday to respond to the new allegations against Spofford, Sununu noted that Spofford no longer owns Granite Recovery Centers and

said the treatment network Spofford founded is “tremendous” and has “saved thousands of lives.” Spofford sold Granite Recovery Centers in December after leading the company for more than a decade. Spofford has said he plans to open new treatment centers around the country.

Earlier this week, NHPR reported allegations that Spofford sexually harassed a former client and sexually assaulted two GRC employees. These three allegations were corroborated by multiple sources. Spofford, through an attorney, denied engaging in any misconduct.

When pressed further about the claims against Spofford, Sununu said, “obviously, they’re very serious, they have to be taken seriously and investigated, of course.”

Sununu also said he has faith in the state’s process for vetting the organizations it does business with, including Granite Recovery Centers. Since 2019, the company has been awarded more than \$3 million in no-bid contracts to house people waiting for treatment or in need of shelter.

Asked about his personal ties to Spofford Wednesday, Sununu at first claimed not to have spoken to Spofford for several years.

In fact, Sununu appeared beside Spofford last summer at a press conference at Granite Recovery Centers’ Salem headquarters.

When that appearance was called to his attention, Sununu first said he couldn’t remember what the event was about. But he said it was “probably” the last time he talked to Spofford. He also said he attended a “fundraising event” at Spofford’s home at some point.

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## [Lauren Chooljian](#)

Lauren is a Senior Reporter/Producer for NHPR's narrative news unit, Document.

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### Our Mission

Expanding minds, sparking connections, building stronger communities.

NHPR fosters civil discourse by producing and distributing objective, in-depth reporting and engaging content. We are New Hampshire's independent and trusted source for news and information.

## About NHPR

Since 1981, New Hampshire Public Radio has shaped the media landscape in the Granite State and beyond. Our mission is “Expanding minds, sparking connections, building stronger communities.” NHPR is broadcast from 14 different sites, making it by far New Hampshire’s largest (and only) statewide radio news service. Every week, NHPR is the choice of 157,000 listeners as a primary source of in-depth and intelligent news coverage, with thousands more viewing NHPR.org, following our social media sites or listening to our podcasts. Each day, New Hampshire Public Radio delivers several hours of local news reported by its award-winning news team. Locally produced programs and podcasts include *The Folk Show*, *Outside/In*, and *Civics 101*, among others. NHPR is the exclusive outlet for NPR News in the Granite State and broadcasts national weekly programs such as *The Moth Radio Hour*, *Wait Wait...Don’t Tell Me!*, and *This American Life*.



*Credit NHPR Staff*

Our former home at N. Main Street in Concord

NHPR provides the kind of fair, accurate, and complete information that is essential to the citizens of this state—hourly reporting on the latest New Hampshire news, comprehensive coverage of Granite State legislation and public policy, and coverage of crucial issues such as health care, the economy, the environment and education. This in-depth coverage is unique; it's not found on any other statewide radio network.

[The Exchange](#), our daily public affairs call-in show, hosted by Laura Knoy, served for more than 25 years from 1995 to 2021 as NHPR's standard-bearer for the information, public discussion and commentary. Building on the success of *The Exchange* and a commitment to locally produced programming, NHPR has originated a number of other New Hampshire based shows and special series over the years. Additional local programming includes [The Folk Show](#) the Sunday evening music program featuring local, regional and national artists with live in-studio performances hosted by Kate McNally, and [Something Wild](#), a bi-weekly segment, focused on flora and fauna in New Hampshire.

NHPR also connects Granite Staters with the wider world, broadcasting a full range of national and international programming such as NPR's *Morning Edition* and *All Things Considered*, APM's *Marketplace*, *This American Life*, as well as programs from the BBC World Service and the Canadian Broadcasting Corporation. Our website [nhpr.org](http://nhpr.org), a four-time winner of the prestigious Edward R. Murrow Award, extends the reach of NHPR's on-air programming through audio streaming, audio archives, podcasts and supplemental content.

### **NHPR's Broadcast Facility**

In October 2006, NHPR publicly launched The Campaign for New Hampshire Public Radio. Thanks to the generosity of listeners, foundations and corporations from across the state, NHPR successfully raised \$6.5 million to build a new broadcast facility, upgrade to digital technology and expand and enhance our signal throughout the state. This capital expansion allowed NHPR to increase the breadth and depth of its coverage, strengthen and

expand its broadcast signal, and offer programs online and on-demand to better meet the needs of our present and future listeners. The Campaign reached its goal in March 2009 and the new broadcast center opened to the public in May 2009.



*Credit Cheryl Senter*

/

The lobby of our new offices at 2 Pillsbury Street

A challenge grant from the Kresge Foundation in the final phase of the campaign required a 4:1 match or \$1 million - a challenge that was awarded and successfully met in the final six months of the campaign. Part of the campaign included an on-air drive inviting all listeners to become a part of establishing NHPR's future. For every \$50 contribution, donors could have a name listed on our Every Listener Donor Wall, now on display at our broadcast facility.



*Credit Cheryl Senter*

/

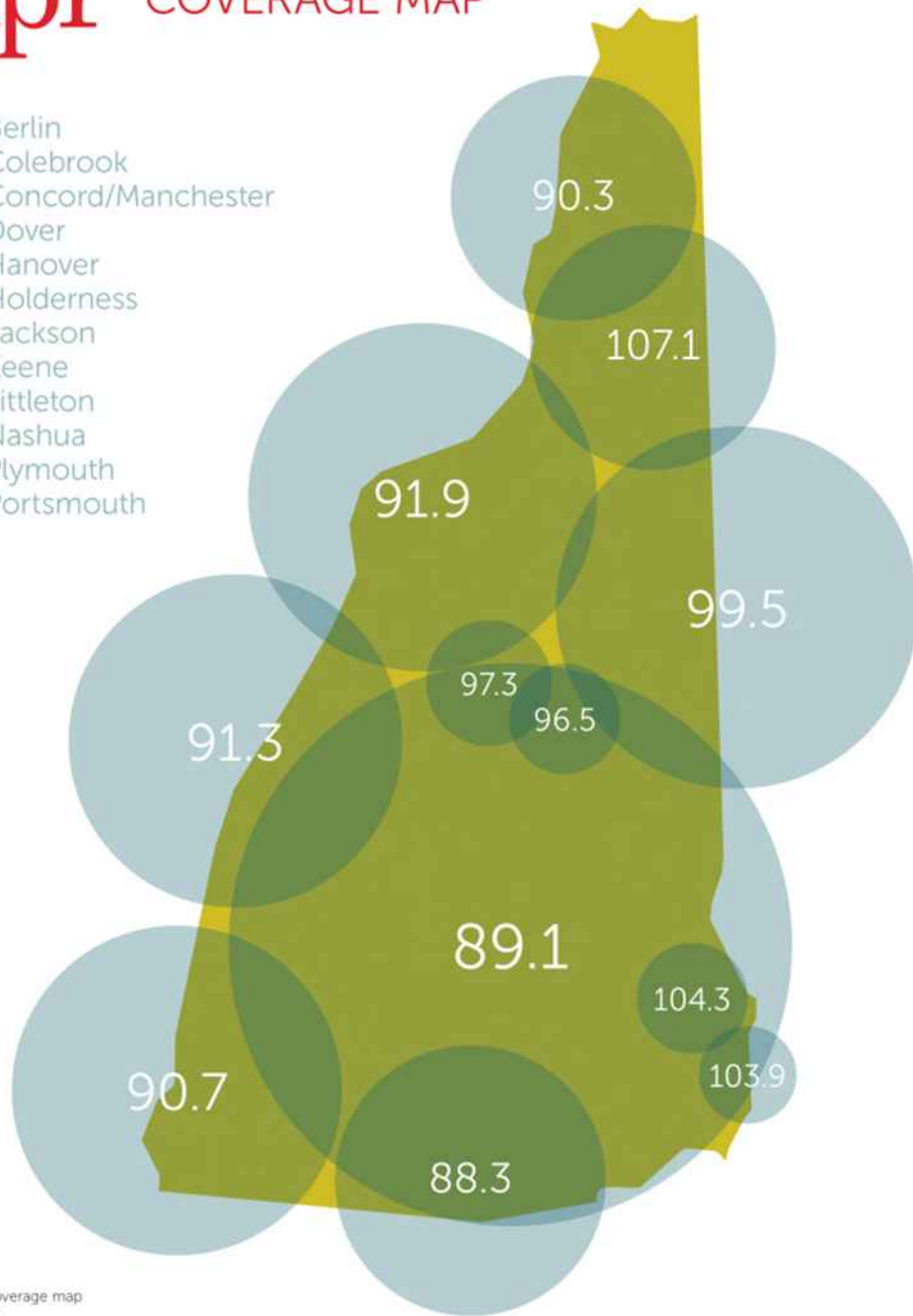
The new production and broadcast center at 2 Pillsbury Street in Concord's South End was built using the highest technical standards. Purchased in 2006, and construction began on the 6th floor in June of 2008. The first broadcast from our new studios was on December 15, 2008 with the rest of the staff moving into the space on December 21st. The new broadcast center includes six state-of-the-art recording studios, space for 50 full and part time staff, and unfinished space for room to grow. [See photos of NHPR's broadcast facility](#)

## **Service Area**

NHPR broadcasts across New Hampshire on eight transmitters and four translator stations. [View NHPR's frequencies](#)

# nhpr COVERAGE MAP

107.1	Berlin
90.3	Colebrook
89.1	Concord/Manchester
104.3	Dover
91.3	Hanover
96.5	Holderness
99.5	Jackson
90.7	Keene
91.9	Littleton
88.3	Nashua
97.3	Plymouth
103.9	Portsmouth



Official engineering coverage map  
available upon request.

NHPR also provides live streaming of its programming  
online. [Listen online now](#)



NHPR also offers audio podcasts of its locally-produced stories and programs. [Learn more about podcasts](#)

---

## History of New Hampshire Public Radio

In August, 1981, WEVO began broadcasting in the Concord-Manchester area. Originally known as Granite State Public Radio, the reach and level of service of the station has grown over the past 30 years. In 1981, the station had 500 members; today it has nearly 18,000. In 1981, there was a single station; today, NHPR operates eight transmitters and four translators. Its signal can be heard in almost every corner of the state. Since 1991, NHPR has been broadcasting 24 hours a day, seven days a week.

NHPR is committed to bringing the different regions of this state together. We strive to include everyone in the conversation, and continue to bring in new listeners both on-air through new signals in the North Country and online by expanding content for on-demand access. We believe that the more each of us knows about the daily realities of our fellow residents, the more able we will be to pull in unison to solve our common problems and improve our communities.

### *40 Years of Great Radio, a Historical Timeline*



Sara Plourde

/

## **1977:**

- The New Hampshire Radio Research Project is started by groups at Keene State College and the University of New Hampshire to study the feasibility of building a listener-supported, independent, public radio station serving the state.

## **1979:**

- Fifty New Hampshire citizens form a steering committee to create New Hampshire's own public radio station. Granite State Public Radio (GSPR) is incorporated.

## **1981:**

- August 4th – WEVO (Granite State Public Radio) signs on the air with its inaugural broadcast. The first year's budget was \$182,601, and our membership base stands at 500 members. GSPR is the only source for NPR programming and news in New Hampshire.

## **1983:**

- The Nashua translator is launched to improve reception in the area.

## **1984:**

- 28 February – GSPR airs its first live Presidential Election Night coverage.

## **1985:**

- *New Hampshire Daily* broadcasts its first program, with host Bill Boynton. The half-hour program is WEVO's first attempt at a daily news program.

## **1986:**

- *Challenger* space shuttle disaster; New Hampshire mourns the death of Concord school teacher Christa McAuliffe.

#### **1989:**

- July - WEVO begins broadcasting *Car Talk* on Saturdays at 10 a.m.

#### **1990:**

- The station launches a capital campaign to build a new broadcast center and office space. Mark Handley is hired as the station's third president and general manager.
- August – NHPR starts covering events relating to the Gulf War.

#### **1991:**

- April—GSPR moves into its new headquarters at 207 North Main Street in Concord and changes its name to New Hampshire Public Radio (NHPR). The staff is comprised of 15 employees, including five news reporters and editors.
- *Fresh Air's* Terry Gross hosts NHPR's 4th Annual Thank You event at the Dana Center at St. Anselm College in Manchester.

#### **1992:**

- NHPR further expands its statewide network by launching the Dover translator and the WEVH Hanover transmitter, expanding NHPR's reach throughout the state.

#### **1993:**

- NHPR begins broadcasting to Keene and the Monadnock region of southwest New Hampshire on WEVN.
- Summer - NHPR holds its first Summer Car Raffle, which will become an annual fund raiser for the station.

## **1994:**

- NHPR's Board of Trustees undertakes a year-long effort to shape the future of this state network. It calls for increased local news and information programming serving the people of New Hampshire, expanded signal coverage to all regions of the state, and utilization of new technologies that can facilitate additional service for listeners.

## **1995:**

- NHPR hires former NPR reporter Laura Knoy and launches *The Exchange*, a weekday talk show focusing on issues most relevant to New Hampshire listeners.

## **1996:**

- NHPR goes online at [www.NHPR.org](http://www.NHPR.org), utilizing the web to deliver news content.

## **1997:**

- NHPR's audience hits 100,800 weekly listeners.

## **2000:**

- WEVC Berlin and a Littleton translator deliver NHPR to the North County.

## **2001:**

- September 11 –NHPR airs continual coverage regarding the events of 9/11. *The Exchange* hosts a special call-in program in the afternoon, hosted by Laura Knoy.

## **2002:**

- NHPR begins broadcasting to the Mount Washington Valley from WEVJ in Jackson.

#### **2004:**

- NHPR's staff totals 41 full time employees, including a news staff of 22 professionals.
- 29 February – Highland Broadcasting launches WCNH, Classical New Hampshire, in Bow, NH; a classical music service for the Capital region.

#### **2005:**

- Betsy Gardella, formerly of WNYC and American Public Media, is hired as President and CEO.
- The Music Hall, Portsmouth's historic theater, and NHPR partner together to bring prominent writers to New Hampshire. In a form of intimate literary conversations, *Writers on a New England Stage* brings to listeners some well-known writers, including Susan Eisenhower, Jared Diamond, Jennifer Egan, Dan Brown, and many others.

#### **2006:**

- April – NHPR's longtime announcer Dan Colgan lends his voice to the HBO phenomenon, *The Sopranos*. Colgan's voice appears in episode 73 "Johnny Cakes", which features a NH-focused plot line.
- August – 25th Anniversary of NHPR's first on-air broadcast.
- October - Announcement of the Campaign for New Hampshire Public Radio, 21st Century Radio for the Granite State. Space for a new broadcast center is purchased.

#### **2007:**

- Colebrook translator goes on the air.
- July - NHPR hosts the StoryCorps Mobile Booth outside the Capital building on Main Street, Concord. From this visit, NHPR aired 15 short form pieces featuring the voices of New Hampshire residents.

## 2008:

- WEVO upgrades to a new transmitter.
- February - NHPR launches *Word of Mouth* with host Virginia Prescott; the program will ultimately enjoy a nine-year run, concluding in 2017.
- December 15 – first broadcast from new broadcast center, as the station moves from 207 North Main Street to 2 Pillsbury.

## 2009:

- March – the Campaign for New Hampshire Public Radio, 21st Century Radio for the Granite State successfully meets a Kresge Challenge Grant for a new broadcast center
- June - NHPR hosts the StoryCorps Mobile Booth on Main Street, Berlin. From this visit, NHPR airs 19 short form pieces, and produces one hour-long documentary featuring the voices of New Hampshire residents.

## 2010:

- NHPR launches an iPhone and iPad app, allowing listeners to continue to take NHPR with them wherever they go.

## 2011:

- Expansion continues in the North Country with the launch of the full power transmitter WEVF 90.3 Colebrook and 91.1 Littleton.

## 2012:

- February – NHPR's coverage of the New Hampshire Presidential Primary is carried by many stations across the country.
- NHPR and *Stay Work Play*, a NH-based nonprofit that helps the state to attract and retain young workers, begin an ongoing relationship and work together to promote the Granite State to the younger population.

## 2013:

- NHPR establishes an ongoing partnership with the University of New Hampshire Franklin Pierce School of Law in Concord, bringing nationally renowned journalists to New Hampshire as part of the *Justice and Journalism* series. Future guests include Tamara Keith, Mary Louise Kelly, David Folkenflik, and more.

#### 2014:

- August – NHPR assumes daily operations of WCNH, a classical music service primarily servicing the Concord area.

#### 2015:

- October - *State of Democracy*, NHPR's second standalone app launches. The app focuses on political news from New Hampshire.
- November 13 – *10-Minute Writers Workshop* drops its first podcast episode. The podcast offers a peek into how great writers conjure and craft their work, and get their thoughts to paper. Ultimately, the podcast ran for more than two years and dropped 60 episodes.
- NHPR launched *The Campaign for Innovation*. The initiative accelerated NHPR's investment in news, information, arts and culture, and environmental reporting and programming. Donors invested more than \$5 million in these initiatives, making possible expanded coverage of issues important to our state, as well as the creation of innovative content such as podcasts, digital and multi-platform resources.
- December 1 – *Outside/In* drops its first podcast episode, building on the promise of the Innovation Campaign's commitment to environmental programming. The program, hosted by Sam Evans-Brown, focuses on the natural world and how we use it.

#### 2016:

- January 28 – NHPR commemorates 30 years since the break-up of the space shuttle *Challenger*. Jim Van Dongen was news director for NHPR at the time, and he joined *Morning Edition* to talk about what it like was to cover the disaster. Hosts commemorated a local school teacher Christa McAuliffe, her life, achievements and the tragedy.
- July – For the first time, NHPR reporters are sent to the Republican and Democratic National Conventions to cover the NH delegations. Josh

Rogers and Casey McDermott (respectively) file stories and facilitate live two-ways during the conventions.

October:

- NHPR wins five Granite Mic awards from the New Hampshire Association of Broadcasters, including the *Above and Beyond* Merit Award for the station's long time Operations Manager, Dan Colgan.
- NHPR becomes one of eight public media stations as part of the New England News Collaborative (NENC), a project established with a grant from the Corporation for Public Broadcasting. A new New England-based weekly show *NEXT* comes on air, powered by the NENC.

**2017:**

- January 22 – *Civics 101* drops its first weekly podcast episode. The podcast about the basics of our democracy will become an NHPR staple.
- NHPR Reporter Todd Bookman travels to Mexico City for a specialized radio workshop pertaining to trade, business, and the issues impacting immigrant communities.
- NHPR's reach soared to an all-time high of more than 190K weekly listeners. In addition, on NHPR.org, monthly page views averaged nearly 450,000, and monthly unique users averaged 200,000.

**2018:**

March:

- Longtime NHPR Series *Something Wild* celebrates 20 years of exploring New Hampshire's wild places.
- NHPR wins a National Murrow award for Overall Excellence (Small Market station). The Overall Excellence Award looks at the full breadth and depth of what news organization is producing on a daily basis: newscasts, breaking news, continuing coverage, features reporting, and digital and online presence. NHPR was also named the Small Market Radio National Overall Excellence winner in 2017, and 2015.



April:

- NHPR Reporters Sam Evans-Brown and Hannah McCarthy accepted an Overseas Press Club Award for International Environmental Journalism in New York City, for *Powerline*, a four-part series billed as “who has power, who wields it, and when you’ve got none...how do you take it?”
- September – NHPR celebrates the conclusion of the successful Innovation Campaign, at the LaBelle Winery. Donors generously invested more than \$5.14 million in community journalism initiatives, making possible immediate expanded coverage of issues important to New Hampshire as well as creation of innovative content such as podcasts and other digital resources.

October:

- National NPR program *1A* broadcasts live from New Hampshire. Two days of live broadcasts included interviews with local newsmakers and issues of importance to New Hampshire residents, plus a public event at the Capitol Center for the Arts in Concord with *1A* host Joshua Johnson.
- *Bear Brook* podcast launches; the podcast will go on to be NHPR’s most popular podcast ever with more than 17.4 million downloads.
- NHPR announces the retirement of President/CEO, Betsy Gardella.

**2019:**

- May – NHPR launches *Supervision* – a four-episode podcast about the challenges former inmates face navigating new lives, through the perspective and personal story of one former prisoner.
- June – NHPR is the winner of three first-place awards from the Public Radio News Directors Incorporated (PRNDI).
- August 15 – *Patient Zero* drops its first podcast episode. The team behind *Outside/In* explored one of the most enigmatic epidemics of the 21st century, Lyme Disease. A series of additional broadcast episodes will ultimately air in May 2020.
- September 11 - *Stranglehold* drops its first podcast episode. Investigating New Hampshire’s status as “first in the nation” for the presidential primary, describing the history, the politics, and the advantages and the disadvantages of this status

- October 15 – Jim Schachter named President & CEO of New Hampshire Public Radio. Schachter comes to New Hampshire from the nation’s largest public media station, WNYC.

## 2020:

- NHPR joins The Granite State News Collaborative, a statewide multimedia news collaborative where newsrooms across the state work on coordinated reporting projects and shared engagement activities.

## March:

- In response to the COVID-19 emergency NHPR staff moves to a largely work from home model, with the exception of a select few employees who continue to broadcast from the station and maintain technical capabilities.
- NHPR launches a new statewide call-in program *New Hampshire Calling*, a response to the COVID-19 pandemic, offering a place for listeners to share stories.
- April – NHPR begins a new Spanish-language audio newscast *¿Qué Hay de Nuevo, New Hampshire?*, the first such offering in the state to serve the Spanish-speaking community.
- May – NHPR has its first fully-virtual Community Advisory Board meeting.

## July:

- NHPR launches a climate reporting project, *By Degrees*.
- NHPR’s longtime Summer Raffle fundraiser has its most successful year ever, as thousands make generous donations to support public radio in New Hampshire.

## October:

- *The Exchange* celebrates its 25 Anniversary.
- NHPR’s newsroom launches a new narrative storytelling unit, called *Document*.

November:

- Beginning immediately after Election Day, and through the 100 days ending in January 2021, NHPR's [award-winning](#) podcast [Civics 101](#) answers questions from listeners, teachers, students, and readers on a near-daily basis. The team produces timely information for educators, students and anyone interested in the foundations of U.S. democracy and our political institutions, by making usable and understandable content that spans broadcast, on-air and digital platforms.

**2021:**

January:

- NHPR Membership totals 24k+ members
- NHPR becomes a part of Report for America (RFA), with a reporter to cover southern New Hampshire and its Latino communities expected to start in summer 2021.
- The Corporate Support department grows its clientele to more than 400 corporations, small businesses, nonprofits, cultural institutions, and other organizations.

June:

- After 25 memorable years as host of NHPR's weekday talk show, *The Exchange*, Laura Knoy leaves NHPR; *The Exchange* team says their goodbyes on the final show.
- NHPR is honored with the 2021 Greater Public Benchmarks for Public Radio Fundraising Award.

August:

- NHPR celebrates its 40 year anniversary; August 4 marks 40 years since the station's first broadcast.
- NHPR's Communications & Marketing team named a finalist for a Grand Prize of Nonprofit Communications Team of the Year in *PR Daily's* 2021 Nonprofit Communications Awards.

## Latest Stories



### [Politics](#)

[Officials eye new close date for New Hampshire youth center](#)



### [NH News](#)

[Colombian dance steps take the stage at Concord's Multicultural Festival](#)



### [NH News](#)

[Community power programs get one step closer to launch](#)



### [NH News](#)

[N.H. wants to get vaccine vans rolling again, as new COVID boosters arrive](#)

**You make NHPR possible.**

NHPR is nonprofit and independent. We rely on readers like you to support the local, national, and international coverage on this website. Your support makes this news available to everyone.

Give today. A monthly donation of \$5 makes a real difference.

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  - [WEVJ](#)
  - [WEVN](#)
  - [WEVO](#)
  - [WEVQ](#)

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## EXHIBIT 5



**nhpr**

News from New Hampshire and 

Show Search

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NHPR

**The Takeaway**

All Streams

- [NEWS/NOTICIAS](#)
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**[MAKE A SUSTAINING GIFT TODAY AND IT WILL BE MATCHED DOLLAR-FOR-DOLLAR. PLUS, YOU'LL BE ENTERED INTO A DRAWING FOR A TRIP FOR 2 TO NEW ORLEANS!](#)**

## Underwriting & Business Support

Underwriting on NHPR places your product or service in a unique position by clearly separating your name from the clutter inherent in commercial advertising. Just as you, the underwriter, *supports NHPR* -- our loyal listeners will *support you*. About 88% of NPR listeners say their opinion of a company is more positive when they discover the company supports public radio.

If your organization provides a service or product for an intelligent, loyal customer who is educated, affluent and has discretionary income, then this is



the right avenue for you to use. Our team can create marketing plans for all levels of businesses and non-profits. Whatever amount you invest, know that your dollars will reach audiences that are truly listening.

**NOTE: IF YOU ARE A BUSINESS OWNER WHO WANTS TO SUPPORT NHPR'S JOURNALISM RIGHT NOW, [CLICK HERE TO EMAIL TIM BRADY](#), OUR DIRECTOR OF CORPORATE SUPPORT.**

## **WHO IS NEW HAMPSHIRE PUBLIC RADIO?**

New Hampshire Public Radio is a statewide multi-platform network bringing award-winning local content, national and international news, and superlative cultural programming to all corners of New Hampshire; the bordering regions of Maine, Massachusetts, and Vermont; and beyond.

NHPR is broadcast from 14 different sites, making it by far New Hampshire's largest (and only) statewide radio news service. Our reach extends from the Canadian border, to the Seacoast to the Connecticut River Valley, and all points in between and beyond (with some listenership in adjoining states). Our award-winning and experienced team of news reporters, producers, hosts and editors is best suited to provide timely, contextual and relevant information to an audience hungry for news, information and connectivity. In addition, national and international news from our partners at NPR and the BBC World Service round out our coverage with important national and global perspectives. Loyal listeners also turn to long running public radio favorites like the news quiz show *Wait Wait...Don't Tell Me!*, the weekday magazine program of contemporary art and issues *Fresh Air*, and in-depth business coverage from *Marketplace*.

Every week, NHPR is the choice of 147,750 listeners as a primary source of in-depth and intelligent news coverage, with thousands more viewing NHPR.org, following our social media sites, or listening to our podcasts.

## **WHO MAKES UP OUR AUDIENCE?**

Our audience is one that is richly populated with business owners, community leaders and discerning consumers. NHPR listeners are educated, affluent, and engaged – much more so than the general population. They have an annual buying power of \$10 billion. And they are loyal: a wide majority of public radio listeners hold more favorable opinions of and are more likely to patronize businesses that support public radio through underwriting and sponsorships.

For more demographic information, [e-mail Tim Brady](#) or call [\(603\) 223-2470](tel:6032232470).

## **WHERE CAN YOU FIND US?**

Just about everywhere! NHPR is accessible on-air, online and in your community. In addition to reaching radios across the state...

- Typically, NHPR is out in the community holding news and cultural-related events and meeting listeners. [We expect our robust calendar of community engagements to resume after the coronavirus pandemic threat is concluded and it is deemed safe to do so.]
- We maintain an Edward R. Murrow Award-winning news site, as well as a companion app, on which anyone can stream our live broadcast, be they in their backyard or across the globe
- Our daily and weekly email newsletters deliver the week's most important NH news directly to listeners' inboxes.

## **WHO UNDERWRITES WITH NHPR?**

From small Main Street boutiques, leading cultural organizations throughout the state, to multi-state financial institutions, more than 400 business leaders choose to sponsor NHPR each year, encompassing companies of all sizes and categories. As an NHPR sponsor you will be in the company of New Hampshire's leading businesses and cultural and nonprofit organizations.

[\*\*Click here for a full list of sponsors.\*\*](#)

For a media kit and to learn more about marketing your business on NHPR, [e-mail Tim Brady](#) or call [\(603\) 223-2470](#).

## **Latest Stories**



### **Politics**

[Officials eye new close date for New Hampshire youth center](#)



### **NH News**

[Colombian dance steps take the stage at Concord's Multicultural Festival](#)



### **NH News**

[Community power programs get one step closer to launch](#)



### **NH News**

[N.H. wants to get vaccine vans rolling again, as new COVID boosters arrive](#)

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## EXHIBIT 6

# Corporate Support / Underwriting Media Kit



**nhpr**  
NEW HAMPSHIRE PUBLIC RADIO

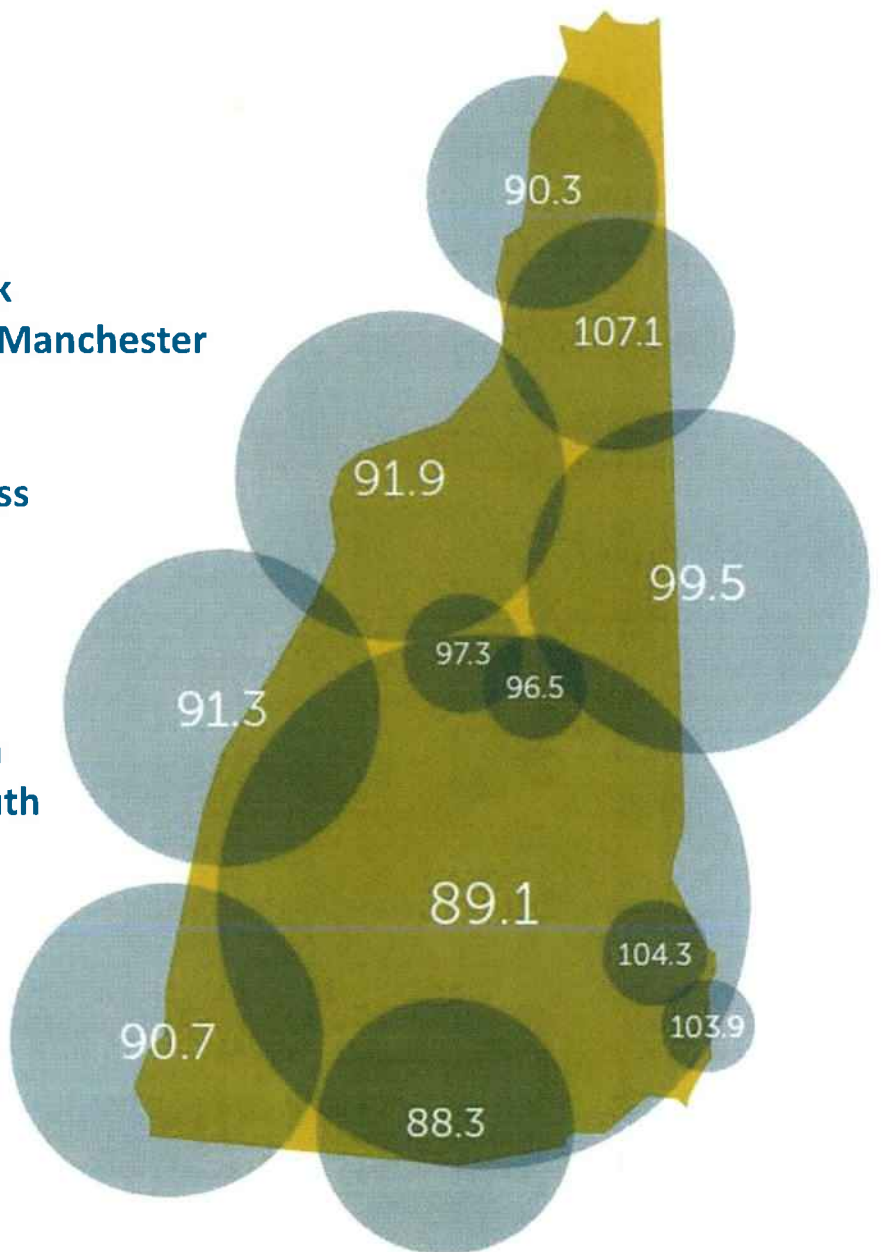
Corporate support information at [tbrady@nhpr.org](mailto:tbrady@nhpr.org) or call [\(603\) 223-2470](tel:6032232470).





NHPR is a statewide network of twelve stations reaching 151,500 listeners every week. These listeners rely on NHPR for quality, in-depth, balanced news and information they cannot find anywhere else - New Hampshire news reported by NHPR's award-winning news department and national and international news from NPR and the BBC.

107.1	WEVC	Berlin
90.3	WEVF	Colebrook
89.1	WEVO	Concord/Manchester
104.3	WEVO*	Dover
91.3	WEVH	Hanover
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90.7	WEVN	Keene
91.9	WEVQ	Littleton
88.3	WEVS	Nashua
97.3	WEVO*	Plymouth
103.9	WEVO*	Portsmouth





## Editorial Staff



Daniel Barrick, News Director

Cori Princell, Managing Editor

Rebecca Lavoie, Digital Director



## Awards

NH Press Association Excellence in Journalism Contest: 9 First place Awards for 2020 reporting



National Edward R. Murrow Awards: Overall Excellence

PRNDI Awards: First Place: Enterprise/Investigation (*Powerline*), News Feature, Sports Feature; Second Place: Best Multi-Media Presentation (*Powerline*), Best Use of Sound, Best Writing



Overseas Press Club  
Award: *Powerline* series, *Outside/In*



Regional Edward R. Murrow Awards: Overall Excellence, Excellence in Innovation (*Civics 101*), Investigative Reporting, Sports Reporting



## Our Audience

NHPR and public radio attracts loyal listeners and supporters from all walks of life. They tend to be highly educated, intellectually curious, culturally passionate, and concerned about the issues facing their communities and the world at large. Compared to the overall US population, public radio listeners are...

- 260% more likely** to have an advanced degree
- 75% more likely** to have a household income of \$100K+
- 94% more likely** to be business owners or partners
- 100% more likely** to lead management, business or financial operations
- 97% more likely** to attend arts & cultural events
- 193% more likely** to be influential within their communities

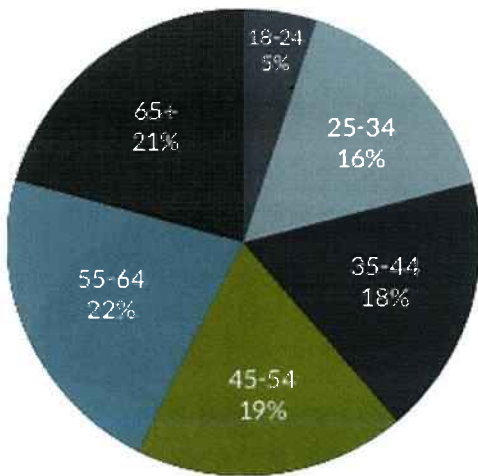
## Attitudes About Public Radio & Corporate Sponsors

The high opinion listeners have of public radio tends to rub off on the companies who sponsor it - we call this "the halo effect."

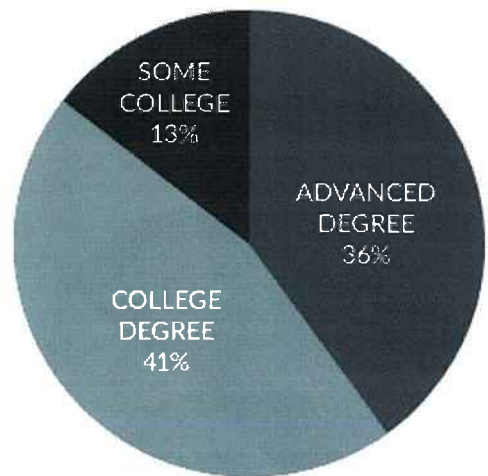
- 86%** of listeners consider public radio "personally important" to them
- 87%** of listeners discuss public radio content with their friends, family and colleagues
- 71%** of public radio listeners hold a more positive opinion of a company when they learn it supports public radio
- 70%** of public radio listeners prefer to buy products and services from companies that support public radio, when price and quality are equal
- 56%** of listeners surveyed believe companies that sponsor public radio are more credible than those that advertise on commercial radio
- 83%** of public radio listeners have taken direct action as a result of sponsorship, acting on the preference to do business with partners of their station

# DEMOGRAPHICS

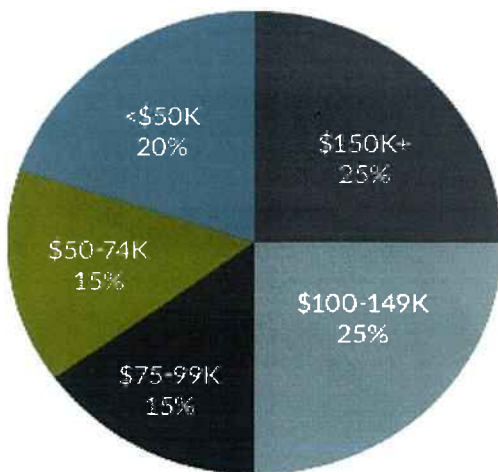
## AGE



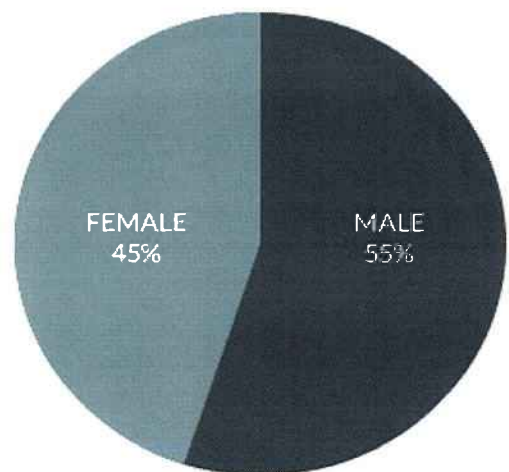
## EDUCATION



## HOUSEHOLD INCOME



## GENDER



Data Sources: NPR Profile, GFK Doublebase, 2016; NPR State of Sponsorship Survey, Lightspeed Research, 2017



## Program Schedule - Effective 8/27/21

### Weekdays

5 - 10 a	<i>Morning Edition</i> <i>Marketplace Morning Report</i> 6:52/8:52 am <i>Something Wild/Outside in box</i> (alternating weeks) Friday 6:45/8:45am
10 am – 12N	<i>1A</i>
Noon - 2 pm	<i>Here &amp; Now</i>
2 - 3 pm	<i>The Takeaway</i> (M-Th); <i>Science Friday</i> (Fr)
3 - 4 pm	<i>Fresh Air</i> (M-Th); <i>BBC news</i> (Fr)
4 – 6 pm	<i>All Things Considered</i>
6::30-7pm	<i>Marketplace</i>
7-7:30pm	<i>The World</i>
7:30 - 8 pm	<i>Marketplace PM</i>
8 - 9 pm	<i>The Daily / marketplace replay</i>
9 - 10 pm	<i>Hidden Brain</i>
10 - 11 pm	<i>As It Happens/American Roots Friday</i>
11 p - 5 a	<i>BBC World Service/American Roots Friday</i>

### Saturday

6 – 7 am	<i>Fresh Air Weekend</i>
7 - 8 am	<i>Latino USA</i>
8 - 10 am	<i>Weekend Edition</i>
10 - 11 am	<i>Wait, Wait...Don't Tell Me!</i>
11 am - Noon	<i>It's been a minute</i>
Noon - 1 pm	<i>This American Life</i>
1 - 2 pm	<i>Code Switch</i>
2 - 3 pm	<i>Radiolab</i>
3 - 4 pm	<i>Snap Judgment</i>
4 - 5 pm	<i>The Moth Radio Hour</i>
5 - 6 pm	<i>Weekend All Things Considered</i>
6 - 8 pm	<i>World Cafe</i>
8 - 9 pm	<i>Milk Street Radio</i>
9 - 10 pm	<i>Bullseye</i>
10 - 11 pm	<i>to the best of our knowledge</i>
11 pm - 5 am	<i>BBC World Service</i>

### Sunday

6 – 7 am	<i>Living on earth</i>
7 - 8 am	<i>On Being</i>
8 - 10 am	<i>Weekend Edition</i>
10 - 11 am	<i>On The Media</i>
11 am - Noon	<i>New Yorker Radio</i>
Noon - 1 pm	<i>Wait Wait Don't Tell Me</i>
1 - 2 pm	<i>TED Radio Hour</i>
2 - 3 pm	<i>Hidden Brain</i>
3 - 4 pm	<i>Reveal</i>
4 - 5 pm	<i>BBC News Hour</i>
5 - 6 pm	<i>Weekend All Things Considered</i>
6 - 7 pm Su	<i>Sound Opinion</i>
7 - 10 pm Su	<i>The Folk Show</i>
10pm – 11 pm	<i>BBC Arts Hour</i>
11 pm- 5 am	<i>BBC World Service</i>



## On-Air Message Criteria

The purpose of the underwriting message is to acknowledge a contribution made to New Hampshire Public Radio and to legally identify the underwriter.

Elements of a message may include a contributor's business name and location, telephone number and/or internet address. Additionally, a value-neutral description of a product line or service may be used, as well as a non-promotional logo or slogan.

Elements **prohibited by FCC guidelines** include qualitative or comparative descriptions, mentions of awards, price descriptions, inducements to buy, sell, rent or lease, and any "call to action."

NHPR prohibits any "issue" message, i.e. the expression of views with respect to any matter of public importance, or political ads, i.e. any expression of support or opposition for any candidate for political office.

An on-air underwriting message may be up to ten seconds in length. A message usually consists of twenty words, **not counting the standard preamble**: "Support for NHPR comes from you, our listeners, and from..."

### Examples

"HARVEST CAPITAL, SERVING AS INVESTMENT FIDUCIARIES WITH ITS CLIENTS' BEST INTERESTS IN MIND. MORE AT HARVEST C-A-P DOT COM."

"UPTON AND HATFIELD. SHAPING NEW HAMPSHIRE'S LEGAL LANDSCAPE SINCE 1908. ONLINE AT UPTON HATFIELD DOT COM."

"GRAPPONE AUTOMOTIVE GROUP, PROVIDING THE ABILITY TO GET A NEW OR USED CAR ONLINE WITHOUT STEPPING FOOT IN THE DEALERSHIP. DETAILS AT GRAPPONE DOT COM"

"MERIDIAN CONSTRUCTION, BUILDING STRONG PARTNERSHIPS AND SPECIALIZING IN EDUCATIONAL, HEALTHCARE AND LAKE FRONT CONSTRUCTION PROJECTS FOR WELL OVER TWENTY FIVE < 25 > YEARS. DETAILS AT MERIDIAN N-H DOT COM"

"CONCORD REGIONAL VISITING NURSE ASSOCIATION, PROVIDING A RANGE OF WELLNESS PROGRAMS ON TOPICS SUCH AS AGING, MAXIMIZING INDEPENDENCE, FALLS PREVENTION, AND CAREGIVING. C-R-V-N-A DOT ORG."

*New Hampshire Public Radio reserves the right to exercise complete editorial discretion when determining the format, content, length and scheduling of underwriting announcements. NHPR also reserves the right to reject any announcement which, in our judgment, would violate any FCC policy, fail to serve the public interest, violate station policies or adversely affect the reputation or financial condition of the station.*

# What our underwriters say about NHPR

## **Tim Long, President, Meridian Construction**

*“personally I feel this type of investment is one of the most important ones I’ve been making over the past 5 to 6 years, it’s helped our business grow statewide and everywhere we go people know about Meridian Construction and that has everything to do with the fact that we are on the air with New Hampshire Public Radio “*

## **Dawn Beers, Head of Marketing, Franklin Savings Bank**

*“Franklin Savings Bank has been a supporter of New Hampshire Public Radio for many many years, for us it was important to attract those who choose to live, work and play in the communities we serve”*

## **Lidia West, owner, Goose Bay Lumber**

*‘As a small business we really like to support the community around us and we feel that NHPR is a very important part of New Hampshire’s community, Goose bay is a very small business with limited advertising dollars but with NHPR not only do we reach our customer base but it feels good to be able to support NHPR”*

## **Wendy Beswick, VP Marketing, Service Credit Union**

*“Our mission is to support the communities we serve and that’s so aligned to what NHPR does, New Hampshire Public Radio is all about being in the community, talking to the community and so we feel like its just a great place to get out in front of people who may not know about the credit union”*

## **Dan Weed, Owner, Weed Family Automotive**

*“So choosing NHPR was a rather easy decision for us, I think it comes down to the roots of what you’re doing in the community that you’re in so NHPR is a core part of that community it’s local, it’s small business and family oriented, so I think NHPR is a great place to be”*

# What our listeners say about NHPR

**Kathy from Lee:** Have listened to public radio through moves to several states for more than 40 years. It's been my anchor to understanding of local and wide-reaching news stories. Thank you for being there! Love your programming.

**Jessica from Nashua:** It means a great deal. My husband and I listen nearly every day to get our news, both local and national. Supporting independent journalism is extremely important to us.

**Thomas from Newfields:** NHPR is a terrific service for all of New Hampshire.

**Rhonda from Chester:** NHPR is the voice of reason. It allows me to be informed without causing me to feel overwhelmed or harassed. In fact, many of your stories have inspired me to listen more carefully, read more widely, and speak more thoughtfully. Thank you!

**Jennifer from Portsmouth:** I can always turn to NHPR to learn something new, find out all the important details of what is going on around me on a regional, national, and global scale - and to hear complicated issues be communicated in a way I can understand and get educated about

**Haley from Wolfeboro:** NHPR is my main source of news and information about current events, politics, and what's going on in the world around me. I listen every day!

**David from Bedford:** Great news, laughter, and information more engaged with international issues, climate change, and our republic.

**Derek from Berlin:** The world and back again. NHPR is the light at the start of my day and the dusk that settles on my evening. NHPR is the familiar voice in my ear and that old friend I am always happy to hear from.

**Tracey from Pelham:** It is how I stay informed, learn new things and stay entertained.

**Bill from Canada:** Still supporting while living in Canada, see you again NH in a few years

**Sarah from Plainfield:** NHPR has gotten me through so many hard times. Hearing the same reporters day after day, year after year, means more to me than I can put into words.

# What's New at NHPR local segments available for sponsorship

## Expanded Local Weather Reports

**NHPR will be working with Nashua-based Hometown Forecast Services, Inc. (HFS) to be its source for on-air weather forecasting information. Listeners will hear weather updates throughout the day on NHPR, beginning in *Morning Edition* and continuing into the afternoon and evening with *All Things Considered*.**

**M-F 6:43, 7:43, 8:43, 9:43 AM & 4:48 & 5:48 PM**

## The Weekender

**Each Thursday Morning in Morning Edition NHPR's Community Engagement Reporter Zoey Knox talks with Local Host Rick Ganley about goings on in New Hampshire in the coming weekend**

**Thursdays at 6:45 & 8:45**

## Something Wild/Outside Inbox

**Each Friday Something Wild and Outside inbox alternate with stories about various wildlife, how things in nature work On Something Wild and answers to listeners questions about nature and explanations about the natural World on Outside Inbox**

**Fridays at 6:40 & 8:40**

## Weekly News Recap

**Each week in Morning Edition Rick Ganley talks with reporters and news pundits about the events in the news this week**

**Fridays at 7:45 and 9:45**

## The Business Minute

**Each weekday Local Host of All Things considered Peter Biello covers the business stories of the day in collaboration with our partners at New Hampshire Business Review**

**M-F at 4:18PM & 6:18 PM**



Your Stories Are Our Story

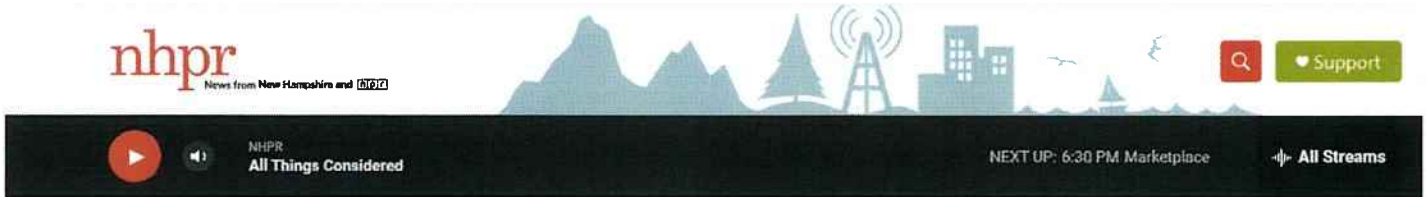
**NHPR Celebrates Milestone  
40th Anniversary**





# On-Demand Audio with NHPR Livestream

On NHPR.org – tablets – smart phones – smart speakers



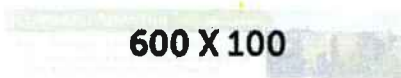
NEWS/NOTICIAS ▾ NEWSLETTERS ▾ PROGRAMS/PODCASTS ▾ LISTEN/ENGAGE ▾ ABOUT NHPR ▾ SUPPORT ▾

142,000 monthly unique listeners & **333,422** listening sessions

**15-second** audio preroll AND **300 x 250** px banner

**Media accepted:** PNG, JPG, GIF (non-looping) images

## NHPR E-MAIL NEWSLETTER



ABOVE THE FOLD



New Hampshire Reacts to Comey's testimony  
Speaking to NHPR hours after the former FBI Director took the stand on Capitol Hill, Sen. Jeanne Shaheen said, "Comey's descriptions of President Trump's behavior were 'very troubling.'"

Opt-in audience of **41,000**

**24.2%** average open rate

**600x100** px banner

**Media accepted:** PNG, JPG, GIF (non-looping) images

### NHPR Newsletters:

The Rundown: Top NH stories

By Degrees: Climate Change News

Primarily Politics - A newsletter for politics and policy junkies!

Engagement: Connect With NHPR

The NHPR Weekender - Find out what's happening in NH!

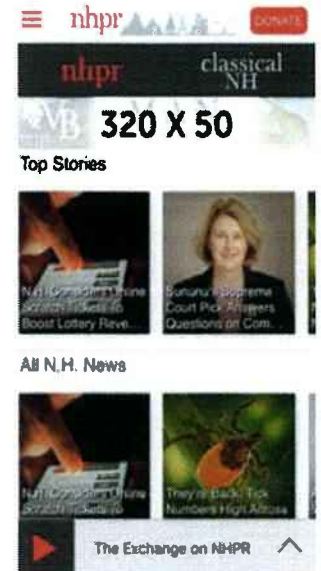


## Web & Apps

NHPR.ORG



NHPR.ORG MOBILE & IPHONE/ANDROID APP



542,586 unique visitors  
1,31 Million page views per month  
300x250 px tile or 728x90 px leaderboard  
Page sponsorship available  
Media accepted: PNG, JPG, GIF (non-looping) images; third-party (client or agency responsible for providing backup if third-party tag doesn't work)

61% of all web traffic  
320x50 px banner  
Media accepted: PNG, JPG, GIF (non-looping) images; third-party (client or agency responsible for providing backup if third-party tag doesn't work)

# nhpr

ClassicalNH



New Hampshire Public Radio, with dedicated support from community members and businesses, is proud to make classical music available in the Capital Region through our service ClassicalNH.

In addition to uninterrupted music during the day, ClassicalNH broadcasts performances by Symphony NH, the Metropolitan Opera, the Boston and San Francisco Symphony Orchestras, and the New York Philharmonic.

**WCNH 90.5 FM serving Central New Hampshire via Live Stream**

**TIM WRIGHT**  
CORPORATE RELATIONS REPRESENTATIVE

twright@nhpr.org  
tel 603.223.2469  
cell 603.731.0870  
🐦 timothywright1

NEW HAMPSHIRE PUBLIC RADIO



3/1/20

Pricing Guide- rates are subject to change, quoted NET to station

By show:

- Monday – Friday Drive Time programs like *Morning Edition* and *All Things Considered* \$79-\$93 per message depending on length of schedule
- Mid Day and early evening programs like *1-A* and *Here and Now* and \$49- \$58 per message depending on length of schedule.
- Saturday Morning programming Like *Weekend Edition*, *Wait Wait don't Tell me* \$71-\$83 per message depending on length of schedule.
- Other weekend programming will range from \$30-\$70 depending on the show and and length of schedule

Price breaks are offered with longer term commitments (5% off for 13 week, 10% off for 26 week and 15% off for annual commitments reflecting the differences above).

Rotating Message Plans: good value and popular with our underwriters.

"Premium Plan" rotating messages ( 50% Prime Drive Time guaranteed placement). Rates for premium plan messaging range from Mid \$50's to Mid \$40's depending on weekly frequency and duration of schedule.

"Frequency Plan" Rotating messages (25% Drive Time guaranteed placement). Frequency plan has message prices ranging from Low \$40's to high \$30's per message depending on weekly frequency and duration of schedule.



NHPR also offers a variety of digital exposure opportunities, here's some pricing:

- 1- NHPR.org Banners, in 2 sizes. 728 x 90 *leaderboard* at top of page and 300 x 250 *Big ads* along side of page. Cost is \$10 per thousand Impressions.  
Ex: 50,000 monthly impressions = \$500
- 2- Mobile/App Banners size 320 x 50, sold as share of voice per month with a minimum of 50,000 impressions per month Guaranteed. Cost is \$750 per month subject to availability
- 3- Live Stream Sponsorship –includes :15 Pre-roll message on NHPR.org and mobile plus a 300 x 250 Banner on NHPR.org . sold as Share of Voice at \$1000 per month
- 4- Opt in Weekly newsletter banners size 600 x 100. Approx. 35,000 subscribers, high open rates. \$85-\$95/week

*Digital exposure subject to inventory availability*

**NEW HAMPSHIRE PUBLIC RADIO**

Rates Effective 2.1.20

**PREMIUM PLAN**

50% Guaranteed Placement in Drivetime- 5:30-10AM & 3-7PM- Monday- Friday; Sat 8-10AM.

Messages/Week	Under 13 Weeks	13-25 Weeks	26-51 Weeks	52 Weeks
24	\$51.00	\$50.00	\$48.00	\$46.00
20	\$52.00	\$51.00	\$49.00	\$47.00
12	\$53.00	\$52.00	\$50.00	\$48.00
8	\$54.00	\$53.00	\$51.00	\$49.00
Under 8	\$55.00	\$54.00	\$52.00	\$50.00

**FREQUENCY PLAN**

25% Guaranteed Placement in Drivetime- 5:30-10AM & 3-7PM- Monday- Sunday

Messages/Week	Under 13 Weeks	13-25 Weeks	26-51 Weeks	52 Weeks
24	\$38.00	\$37.00	\$35.00	\$33.00
20	\$39.00	\$38.00	\$36.00	\$34.00
12	\$40.00	\$39.00	\$37.00	\$35.00
8	\$41.00	\$40.00	\$38.00	\$36.00
Under 8	\$42.00	\$41.00	\$39.00	\$37.00

**ROS**

Mon-Sunday 5AM-12M

Messages/Week	Under 13 Weeks	13-25 Weeks	26-51 Weeks	52 Weeks
24	\$34.00	\$33.00	\$31.00	\$29.00
20	\$35.00	\$34.00	\$32.00	\$30.00
12	\$36.00	\$35.00	\$33.00	\$31.00
8	\$37.00	\$36.00	\$34.00	\$32.00
Under 8	\$38.00	\$37.00	\$35.00	\$33.00

**NON PROFIT RATE**

<13 weeks

PREMIUM	\$46.00	\$45.00		
FREQUENCY PLAN	\$34.00	\$33.00		

Program Specific rates do not qualify for the above rates

All Rates are NET to station

## EXHIBIT 7





Show Search

 Search Query

[Support](#)

NHPR

## The Takeaway

All Streams

- [NEWS/NOTICIAS](#)
- [NEWSLETTERS](#)
- [PROGRAMS/PODCASTS](#)
- [LISTEN/ENGAGE](#)
- [ABOUT NHPR](#)
- [SUPPORT](#)

[MAKE A SUSTAINING GIFT TODAY AND IT WILL BE MATCHED DOLLAR-FOR-DOLLAR. PLUS, YOU'LL BE ENTERED INTO A DRAWING FOR A TRIP FOR 2 TO NEW ORLEANS!](#)

# NHPR News Code of Ethics

## I. Introduction

NHPR's code of ethics is nearly identical to a code adopted by National Public Radio in 2004. The material in this code was drawn from a number of sources, including the ethics codes of other news organizations including *The New York Times*, *Washington Post*, *Los Angeles Times*, *Dow Jones*, Society for Professional Journalists, American Society of Newspaper Editors, the CBC and CNN. Many of the provisions in this ethics code are in theirs as well and

there are even some instances where we have adopted the same language from the others because their wording was just right.

## **II. Statement of Purpose**

Credibility.

As a news organization we are always testing and questioning the credibility of others. We have to stand that test ourselves.

The purpose of having a code of ethics and practices is to protect the credibility of NHPR news programming by ensuring high standards of honesty, integrity, impartiality and conduct of staff. We accomplish this by (a) articulating the ethical standards we observe in pursuing and presenting stories, (b) setting rules and policies that prevent conflicts of interest, (c) establishing guidelines for outside work and activities that may reflect on NHPR, and (d) establishing policies and procedures to ensure that the activities of NHPR that fall outside journalism - corporate underwriting, foundation funding, marketing and promotional activities - do not jeopardize our journalistic independence or involve NHPR reporters, editors, hosts or producers in activities inappropriate to their role as journalists.

## **III. Who and What is Covered**

This code covers all NHPR journalists, defined as employees who report (including hosts and newscasters), edit or produce news programming. It also covers all senior news managers. The code applies to all platforms for NHPR news content, including online.

The code also applies to material provided to NHPR news by independent producers and freelance reporters. NHPR news expects its outside contributors to be free of conflicts of interest on stories they cover, to be fair and accurate, and to pursue stories in a manner consistent with the ethical journalism principles stated in this code. There will be instances where provisions of this code are not applicable to an outside contributor (a freelancer who primarily does arts coverage, for example, may not in some situations be subject to the prohibition on making contributions to political campaigns). Supervisors will make these judgments on a case-by-case basis

and, if necessary, in consultation with the News Director. Because contributors in this category are not NHPR employees, the remedy for dealing with a conflict of interest or other violation of the principles of this code is rejection of the offered material as well as any future story proposals similarly affected by the conflict. As with NHPR news employees, outside contributors must disclose potential conflicts of interest when they accept an assignment or make a story pitch, and NHPR editors must make sufficient inquiries of those persons to satisfy themselves that the contributors have complied with this code.

#### **IV. Statement of Principles**

Our coverage must be fair, unbiased, accurate, complete and honest. As NHPR journalists, we are expected to conduct ourselves in a manner that leaves no question about our independence and fairness. We must treat the people we cover and our listeners with respect.

**Fairness** means that we present all important views on a subject - and treat them even-handedly. This range of views may be encompassed in a single story on a controversial topic, or it may play out over a body of coverage or series of commentaries. But at all times the commitment to presenting all important views must be conscious and affirmative, and it must be timely if it is being accomplished over the course of more than one story.

**Unbiased** means that we separate our personal opinions - such as an individual's religious beliefs or political ideology - from the subjects we are covering. We do not approach any coverage with overt or hidden agendas.

**Accuracy** means that each day we make rigorous efforts at all levels of the news gathering and programming process to ensure our facts are not only right but also presented in the correct context. We make every possible effort to ensure commentaries are correct in assertions of fact.

We attempt to verify what our sources and the officials we interview tell us when the material involved is argumentative or capable of different interpretations. We are skeptical of all facts gathered and report them only when we are reasonably satisfied of their accuracy. We guard against errors of omission that cause a story to misinform our listeners by failing to be

complete. We make sure that our language accurately describes the facts and does not imply a fact we have not confirmed.

**Honesty** means we do not deceive the people or institutions we cover about our identity or intentions, and we do not deceive our listeners. We do not deceive our listeners by presenting the work of others as our own (plagiarism), by cutting interviews in ways that distort their meaning, or by manipulating audio in a way that distorts its meaning, how it was obtained or when it was obtained. The same standards apply to photographs used on NHPR online. Honesty means owning up publicly and quickly to mistakes we make on air.

Treating the people we cover and our listeners with respect means we recognize the diversity of the state and region on which we report, and the diversity of interests, attitudes and experiences of our audience. We approach subjects in an open-minded, sensitive and civil way.

## **V. Conflicts of Interest**

Conducting ourselves in a manner that inspires confidence in us as independent and fair means avoiding actual and apparent conflicts of interest or engaging in outside activities, public comment or writing that calls into question our ability to report fairly on a subject.

A conflict of interest in its simplest dictionary term is a conflict between the private interests and the professional responsibilities of a person in a position of trust. An operative word in this sentence is "trust." All of us are in positions of trust when it comes to both our audience and the people and institutions that we cover. To maintain that trust requires that there be no real or perceived overlap between the private interests and opinions of NHPR journalists and their professional responsibilities.

An employee covered by this code has the responsibility to disclose potential conflicts of interest. Revealing a conflict of interest after an individual has already participated in coverage where such a conflict exists or appears to exist is can be extremely damaging to the reputation of NHPR. NHPR journalists must, at the time they are first assigned to cover or work on a matter, disclose to their immediate supervisor any business, commercial, financial or personal interests where such interests might reasonably be construed as being in actual, apparent or potential conflict with their duties.

This would include situations in which a spouse, family member or partner is an active participant in a subject area that the NHPR journalist covers. In the financial category, this does not include a journalist's investment in mutual funds or pension funds that are invested by fund managers in a broad range of companies. The supervisor will decide whether the interests create an actual conflict of interest or the appearance of a conflict.

In making these decisions, supervisors should feel free to consult with their manager.

## **VI. Outside Work, Freelancing, Speaking Engagements**

The primary responsibility of NHPR journalists is to gather, write, edit or produce news for NHPR and not work in direct competition with NHPR. An example of competing with NHPR would be breaking a story for another news outlet before reporting the story for NHPR.

NHPR journalists must get written permission for all outside freelance or journalistic work. Requests should be submitted in writing to the employee's immediate supervisor. Approval will not be unreasonably denied if the proposed work will not discredit NHPR, conflict with NHPR's interests, create a conflict of interest for the employee or interfere with the employee's ability to perform NHPR duties. Supervisors must respond within seven days of receiving a request.

NHPR journalists may not engage in public relations work, paid or unpaid. Exceptions may be made for certain volunteer nonprofit, nonpartisan activities, such as participating in the work of a church or synagogue or charitable organization, so long as this would not conflict with the interests of NHPR in reporting on activities related to that charity. When in doubt, employees should consult their supervisor.

In general, NHPR journalists may not do outside work for government or agencies principally funded by government, or for private organizations that are regularly covered by NHPR. This includes work that would be done on leaves of absence. There may be instances in which such work will be approved after consultation with the journalist's supervisor.

NHPR journalists may not ghostwrite or co-author articles or books with people they cover, or write reports - such as annual reports - for government agencies, institutions or businesses that we cover.

NHPR journalists must get approval from the Vice President for Development and Communications for speaking to groups that might have a relationship to a subject that NHPR may cover. Generally, NHPR journalists may not speak at corporation or industry functions. NHPR journalists also may not speak in settings where their appearance is being used by an organization to market its services or products, unless it is marketing NHPR or its interests, and then only as permitted in Section IX. NHPR journalists are permitted to engage in promotional activities for books they have written (such as a book tour), although they are expected to get approval from their supervisors on scheduling.

NHPR journalists may only accept speaking fees from educational or nonprofit groups not engaged in significant lobbying or political activity. Determining whether a group engages in significant lobbying or political activity is the responsibility of the journalist seeking permission, and all information must be fully disclosed to the journalist's supervisor.

NHPR journalists may not speak to groups where the journalist's appearance might put in question his or her impartiality. Such instances include situations where the employee's appearance may appear to endorse the agenda of a group or organization.

NHPR journalists must get permission from their supervisor to appear on TV or other media. It is not necessary to get permission in each instance when the employee is a regular participant on an approved show. Permission for such appearances may be revoked if NHPR determines they raise questions about the journalist's impartiality.

In appearing on TV or other media, NHPR journalists should not express views they would not air in their role as journalists on NHPR's programs. They should not participate in shows that encourage punditry and speculation rather than fact-based analysis.

Any NHPR journalist intending to write a non-fiction book or TV or movie script or other guiding documents for non-radio productions based in whole or

substantial part on assignments they did for NHPR must notify NHPR in writing of such plans before entering into any agreement with respect to that work. NHPR will respond within 14 days as to whether it has any objections to the project.

NHPR journalists considering book projects or TV or movie productions based on stories that they have covered must be careful not to give any impression they might benefit financially from the outcome of news events.

## **VII. Personal Gain, Gifts, Freebies, Loaned Equipment or Merchandise, etc.**

NHPR journalists may not accept compensation, including property or benefits of any kind, from people or institutions they cover. NHPR journalists may accept gifts of token value (hats, mugs, t-shirts, etc.). Unsolicited items of significant value will be returned with a letter thanking the sender but stating our policy on gifts. NHPR journalists pick up the check when they can (i.e., they are not wined and dined by sources); NHPR journalists pay for our own travel in accordance with NHPR's travel policy. There are certain instances - such as conferences and conventions - where food is provided as a convenience for the press as a whole, and in such instances it is acceptable to take advantage of this. In addition, NHPR journalists may accept paid travel and meals for speaking engagements and awards ceremonies that are approved under the standards in Section V of this document.

NHPR journalists must conduct themselves at all times in a manner that leaves no grounds for belief, or even the appearance, that information they have gathered on the job has been used for personal gain, financial or otherwise.

NHPR journalists may not use any nonpublic information acquired at work for personal gain, or use their association with NHPR for personal gain. No NHPR journalist may disclose information acquired by NHPR to anyone inside or outside of NHPR if the intent is to use that information for personal or institutional gain. This prohibition does not apply to accepted journalistic practices, such as sharing information as a member of a news "pool."

NHPR journalists pay their own way in news gathering, except in unusual circumstances (like going into battle with the military). The News Director must

approve any exceptions. NHPR journalists may accept free passes to movie screenings, performances or similar activities that are attended for the purpose of doing reviews or stories for the air.

NHPR journalists cannot sell items like books, CDs, etc., that are received at NHPR for review. They belong to NHPR. They may be distributed to staff for their personal use (which may include donations to charities) after they are no longer needed.

NHPR journalists cannot keep any equipment or items of value provided by a company for test-use for story purposes. Such items must be disclosed to the journalist's supervisor and are to be disposed of in accordance with the ethical practices stated in this document, which usually means returning such items to the provider.

## **VIII. Ethical Conduct in Coverage of News**

Plagiarism is an unforgivable offense. NHPR journalists do not take other peoples' work and present it as our own.

NHPR news puts its highest value on firsthand news gathering and confirmation of facts, as opposed to relying on material from other sources (AP, other newspapers and networks, etc.)

NHPR journalists must take special care in the use they make of information from wire service stories, reports by other broadcast news organizations, newspaper clips or articles in other publications. No material from another source other than the Associated Press should ever be included verbatim, or substantially so, without attribution.

When using material from newspaper stories or news websites, NHPR journalists must double-check "facts" and other material gleaned from those stories. Too often, incorrect information is passed down from one news story to another because of the failure of one news organization to get it right. NHPR should never pass on errors in this way.

NHPR journalists are generous in giving credit to other news organizations for stories that demonstrate enterprise or contain exclusive information. If their



story inspires us to replicate it, we should give credit even if we use different sources and materials. If there is any doubt about whether to credit another news organization, the News Director should be consulted.

NHPR journalists must treat the people they cover fairly and with respect. They always keep in mind that gathering and reporting information may cause harm or discomfort, and they weigh that against the importance of the story. NHPR journalists show sensitivity when seeking or using interviews of those affected by tragedy or grief. They show special sensitivity when dealing with children and inexperienced or unsophisticated sources or subjects, or individuals who have difficulty understanding the language in which they are being interviewed.

There are also legal considerations when dealing with minors - anyone under the age of 18. If you interview a minor, you must obtain written or recorded permission from the minor's parent or legal guardian before using the audio. In fact, you cannot identify the minor in any way (by name, description, location, etc.) without permission. Only if the minor is not individually identifiable - for example, the sound of a gaggle of children on a playground - do you not need to get permission. If there are other more routine instances in which a reporter wishes to use audio from a minor who is identified when permission has not been obtained, the reporter's supervisor should consult the station attorney to determine whether that might be permissible.

NHPR journalists think carefully about the boundaries between legitimate journalistic pursuit and an individual's right to privacy. We recognize that private people have a greater right to control information about themselves than do public officials and others who seek power, influence or attention. Only an overriding public need to know can justify intrusion into anyone's privacy.

NHPR journalists make sure actualities, quotes or paraphrases of those we interview are accurate and are used in the proper context. An actuality from an interviewee or speaker should reflect accurately what that person was asked or was responding to. If we use tape or material from an earlier story, we clearly identify it as such. We tell listeners about the circumstances of an interview if that information is pertinent (such as the time the interview took place, the fact that an interviewee was speaking to us while on the fly, etc.). Whenever it's not clear how an interview was obtained, we should make it

clear. The audience deserves more information, not less. The burden is on the NHPR journalist to ensure that our use of such material is true to the meaning the interviewee or speaker intended.

Journalism should be conducted in the open. NHPR journalists do not misrepresent themselves: NHPR journalists disclose who they are and don't pose as law enforcement officials, investigators or other such officials. There will be occasions not to declare our profession but rather to seek information as a member of the public working in places to which the general public has access, such as stores, public buildings, etc.

NHPR journalists do not use hidden microphones, recorders or cameras except in unusual circumstances. Occasionally information that serves an important journalistic purpose, such as in reporting on illegal, antisocial or fraudulent activities, cannot be obtained by more open means. In such circumstances, approval must be obtained before any taping or photographing takes place. NHPR journalists do not record phone calls without permission.

If there is a question of legality in pursuit of a story, NHPR journalists should consult their supervisor. NHPR has lawyers available to assist NHPR journalists. If you have any question about the legality of your conduct, contact your supervisor, who will contact a lawyer.

NHPR journalists do not pay for information from sources or newsmakers. They do not allow sources or interviewees to dictate how a topic will be covered, or which other voices or ideas will be included. They do not agree to submit questions in advance unless a specific instance is approved by their supervisor. If questions are submitted in advance, this will be disclosed in our coverage.

NHPR journalists do not sign non-disclosure agreements, except in the rarest of circumstances. Exceptions to this rule must be approved by the News Director. NHPR journalists respect embargoes on news unless the circumstances surrounding the embargo make adherence to it inappropriate, such as where the information has already surfaced elsewhere or a strong public interest requires the disclosure to place other news in the proper context.

Although NHPR journalists do agree to talk to sources on background when necessary, NHPR's strong preference is to have people on the record. Before any information is accepted without full attribution, reporters should make every reasonable effort to get it on the record. If that is not possible, reporters should consider seeking the information elsewhere.

When reporters quote anonymous sources, the editor or producer of that story has an obligation to satisfy him/herself that the source is credible and reliable, and there is a journalistically justifiable reason to let that person speak without attribution. This obligation also pertains to situations where individuals ask that their real names be withheld. The editor or producer has a twofold responsibility: (1) to make a judgment about whether it is editorially justified to let the person speak anonymously or under cover of a pseudonym or partial description, and (2) to satisfy him/herself that this person is who the piece says s/he is. An editor should never be in the position of having to verify these things after a story has aired and a question is raised about it. If a pseudonym is used, the reporter must disclose this in the story.

When NHPR journalists attribute information in a story to a "source" or "sources," it is assumed that these are the NHPR journalists' sources and that they have obtained the information firsthand. If this is not the case, and the sources are ones quoted by other news organizations, then those sources must be attributed to those other news organizations.

NHPR journalists do not show scripts in advance or preview pieces to any person not affiliated with NHPR. An NHPR journalist may review portions of a script or read back a quotation to assure accuracy. An NHPR journalist may also play audio or read transcripts of an interview to a third party if the purpose is to get that party's reaction to what another person has said.

Our corrections policy is to correct substantive errors of fact in a timely way. If a reporter, host, editor or producer believes NHPR got something wrong - or that there was a serious defect in a piece - s/he has an affirmative responsibility to get that on the table for investigation and possible correction. Many times NHPR learns these things when someone outside brings an error to its attention. That is one natural way of finding out. But if NHPR journalists have reason to believe there was a significant error, they should not wait for it to be pointed out. NHPR journalists should err on the side of caution in checking corrections, clarifications or retractions with their supervisor (who

should consult station legal counsel) before they air or are posted online if there is any possibility the material in question poses a legal liability.

A reporter or host should make clear when an interview has begun or has ended so there is no question about what is or isn't for broadcast, or what is on the record or not.

Archival audio or audio that was obtained from a past story must be identified as such if it is used in a new piece. The listener should not be left to think that any archival or previously obtained audio was gathered in the context of the current piece. As an example, a story updating a controversy surrounding an individual would be misleading if it included new assertions of fact but only used past statements by that individual and failed to identify them as such.

In general, the same ethical and editorial standards apply to online journalism that apply to radio journalism, although there are unique considerations pertaining to Online (for example, questions concerning the use of images and photographs or linking to other material). Those issues will be addressed on a case-by-case basis.

NHPR's Standard Out Cue (SOC) policy is either to SOC out from the place where the reporter is filing or, if the reporter is no longer there, to SOC out generically ("Joe Smith, NHPR News") and establish the "place" of the story in the intro and body of the story itself.

NHPR does not name victims of sexual assaults. There will at times be exceptions - such as certain instances when a victim goes public with his/her identity - and NHPR editors will judge these instances on a case-by-case basis.

## **IX. Politics, Community and Outside Activities**

NHPR journalists may not run for office, endorse candidates or otherwise engage in politics. Since contributions to candidates are part of the public record, NHPR journalists may not contribute to political campaigns, as doing so would call into question a journalist's impartiality in coverage.

NHPR journalists may not participate in marches and rallies involving causes or issues that NHPR covers, nor should they sign petitions or otherwise lend their name to such causes, or contribute money to them.

NHPR journalists may not serve on government boards or commissions.

NHPR journalists may sit on community advisory boards, educational institution trustee boards, boards of religious organizations or boards of nonprofit organizations so long as NHPR does not normally cover them and they are not engaged in significant lobbying or political activity. Such activities should be disclosed to the journalist's supervisor, and NHPR may revoke approval if it believes continued service will create the appearance of a conflict of interest or an actual conflict.

When a spouse, family member or partner of an NHPR journalist is involved in political activity, the journalist should be sensitive to the fact that this could create real or apparent conflicts of interest. In such instances the NHPR journalist should advise his or her supervisor to determine whether s/he should recuse him or herself from a certain story or certain coverage.

## **X. Underwriting; Foundation Grants; Advertising, Marketing and Promotion**

A firewall will be maintained between NHPR journalists and funders. While staff members will inevitably end up talking to experts and officials who work at foundations provide funding to NHPR (and their grantees), we may not discuss coverage planning with grant-making officials.

The President/CEO will designate individuals who will serve as contacts with funders for grant-making purposes or other communications.

If NHPR reports on an organization or individual who funds us, we will disclose that relationship on air if the subject of the report is directly related to the thrust of the grant we received.

When authorized by their supervisor, NHPR journalists may take part or be asked to take part in promotional activities or events involving supporters of NHPR, such as our fund drives and public events.

## **XI. Application and Enforcement of this Code**

Application and enforcement of this Code is the responsibility in the first instance of every NHPR journalist. This responsibility extends to both him/herself and to every other NHPR journalist with whom he/she works. We should feel free to guide ourselves by offering suggestions to our peers to help them comply with their obligations under this Code.

Editors and producers have special responsibility for application of this Code to matters they are editing or producing. For each story that is produced, they should be satisfied that the standards of this Code have been met.

NHPR journalists who do not comply with the Code may be subject to disciplinary action up to and including termination.

## **XII. Miscellaneous**

We do not enter journalism contests or competitions when they are sponsored by groups that have an interest in influencing our coverage. All entries for contests or competitions must be approved by the News Director or designee.

NHPR journalists should not speak on behalf of NHPR, or its policies and practices, unless authorized to do so by appropriate company officials. All press inquiries about NHPR policies and practices must be directed to NHPR's Vice President for Development and Communications.

Generally, NHPR journalists may not endorse products or provide blurbs for books, movies or performances using their NHPR identification. The News Director may make exceptions to this rule, such as when the author of a book is a colleague of the blurb-writer. However, permission will be denied in other circumstances, such as when the author is a politician or someone the NHPR journalist covers. Blurbs drawn accurately and in context from material that has been on our air are permissible.

NHPR journalists must not turn over any notes, audio or working materials from their stories or provide information they have observed in the course of their journalistic activities to government officials or parties involved in or considering litigation. If such materials or information are requested pursuant

to governmental, administrative or other legal process, NHPR journalists should immediately consult their supervisors.

NHPR owns material that has been collected or produced by NHPR journalists in the course of their duties, irrespective of whether it has been distributed on our air outright, and it may not be reproduced elsewhere without the permission of NHPR.

The provisions of this code are subject to the employment and other policies made generally applicable to all NHPR employees.

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## Major N.H. Addiction Treatment Provider Dealing With COVID-19 Outbreak

New Hampshire Public Radio | By [Lauren Chooljian](#)

Published December 2, 2020 at 7:27 PM EST

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*Paige Sutherland/NHPR*

/

One of the largest providers of substance use disorder treatment in New Hampshire is experiencing a COVID-19 outbreak. At least 27 clients and staff of Granite Recovery Centers have tested positive since Saturday, according to a statement from CEO Eric Spofford.

**[Are you affected by the outbreak at Granite Recovery Centers? Send us an email with your story.](#)**

Granite Recovery Centers manages at least 12 treatment properties across the state, including their primary residential drug treatment facility, Green Mountain Treatment Center in Effingham. Spofford said there are currently 14 positive cases of COVID-19 among staff members, and 13 positive cases among clients.

When asked specifically which properties were seeing cases, Spofford said only that they “have had positive cases at Green Mountain Treatment Center and several of our other housings.” Spofford said they’ve been testing all of their 300 staff members and 300 clients with help from the state.

Jake Leon, a spokesman for the Department of Health and Human Services, said Wednesday afternoon that the situation is “localized” to Green Mountain Treatment Center, but said the state is only aware of five active cases.

“As with all outbreaks, we are taking this very seriously,” Leon said.

**[Sign up for NHPR's coronavirus newsletter to get updates about COVID in N.H. in your inbox](#)**

New Hampshire, like many other states, is dealing with a surge of new COVID-19 cases. There are currently 4,694 current positive cases in New Hampshire, according to the latest tally from the state health department, though it is unclear if the cases reported by Granite Recovery Centers are included in those numbers.

Spofford said they sent word to health officials November 28th that one staff member, one current client and one recently-discharged client had tested positive for COVID-19. He said those were the first cases at any of his facilities since the start of the pandemic. According to his statement, the company immediately began testing all staff and clients, with help from the state. Some positive clients, Spofford said, have been quarantined, though he didn’t specify where, while others have returned home and are following telehealth treatment plans.

“It is important to remember that the pandemic has exacerbated the addiction crisis, both nationally and here in New Hampshire,” Spofford said. “Our goal is to continue to provide a safe environment for our clients to recover because the services we offer are even more critical than they have been in the past. Without the availability of treatment and recovery, even more people will die.”

Spofford said Granite Recovery Centers has had a COVID-19 protocol in place that they’ve been following since March.

Group housing has been among the hardest hit locations for COVID-19 outbreaks in New Hampshire, with the majority of deaths occurring in long-term care facilities like nursing homes. But addiction treatment facilities in the

state have seen relatively fewer cases to date, according to reports from state health officials.

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### [Lauren Chooljian](#)

Lauren is a Senior Reporter/Producer for NHPR's narrative news unit, Document.

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# **COVID-19 Outbreak Grows at NH State Prison for Men**

New Hampshire Public Radio | By **[Sarah Gibson](#)**

Published December 9, 2020 at 5:30 PM EST

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*Photo By Jackie Finn-Irwin Via Flickr Creative Commons*

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A coronavirus outbreak continues to grow inside the New Hampshire State Prison for Men in Concord.

Twenty-one cases of COVID-19 are now confirmed in the general inmate population, and over 160 of the inmates are now in quarantine.

The Department of Correction says 16 staff at the prison are not coming into work after having recently tested positive, and that members of the National Guard are being trained for positions at the prison to ensure it remains properly staffed.

The state's secure psychiatric unit, also in Concord, is reporting seven current cases among its residents.

There are no positive cases reported so far among inmates in the women's prison facility, but seven inmates are in quarantine after several staff there tested positive.

So far during the pandemic, correctional facilities in New Hampshire have been spared the [deadly outbreaks](#) seen in prisons elsewhere.

In October, eight inmates tested positive at the federal prison in Berlin.

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**Sarah Gibson**

Sarah Gibson joined NHPR's newsroom in 2018. She reports on education and demographics.

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[NH News](#)

# Clients, Staff Say Major N.H. Addiction Treatment Center Mishandled COVID Outbreak

New Hampshire Public Radio | By [Lauren Chooljian](#)

Published December 14, 2020 at 7:10 AM EST

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*Courtesy Photo*

/

The minute Peter Rosasco walked into Green Mountain Treatment Center in Effingham, he knew there would be problems.

“It was just a ticking time bomb, that place,” Rosasco said.

**[Get stories and updates on the pandemic in your inbox - sign up for NHPR's coronavirus newsletter today.](#)**

It was mid-November, and his mother, Susan Axelrod, was bringing Rosasco to residential treatment as part of a plea deal he reached over recent drug charges.

But when they arrived at Green Mountain, one of New Hampshire's largest residential substance use disorder treatment facilities, both Rosasco and his mom said they noticed that the staff member doing patient intake was not wearing a mask.

"If I had not been so, sort of, just shell shocked from the day, I think I would have said, 'Hey, can you go put a mask on?' " Axelrod said. "Because I thought about it later, I was like, 'That was not good.' "

It felt odd, they said, especially given that Rosasco had just come from another treatment center in Maine where he was forced to quarantine upon arrival, was tested for COVID-19, and, he said, they were incredibly strict about mask usage.

But at Green Mountain, Rosasco said, he was never tested. And while there may have been a mask policy, for the two weeks he was there, he said, some people wore masks, some didn't.

Interviews with clients, their relatives, current and former staff, and internal communications suggest Green Mountain Treatment Center failed to take basic steps to protect residents from a COVID-19 outbreak that has so far, according to state numbers, infected nearly 50 people. Complaints include a lack of social distancing in company-managed transportation and the dining area; the absence of a plan to protect clients in the event of an outbreak; and a lack of enforcement of mask-wearing among both clients and staff.

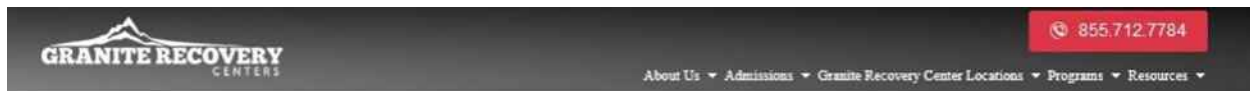
**[Are you affected by the outbreak at Granite Recovery Centers? Send us an email with your story.](#)**

Now, the company that runs Green Mountain is launching a new treatment unit there, specifically for people who have tested positive for COVID-19. This comes more than two weeks into an outbreak at Green Mountain that several clients and staff say caught the company off guard.

“They had 10 months to come up with a solution for if something like this happened, and they were not ready for it at all,” said Robert Hunt, another client of Green Mountain who was in treatment before and during the outbreak.

**“I didn’t get the sense that anybody was going to say anything.”**

Green Mountain Treatment Center is managed by Granite Recovery Centers, one of the biggest providers of substance use disorder treatment in New Hampshire. It’s a residential facility on a remote, 72-acre property in Effingham that provides detox and treatment to clients from all over the country, some by court order.



## Green Mountain Treatment Center

### Serene, Panoramic, and Secluded

With sweeping panoramic views of New Hampshire’s White Mountains as well as the spectacular Lakes Region, Green Mountain Treatment Center is Granite Recovery Center’s flagship **primary residential drug rehab facility** for men and women ages 18 years and older. Situated upon a beautiful landscape of rolling hills, apple orchards, along with fresh mountain air, our **secluded New England rehab location in Effingham, NH** provides a soothing and therapeutic backdrop for **recovering from drug and alcohol addiction**.



### Residential Primary Drug Rehab Program

Adult-oriented and gender-separate, Green Mountain Treatment Center utilizes a **12-Step curriculum** tightly integrated into evidence-based clinical therapies. We believe that in order to move on to a fulfilling life of enduring recovery, one needs to remove more than just the substance use. The underlying root causes of the addiction must be examined closely and treated in a clinical setting. The deep and introspective work done by working the 12 Steps and the emotional healing that it results in, combined with clinical psychotherapies, provide a solid foundation on which clients can build a lasting recovery.

### Individualized Treatment Plans

Green Mountain Treatment Center’s **NH drug rehabilitation team** is comprised of master’s-level and licensed clinicians, dedicated case managers, experienced 12-Step facilitators, as well as administrative support staff. This team works in concert to create and implement an individualized treatment plan that meets each client’s individual needs.

### Client-to-Client Program

Entering **drug rehab** is a challenge for any individual. Even if a client has been through rehab before and has a basic knowledge of what to expect, they aren’t yet familiar with Green Mountain Treatment Center. To create a “soft landing”, we pair each client with other clients further along in the treatment process to help them feel welcomed while they acclimate to the Green Mountain treatment community. As the new clients progress through the program, each will also be assigned a newer client to mentor along.

### Medical Detox

Green Mountain Treatment Center is home to our sub-acute **medical detox facility** providing care for clients with a high-to-manageable withdrawal risk. The medical detox facility at Green Mountain Treatment Center provides 24-hour medical monitoring in a highly structured setting. In fact, our detox unit is staffed with compassionate, licensed medical professionals trained in addiction medicine.

### A 12-Step-Centered Curriculum

Long term recovery from drugs or alcohol addiction requires a comprehensive life change and a “daily design for living.” This is why Granite Recovery Centers incorporates a comprehensive and deeply engaging **12-Step curriculum** into every stage of addiction treatment. From inpatient to outpatient drug rehab programming, clients discover who they are in relation to their addiction, come face to face with the roots of their substance use, and learn to repurpose their lives and recharge their once unreachable potential.



A screenshot of the Granite Recovery Centers website.

When news first broke of an outbreak at Green Mountain earlier this month, Granite Recovery Centers CEO Eric Spofford said in a statement that the company has been following CDC and state health guidelines since the beginning of the pandemic.

“As always, the health and safety of our clients and workforce is a top priority,” Spofford said in the emailed statement. “Granite Recovery Centers has a COVID-19 protocol in place and we have been following that plan since March.”

But in August, months into the pandemic, Green Mountain’s executive director said in a staff-wide email obtained by NHPR that clients were complaining and threatening to leave, “all related to the lack of COVID protocol.”

Those concerns persisted into the fall. Multiple current and former clients shared stories with NHPR of inconsistent mask-wearing and a lack of social distancing in the weeks before the outbreak began.

One of the biggest concerns was the on-campus dining hall. Rosasco and others shared similar stories about the buffet, where clients would stand close together in line, “with or without masks,” handling the same utensils to serve their food, even though “no one was really sterilizing their hands.”

A client named Dan M., who was also at Green Mountain in mid-November, and has asked NHPR not to publish his full name, said he really enjoyed the community at Green Mountain, and it was nice to share meals with friends. But he said was surprised to see that, this far into the pandemic, staff allowed so many people to sit so close together.

“There were ways to separate us,” Dan M. said. “They could have done two chairs per table or something.”

And then there were concerns about the vans that brought some clients to and from Green Mountain. Not everyone in treatment at the facility sleeps there; some clients stay at Forest Glen Inn, a former inn in North Conway run by Granite Recovery Centers that’s about 35 minutes away.



*Credit Jason Moon / NHPR*

/

This former inn in North Conway is owned and operated by Granite Recovery Centers.

To get back and forth, sources told NHPR that clients are often crowded into these vans: like “sardines in a can,” said Rosasco, who also said not every passenger would wear a mask.

“I kinda found it contradictory,” Rosasco said in an interview later. “The whole system of recovery and mentality is like, doing for others and s\*\*\* like that. And then to, like, not wear a mask just because it bothers you a little bit? I mean, the whole point of wearing them was for other people.”

Granite Recovery said it notified the state health department of a COVID outbreak at Green Mountain on Nov. 28. But many clients said that they didn’t hear about it from staff; they heard about it from each other.

A client named Mike, who also asked us not to publish his full name, became friends with Dan M. during treatment. He found out Dan M. was positive for COVID-19 and said he was upset that staff were not sharing that information with everyone.

**New Hampshire Institutions Associated with COVID-19 Outbreak (as of 12/10/2020)**

Current COVID-19 Outbreaks	Resident Cases	Staff Cases	Under Investigation	Deaths
Colonial Poplin Nursing & Rehabilitation	19	10	0	0
Coos County Nursing Hospital	60	62	0	10
Courville at Bedford - Carlyle Place	17	5	0	0
Crestwood Center Milford	18	10	0	0
Elms Center	22	9	0	0
Epsom Healthcare	26	14	0	1
Evergreen Place	3	2	0	0
Grace House Windham	13	5	0	0
Green Mountain Treatment Center	23	26	0	0
Hackett Hill	1	4	0	0
Hanover Hill Manchester	20	10	0	1
Hanover Terrace Health and Rehabilitation Center	65	24	0	0
Inn at Fairview	12	13	0	0
Lakes Region Community Center Fairview Home	6	4	0	0
Maple Leaf Healthcare Center	93	70	0	10

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Merrimack County Nursing Home	8	12	0	0
Nashua Crossings Benchmark	19	14	0	0
NH State Prison for Men	23	17	0	0
NH Veterans' Home	87	81	0	27
Opacide Center - Concord	44	27	0	0

An excerpt of the state health department's most recent update on COVID-19 outbreaks at institutions. <https://www.nh.gov/covid19/news/documents/covid-19-update-12102020.pdf>

According to staff, the client population often includes people with health problems that the CDC considers high risk for severe illness from COVID-19, such as heart conditions and diabetes. Mike decided someone needed to share the news: So he stood up in front of a group of clients and told them what he knew.

“I said, ‘Everybody in this room is exposed.’ And that was a hard pill to swallow for a lot of people, because they just didn't know,” Mike said. “And I

mean, in a way, if we hadn't stood up and started talking about this, I didn't get the sense that anybody was going to say anything."

When Peter Rosasco got word of the outbreak, he said he tried to just stay in his room in the former inn run by the treatment center. Rosasco said he'd only leave his room to smoke, and later Saturday night, he said, he noticed vans coming from Green Mountain.

"I was just outside smoking a cigarette and I was like, what the heck are these people doing? Don't tell me that they're the COVID-positive people, which they were," he said.

Multiple people reported that once staff became aware of the outbreak, they moved clients who were positive for COVID-19, or likely exposed to the virus, from the treatment center to the inn. Yet there were many clients living in the inn, like Rosasco, who didn't know if they had contracted the virus or not.

Robert Hunt said he was one of those clients moved from the main campus. He had tested negative for COVID-19 after potentially being exposed by his former roommate.

Hunt said he was not quarantined or isolated after his negative test, even though public health guidelines recommend quarantine for people who have been exposed, because negative tests can be wrong. More concerning, he said, is that he was then moved into a shared room with a person who tested positive the same day, a story NHPR has confirmed.

"It's just frustrating; everybody comes here to try and get better, and the way that they're handling this just isn't right," Hunt said.

Multiple sources described lax quarantine procedures, including the use of a plastic sheet over a doorway to separate COVID-positive clients from others in the same residential building.

### **COVID is "risky but addiction is riskier"**

NHPR has tried to ask CEO Eric Spofford about these complaints, but he has declined to respond. He announced last Thursday, during the outbreak, that Green Mountain was launching a new treatment program, specifically for people with COVID. He said it involves an isolated unit for people with COVID that follows CDC guidelines.





*Credit Paige Sutherland / NHPR*

/

Eric Spofford is CEO of Granite Recovery Centers

NHPR was invited to interview Spofford about the new initiative, where he said people dealing with addiction and COVID can't wait for their quarantine to end to get help.

"For our clients, the risk, COVID certainly is risky but addiction is riskier," Spofford said. "Fourteen days is an eternity for somebody that's seeking help for a substance use disorder. And a lot can happen in that, and there's a lot of risk in waiting that time."

But when Spofford was asked about his staff's ability to safely care for COVID patients, given the complaints NHPR has received, his press spokesman Josh

McElveen cut the interview short. McElveen said he wouldn't let Spofford respond to allegations that he hasn't seen before.

In response to an email with a detailed list of staff and client complaints, McElveen said that they wouldn't "start chasing our tails by lending credibility [to] anonymous claims nor will we litigate those claims through the press." McElveen said Granite Recovery Centers is committed to providing treatment to anyone who seeks help in the safest environment possible.

Peter Rosasco decided that Green Mountain wasn't safe, so he and other clients checked themselves out of treatment after the outbreak. Three now discharged clients who reached out to NHPR said Green Mountain staff have called them since they got home, but they did not mention COVID-19; the calls were to ask if the clients want to sign up for treatment via telehealth. One client allowed NHPR to listen to voicemails that verified this.

Many of those who've left Green Mountain since the COVID-19 outbreak say the experience has thrown their lives into disarray. Many clients who returned home said their families are now separated to keep partners, children and older or sick relatives from getting COVID-19. One partner of a client is already showing symptoms. Several said they are worried, frustrated, and angry.

"I feel bad for the people that were there for 60-plus days, forced to go home and risk their recovery," Dan M said.

Rosasco ended up testing positive for COVID when he got back to Maine and has now developed symptoms. His mom Susan Axelrod is worried about how all this could hurt her son's recovery.

"I worry that without his community, it'll be a step back for him. I'm comforted by the fact that he's very committed to his recovery at this point," she said. "But yeah, it's definitely something that keeps me awake at night."

As for Granite Recovery Center's plan to take on more clients with COVID, Axelrod said it was an "admirable effort." But she said she'd have to know what the health department thinks before she sends another family member there. (A spokesman for the New Hampshire Department of Health and Human Services did not respond to questions from NHPR by deadline.)

After everything she's heard from her son, she said, she "wouldn't take Eric Spofford's word for it."

## Tags

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**[NH News](#)**

# Outbreak Grows At Major N.H. Addiction Treatment Center

New Hampshire Public Radio | By [Rick Ganley](#),

[Lauren Chooljian](#)

Published December 18, 2020 at 9:40 AM EST

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LISTEN • 5:17



*Courtesy Photo*

/

State health officials say there are now more than 100 cases of COVID-19 linked to an outbreak at one of the biggest residential addiction treatment centers in the state.



## [Visit our earlier reporting on this story](#)

This update comes after clients and staff told NHPR that management of Green Mountain Treatment Center in Effingham was not prepared for the now ongoing COVID outbreak there.

The complains include reports of little to no enforcement of mask wearing and a lack of social distancing -- even moving COVID positive patients into rooms with people who had tested negative for the illness.

Meanwhile, the state says it's not investigating any of this. Morning Edition Host Rick Ganley spoke with NHPR's Lauren Choolijan who first broke the story.

*Note: This transcript was machine-generated and may contain errors*

**Rick Ganley:** So first, can you break down these latest numbers for us? More than 100 linked to one place. That seems like an awful lot.

**Lauren Choolijan:** Yes. So, you know well, Rick, at this point that congregate living facilities really have been some of the places hardest hit by COVID. But right now, the state says there are 67 residents and 35 staff cases linked to the outbreak at Green Mountain. And just for context, Green Mountain has taken on anywhere from 80 to more than 100 clients for treatment at a time.

But also, I just want to say that it's possible that that number doesn't fully show the scope of this outbreak, as many clients left campus after finding out there was COVID there. And many of the ones that I talked to tested when they got home, and two of those people live out of state. And I certainly haven't spoken to everyone who was exposed and left the facility. So while the state may know of more than 100 cases, it's honestly very hard to know the full scope of the numbers here.

**Rick Ganley:** Yeah, and per your reporting this week, clients and staff say a lot of this could have been prevented if the company had just been prepared for it.

**Lauren Choolijan:** Yeah, exactly. And I should say more tips have been coming into my inbox ever since the story came out. And I also want to add that Granite Recovery Center CEO Eric Spofford has said that his company has been complying with CDC guidelines since the beginning of the pandemic. Granite Recovery Centers is the company that manages Green

Mountain Treatment Center and a bunch of other treatment properties around the state. But despite my many attempts, Spofford and his press spokesperson have declined to respond to these complaints from clients and staff.

**Rick Ganley:** We mentioned that Granite Recovery Centers is one of the biggest providers in New Hampshire. The state has spent millions fighting drug addiction in recent years. What's the company's relationship like with the state?

**Lauren Choolijan:** Yeah, so Granite Recovery Centers plays a pretty big part in New Hampshire's response to addiction. And CEO Eric Spofford is pretty well known. His company receives a significant amount of state funding. I mean, one go to example is this no bid contract they got in 2019 for respite beds. They were awarded \$1 million by the state. And as I understand it, that money wasn't conditional on filling those beds. It was just to have them available for people who are homeless or waiting for a spot to open up at a treatment center.

And Spofford has really made himself available to kind of bail out the state when it's in a tough spot. Like listeners might remember the back and forth over the homeless encampment in Manchester about a month ago. Many news outlets reported that the state actually called Eric Spofford for help. And he went out to the encampment in Manchester himself and offered beds to people. And he ended up moving some of them. I'm not sure how many, but he moved them to one of the properties he runs in Derry.

**Rick Ganley:** Okay, so there is a relationship here between the state and Granite Recovery Centers. Has the state mentioned anything about your reporting this week?

**Lauren Choolijan:** So the first response from them really came [Thursday]. Our reporter Jordyn Haime had asked the governor during his weekly press conference if he had a response to the story, and he actually deferred the question to the head of the health department, Laurie Shubinett. And she said that the Attorney General's office got some communication about it and that the AG's office is now looking into it. Now, stay with me, Rick, because I got confused here because it turns out no, actually, they aren't looking into it.

I called the AG's office after the presser and they said, no, we're not looking into Green Mountain Treatment Center right now. We actually already did.

What happened was the AG's office says it got just one complaint about two and a half weeks ago. So the AG's office called up there. They, quote, worked through it with them to make sure they were complying, and that was it. Now, separately, Commissioner Shibiinette and the state health department, they could investigate Green Mountain just like they could investigate any other facility that they licensed. But we wouldn't know if they did that because per state law, those investigations are confidential.

**Rick Ganley:** But we see reports about restaurants, pizza places, bars around the state who were fined or warned by the attorney general's office because they had people in there without wearing masks. I don't understand the issue here.

**Lauren Choolijan:** Right. So this is why this was all very confusing for me, too. Because, yes, of course, we've seen other businesses have been dinged for not following COVID protocols. But the attorney general's office basically told me that each of these complaints are assessed on a case by case basis, and that's all I really know. But I can tell you that I have heard from so many people this week, as I mentioned, former clients, current staff, other staff who have recently quit because of this. And they tell me that they're frustrated, and angry and they're honestly sad that in their view, this outbreak was so mismanaged.

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## Lauren Chooljian

**Senior Reporter/Producer, Document**

Lauren is a Senior Reporter/Producer for NHPR's narrative news unit, Document.



Before joining NHPR in 2017, Lauren spent nearly six years as a reporter, producer and fill-in host for WBEZ in Chicago. Most recently, she covered City Hall and Mayor Rahm Emanuel's administration.

Her reporting has earned her awards from the Associated Press and a regional Murrow Award. In 2014, her voice was featured on a best-of list in the Chicago Tribune culture section for its "unpretentious, Peppermint Patty scratchiness," which her family especially appreciated.

Lauren graduated with a BA in History from Saint Anselm College and has a Master of Science in Journalism from the Medill School of Journalism at Northwestern University, where she was also an adjunct lecturer. Her work has been featured on NPR, Marketplace, Here and Now, and in The Washington Post, among others.

Lauren is a proud New Hampshire native, born and raised in Hampstead.



## [NH News](#)

### [Sununu calls allegations against Spofford 'serious,' says they should be investigated](#)

[Lauren Chooljian](#)

,

March 23, 2022

An NHPR investigation uncovered multiple allegations of sexual misconduct against Spofford, founder of N.H.'s largest network of addiction treatment providers.



## [NH News](#)

### [NHPR investigation reveals sexual misconduct allegations involving Eric Spofford](#)

[Lauren Chooljian](#)

,

March 22, 2022

Here's what you need to know about NHPR's investigation regarding Eric Spofford and the sexual misconduct allegations involving him.



### [He built New Hampshire's largest addiction treatment network. Now, he faces accusations of sexual misconduct.](#)

[Lauren Chooljian](#)

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March 22, 2022

An NHPR investigation has revealed multiple allegations of sexual misconduct against Eric Spofford, the founder and former CEO of

Granite Recovery Centers. GRC is New Hampshire's largest provider of substance use disorder treatment. The claims involve former employees and a former client and include allegations of sexual harassment and assault.

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December 18, 2020

State health officials say there are now more than 100 cases of COVID-19 linked to an outbreak at one of the biggest residential addiction treatment...

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## [Clients, Staff Say Major N.H. Addiction Treatment Center Mishandled COVID Outbreak](#)

[Lauren Chooljian](#)

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December 14, 2020

The minute Peter Rosasco walked into Green Mountain Treatment Center in Effingham, he knew there would be problems. "It was just a ticking time bomb, that..."

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## [Major N.H. Addiction Treatment Provider Dealing With COVID-19 Outbreak](#)

[Lauren Chooljian](#)

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December 2, 2020

One of the largest providers of substance use disorder treatment in New Hampshire is experiencing a COVID-19 outbreak. At least 27 clients and staff of...



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### [Document: The List - An Update](#)

[Jason Moon](#)

,

November 2, 2020

The first season of Document, The List, was released on October 26th, and some surprising news followed soon after. Listeners heard that a lawsuit had...



## [NH News](#)

### [Pandemic Diaries: One Couple's Story of Isolation and Love in a Nursing Home](#)

[Lauren Chooljian](#)

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June 29, 2020

The coronavirus pandemic changed the way many of us do our jobs, including those of us here at NHPR - it's kept our reporters from getting out and...

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## [NH News](#)

### [Sununu Tasks Panel With Offering Ideas On Police Accountability, Transparency](#)

[Lauren Chooljian](#)

June 16, 2020

Gov. Chris Sununu is pulling together a commission to look at police accountability and transparency in New Hampshire. Sununu said he doesn't think New...



## [NH News](#)

## [This Graduation Season, New Hampshire High Schools Forced To Get Creative](#)

[Lauren Chooljian](#)

June 4, 2020

High school graduations typically follow a pretty familiar script: Graduates sitting side by side in caps and gowns, each one getting a handshake from the...

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## EXHIBIT 13



DJ Bettencourt/Image from WMUR

NEWS [Politics \(https://nhjournal.com/category/politics/\)](https://nhjournal.com/category/politics/)

## Sununu Ally Bettencourt Arrested for Domestic Violence

Posted to [Politics \(https://nhjournal.com/category/politics/\)](https://nhjournal.com/category/politics/) May 08, 2022 by [Damien Fisher \(https://nhjournal.com/author/damienfisher/\)](https://nhjournal.com/author/damienfisher/)

Deputy Insurance Commissioner D.J. Bettencourt is on leave from his state job after he was arrested Friday on a charge of domestic violence/simple assault. Bettencourt, 38, allegedly grabbed his wife during an incident in the early morning hours at the couple's Salem home, according to court documents. He was charged with a Class A misdemeanor in the case, which carries a maximum one-year jail sentence. However, jail time is unlikely given Bettencourt's lack of a prior criminal record.

Bettencourt is a former House majority leader and former policy director for Gov. Chris Sununu, serving Sununu from 2017 to 2021, when he landed the job at the state Insurance Department, which pays \$108,000 per year.

Sununu said in a statement to NHJournal that people should respect the family's privacy at this time.

"It's my understanding D.J. has been placed on administrative leave while we await further details. Shannon (Bettencourt) has publicly asked for privacy for her family at this time and we should respect her wishes."

Democrats were quick to pounce on the story, linking Bettencourt to Sununu. Monica Venzke with the New Hampshire Democratic Party called the allegations troubling.

"This despicable conduct by D.J. Bettencourt is appalling and disturbing, and Sununu has once again surrounded himself with allies who are violent against women," Venzke said. According to a press release from the New Hampshire Democratic Party, the "once again" comment is a reference to [Eric Spofford, founder and former CEO of Granite Recovery Centers \(https://www.nhpr.org/2022-03-22/eric-spoifford-granite-recovery-center-nh-sexual-misconduct/\)](https://www.nhpr.org/2022-03-22/eric-spoifford-granite-recovery-center-nh-sexual-misconduct/), who is facing multiple accusations of sexual misconduct.

[Shannon Bettencourt told The Eagle-Tribune she still loves her husband: \(https://www.eagletribune.com/news/new-hampshire/longtime-local-state-official-arrested-for-domestic-violence-salem/article\\_c3f82058-cd41-11ec-b272-2782d09ab336.html\)](https://www.eagletribune.com/news/new-hampshire/longtime-local-state-official-arrested-for-domestic-violence-salem/article_c3f82058-cd41-11ec-b272-2782d09ab336.html)

"This is a deeply personal matter and especially for the benefit of our three young children, please respect our privacy at this time," Shannon Bettencourt wrote in an email to the paper. "We do hope it's clear when this process plays out, that it's not as it may seem, and I support and love my husband."

Bettencourt's attorney Tony Sculimbrené told NHJournal that his client maintains his innocence.

"Mr. Bettencourt entered a plea of not guilty and maintains his innocence. He has been fully cooperative with the process and looks forward to resolving this matter in court. Out of respect for his family and to preserve the integrity of the justice system, Mr. Bettencourt will not be litigating this matter in the media or the court of public opinion."

According to Salem Police Officer Mark Conway's affidavit, police were called to the home at 1:45 a.m. Friday when Bettencourt became angry after reading a text on his wife's phone. He went to the room where she was sleeping yelling about the message. He then assaulted his wife, according to the affidavit.

"Bettencourt grabbed her by both forearms and pulled her out of the bed yelling 'what the (expletive) is this,'" Conway wrote.

Bettencourt kept yelling and told his wife he was going to break the phone, according to Conway. He then threw the phone into another room.

Shannon Bettencourt told police the couple is in counseling, and the message on the phone was a journal-entry she wrote to herself. DJ Bettencourt denied grabbing his wife and told police she was the one who threw the phone.

"She stated he absolutely grabbed her by both forearms and pulled her out of the bed while yelling at her about the message on the phone," Conway wrote. "She stated he never put his hands on her before and that is the reason she called police that night."

Just over a decade ago, Bettencourt was a rising GOP star and right-hand to conservative former New Hampshire House Speaker Bill O'Brien, both known for a no-holds-barred political style. His stint in politics began in 2004 when was first elected to the House at age 20 and became the youngest majority leader under O'Brien.

Bettencourt made headlines for tangling with Bishop John McCormack. McCormack had criticized the GOP budget plan that slashed social service spending. During a 2011 dust-up, Bettencourt responded by calling McCormack a "pedophile pimp." McCormack was a key figure in covering up the Boston sexual abuse scandal.

"Would the bishop like to discuss his history of protecting the 'vulnerable?'" Mr. Bettencourt, a practicing Roman Catholic, wrote. ["This man is a pedophile pimp \(https://www.nytimes.com/2011/04/02/us/02bishop.html\)](https://www.nytimes.com/2011/04/02/us/02bishop.html) who should have been led away from the State House in handcuffs with a raincoat over his head in disgrace. He has absolutely no moral credibility to lecture anyone."

Bettencourt would later apologize to McCormack. [His political career came crashing to a halt in 2012 when he was caught lying about his work in a UNH law school internship program. \(https://www.wmur.com/article/bettencourt-resigns-amid-law-school-scandal/5174038\)](https://www.wmur.com/article/bettencourt-resigns-amid-law-school-scandal/5174038)

According to a [Union Leader report \(https://patch.com/new-hampshire/nashua/bp--scandalous-update-on-the-real-reason-dj-bettencou58f11036ae\)](https://patch.com/new-hampshire/nashua/bp--scandalous-update-on-the-real-reason-dj-bettencou58f11036ae): "Bettencourt agreed to resign after he admitted fabricating reports for a law school internship, according to the House Republican who was mentoring him (state Rep Brandon Guida). Guida said Bettencourt only showed up at his office for one day, 'where he did approximately one hour of legal work.' He (Guida) later discovered that Bettencourt had submitted 'extremely detailed' reports about that internship, including court hearings he supposedly attended, cases he worked on, and interviews with clients."

Bettencourt had posted photos of himself graduating from the University of New Hampshire law school onto his Facebook page, despite not actually graduating. At the time, Bettencourt told the Union Leader that there was a dispute about the documents Guida said he had falsified, and he hoped to resolve the matter.

His second act as Sununu's policy director had Bettencourt taking a lead role in the administration. [Sununu praised him when he was nominated to become the deputy Insurance Commissioner. \(https://patch.com/new-hampshire/salem-nh/former-salem-state-rep-named-deputy-insurance-commissioner\)](https://patch.com/new-hampshire/salem-nh/former-salem-state-rep-named-deputy-insurance-commissioner)

"DJ has been an integral part of my administration since day one, and I am excited for his next challenge," Sununu said in 2020. "From advocating for expanded school choice to promoting policies that have strengthened the New Hampshire Advantage all while overseeing the State's Economic Reopening Taskforce, DJ has helped my administration in countless ways. I cannot thank him enough for his years of service — and look forward to many more at the Department of Insurance."

**NOTE:** An earlier version of this story incorrectly reported Eric Spofford had been charged with sexual misconduct. NHJournal regrets the error.

### About the Author



**Damien Fisher (https://nhjournal.com/author/damienfisher/)**

Damien Fisher is a veteran New Hampshire reporter. He wrote this for NHJournal.

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## He built New Hampshire's largest addiction treatment network. Now, he faces accusations of sexual misconduct.

Lauren Chooljian, March 22, 2022

An NHPR investigation has revealed multiple allegations of sexual misconduct against Eric Spofford, the founder and former CEO of Granite Recovery Centers. GRC is New Hampshire's largest provider

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of substance use disorder treatment. The claims involve former employees and a former client and include allegations of sexual harassment and assault.

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NH News

## A UNH student leader and administrators reflect on calls to fight sexual violence and how to move forward

Julia Furukawa, December 1, 2021

After protests arose about the handling of sexual assault at the University of New Hampshire, students and administrators were at odds. They're moving toward working together. NHPR talked to both parties.

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NH News

## Former Phillips Exeter Teacher Arrested On Sexual Assault Charges

Todd Bookman, August 24, 2020

A former Phillips Exeter Academy teacher is accused of sexually assaulting a student at the prestigious boarding school multiple times between 2013 and...

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NH News

## Gov. Sununu Signs Student-Written Sexual Assault Survivor Bill Into Law

July 20, 2020

Gov. Chris Sununu has signed a bill that aims to support sexual assault survivors at colleges and universities. John Gabrieli is the director of the Every...

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Education

# What's Next For Concord As Former Teacher Awaits Trial For Sexual Assault?

Rick Ganley, July 17, 2020

A report released this week by the Concord School Board confirmed that top school district officials failed to thoroughly investigate and report sexual...

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NH News

## Report Outlines Evidence Against Former Concord Teacher Accused Of Sexual Assault

Sarah Gibson, July 14, 2020

A newly released report sheds some light on how the Concord School District handled a teacher accused of having inappropriate relationships with students...

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NH News

## N.H. Lawmakers Weigh Bills to Better Address Sexual Assault

Sarah Gibson, February 20, 2020

Lawmakers heard testimony today on two bipartisan bills aimed at preventing sexual assault and helping survivors seek medical and legal services. SB 508...

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NH News

## The Bookshelf: Meredith Tate Takes On The Difficult Subject of Rape

Peter Biello, February 14, 2020

In Concord-native Meredith Tate's new novel, a young woman is kidnapped after a drug deal goes badly. To summon help, she has an out-of-body experience....

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NH News

## Judge In Dartmouth Class Action Settlement Expresses Concerns

Daniela Allee, October 18, 2019

The judge overseeing the proposed \$14 million settlement between Dartmouth College and nine plaintiffs in a class action lawsuit has some concerns about...

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NH News

## Dartmouth, Plaintiffs File Proposed Class Action Settlement

Daniela Allee, September 11, 2019

A new legal filing outlines how the terms of a class action lawsuit would play out on the Dartmouth campus. Last month, nine plaintiffs and Dartmouth...

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## Kennedy, Alycia

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**From:** Vattes, Kathleen  
**Sent:** Wednesday, March 23, 2022 3:40 PM  
**To:** jmoon@nhpr.org  
**Subject:** Re: NHPR 91-A request  
**Attachments:** Right to Know Request from New Hampshire Public Radioic Spofford, Former CEO Granite Recovery Centers & Other Treatment Properties.pdf; Bates Stamped RTK-000001-RTK000105.pdf

**Importance:** High

Mr. Moon,

Attached is the response to your 91-A request. I respectfully request you confirm receipt of this email.

Please contact me or Attorney Garod, if you have any questions.

Brandon H. Garod  
Senior Assistant Attorney General  
Consumer Protection & Antitrust Bureau  
(603) 271-1217 - brandon.garod@doj.nh.gov

Respectfully,

Kate

Kathleen B. Vattes  
Paralegal  
Consumer Protection and Antitrust Bureau  
Department of Justice  
33 Capitol Street  
Concord, New Hampshire 03301  
Tel: (603) 271-1278  
Fax: (603) 271-2110  
[kathleen.b.vattes@doj.nh.gov](mailto:kathleen.b.vattes@doj.nh.gov)

### **STATEMENT OF CONFIDENTIALITY**

The information contained in this electronic message and any attachment to this message may contain confidential or privileged information and are intended for the exclusive use of the addressee(s). Please notify the Attorney General's Office immediately at (603) 271-3643 or reply to [justice@doj.state.nh.us](mailto:justice@doj.state.nh.us) if you are not the intended recipient and destroy all copies of this electronic message and any attachments.

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**From:** Jason Moon <>  
**Sent:** Wednesday, March 9, 2022 12:33 PM  
**To:** DOJ: Attorney General <attorneygeneral@doj.nh.gov>; DOJ: Consumer Protection Bureau <DOJ-CPB@doj.nh.gov>  
**Subject:** NHPR 91-A request

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Hi there,

I'm writing to make a 91-A request for any records relating to complaints the Attorney General's Office has received regarding Eric Spofford, the former CEO of Granite Recovery Centers, as well as any complaints regarding the treatment properties he founded. Those properties include:

Green Mountain Treatment Center in Effingham  
New Freedom Academy in Canterbury  
Granite House in Derry  
Granite Recovery Centers in Salem  
Spofford Enterprises in Windham  
Vision House Sober Living in Salem  
Fourth Dimension Recovery Center in Salem  
Queen City Sober Living in Hampstead

Earlier this week, Associate Attorney General Jeff Strelzin was able to tell us that at least nine such complaints have been made. For details on the complaints, he suggested we make a 91-A request to the Consumer Protection Bureau. I am pasting the entire exchange between Jeff and my colleague Lauren Chooljian below for context.

Please let me know if you have any questions.

Best,  
Jason Moon (he/him)  
Senior Reporter/Producer | *Document* Team  
**NEW HAMPSHIRE PUBLIC RADIO**  
Desk: 603 / 223-2451 Cell: 603 / 395-7330

---

**From:** Strelzin, Jeffery [<mailto:jeffery.a.strelzin@doj.nh.gov>]  
**Sent:** Monday, March 7, 2022 4:58 PM  
**To:** Lauren Chooljian <[lchooljian@nhpr.org](mailto:lchooljian@nhpr.org)>  
**Subject:** RE: [MEDIA INQUIRY] FW: Eric Spofford/Granite Recovery Centers  
You're welcome.

I don't have any details. However, you can file a 91-A request with the Consumer Protection Bureau and they will figure out what is releasable.

---

**From:** Lauren Chooljian <[lchooljian@nhpr.org](mailto:lchooljian@nhpr.org)>  
**Sent:** Monday, March 7, 2022 4:52 PM  
**To:** Strelzin, Jeffery <[jeffery.a.strelzin@doj.nh.gov](mailto:jeffery.a.strelzin@doj.nh.gov)>  
**Subject:** RE: [MEDIA INQUIRY] FW: Eric Spofford/Granite Recovery Centers

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Thanks, Jeff – I appreciate you getting back to me.  
How would I be able to obtain those complaints? Are you able to give any more specifics about what you mean by staffing issues? And what came of those 9 complaints?  
Thanks again,  
Lauren

---

**From:** Strelzin, Jeffery [<mailto:jeffery.a.strelzin@doj.nh.gov>]  
**Sent:** Monday, March 7, 2022 4:49 PM

**To:** Lauren Chooljian <[lchooljian@nhpr.org](mailto:lchooljian@nhpr.org)>

**Subject:** FW: [MEDIA INQUIRY] FW: Eric Spofford/Granite Recovery Centers

Good afternoon:

The New Hampshire Attorney General's Office has received nine complaints between 2013 and 2022. The complaints involved sanitation, poor conditions, billing, violations of COVID protocols, and staffing issues. The Attorney General's Office has not received any complaints against Spofford or any of the properties he founded that involve allegations of sexual assault.

- Jeff Strelzin

Jeffery A. Strelzin

Associate Attorney General

Director – Division of Public Protection

NH Attorney General's Office

33 Capitol Street

Concord, NH 03301

(603) 271-3671 / [jeffery.strelzin@doj.nh.gov](mailto:jeffery.strelzin@doj.nh.gov)

**Statement of Confidentiality**

The information contained in this electronic message and any attachments to this message may contain confidential or privileged information and is intended for the exclusive use of the addressee(s). Please notify the Attorney General's Office immediately at (603) 271-3671 or reply to [jeffery.strelzin@doj.nh.gov](mailto:jeffery.strelzin@doj.nh.gov) if you are not the intended recipient and destroy all copies of this electronic message and any attachments.

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**From:** Lauren Chooljian <[lchooljian@nhpr.org](mailto:lchooljian@nhpr.org)>

**Sent:** Thursday, March 3, 2022 1:27 PM

**To:** DOJ: Attorney General <[attorneygeneral@doj.nh.gov](mailto:attorneygeneral@doj.nh.gov)>

**Cc:** Schmidt, Kim <[Kim.A.Schmidt@doj.nh.gov](mailto:Kim.A.Schmidt@doj.nh.gov)>

**Subject:** Eric Spofford/Granite Recovery Centers

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

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Hi all – Lauren Chooljian here from NHPR.

Have you received any complaints regarding Eric Spofford, the former CEO of Granite Recovery Centers, or any complaints about the treatment properties he founded? They include: Green Mountain Treatment Center in Effingham, New Freedom Academy in Canterbury, Granite House in Derry, a corporate headquarters in Salem as well as multiple sober homes. (I can provide addresses for these facilities if needed.)

I am reaching out because over the past year, I have substantiated multiple allegations of sexual misconduct by Spofford while he was CEO of Granite Recovery Centers. The allegations involved two employees and one client of GRC. I plan to report these allegations in the next few weeks, and so I am curious to know if any additional complaints ever reached the AG's office.

Please let me know by **March 9<sup>th</sup>** if there were any complaints filed, and if so, what the details of those complaints are.

Thanks for your help, feel free to reach out anytime via email or cell 603-475-5100 with questions.

Lauren Chooljian | Senior Reporter/Producer | DOCUMENT

(she/her/hers)

E: [lchooljian@nhpr.org](mailto:lchooljian@nhpr.org) C: 603-475-5100 T: [@laurenchooljian](https://twitter.com/laurenchooljian)

**NHPR** | 2 Pillsbury Street, 6th Floor, Concord NH 03301

**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA  
ATTORNEY GENERAL



JANE E. YOUNG  
DEPUTY ATTORNEY GENERAL

March 23, 2022

**(VIA EMAIL ONLY: [jmoon@nhpr.org](mailto:jmoon@nhpr.org))**

New Hampshire Public Radio  
Attn: Jason Moon, Senior Reporter/Producer  
2 Pillsbury Street - 6th Floor  
Concord, NH 03301

Re: Right to Know Request from New Hampshire Public Radio Re:  
Complaints Against Eric Spofford, Former CEO/Granite Recovery  
Centers & Other Treatment Properties

Dear Mr. Moon:

We have completed our search for and review of records regard to your request under New Hampshire RSA 91-A for the following:

“...any records relating to complaints the Attorney General's Office has received regarding Eric Spofford, the former CEO of Granite Recovery Centers, as well as any complaints regarding the treatment properties he founded. Those properties include:

Green Mountain Treatment Center in Effingham  
New Freedom Academy in Canterbury  
Granite House in Derry  
Granite Recovery Centers in Salem  
Spofford Enterprises in Windham  
Vision House Sober Living in Salem  
Fourth Dimension Recovery Center in Salem  
Queen City Sober Living in Hampstead”

In response to your right to know request, enclosed please find bates stamped documents RTK-000001 – RTK-000105. Pursuant to RSA 91-A:5,IV, the following information has been redacted as releasing this information would constitute an invasion of privacy:

- Consumer's name,
- Consumer's and other individuals home street addresses,
- Home and non-business cell telephone numbers,

- Personal Email addresses,
- Street addresses of individuals contained in the complaint but not involved in the complaint, and
- Business' bank account number.

Please contact me if you have any questions.

Thank you for contacting the Consumer Protection and Antitrust Bureau

Sincerely,

/s/ Brandon H. Garod

Brandon H. Garod

Senior Assistant Attorney General

Consumer Protection & Antitrust Bureau

(603) 271-1217 -

brandon.garod@doj.nh.gov

BHG/kbv  
Enclosure

## EXHIBIT 16

May 17, 2022

New Hampshire Public Radio  
Board of Trustees  
2 Pillsbury Street  
Concord, NH 03301

Attn: Bill Chapman, Chair Emeritus  
Board of Trustees Members  
Lauren Chooljian, Senior Reporter/Producer

**RE: Statements Attributed to Piers Kaniuka**

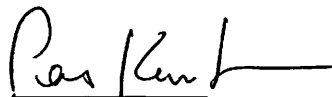
Dear Mr. Chapman, Board of Trustees Members, and Ms. Chooljian:

I am writing to clarify and correct statements by me that were included in the March 22, 2022 New Hampshire Public Radio (NHPR) article about Eric Spofford entitled, *He built New Hampshire's largest addiction treatment network. Now, he faces accusations of sexual misconduct.*

Specifically, I am concerned with your use of my statement comparing Mr. Spofford to Harvey Weinstein and my statement that Mr. Spofford should be prosecuted. At the time I made those statements to Ms. Chooljian, I naively assumed that I would have been provided an opportunity to vet any statements I made, and to provide permission for them to be used, prior to their publication as part of the article.


I regret making those statements. I did not have any direct personal knowledge concerning any sexual abuse, misconduct, or other inappropriate behavior by Mr. Spofford with employees, clients, or former clients.

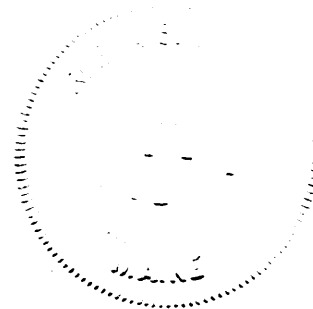
Sincerely,

  
Piers Kaniuka

I hereby certify that on MAY 19, 2022, before me, the undersigned, a Notary Public in and for the State of MAINE, personally appeared **PIERS KANIUKA**, who acknowledged to me that he executed the foregoing instrument as his act and deed.

Given under my hand and official seal this 19 day of May 2022.

  
**REEVA S. WYMAN**  
Notary Public, Maine  
My Commission Expires March 27, 2024





## EXHIBIT 17

May 19, 2022

**VIA EMAIL ONLY**

Benjamin A. Levine  
Gordon & Reese Scully Mansukhani, LLP  
One Battery Park Plaza  
28<sup>th</sup> Floor  
New York, NY 10004

Re: NHPR | Eric Spofford

Dear Mr. Levine:

I am a First Amendment lawyer representing New Hampshire Public Radio (“NHPR”). Your letter of May 18, 2022 demands that NHPR take down its March 22 article about serious misconduct by one of the most prominent and influential figures in New Hampshire’s response to the opioid epidemic, Eric Spofford, the former head of Granite Recovery Centers. NHPR will not do so.

The article is based on countless hours of reporting, careful due diligence by NHPR’s investigative journalists, and interviews with nearly 50 former clients, current and past employees, and others in New Hampshire’s recovery community. The article provides firsthand accounts that Mr. Spofford sent unsolicited, explicit Snapchat messages, including a photo of a penis and invitations to meet for sex, to a patient one day after she left treatment; multiple allegations of sexual misconduct by Mr. Spofford; and abusive leadership practices and acts of retaliation by Mr. Spofford while he was CEO. NHPR’s sources include Granite Recovery Centers’ former Chief Operating Officer, its former Human Resources Director, and Piers Kaniuka, the former Director of Spiritual Life.

You write that Mr. Kaniuka’s May 17 letter requires that NHPR immediately take down its article. But your characterization of his letter is patently incorrect. In his letter Mr. Kaniuka confirms that he made the statements attributed to him by NHPR. He does not dispute the accuracy of any of the information in the article. Nor could he dispute any of the firsthand accounts of sexual misconduct, as he acknowledges in his letter that he lacks “direct personal knowledge.” NHPR did not report that Mr. Kaniuka was a witness to the sexual incidents described in the article. And by specifically declaring that he does not have “direct personal knowledge” of inappropriate behavior by Mr. Spofford, Mr. Kaniuka unmistakably implies that he has other sources of information about the alleged misconduct.

PRETI FLAHERTY

Benjamin A. Levine

May 19, 2022

Page 2

Mr. Kaniuka does say that he regrets what he said, but he does not deny having said it. His regret appears to be the product of legal demands by you or other lawyers working for Mr. Spofford. You write that Mr. Spofford did not pay for Mr. Kaniuka's letter, but his letter cannot have been just a spontaneous act of contrition. NHPR received Mr. Kaniuka's letter on May 17 and yet somehow it had already found its way to you and became the featured attachment to your letter.

To evaluate Mr. Spofford's tactics in response to NHPR's reporting, including whether Mr. Kaniuka's letter was the product of pressure by you or other lawyers for Mr. Spofford, would you please forward all communications between your office (and any other lawyers for Mr. Spofford) and Mr. Kaniuka and his lawyers? It would also be appreciated if you would share your communications with other NHPR sources. NHPR is aware of and very interested in learning more about steps taken by you and others, on Mr. Spofford's behalf, to silence sources or otherwise attempt to intimidate them into retracting their prior on-the-record statements to NHPR.

NHPR has repeatedly asked Mr. Spofford for comment and would be pleased to once again extend that opportunity to him. NHPR offered to schedule an interview with Mr. Spofford, but he declined that offer. Mr. Spofford also remains free to answer the questions NHPR's Lauren Chooljian communicated in writing to his prior lawyer, Mitchell Schuster, on March 9 and again on March 14. Mr. Spofford chose not to respond to any of NHPR's questions. If Mr. Spofford is now willing to answer questions, NHPR would be pleased to arrange an interview.

Before publication, NHPR asked Mr. Spofford's lawyer, Mr. Schuster, to identify anyone who he claimed would not corroborate the allegations. He never identified anyone. Along similar lines, your letter refers to "former GRC clients and employees" who "credibly debunked" the allegations, but you also have not identified anyone. NHPR is not a mind-reader. If you have names and contact details, will that information be provided? NHPR is unaware of anyone who credibly debunked the allegations reported in the article, but remains interested in finding out who you believe has that information.

As I'm sure you know, should Mr. Spofford file any legal claim, he will run into a buzzsaw called the First Amendment. To state the obvious, Mr. Spofford is a public figure, and NHPR's article concerns matters of public concern. The article is therefore entitled to the highest level of constitutional protection.

PRETI FLAHERTY

Benjamin A. Levine

May 19, 2022

Page 3

Mr. Kaniuka's letter doesn't actually deny or retract anything. Please immediately withdraw your letter and confirm that your firm and Mr. Spofford will not be making further demands on NHPR. Please also refrain from harassing NHPR's sources.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'S.D. Schutz', with a horizontal line extending to the right.

Sigmund D. Schutz

SDS:jac

## EXHIBIT 18

# JOANNE ARNOLD

Fine Art Photography in Falmouth Foreside and Portland Maine

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[POSTS](#)

## TRAUMA, ADDICTION AND THE GREATEST LIFE CHEAT : A CONVERSATION WITH JUSTIN DOWNEY.

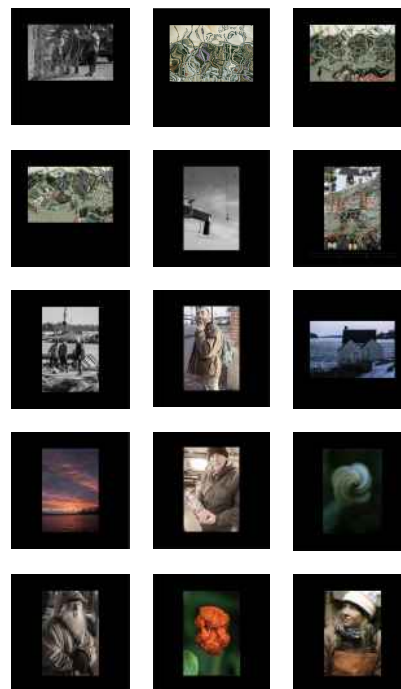
May 29, 2020

I met Justin 3 years ago in a little parking lot in Portland, Maine when he arrived for the 6 AM meetup for Maineworks, a B Corp employing only felons and drug addicts in recovery. My role at MaineWorks was as witness and photographer to their morning circle process.

Justin's intensity was immediately obvious and embodied. My first thought was 'He's gonna' kill himself. Or, 'he's gonna kill all of us.' Simultaneously, there was a great sense of light emitting from him. To stand before him felt like standing before a bed of white hot coals.

He was not the average MaineWorks recruit, in that he was not a twenty something just out of rehab or

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detox for profound substance abuse disorder. In his thirties, he was from the Old Colony Projects of South Boston and raised in the Whitey Bulger era. He had served serious time including years in solitary. When he began to quote Dostoyevsky, Carl Jung and William Butler Yeats amongst others he had my full attention. What I didn't know at that time was the level of commitment he showed up with, to forge a new life. He was determined to put the battered bricks together in a new way.



He was a warrior well established in the Art of War. This was at least, my supposition. In his struggle one could sense that he was becoming a spiritual warrior. To this end I took the chance of offering him a copy of The Bhagavad Gita. Justin reminded me of the ancient warrior Arjuna, dismayed and lost on the battlefield, where he engages in conversation with Lord Krishna about the nature of life.

When I handed the book to him I remember two things. One: The feeling of 'I'm gonna die.' Two: His crystal clear, ice blue eyes shone in unfathomable gratitude that shook me.

The following conversation took place on May 6 2020 in the midst of the Covid19 shutdown when he

MaineWorks  
Miscellaneous  
Oaxaca Mexico  
Portraits  
Reflections  
Waterfront  
Working Waterfront  
streetspeaks

## ARCHIVE

March 2022  
January 2022  
December 2020  
July 2020  
June 2020  
May 2020  
April 2020  
March 2020  
February 2020  
January 2020  
December 2019  
November 2019  
October 2019  
September 2019

was temporarily laid off from his job as a union welder for Pipefitters Local 537. This is his voice exploring the relationship of trauma to his journey from prison, through rehab and re entry. These are strictly his opinions. I believe his insights serve us well to consider.

Note:

**The Bhagavad Gita** , often referred to as The Gita is a 700 verse Hindu scripture. The Gita's call for selfless action inspired many leaders including Mahatma Gandhi.

**The Plymouth House** Is a 12 Step Retreat located in Plymouth, New Hampshire focused on giving addicts, alcoholics and their families a new way to live. [www.plymouthhouse.com](http://www.plymouthhouse.com)

**MaineWorks** is an innovative employment company with a social mission: to dignify the experience for people facing real barriers to workforce entry including people recovering from substance abuse disorder and people with felony convictions. Margo Walsh is the founder. [www.maineworks.us](http://www.maineworks.us)

Please visit: **Boston Accent Lesson with Matt**

**Damon on YouTube.** Justin's voice is pure South Boston and liberally peppered with the F bomb. For these purposes it is written as f\*\*\*, with it's derivatives f\*\*\*ed and f\*\*\*ing.

If the use of this word offends you, please do not read the interview.

**Trauma, Addiction and The Greatest Life Cheat : A conversation with Justin Downey.**



**Justin:** For me, trauma is the great disconnecter.

Because the thing that happens with a lot of traumatized people is isolation. Right? There's a big difference between solitude and isolation. Solitude is needed for growth. Isolation is the ultimate f\*\*\*ing killer of the human spirit. Big, big difference between the two. Isolation usually comes from a place of shame or maybe the person believes, and I know I certainly did, I thought that I was so f\*\*\*\*\* evil and twisted that I needed to protect people from me.

I was so f\*\*\*ing unpredictable. I was like a f\*\*\*ing monster. My body would sound this dread alarm. Danger. Danger. Danger. And my body would just go. And then this really scary thing started happening to me at a young age. I didn't have any remorse about what I was doing. When something would happen I was able to exact some retribution. It felt completely justifiable. But it set me on this path. I wanted people to feel my pain. I wanted people to feel the wrath I felt and that they had created a f\*\*\*ing monster. It was human beings that created this. I wasn't born like this. I knew that I was a very sensitive child and very open. But something happened and I lost that and now they were going to get what they created. And I'm not going to have any feelings over that whatsoever. No one apologized to me so I'm not going to apologize to anyone for it. Right? And I just started consuming people. Women just became objects of sex and pleasure to me. Men became objects of physical destruction right? And I didn't feel a f\*\*\*ing thing for anybody unless I was either f\*\*\*ing it or trying to kill it. And those lines start to get kind of blurry and when you do that to people for years you're basically living on an animalistic plane. And there's

some part of our brain likes being in a primal state. I think that's where I make that correlation of trauma and violence and everything else. Your brain, certain parts of your brain, really like that rush.

And when I started on this path of getting well in this world, for the first time in my life, I wasn't numbing myself out with drugs.



**Joanne:** How did this happen? Was that just a conscious decision you made? You have shared publicly that heroin addiction was part of your life for years.

**Justin:** Yes. 18 years.

About heroin addiction and that amount of time?

One: Usually people don't live that long with that lifestyle. They don't make it that long. Two: People don't usually bounce back because if you've been shooting heroin for 18 years you have f\*\*\*ing hardwired the brain. Your endorphins are dependent on opioids.

I honestly just wasn't interested in paying the consequences anymore. I'm definitely not interested

in going back to jail or prison. But it has nothing to do with guilt. I can put guilt right out of my mind. I can easily live with myself through anything. It really has to do with wanting to leave a good legacy behind.

I don't know what happens after here but I can tell you while I am here I want my life to be something I can look in the mirror at the end of the day and be proud of. It can be a testament for having gone down the darkest roads and finding my way out of that muck and mire. It can be a testament to the War on Darkness it took to come out of that. I want to help people learn to be okay when things are not okay. I don't feel okay a lot. I definitely don't feel okay a lot. It's a huge deal to feel okay. And I want to help people because people helped me and I really do believe in reciprocity.

Heroin winds up being the only thing that can comfort any of the pain of trauma. It's the ultimate pain killer. So you take that away and you're left with a raw open wound on top of all these childhood traumas. I had experienced sexual abuse as a kid. And my mother got sick with HIV and died of AIDS. My aunt died of an overdose. My cousin too. My two uncles caught life sentences for murder. One uncle did 15 years, got out and died. These are the guys that raised me. I got taken away from my mom when I was six and sent to live with my grandparents, aunts and uncles on H Street in South Boston. Then all my friends f\*\*\*ing died. Suicides. Murders or going away for murder. I have what you call compound trauma. The one thing I saw, the underlying theme, was that they all died with this torture in them.

I had a ton of people try and help me. A ton. To help somebody it's 50-50. Timing has to be right and self motivation has to be there. You have to be self-motivated enough to want to change.

I was in prison and this guy started corresponding with me. He was friends with my aunt who I was really close to, who passed away from an overdose. He started to tell me about this place in New Hampshire, The Plymouth House. He started telling me to go there and he would put together a f\*\*\*ing plan for me and would get me in there when I was released. But I was skeptical. You know what I mean? I knew people who had been there though and I knew they make you do intense work on yourself, and this and that, but I knew what I was up against. I'm not an idiot. I'm a pretty self aware person. I knew that if you take the drugs away from me I knew I was going to be f\*\*\*ed. I was not interested when he first offered this. I didn't want to dig through my stuff. I knew this was not going to be easy.

The heroin didn't take pain away anymore. So, you think it's going to be easy without that?

I'd been in prison I think three years when he started this correspondence. He left the brochure of the place. I started looking at the picture on it. It was in the mountains. And there was serene scenery of green hills and this little nice house and I'm thinking to myself what the f\*\*\* is my scenery going to look like when I get out of here? If I don't take this opportunity it's going to be project hallways.

It's going to be f\*\*\*ing destitute. It's going to be crime scenes. My scenery is going to be police stations. It's gonna be another prison if I don't die.

And I said to myself, Well, I would like to get some new scenery. I think I just need to get some new scenery. Maybe I start f\*\*\*ing... feeling.

I don't know...yoga, hiking, spiritual work?

F\*\*\*, I thought, this is like a Club Med for Degenerates. So, I want to go there. I'm a degenerate. And I want to be okay. I don't know how I'm going to do it but I definitely want to be okay somehow at some point in my f\*\*\*ing life. I went there for 30 days and they started telling me about places and locations they have connections with like Portland, Maine, and this and that. I didn't know what kind of path this was going to lead me on but I started to do this work.

All the step work and writing assignments. F\*\*\*ing writing assignments. It was all based on AA.

I'm sitting in these f\*\*\*ing rooms with people who are doing the same exact assignments as I am doing. They're talking about how f\*\*\*ing\* great they're feeling and saying 'I feel blessed.' and 'I'm walking with God.' and I'm like, 'Are they giving out Methadone in this f\*\*\*ing place?' Because they ain't giving me my dose in the morning. I'm not feeling like this. The majority of the people maybe were just saying it because they wanted to sound a certain way? I don't know. I was very vocal. I knew immediately. I said this is a much bigger issue than addiction for me. I know I'm a f\*\*\*ing heroin addict. But I know this is a trauma issue. I knew I had to dig into this s\*\*\* again.

I know exercise works for me. Silence works for me. I started doing yoga at the Plymouth House too and that was what I felt the most there. I was doing yoga

every single morning there and that was what I longed for. But when they would start getting into those f\*\*\*ing\* groups, I'd be like 'I'm going to my room.'

They have these really nice grounds and I would run every f\*\*\*ing morning. I must have looked like a freak show. Because I came right from prison to this place. I had been in prison for three and a half years at that point. Worked out everyday and everybody else there, other than me, no bullshit, had come straight from detox or off the street. My body was extremely healthy and in extremely good shape. My mind was f\*\*\*ed. Right? But these other people, their bodies were f\*\*\*ed from heroin. So here I am. I'm the f\*\*\*ing guy at 4:30 in the morning f\*\*\*ing running 9 miles around the place. Doing f\*\*\*ing burpees in the yard. Doing push-ups. Doing Army crawls across the f\*\*\*ing grass. And then I'm in yoga. I must have looked like a f\*\*\*ing lunatic. They definitely confronted me on it. They said, 'You look like a f\*\*\*ing nut job. You work out more by 7:30 in the morning then we could in a week!



It's the only f\*\*\*ing thing I knew how to do to keep me in some state of normalcy and as soon as I was done with that I'm f\*\*\*ing out in Mars again. My mind was so f\*\*\*ing far gone. I couldn't stay present. I couldn't read a f\*\*\*ing paragraph in a book without

forgetting what I just read. I was f\*\*\*ed. The only time I felt one pointed was during meditation and in my physical exercise. So I made that my recovery base along with reading the Bhagavad Gita. It really helped me focus on my connection to God. I grew up Catholic. Everything is christian-based. The 12 steps are even christian-based. And that God just doesn't work for me. It just doesn't. You know the Gita really works for me because it was more your own psyche being your connection to God. I mean it wasn't this outer source. It's you being your own source of God.

Once you can become your own source of God other people are all God. We're all god. That's what really spoke to me.

Trauma makes your own psyche a built-in enemy. Imagine your mind as a separate entity, like another person that you're stuck with all day long. This person is small enough to sit right here on your shoulder comfortably and they

never fall off no matter what you do. They're just stuck with you all day and all night. And all day long they're like *FUCK YOU. YOU SUCK. YOU'RE A PIECE OH SHIT. I HATE YOU. YOU HATE THIS PERSON. FUCK THIS PERSON. FUCK YOU. FUCK YOU. FUCK YOU.* All day long. I'd want to rip that motherf\*\*\*er off my shoulder and break his neck if I got stuck with somebody like that for 20 seconds. But that's how our minds are equipped to work against us. So, I understood I have a built-in enemy. My mind is telling me that every single person is a threat. What am I supposed to do? So I mostly I just lived this f\*\*\*ing solitude existence for the last 10 years locked up.

I come out, every locked up guy is f\*\*\*ing wanting to be out free, and I come out here, and now this is the first time I ever considered in my mind to do the right thing. So, I'll try and do the right thing with no knowledge of how to do the right thing. I'm f\*\*\*ing 36 years old. I never, since I was 12 years old, had NOT committed crime. 12 years old. At 12 I was selling drugs. At 12 I was stealing cars. At 12 I was breaking into houses. I started using heroin at 16 years old. I had no f\*\*\*ing idea. And now I come to this conclusion that I'm done with drugs. I ain't doing this no more. I got to do the right thing. *How the f\*\*\* do you do that with no knowledge of how to?* This is the first time I've come out of prison now with my mind made up. I'm definitely going to do the right thing at all cost. I'm like, I have no idea how to be a kind, loving, productive person. My life just hasn't allowed me to be that. It's not that I don't want to be. It's just my life didn't allow me. Now you take me from prison which is a hate factory and transport me to f\*\*\*ing cream puff recovery community in Portland, Maine. I was like, what the f\*\*\* are these people talking about? What the f\*\*\* are ammends? I f\*\*\*ing have to say sorry for everything I ever did? I got to go to these meetings every f\*\*\*ing day? Every f\*\*\*ing day?

But now that I was done with The Plymouth House and living in Portland, Maine I loved what I did with Maineworks. At least with the morning fire part, but then I had to go to work. I got to do this for 12 f\*\*\*ing dollars an hour? And this guy has just f\*\*\*ing yelled at me at a job Margo (MaineWorks founder) got me and the only reason I'm not bashing his head in with a shovel right now is because this lady Margo was just nice to me first thing in the morning. So I want



her to be nice again to me tomorrow. I can't hit this guy on the head with a f\*\*\*ing shovel right now because he snapped at me. That's the only thing I know how to do. Destroy everything in my path.

I want these two women to be kind to me. You know, this one woman who brings me blueberry muffins and gave me a book, that's you Joanne, and the other one, Margo, who yells at me but I know she likes me. I want this little semblance of kindness I get around 5:30-6:00 in the morning. So, I can't beat the fuck outta' this person. I'm not kidding. This is seriously what was going on in my mind. I wanted people to be nice to me for once. And because I knew how good it made me feel, I'm going to learn how to do this for other people.

Because nobody should ever have to be this f\*\*\*ing strong in life. Nobody. I've had mornings I wake up and say 'How the f\*\*\* am I not going to kill myself today? How? I have no idea how I won't commit suicide or homicide today. Give me one reason, one f\*\*\*ing reason. I catch a lot of depth out of little things. I always have. It can be one f\*\*\*ing small reason why I would not end someone's life or blow my head off and be done with this. And when I got to Portland these little things kept happening every f\*\*\*ing day. These little pieces in the morning. And it always started at MaineWorks for me. Every morning. It was an interaction with you or an interaction with Margo or with one of the other guys. Something had me hanging on every day. Human connection is really, really important for people with trauma.

I hated every single job Margo got me. But I liked how nice she was to me in the morning. And I liked how nice you were to me in the morning so I kept

coming back. From there I would get out of work and go to the gym by myself. I'd go to yoga alone. I'd listen to music. I'd listen to spiritual talks. All by myself. It was like I was de-fracking machine. This don't serve me. This don't serve me. This don't serve me. I spent a lot of time in isolation but I always started my day off with you guys. It was the human connection part.

I'd go to the Eastern prom on a December morning and go plunge myself into the ocean like a f\*\*\*ing lunatic and everybody walking by saying, 'Wow. This guy's fucked. Who's this guy? He's crying on the beach in a bathing suit in December.' But that cold plunge would still my mind. I knew my brain was getting rewired. I don't know how I started making these connections but I knew. Something was happening and if I'm getting emotional I know some type of disarmament is going on. And I don't know exactly what it is. Whatever it was it was good. I knew it was making me a better person. And I knew I was calming down and the war got quelled a little bit. Not all. Not even a lot. But a little. And a little was better than none. I started looking forward to things and my mind wasn't telling me to kill myself or 'Kill this person'. My mind was saying I really want to get down to that morning MaineWorks fire, introduce myself to everybody and maybe Joanne will tell me to get some book that I'll read 'cuz she's got lots of knowledge. Maybe Margo could give me a little bit of motherly love she gives off. I haven't had that since my mother died.

I came into contact with the homeless community in Portland with Mike and other guys there and I started noticing in Mike when he'd look at me. Like wow I'm making a difference in his day. And that was

the first time that kind of connection happened for me and that felt good. Okay so. Here I am, I'm comforting this guy and this guy's been through a f\*\*\* ton just like me. Just like I have, right? He's been through everything I have and he's a f\*\*\*ing mess. But somehow my presence is comforting to this guy. I'm not going to change his life. Mike isn't even going to stop shooting heroin. Mike's not getting off the f\*\*\*ing streets. But my presence is comforting to him. You know what I mean? And I'm not judging Mike. I don't give a f\*\*\* if Mike never stops shooting heroin. I do. But I don't. Obviously I want him to stop. But I don't care if he does. As long as my presence is comforting to Mike that's all that really matters. At the end of the day somebody's presence comforting me, to quell my f\*\*\*ing war for a moment, is all that matters. Mike's war is quelled. It might not make a difference in the day or the outcome of the day but for a moment, a split-second that war is f\*\*\*ing still. And you return to a silent center of yourself. An innocent part of yourself and that's the journey with trauma. We're trying to find that innocent part of ourselves again. Before the world twist twisted us into what trauma twists you into. You know it's a return to innocence and it's a return to being childlike again before these f\*\*\*ing things come in and reshape and turn you into the f\*\*\*ing Joker. And that's what it was turning me into. I started getting feelings of hope. I was looking for people to guide me.

I had to ask myself, 'What was the time in my life that I felt the best?' And aside from the situation and surroundings, I have to be 100% honest with you, it was prison. Why did I feel like that in prison? I was going to bed early. I was waking up early. I'm starting

my day off with silence. There's nothing quieter than a cell block at 5:30 a.m. in the f\*\*\*ing morning. Let me put it this way. Do you want to be the first guy to wake everybody up when you're in an environment with a bunch of lunatic animals? Prison is mostly a f\*\*\* ton of quiet time. And a ton of boredom. And that threat of violence is always looking underneath.

So I'm going to bed early. I'm waking up early. I don't have any kind of distractions. I have no phone to check text messages. I don't have a girl lying next to me. I'd have my morning coffee at my little desk in a jail cell. It's cold and I'm staring at the wall. I feel one pointed.

So my day starts off with this meditation. And I feel good. In an hour of opening my eyes I'm eating a meal. After that I'm exercising. I'm starting my day off with push-ups - getting my body pumped. My body and my mind are becoming a cohesive unit. Then I take a little nap. I wake up. I read for 3 hours. I put the book down. I put my earbuds in and I'm listening to music.

Guys come out of prison looking like a million bucks. Not just because of the work outs. They're eating. They're reading and nourishing their minds. Whether you're conscious or unconscious you're making Psyche Spiritual connections within yourself when you're reduced to having nothing.

I got out and now all these people are telling me you got to write in a notebook and make 9000 amends and help everyone who comes into your past and you got to do this bleeding heart routine. And I thought to myself I don't even know if I'm a good person. Go out and help somebody? If I'm going to do that I got to be gentle. I'm not going to

do it otherwise. I feel like an idiot and the whole time I've got this f\*\*\*ing dread alarm going off in my body. I just wanted to kill them all. So I had to get back to what worked well for me and I had to find out my prison routine works great for me out here. The only difference is - I have to go to work. I start my day off with silence. Have my coffee. Have a healthy meal. Get my body moving first and foremost. Get that half hour a day before I hit the calamity and confusion. Where I can be present with anything that arises in me. I've had many healing experiences in my quiet time in the morning. I'm crying for no reason. I literally don't know why I'm crying. No idea what the f\*\*\* is going on. But tears are coming down. It happens in public too where I start crying for no reason and I think I must look like a crazy person. Like why is this giant tattooed 210 pound guy that could rip my head off, why is he crying. And we don't want to approach him because he'll probably kill us.

The majority of this bounce- back- to- myself has been darker than actually going through what I went through. The veil is lifted and it hits you in the heart and in the mind. And you have to come into deep intimate contact with these painful experiences again. And what exactly they did to you. You have to look at yourself through a lens of non judgement. I had to admit, Wow. I'm pretty f\*\*\*ing selfish. I'm a pretty f\*\*\*ed up person. My morals are fucking twisted and the way I look at the world is f\*\*\*ing horrible. The way I look at people sucks. And why am I a moody f\*\*\* all the time and why do I hate everything all the time? That ends up being such a weight to carry around. When that hate gets lifted out of your heart you feel it in your body. My body feels gentle for the first time in my life and I feel like I

can breathe and I'm not walking around f\*\*\*ing on edge.

I can't tell you how many times earlier on this path I'd be sitting having a conversation with somebody and I'm doing the basic human stuff. I'm smiling at this person. But the whole time my mind was saying kill this person. And now I'm supposedly walking the spiritual path and I'm of God or whatever God is, right? I'm on this walk on this journey and I'm trying to learn how to be compassionate and this and that and my mind is literally saying kill this person. I'm like, this is confusing. What is going on here? I'd be sitting there meditating and I'd have these long drawn-out fantasies about how nice I'm going to be when I am enlightened and these long sexual fantasies and I'd look like I'm meditating but I'm a complete prisoner of my mind the whole time. It's confusing. It's very painful. It's more painful than the actual experience of what I went through because when I was going through that it was all based on reactions. I had to do what I had to do to survive. It's when you step back after surviving and you look back at the depth of what you've experienced. It's like, holy s\*\*\* why the f\*\*\* did I react like that? What the f\*\*\* did I put into this person's heart?

I caused my kids pain because I don't even know how to be a fucking father. He's a teenager and I haven't seen him since he was seven or eight years old. I know what that did to me as a kid. I just did the same exact thing to my son. How the f\*\*\* do I fix that?

I firmly believe that life is a three-fold journey of resilience, wisdom and love. That's all it is. We are here to be broken. We are here to suffer. We are

here to accumulate wisdom to get us out of suffering while remaining conscientious of pain and to love other suffering people and ourselves. And that's the reason we're here.

Wisdom is a gift to be passed on to people. So someone passes wisdom on to me. I put wisdom into action. Action changes behavior but it all turns to wisdom. You become calmer. You become more loving because of wisdom. A lot of power in wisdom. Our job is to teach other people wisdom. If I am teaching other people wisdom I'm loving them. And you establish that really deep connection.

Adversity of pain. That's the biggest uniter of people. Nothing will unite two people more than that. I have had numerous instances of one-time interactions with people through healing ceremony. I'll never see this person again, but they said something to me or put me on to something that stopped me in my tracks and you're forever bonded because they shared vulnerability with you and they shared pain with you. And those two things will melt through any f\*\*\*ing hardness. I've seen the hardest motherf\*\*\*ers, and I've been a prick myself, but when someone's vulnerable with their raw honesty, just raw f\*\*\*ing vulnerability, we soften. That person is etched into you forever. They are to me anyways. And I'm a cynical prick. It is all a spiritual experience.

The things that excite me now are like Bhakti yoga. I'm on f\*\*\*ing Google looking up Vedic chants. Because Vedic chants speak to me. If anyone ever told me 10 years ago that I'd be sitting in my house chanting OM with a Goldendoodle at my side I'd be like, right. I wanted to be that guy in Walpole with an eyepatch and a big scar down his face, missing

teeth and just soaked in blood all day. That's what I had wanted to be. But these are the things that motivate me now. That keep me in a state of motivation. That state of motivation is so essential.

Pain gets very comfortable for people. The thing is most people don't consciously know they're doing it. I did it for years. When you're in pain you look for more painful things to mask the pain you're going through. So, maybe you're having this feeling and gone looking for heroin and now to get your next high on heroin you're looking to do robbery to make money. And now you want cheap thrills and sex. All that f\*\*\*ing s\*\*\* kills you inside. People in that lifestyle and those behaviors don't feel good about themselves. So you're in this constant state of living like a barbarian and you don't know how it can be different. You might have an aunt like I had, but how the f\*\*\* do you get out of it? You have to learn to feel the pain. And to die into the abyss. The abyss is really, really terrifying. I was just kind of made for the abyss.

If anyone is reading this sees something that's stoked some curiosity in them, by all means reach out to me. Message me. If you live far away from me, make some f\*\*\*ing time to come see me. Or I'll come see you. And we'll sit down as two human beings and we'll put our phones away. No distractions. We just dig. And maybe I help you. Maybe you help me. Maybe me going to help someone else really helps me. I don't have to wait to meet the Pope to have a spiritual experience.

I literally look at this, like I'm going to meet a child of God. I'm meeting someone who may have some enlightenment that I don't have. And I want that



knowledge. I want that wisdom. So I've got to go on this journey. Then you get there and you have these raw moments with people and that's spiritual experience. You can have them all the time. And that's the beauty behind this journey. You can literally have these moments with people all the f\*\*\*ing time. You just have to be willing to sacrifice time and be vulnerable. Let the guards down. Let the ego go. I want to sit down and just get quiet with someone in quiet scenery. Maybe I hand you off to a friend for more information. Maybe Ayahuasca speaks to you and you want to know my experience with plant medicine. And when I tell you about it I hand you off to someone who knows more and, boom. You're on another journey and that's the beauty. It's people meeting people. Connecting. Connecting. Connecting.

I had to say, I want to be f\*\*\*ing better. I don't want this s\*\*\* to define me. Yeah, I went through all this f\*\*\*ing horrible s\*\*\* but it's not going to kill me. I'm going to overcome it. I don't know how. I don't know how long it's going to take. And I'm dealing with all the residuals from it. I'm a f\*\*\*ing lunatic. But I'm going to figure this the f\*\*\* out and it means I'm going to have to go out on a journey and meet people with ideas better than me and I have to be soft. I'm just a person that has gotten beat the fuck down. And I'm here. I had no idea what the f\*\*\* I was doing. None. And people were like 'Try this.' And I was like 'Okay.' If someone told me to bash my head on a wall three times and that would put me in a transcendent state I would need brain surgery by now. Cuz I would have done anything some people told me to do to get okay because of my pain level. I didn't want to stay the same anymore. The fear of

staying the same has to outweigh the fear of change.

In the Bhagavad Gita, Krishna talks with Arjuna about how we're going to keep recycling into the sorrow until we figure it out. Listen. I don't want to recycle here anymore. I just want to go. When I go I want to be with source. And whatever that source is I want my soul to align with it and be on a plane of love that makes sense of why I have experienced this and all other lifetimes of sorrow. And I hope this is the last one. I really do. Because this is not f\*\*\*ing fun. (laughter) I'm not having a great time here. But I'm here until the bell rings.

In the Gita, Krishna describes to Arjuna that we're here to become a superior person. And the superior person isn't this beam of light. It's a beam of wisdom. How many times does Krishna mention wisdom in the Gita? He talks about wisdom. Wisdom. Wisdom. Wisdom blossoms love. Wisdom is the ultimate remover of pain. So that's what I got out of the Gita and I think my favorite part of that book is when Arjuna cries out to Krishna to reveal his form. And Krishna reveals his form. And Arjuna, he sees that he is everything. That everything is source and maybe it says to him in his mind, 'Well you know. This might be it. We might not go anywhere. What if this is it?' If this is it then we only get one shot at experiencing heaven here. I've already experienced hell. I want to know what heaven feels like. I start getting little snippets of it and it always ends up, is always in the form of another human being that gives it to me. So *the f\*\*\*ing thing that trauma did, which was to make me hate people so much...ended up being the rescuer of me. It was people. I was like, this is a*

*f\*\*\*\*\* up lesson. The thing I hate the most is what ends up returning myself to me. Wicked ironic.*

I still get that thought in my head like I f\*\*\*ing hate everybody. I'm not like some f\*\*\*ing yoga master here. But it goes out of my head quick. That's an ultimate lesson. Because even though that thought has never left my mind entirely, I really don't hate anybody.

We're talking about people who have addictions, violent tendencies, sexual proclivities and disconnection from other people. You don't allow people to get close to you even though you f\*\*\*ing really want people to be close to you. And when I hear people saying, saying ' I f\*\*\*ing hate people.', I say to myself no, no, no. You love people so much it f\*\*\*in hurts you. That's the truth behind it.

Trauma wants us isolated. Wants us alone. The opposite of isolation is solitude. We have to stop being isolated but we need solitude. There's a big difference in the two. You have to connect with people. You have to find your tribe.



The spiritual modality of yoga, plant medicine, Wim Hof Method, really remove the trauma very deeply

from my body. And that's a journey with trauma that people have to make their own connections. It's very, very deeply embedded in our body. These traumatic experiences are not just in our subconscious mind. They go into us cellularly. They go into our muscular system. Into our skeletal system. Into everything. And you have to literally wring it out. Yoga is a good way to bring it out. Wim Hof cold water therapy is too. Not fun, but great way to wring it out. Ayahuasca. These ancient ways have been passed down for thousands of years. Meditation. Yoga breathing. Pranayama. Ayurvedic breathwork. Shamans. Going into spiritual Realms. Transcendent States. These have been passed on for thousands and thousands of years for a reason. They work.

When I wake up in the morning I say meditate, Justin. Breathe. Drink some water. Take your vitamins. Have a cup of coffee. Get quiet. Connect with some literature. On your way to work listen to a spiritual talk or two. Get your mind working right. While I'm at work, while I'm welding, I'm constantly plugging into Krishna Das. I'll look at your page and I'll see pictures of Mainworks or Margo or guys I was there with and it brings back these moments back for me. When I get out of work I'm saying to myself What is Justin going to do? I'm definitely not going to sit down on the couch and feel sorry for myself and numb myself out with whatever. I'm going to go to the gym. I'm going to go get my endorphins pumping. I'm going to go to yoga. When I get my brain fired up I'm going to feed my brain all the natural s\*\*\* we have inside and that is what wrings the trauma out.

So it's very much in our body. It's not talked about enough. You turned me onto it, *THE BODY KEEPS THE SCORE* by Bessel Van der Kolk, M.D. . A great book to read to understand exactly what trauma does to you on a physical level.

The average alcoholic drug addict is very highly traumatized person though and yes sometimes they are able to physically put down the drink. But if they don't address the trauma, guess what? It comes out in other areas.

For me trauma and addiction are linked but are two completely separate entities. Yes, trauma is the cause of a lot of addiction. But remove the drugs? The person is still a traumatized person.. These things always stay with you. They never go completely away. But you can remove them enough from your psyche and physical body so you can go live a productive life. But you have to literally learn the body. Learn the mind and you have to make that psyche spiritual connection. That 18 inch journey. Head to heart. It's the hardest and longest f\*\*\*ing journey you'll ever walk in your life. But it's absolutely essential to healing from trauma. If you don't make that connection you're going to stay in a perpetual cycle of torture and soft torment. It's impossible to stay happy all the time. It's not ever going to happen. But the best thing it's done for me is that I absolutely 110% know under any condition I am always okay. That's a huge moment for me. You're always okay. And you're not in the ER. You're all stitched up. You're not in the OR anymore. You're eating ice cream with a f\*\*\*ing big bandage on you. And a morphine drip (laughter). And your yoga is your morphine drip. Every time I'm feeling crazy instead of hitting the morphine drip I want to go to

yoga instead. That's how my mind's working now. Or I need to go connect with nature or I need to go drink some Ayahuasca with my female

Shaman beautiful friend that I've made. She returns me to myself. Or I need to connect with you or I need to sit down and have a connection with Kelly my girlfriend and talk. We need to have good communication. That's what helps me.

So the morphine drip is no longer there. Actually, I have to have a new morphine drip. But one that makes me feel good. Has no nasty side effects. And that's what breathwork and yoga does. I can get high on my own breathing. Basically I learned how, and I was doing it naturally in my own physical body, to get high. And I don't have to go to jail. It's pretty great. I can hit all the same receptors and I don't have to pay any of the consequences for it. It's like the greatest life cheat.

*To read a previous interview with Justin Downey, please see:*

[Have you heard sheltering in place referred to as Solitary? April 2020 Interview with Justin Downey](#)

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## EXHIBIT 19



BE ONE OF 603 LISTENERS TO MAKE A GIFT TO NHPR AND HELP UNLOCK \$10,000 DURING OUR PUBLIC RADIO FOR THE 603 CHALLENGE!

# How to contact NHPR about allegations regarding Eric Spofford

New Hampshire Public Radio | By **NHPR Staff**

Published March 22, 2022 at 6:00 AM EDT



NHPR

Weekend Edition Sunday



Support

**Lauren Chooljian** is reporting on Eric Spofford, the founder of Granite Recovery Centers and one of the most prominent and influential figures in New Hampshire's response to the opioid epidemic.

She's found a pattern of alleged sexual misconduct, abusive leadership, and retaliation by Spofford.

And we need your help. If you were a former Granite Recovery Centers (GRC) employee or client, or if you have information about Spofford or GRC you think NHPR should know, please get in touch.

**Please note: Your name and information will only be shared with Lauren and her team at NHPR, and will not be published without your consent.**

Email Lauren [here](#). You can also text or call her at 401-646-3016.

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**Weekend Edition Sunday**



## EXHIBIT 20

STATE OF NEW HAMPSHIRE

ROCKINGHAM COUNTY, SS.

SUPERIOR COURT

Case No. \_\_\_\_\_

Eric Spofford

Plaintiff

v.

New Hampshire Public Radio, Inc., *et al.*

**AFFIDAVIT OF LYSIE METIVIER**

I, LYSIE METIVIER, being first duly sworn, depose and state:

1. I am 31 years old. I live in Londonderry, New Hampshire with my husband and two children.

2. The information contained in this affidavit is true and correct to the best of my knowledge and belief.

3. I have been a Human Resources professional since 2010 and presently serve as the Director of Human Resources for a large automobile dealership's management company in New Hampshire.

4. In this role, I am responsible for all facets of the company's Human Resources operations, including hiring and firing employees, investigating employee complaints, implementing policies and procedures, managing payroll and benefits, and other employee-related tasks and projects.

5. Before my current position, I was the Director of Human Resources at Granite Recovery Centers (GRC) where my responsibilities mirrored those that I have described for my present role.

6. I began working at GRC in October 2017 and continued until the beginning of March of 2020, just before the onset of the COVID-19 pandemic in New Hampshire.

7. Although I enjoyed working at GRC, I resigned to pursue a different opportunity, which included a raise and additional fringe benefits.

8. Although I have not struggled with substance use disorder myself, my son's biological father did. His addiction reached its worst point just as I began working at GRC.

9. With the help of Eric Spofford and other GRC colleagues, I was able to convince my son's biological father to begin treatment at GRC. Although his treatment was unsuccessful (he voluntarily discharged before completing the program), it helped me realize that I too was affected by his substance use disorder and could benefit from GRC's programming.

10. As a result, within the first month of my starting at GRC, I began regularly attending family recovery meetings, which were designed to support family members who had been impacted by someone else living with substance use disorder.

11. I believe that my participation in those meetings helped me forge strong bonds with my GRC colleagues.

12. I believe that my shared and related experiences with fellow GRC employees resulted in them trusting me, and that it helped erase any real or perceived barriers to interacting with a Human Resources professional.

13. I also believe that, during my time as the Director of Human Resources, if an employee had been sexually harassed or assaulted by Eric Spofford or any other GRC employee,



that employee would have felt safe reporting it to me. GRC employees knew that I handled personnel matters with the appropriate level of sensitivity, professionalism, and discretion.

14. During my tenure as the Director of Human Resources, I neither received nor investigated a complaint, allegation, or even a rumor, from any GRC employee, involving accusations that Eric Spofford had engaged in sexual misconduct.

15. On March 22, 2022, I read New Hampshire Public Radio's (NHPR) report about Eric, which it titled, *He Built New Hampshire's largest addiction treatment network. Now, he faces accusations of sexual misconduct.*

16. I remember I was shocked by the title. The first time I read it, I thought that Eric had been accused of engaging in criminal conduct. Even after I read the full article, I was still unclear about whether Eric had been criminally charged for committing some unlawful sex crime because the NHPR article made it seem like he had.

17. I could not believe that NHPR published a story about Eric supposedly engaging in sexual misconduct during the *exact* time period when I was the Director of Human Resources, yet no one from NHPR contacted me for my input and knowledge of what transpired then.

18. Given the report's inclusion of statements attributed to Nancy Bourque, the Human Resources Director who was hired to fill my role and who I helped onboard and train, the reporter must have known about me, the position I held, and the time when I held it.

19. When I found out that Nancy was quoted in the article but that the accusations of sexual misconduct pertained to the period of time when I was the Human Resources Director, I decided to text the reporter, Lauren Chooljian, at the number the article had previously provided but now no longer does. I wanted her to know that her article about Eric was seriously flawed and that I possessed information that cast serious doubt on the accuracy of her reporting.

20. Ms. Chooljian responded to my text almost instantly. She asked to speak with me that afternoon, which we did.

21. We spoke on the phone at approximately 5:00 PM EST on March 22, 2022, the same day her report about Eric was published.

22. At the start of our call, Ms. Chooljian asked to record it. I did not consent.

23. After that, Ms. Chooljian asked me why I contacted her. I told her that I was the Director of Human Resources for GRC from October 2017 to March 2020, that I felt like she had inaccurately reported about Eric and GRC, and that I was surprised and disappointed that she had not tried contacting me before publishing this article despite her knowing about me.

24. Rather than address my initial comments head on, Ms. Chooljian pivoted to asking me to describe my relationship with Eric. I told her that Eric and I had worked closely together, and that Eric never once made me feel uncomfortable or acted inappropriately toward me.

25. I explained to Ms. Chooljian that Eric and I worked through difficult personnel matters and that Eric always approached them professionally.

26. I even gave Ms. Chooljian a concrete example of Eric handling a harassment issue at GRC. I told Ms. Chooljian that, after Eric had learned about a GRC executive who had sent inappropriate boundary-crossing text messages to an employee, Eric terminated him immediately.

27. I revealed to Ms. Chooljian that the employee was me. The executive was someone who played an integral role in the company. When I reported the executive's inappropriate behavior to Eric, Eric terminated that executive within the hour.

28. I got the sense from Ms. Chooljian that my knowledge of Eric's behavior and conduct at GRC during the relevant time period was not in line with her opinion of him. She did not seem interested in the information I had.

29. She continued to pivot away from any information I gave her that undermined the credibility of her reporting.

30. Ms. Chooljian asked me, for example, whether I had listened to the podcast which had accompanied the NHPR article. I told her that I had.

31. She asked me if I recognized any of the voices on the podcast to which I disclosed that I did: the female identified as “Employee A”.

32. I told Ms. Chooljian that I had serious doubts about the truthfulness of Employee A’s allegation.

33. I revealed to Ms. Chooljian that I was close with Employee A. I stated that Employee A and I had become close because, she, like me, did not suffer from substance use disorder; rather, her mother did.

34. I told Ms. Chooljian that Employee A attended and spoke at the same GRC family recovery meetings that I also attended and participated in. Our shared experience of coping with a family member’s addiction is what connected us as colleagues and friends.

35. Because of our close relationship, Employee A was open with me about her romantic relationships, including those she pursued and had at GRC. I gave Ms. Chooljian two examples.

36. I knew, for example, that Employee A was attracted to former GRC employee Jeff Hatch. I know that Employee A spent a lot of time trying to get Jeff’s attention—I personally witnessed her doing so at the GRC family recovery meetings. Employee A also told me repeatedly of her interest in Jeff and I saw their text message exchanges which confirmed her interest.

37. At some point, Jeff explained to Employee A that he viewed her only as a friend. I recall Employee A was initially devastated.

38. Employee A, however, appeared to quickly fill that void by developing an interest in a different GRC employee: an admissions representative. They started dating soon after, which I knew about because Employee A told me about their relationship.

39. Employee A never said a word about being attracted to, harassed by, or having been intimate with Eric. Based on my relationship with Employee A, I firmly believe she would have told me about those things if they had happened.

40. After I told Ms. Chooljian some of what I knew about Employee A, Ms. Chooljian's tone changed. She was adversarial—combative even.

41. She kept challenging me to say that I did not believe the women described in the story.

42. As a woman and Human Resources professional, I refused to outright call these women liars to the reporter. I instead reiterated that, based on my relationship with and recollection of Employee A, I felt there was very good reason to question the truthfulness of her claims.

43. Ms. Chooljian did two things in response. First, she questioned whether my recollection was accurate. Second, Ms. Chooljian insinuated that I did not know about these accusations because I was not good at my job.

44. I remember responding by also alerting Ms. Chooljian to the fact that Employee A's description of Eric's office was inaccurate. To the best of my recollection, Eric did not have a couch in his office when Employee A claimed to have had an intimate encounter with him in there.

45. Ms. Chooljian did not seem to care. She instead was more focused on attacking my recollection and aggressively asking me if I thought the accusers were lying.

46. Ms. Chooljian's adversarial tone made me uncomfortable, and I felt pressured not to continue disclosing the information I possessed that undermined her reporting.

47. My call with Ms. Chooljian concluded with her claiming that she would contact me again to continue discussing what I knew about Eric.

48. She still has not.

*[Signature page follows]*

FURTHER SAITH YOUR AFFIANT NOT.

Date: September 8, 2022

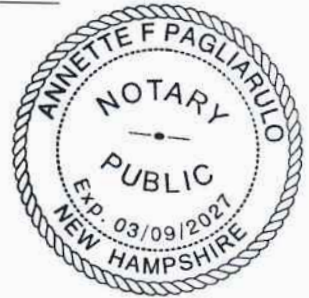
Lynsie M.  
Lynsie Metivier

State of New Hampshire  
County of Hillsborough

PERSONALLY APPEARED, the above-named LYSIE METIVIER, and affirmed that the foregoing is true and correct to the best of her knowledge and belief.

Date: September 8, 2022

Annette Pagliarulo  
Notary Public/Justice of the Peace



## EXHIBIT 21

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(<https://nenc.news>)

# He built New Hampshire's largest addiction treatment network. Now, he faces accusations of sexual misconduct.

By Lauren Chooljian

March 22, 2022



Gov. Chris Sununu, right, visited Granite Recovery Center's headquarters on July 22, 2021. Eric Spofford, who was CEO of GRC, is one of the most prominent and influential figures in New Hampshire's response to the opioid epidemic. (Jason Moon/NHPR)

An NHPR investigation has discovered multiple allegations of sexual misconduct, abusive leadership, and retaliation by Eric Spofford while he was CEO of Granite Recovery Centers (GRC).



GRC is the largest provider of substance use disorder treatment in New Hampshire and serves thousands of people across New England each year, at a time when the need for treatment continues to outpace availability. Many clients, including some who spoke with NHPR, say they have GRC to thank for their recovery.

But in interviews with nearly 50 former clients, current and past employees, and others in New Hampshire's recovery community, a dark portrait emerges of Spofford as a polarizing figure who preyed on vulnerable people and wielded his power to avoid consequences.

Spofford did not respond to specific questions about the allegations. His lawyer, Mitchell Schuster, said in a written statement, "Mr. Spofford denies any alleged misconduct – in particular, the sexual assault accusations, which are not only categorically untrue, but defamatory in nature." Schuster threatened legal action if NHPR published its story.

"Eric Spofford," Schuster wrote, "has spent most of his adult life pulling thousands of people out of the depths of addiction, depression and trauma."

The statement continues, "Some recovering addicts are uniquely suited to work in the field and are able to use their past experiences to help others in need. Others relapse and revert to the lies that tragically go hand-in-hand with addiction."

Schuster also said that "former and current" GRC employees "refused to corroborate these false allegations." But when asked to provide contact information so NHPR could interview these people, Schuster did not respond.

***LISTEN TO THE AUDIO STORY AND READ THE FULL INVESTIGATION AT NHPR.ORG*** (<https://www.nhpr.org/2022-03-22/eric-spofford-granite-recovery-center-nh-sexual-misconduct>).

***If you were a former Granite Recovery Centers employee or client, or if you have information related to NHPR's investigation, please click here to find out how to get in touch*** (<https://www.nhpr.org/nh-news/2022-03-22/how-to-contact-nhpr-about-allegations-regarding-eric-spofford>).



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## EXHIBIT 22



# Connecticut Public

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March 24 · 🌐

After multiple allegations of sexual misconduct, abusive leadership, and retaliation, Eric Spofford the CEO of New Hampshire's largest addiction treatment network, is under investigation.

<https://trib.al/4Ti8oxh>





NENC.NEWS

**He built New Hampshire's largest addiction treatment network. Now, he faces accusations of sexual misconduct...**



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14h · 🌐



This hour of [Where We Live](#), we're learning about the history of shipwrecks along Connecticut's shoreline. Dr. Nicholas Bellantoni joins us to discuss what happened and how the remains are being preserved so that divers can have an opportunity to explore this piece of history. <https://trib.al/jD9aZHx>



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**The many shipwrecks off Connecticut's shoreline**

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Through the American Rescue Plan Act, one-time federal COVID-19 relief payments were issued Sunday, which could help about 15,000 low-income Connecticut households with back-to-school shopping. <https://trib.al/Gc7EC0a>



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**\$7 million in back-to-school grants to be issued to Connecticut low-income...**



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A man accused of shooting a security guard Friday at Buckland Hills Mall in Manchester has been arrested after turning himself in Saturday night.

The suspect is being held on a \$1 million bond and is scheduled to appear in court on Monday. <https://trib.al/k6ziRCf>

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Inspired from old photographs of the famous 19th century art supply and curio shops of Europe, the [Lyme Academy of Fine Arts](#) store is an affordable art supply shop designed to be an homage to the eccentric relics of the past. <https://trib.al/1g5FDdy>



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A store at the Lyme Academy of Fine Arts is transporting customers back in time

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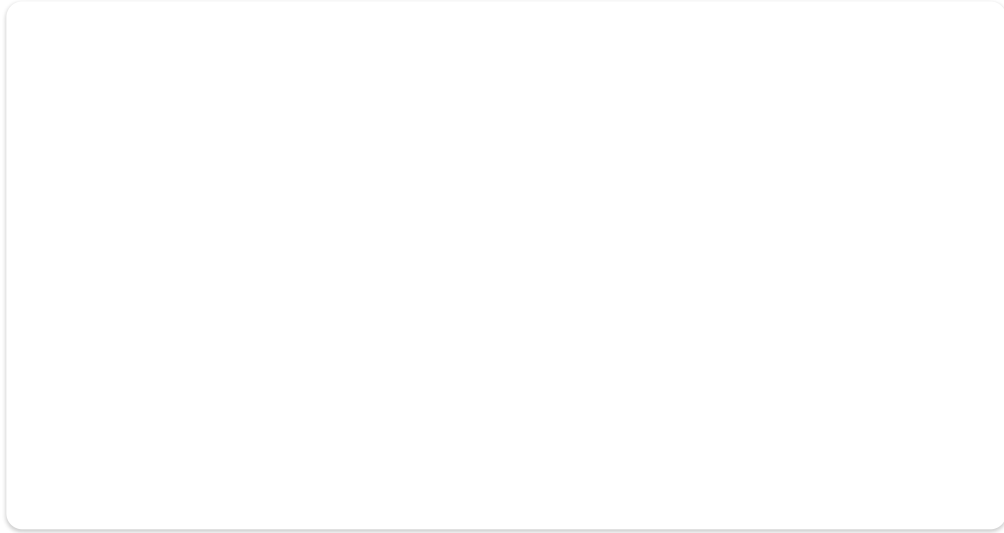
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## EXHIBIT 23

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**News**

# A prominent entrepreneur faces accusations of sexual misconduct. Now he's coming to Miami

New Hampshire Public Radio | By [Lauren Chooljian](#)

Published March 24, 2022 at 2:59 PM EDT

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LISTEN • 25:10



*Allegra Boverman*

/

*NHPR*

The Green Mountain Treatment Center in Effingham, New Hampshire.

**An investigation by our colleagues at NHPR has revealed multiple allegations of sexual misconduct against Eric Spofford, the founder and former CEO of New Hampshire's largest network of addiction recovery centers. Spofford says Miami is his next home base.**

**CONTENT WARNING:** *This story includes descriptions of sexual misconduct and substance use disorder.*

---

Elizabeth walked out of Green Mountain Treatment Center in 2017 on what she described as a spiritual high. She was newly sober and excited to start the next chapter of her recovery from opioid addiction.

Those feelings were fleeting. Just one day after leaving treatment, she said she received unsolicited, explicit Snapchat messages, including a photo of a penis and invitations to meet for sex.

The content of these messages disturbed her, but it was the sender that broke her. The messages came from Eric Spofford, the founder of Granite Recovery Centers (GRC), the parent company of the facility Elizabeth had just left. Spofford is one of the most prominent and influential figures in New Hampshire's response to the opioid epidemic.

Two weeks later, Elizabeth relapsed. She began using opioids again. While relapses are [common in recovery](#), she said Spofford's harassment, "definitely, definitely, 100% set me back in my recovery." NHPR agreed to identify Elizabeth by her middle name only, because she's concerned about the repercussions of speaking publicly.

Elizabeth is not alone. An NHPR investigation has discovered multiple allegations of sexual misconduct, abusive leadership, and retaliation by Spofford while he was CEO of GRC.

A former GRC employee told NHPR that in 2018, Spofford sexually assaulted her during the workday. In 2020, according to multiple sources, another GRC employee told several colleagues that Spofford had sexually assaulted her, leading some of them, including the chief operating officer, to quit the company. Multiple sources say Spofford told them he negotiated a paid settlement with this employee that had the effect of silencing her.



*Jason Moon*

/

*NHPR*

New Hampshire Gov. Chris Sununu visited GRC's headquarters on July 22, 2021.

GRC is the largest provider of substance use disorder treatment in New Hampshire and serves thousands of people across New England each year, at a time when the need for treatment continues to outpace availability. Many clients, including some who spoke with NHPR, say they have GRC to thank for their recovery.

But in interviews with nearly 50 former clients, current and past employees, and others in New Hampshire's recovery community, a dark portrait emerges of Spofford as a polarizing figure who preyed on vulnerable people and wielded his power to avoid consequences.

Spofford did not respond to specific questions about the allegations. His lawyer, Mitchell Schuster, said in a written statement, "Mr. Spofford denies any alleged misconduct — in particular, the sexual assault accusations, which

are not only categorically untrue, but defamatory in nature.” Schuster threatened legal action if NHPR published its story.

“Eric Spofford,” Schuster wrote, “has spent most of his adult life pulling thousands of people out of the depths of addiction, depression and trauma.”

The statement continues, “Some recovering addicts are uniquely suited to work in the field and are able to use their past experiences to help others in need. Others relapse and revert to the lies that tragically go hand-in-hand with addiction.”

Schuster also said that “former and current” GRC employees “refused to corroborate these false allegations.” But when asked to provide contact information so NHPR could interview these people, Schuster did not respond.

**[Read the entire statement here.](#)**

*“The recovery industry needs a ‘Me Too’ movement.”*

Piers Kaniuka, former GRC Director of Spiritual Life

These allegations, reported publicly for the first time here, raise troubling questions about Spofford’s leadership, the company that made him wealthy, and New Hampshire’s reliance on Spofford to address the opioid epidemic.

As the scale of the epidemic ballooned over the past decade, so did Spofford’s [prominence](#). At an appearance with Spofford in July 2021 at GRC’s corporate offices in Salem, Gov. Chris Sununu championed Spofford, saying he is “one of the first guys I’ll pick up the phone to” for advice about responding to the opioid crisis. Sununu’s office did not respond to several requests for comment.

In December 2021, Spofford announced he [sold](#) GRC to BayMark Health Services, a Texas-based treatment company, for an undisclosed sum. (Spofford [said](#) the amount was “more money than I’d ever seen in my entire life.”) In a statement to NHPR, a BayMark representative said the company “cannot provide comment on tips or allegations that pertain to time periods prior to our ownership and management.” BayMark did not respond to NHPR’s questions about whether BayMark was aware, prior to the sale, of Spofford’s alleged behavior.

GRC's website does not list a current CEO. A request for comment to the company's chief financial officer went unanswered.



Spofford has 174,000 followers on Instagram and posts frequently, including tips about entrepreneurship and images of his private jet and luxury cars.

Spofford is now 37. This month, he purchased [a waterfront home in Miami](#) for \$20.75 million. He has expressed ambitions to remain in the addiction treatment industry and expand nationwide. Calling himself a “soldier without a war” in a recent [YouTube](#) series, Spofford said he’s “looking at doing it again.”

But people who worked with Spofford and witnessed his behavior say he should not be in the addiction treatment field.

"He should be shunned, shamed and probably prosecuted," said Piers Kaniuka, the former director of spiritual life at GRC, who wrote a book with Spofford in 2019 called [“Real People Real Recovery”](#).

Kaniuka said that when he went to work at GRC, he knew “fully well that [Spofford] had liabilities. I certainly didn’t know he was going to turn out to be

like Harvey Weinstein. I wouldn't have [joined the company] if I had known that.”

He added, "The recovery industry needs a 'Me Too' movement.”

---

## Preying on vulnerabilities

In recent years, there has been no shortage of headlines and lawsuits exposing sexual harassment and assault by powerful men. In Spofford's case, he worked with an especially vulnerable population: people struggling to recover from substance use disorder, who have sometimes experienced homelessness, abuse or sexual trauma.

When Elizabeth first met Spofford, she was in her mid-20s. She had a history of heroin addiction and told NHPR she had relapsed after a serious bike accident. When she was at Green Mountain Treatment Center — GRC's flagship facility — in 2017, she remembers Spofford was hard to miss. He'd fly to the Effingham campus in a helicopter, landing in the front yard. On Elizabeth's final day of treatment, she said Spofford asked her to have lunch with him and another colleague in the Green Mountain cafeteria.

Elizabeth figured Spofford talked to her because they had a friend in common. Or because she was “scholarshipped,” meaning she received free treatment on Spofford's sign-off — a common practice, according to several former GRC employees.

Clients or their families usually pay for treatment out-of-pocket or through private insurance or [Medicaid](#). Costs vary widely throughout the industry, but a single day of inpatient treatment can cost several hundred dollars. NHPR reviewed text messages and internal documents that confirm Elizabeth received her 2017 treatment at no cost.

Elizabeth spent one month at Green Mountain, detoxing and then attending group sessions, learning the 12-step method of recovery, and bonding with staff and other clients. She left in a “really, really good place.”

The next day, she said Spofford reached out to her on Snapchat.



She recalled the messages he sent: “He was already planning to come see me, wanted to take me out, wanted to do explicit things with me, was sending me pictures — dick pictures.”

NHPR has not viewed any Snapchat messages sent by Spofford. Videos, photos and messages sent via Snapchat disappear after the recipient views them. If the recipient takes a screenshot to save the message, the sender is notified.

*“A girl who's a month sober does not love herself yet, does not even know who she is, does not feel any validation from anything within herself.”*

Elizabeth, a former GRC client who says she received explicit Snapchat messages from Spofford

Elizabeth said she told two friends about the messages at the time. One of them died of an overdose soon afterwards. The second, Justin Downey, independently confirmed Elizabeth’s story in an interview with NHPR.

“What makes this guy think this type of behavior is okay with a girl this vulnerable?” Downey said. The CEO of a treatment center, he added, is “supposed to have boundaries.”

Spofford’s messages sent Elizabeth into a complicated mental spiral, just as she was trying to reorient her life.

“A CEO of a treatment center I left 24 hours ago should not be sending me pictures of his dick,” she said. “That’s just integrity 101, right?”

At the same time, Elizabeth said it was a vulnerable moment in her life.

*“A girl who's a month sober does not love herself yet, does not even know who she is, does not feel any validation from anything within herself,”* Elizabeth told NHPR. “I felt like this man that has presented himself with all this power and prestige and money, which has been shoved in my face for 30 days, wants me. So I must be good enough.”

Elizabeth worried about the consequences of rejecting Spofford. “I think that’s common for women,” she said. “He just painted himself almost larger than life, right? So I can’t screw with him or make him upset.”

She feared Spofford might tarnish her reputation or even cause her to lose her bed in the sober home where she moved after treatment. So she said that while she didn't encourage Spofford's advances and never met up with him, she didn't explicitly tell him to stop sending the messages.

Elizabeth said the messages continued occasionally over the next two years. She recalled a message he sent in 2019, after she saw Spofford at an event he was attending with his girlfriend.

"He texted me as soon as I left, telling me how good my ass looked, that he wanted to meet up with me and f\*\*\* me," she said.

---

## **An employee alleges sexual assault**

NHPR reporting indicates that Spofford also mistreated women who worked for him. More than a dozen former GRC employees told NHPR they've known for years that Spofford acted inappropriately with female staff. These sources range from high-ranking managers to entry-level staff.

NHPR has learned of sexual assault allegations involving at least two of Spofford's employees. To avoid confusion while protecting the women's identities, NHPR will refer to them as Employee A and Employee B.

*"A lot of people that I worked with put Eric on this pedestal of: 'Eric is the greatest man in recovery...I was not about to be the person to say otherwise.'"*

Employee A, who accuses Spofford of sexual harassment and sexual assault

Employee A agreed to tell her story to NHPR on the condition that her name be withheld because she fears Spofford will retaliate against her. She began working at GRC in an entry-level role at one of the company's sober homes, and she said she loved her job. Things started to "get weird," she said, once she was promoted to a supervisor position.

Around 2018, Spofford started sending her seemingly innocuous messages on Snapchat. Gradually, Employee A said, the communications became

inappropriate: a message about how sex was part of his 12-step work. Then pictures of Spofford shirtless. And then, pictures of his penis.

As the photos escalated, Employee A said, she got “super nervous.” She had a criminal record, and she felt indebted to Spofford for giving her a chance.

“I needed to do whatever it took to keep this job,” she said.

She would respond to his messages with one-word answers to appear responsive but not encouraging, she said.

“A lot of people that I worked with put Eric on this pedestal of: ‘Eric is the greatest man in recovery,’” Employee A said. “I was not about to be the person to say otherwise.”

In the midst of this, Spofford asked Employee A for a one-on-one meeting in his office. She recalls that when she arrived, he closed the door, started kissing her, and then got a condom from his desk drawer. She didn’t know how to react.

She said they had sex on a couch in Spofford’s office. She told NHPR she did not want to do it, “but I didn’t know how to tell him no.”

At first, Employee A didn’t tell anyone what happened. She said Spofford kept asking her for meetings, but she made up excuses to avoid him.

A few months later, she said, Spofford saw her at GRC’s headquarters having lunch with a male colleague she had dated. Spofford started “yelling and screaming and telling me to leave the property,” she said.

Employee A said she confronted Spofford about his reaction. She was fired the next day by her immediate boss, who told her the cause was incomplete work. But Employee A believes it was retaliation by Spofford.

Three sources independently confirmed details of Employee A’s story. In an interview with NHPR, one of them, a friend, recalled an anguished phone call soon after Employee A was fired. The friend said Employee A told her about the firing, the Snapchat messages, the condoms in Spofford’s desk drawer and an unwanted sexual proposition.

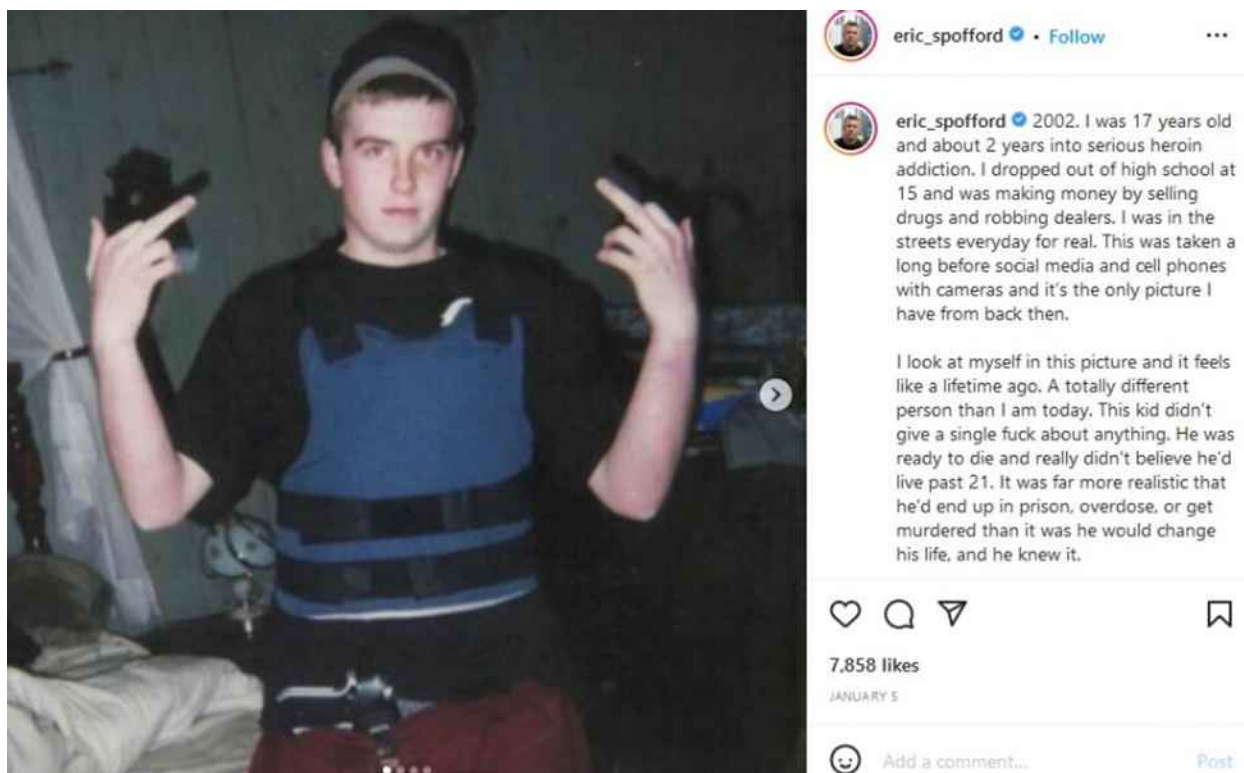
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## “A very well known drug addict”

Spofford built GRC with his personal story at its center: a teenage heroin user turned CEO of a multi-million dollar company, whose struggles made him particularly sensitive to the needs of his clients. Until recently, GRC’s homepage featured a large photo of Spofford and the quote, “Where you’re going, I’ve been.”

According to the book Spofford and Kaniuka published in 2019, “Real People Real Recovery,” he grew up in Salem. His father ran a logging company. His parents split up when he was in fifth grade. He began selling marijuana and, by his mid-teens, he was selling and using opioids.

“At only 15,” he writes, “I was a full-blown heroin addict.”




1 of 4

Spofford made his story of overcoming teenage addiction central to his and GRC's brand.







2 of 4

 **eric\_spofford** • Follow

Four years later recently out of jail, again. I went on a two week black out robbing spree. December 7th, 2006 I woke up after a drug deal turned robbery with the police searching for me. I fled the state, went on the run, and inadvertently got sober.



What I didn't see then was God was at work. He has a solid sense of humor and he uses what he has available. When he decided it was time for me to change he used an entire police department as motivation. I separated from heroin, cocaine, alcohol, and every other mind altering substance and haven't looked back since.

I began the process of changing absolutely everything immediately. In order to get the life that I have now I had

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3 of 4

 **eric\_spofford** • Follow

I began the process of changing absolutely everything immediately. In order to get the life that I have now I had to "die the death of self". Everything about who I was had to go. All of it had to die in order to make room for the new.

It started with getting sober. I enjoy that people respect my sobriety but I wish they understood that was just the beginning. It's about so much more.

I had to create the man that I could be proud of. The one that my people could be proud of! It was an inside job. 15 years later and the growth continues.

Friends, my point is this. No matter how bad it is. how low you've gotten. or how

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4 of 4

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Spofford dropped out of high school and lived a hard life of heroin addiction, drug trafficking and homelessness. He said he overdosed five times and went to jail several times. (NHPR could only confirm one overdose and one arrest and related jail time in Maine, for carrying a concealed weapon.)

Spofford said he finally stopped using drugs for good in 2006, at the age of 21. Two years later, with financial backing from his father, Spofford secured a loan to buy a house in Derry. Spofford turned the building into an 11-bed sober living facility, The Granite House, and he became its first resident.

Spofford started his business as overdose deaths were beginning a steep, steady climb in New England. From that first sober home, GRC grew into a sprawling treatment network that now includes three residential treatment facilities, detox, outpatient treatment and multiple sober homes. The need for treatment was — and remains — immense; in 2019, Spofford [said](#) he had a waiting list of 40 to 60 people a day.

Part of GRC's growth has been fueled by state contracts including, since 2019, more than \$3 million dollars in [no-bid contracts](#) to temporarily house people waiting for treatment [or in need of shelter](#).

If his [social media](#) and other public commentary are any indication, Spofford grew wealthy as his business expanded. He frequently posts pictures and videos of his travels by luxury car, yacht and private jet.

As GRC's footprint grew, so did Spofford's reputation. Spofford has been repeatedly lauded by New Hampshire politicians and business leaders. In 2015, then-U.S. Sen. Kelly Ayotte invited him to Washington, D.C., to testify at a [Senate hearing](#) on opioid abuse. In 2018, he was [recognized](#) by the U.S. Small Business Administration as "Young Entrepreneur of the Year for New Hampshire and New England."

This past summer, Sununu stood side by side with Spofford for a photo op at GRC's corporate headquarters in Salem. Sununu enthusiastically praised the company, saying, "They're embedded in their community. People know them. It's great." He added that New Hampshire needs "more of this all across the state."

In 2019, GRC was set to host a visit at its headquarters from then-Vice President Mike Pence. It was canceled at the last minute, when White House officials realized that a high-ranking [GRC employee](#) and close friend of Spofford's, Jeff Hatch, had been caught trafficking fentanyl across state lines. (Hatch was recently [sentenced](#) to three years probation.)

Spofford has leaned into his political connections, while stressing his against-all-odds rise to power. "What a weird claim to fame: I'm a very well known drug addict in this state," he said at a GRC event in 2018. "I know the governor personally. I know the commissioner. I know most of the legislation."

Spofford held a fundraiser last year for a Republican [congressional](#) candidate at his Windham home. In 2020, he had VIP access to a rally for former President Donald Trump. Granite Recovery Centers, under Spofford's leadership, gave [\\$7,000](#) to Sununu's campaign. Spofford has also personally [contributed](#) \$7,000 to Sununu. In 2019, he donated \$10,000 to the New Hampshire GOP.



In addition to his business endeavors, Spofford pitches himself as a coach to aspiring entrepreneurs. (Screenshot from [ericspofford.com](http://ericspofford.com))

He has cultivated a personal brand on social media, offering unvarnished tips about entrepreneurship. For example, in [one video](#) for his 174,000 Instagram followers, Spofford offered two “integral tools” for winning in business: “figuring it the f\*\*\* out” and “balls.” He says, “I think balls is one of the most important ingredients to success that you can possibly find.”

Now that Spofford has sold GRC, he is building a new company, Spofford Enterprises, which describes itself as an [entrepreneurial investment firm](#). The firm’s website says it has offices in both Salem, N.H. and Miami, Florida, and Spofford has [made it clear on social media](#) that Miami is where he sees his future.

Part of that future is opening new addiction treatment centers, according to Spofford’s multiple “Day in the Life” YouTube videos. [A camera follows him](#) as he tours facilities across the country. He’s claimed on social media to have purchased properties in Texas, New Jersey and Ohio.

---

## **An exodus of staff after allegations come to light**

The final straw for Brian Stoesz and Piers Kaniuka came in the spring of 2020.



Stoesz, the chief operating officer at GRC, had only been in his job a few months, but Kaniuka, the company's director of spiritual life, had known Spofford for years.

In "Real People Real Recovery," the book he co-authored with Kaniuka, Spofford wrote, "Piers was the first person I had met in recovery who made sense to me." Spofford said he was 19 when he met Kaniuka at a detox facility. Kaniuka later became his sponsor in the recovery process.

In 2016, Kaniuka agreed to join GRC's staff, and he was a popular presence among clients. He said at first, he didn't believe the rumors about Spofford's treatment of women.

"I fault myself for not coming to this sooner," he told NHPR, "but I'm not the only one."

NHPR has learned that at least four staff members, including Stoesz and Kaniuka, quit GRC in the spring of 2020 because of allegations that Spofford sexually assaulted an employee and then retaliated against her. Another member of the leadership team was fired as a result of the fallout.

Kaniuka, Stoesz and Nancy Bourque, GRC's former Human Resources Director, all said they spoke directly with this employee. This employee declined to be interviewed for this story. Because of that, NHPR is not using her name and will only reveal limited details of the allegations. NHPR will refer to her here as Employee B.

Bourque shared with NHPR handwritten notes she took during her conversation with Employee B. They include the words "boundaries" and "predator."

Bourque and Stoesz said Spofford brought in a moderator, an attorney, to look into the allegations and talk with staff. Stoesz said Spofford tried to prime him for his interview, saying to Stoesz, "Just remember... there's not a shred of truth with anything [Employee B] says." Neither Bourque nor Stoesz ever saw the results of any internal investigation, and Bourque said she was not interviewed.

*Bourque shared with NHPR handwritten notes she took during her conversation with Employee B. They include the words "boundaries" and "predator."*

Stoesz said he called his wife and told her, “I don’t have much, but I do have a reputation. I don’t want any affiliation with anything here.” He then resigned abruptly from GRC.

For Kaniuka, the accusations hit especially hard because he knew Employee B well. He decided to resign. He told NHPR he wanted his departure to “make things really inconvenient and awkward for [Spofford], and my hope was that this was going to snowball from that point on. But it never did.”

Employee B left the company soon after Bourque, Stoesz and Kaniuka learned of the allegations. The circumstances of her departure are unclear, but multiple sources told NHPR that Spofford said he arranged a paid settlement with Employee B that had the effect of silencing her.

Bourque recalls that Spofford said a settlement had been signed, telling the HR director, “We put that all to bed.”

NHPR’s reporting indicates this is not the only time Spofford used paid separation agreements, with strict non-disclosure requirements, to keep damaging allegations about GRC under wraps.

NHPR has not viewed any settlement between GRC and Employee B, but has seen multiple other separation agreements signed by Spofford that prohibit the signatories from saying anything “derogatory or disparaging” that could damage the “reputation or goodwill” of the company or any person associated with it. The agreements say the employees would be required to return severance payments or other money GRC paid them if they violated any terms of the contract.

Soon after Kaniuka and Stoesz resigned, Spofford fired Bourque, the HR director. In a text message viewed by NHPR, Spofford claimed Bourque had mishandled Employee B’s case and wrote, “You did not have my back.”

“So now,” Bourque said, “Anybody that knew anything is gone.”

“There’s patterns to behaviors like this,” Bourque added. Explaining her decision to speak to NHPR, the former HR director said, “Sexual harassment is not about sex, it’s about power ... Having that [power] over somebody, it can destroy their life.”

## Spofford “answered to no one”

NHPR has spoken with more than a dozen former employees who shared complicated memories of their time at GRC. They described a passionate, mission-driven community that saved lives. For some who had previously gone through GRC’s programs themselves, it was the only sober community they knew. Some felt indebted to Spofford for their sobriety or their livelihood (and sometimes both).

Spofford also inspired fear. Multiple sources described GRC under Spofford as a “cult”-like environment, in which Spofford demanded total loyalty, placed his favorites in positions for which they were unqualified, and acted abusively towards staff. A lawsuit filed by one former employee over a financial dispute claims Spofford “mercilessly harassed and belittled” the employee.

Brian Stoesz, the former chief operating officer, and Piers Kaniuka, the former director of spiritual life, said they often heard Spofford speak disparagingly of women. Many former employees who spoke to NHPR, including Stoesz and Kaniuka, said some of Spofford’s descriptors for women were “crazy,” “nuts” and “borderline.”

Spofford described using “pimp hands” in his treatment of employees, according to two sources. Kaniuka defined the phrase this way: “You abuse your staff, and then you’re nice to them and then you abuse them.”

“I’ve never worked in an environment that was so maliciously abusive — bullying, intimidation, hostile,” Stoesz said.

According to many GRC staff, there didn’t appear to be any way to hold Spofford accountable for his behavior in the workplace. When Spofford was CEO, he held all the power.

“I mean, who does the owner report to?” Bourque, the former HR director, said. Bourque said there was a board with only three members, and Spofford was one of them. And since GRC is a private, for-profit company, “[Spofford] really answered to no one.”

*Multiple sources described GRC under Spofford as a “cult”-like environment, in which Spofford demanded total loyalty, placed his favorites in positions for which they were unqualified, and acted abusively towards staff.*

As far as government oversight, the state of New Hampshire is responsible for licensing and overseeing some types of substance use disorder treatment, such as residential treatment. The Department of Health and Human Services makes annual visits to each of the facilities it licenses, and public documentation suggests that the only violations the state found at GRC residential facilities were minor, such as incorrect paperwork. The department, citing state law, said any documentation beyond annual visits could not be shared publicly.

In a statement to NHPR, the New Hampshire Attorney General’s office said it had received nine complaints involving Granite Recovery Centers between 2013 and 2022. The complaints included sanitation, poor conditions, COVID protocol violations and what it called “staffing issues.” The AG’s office said it had not received any complaints of sexual assault against Spofford.

For allegations of sexual misconduct to emerge, the women affected would need to report them to authorities. But many sources told NHPR they haven’t come forward yet, or would only do so anonymously, because of the climate of fear Spofford created.

The most common concern among sources is that if they tell the truth about what they experienced at GRC, Spofford will retaliate by ruining their reputations, getting them fired from current jobs or forcing them into legal battles they can’t afford.

Elizabeth, the former client who said she received explicit Snapchat messages from Spofford, said she is now sober. She told NHPR she hopes her decision to speak out can bring change. “If I can do anything to make at least one treatment center better, I’m happy to do that.”

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***Jason Moon contributed reporting.***

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## Lauren Chooljian

Lauren is NHPR's Politics and Policy reporter for the State of Democracy project.

[See stories by Lauren Chooljian](#)

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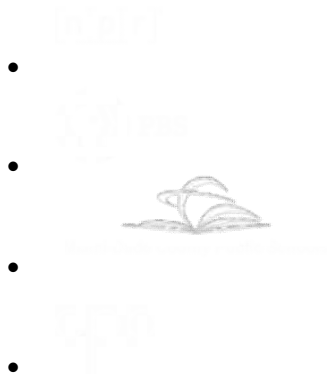
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## EXHIBIT 24

# Does Matt Mowers Still Stand With Eric Spofford Among Sexual Misconduct Allegations?

Eric Spofford, founder and former CEO of Granite Recovery Centers, New Hampshire's largest addiction treatment provider which received over \$3 million no-bid from Governor Chris Sununu — to whom Spofford has donated tens of thousands of dollars — was credibly accused of sexual misconduct by multiple survivors employed at or in treatment at one of his recovery centers.

NHPR reported the results of a long-term investigative piece this week, which included photos of the Governor and Spofford together reporting that Spofford's recovery centers received millions of dollars in funding under Governor Sununu's administration since 2019.

Spofford has strong ties to NH GOP candidates. Governor Sununu said Spofford is "one of the first guys I'll pick up the phone to" last July, after stating that he has not talked to Spofford in years.

While Sununu is scrambling to separate himself from Spofford, CD-01 candidate Matt Mowers has yet to disavow Spofford. Spofford has repeatedly donated to Mowers, and hosted a fundraiser for Mowers's campaign last year. Voters in CD-01 deserve to know the truth— **does Matt Mowers stand with Eric Spofford?**

## EXHIBIT 25

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June 1, 2022

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Dear Attorney General Formella, Deputy Attorney General Boffetti, Senior Assistant Attorney General Ward, County Attorney Conway:

This firm represents Eric Spofford. We ask that you formally investigate whether New Hampshire Public Radio ("NHPR") was involved in framing our client for criminal acts that he did not do. The evidence suggests that NHPR was involved.

NHPR had the motive and opportunity to do so. Mr. Spofford was about to file a defamation action against NHPR and its journalists to hold them accountable for their false reporting. Rather than defend against Mr. Spofford's claims on the merits, NHPR portrayed its reporters as targets of a conspiracy to intimidate them and—without any evidence—pushed a bogus narrative that Mr. Spofford was the lead conspirator. Its concerted effort with others in the media to falsely implicate Mr. Spofford as a crime suspect was at best, unethical, and at worst, criminal, which should disqualify it from continuing to operate as a nonprofit public radio in this state.

On May 26, 2022, just before midnight, NHPR published an article titled, [\*Law enforcement investigating vandalism targeting homes of NHPR journalists\*](#). The article purports to describe five

acts of vandalism targeting NHPR reporters. These acts supposedly occurred on two dates nearly one month apart: April 24 and May 21. The article identifies NHPR's News Director Daniel Barrick and reporter Lauren Chooljian as the alleged victims of the crimes. While the article makes a passing reference to Ms. Chooljian's work on *Stranglehold*—work which the New York Times reported resulted in her "[\*Losing Friends Over How She Covers the New Hampshire Primary\*](#)"—the focus of NHPR's May 26 reporting was on Ms. Chooljian's coverage of our client.

Mr. Spofford had nothing to do with the vandalisms and was unaware of them until NHPR's counsel told us what had happened. That leaves at least four other (and more likely) suspects which, to our knowledge, have not been pursued: (1) individuals who were or are presently subjects of reporting by NHPR, (2) individuals in recovery who credit Mr. Spofford with saving their lives, and who perhaps felt compelled to do these acts in a misguided attempt to defend him, (3) individuals who may have a motive to frame Mr. Spofford for these crimes, or (4) politically motivated individuals who, because of Mr. Spofford's relationship with Governor Sununu, seek to lower public opinion of Mr. Spofford and by extension, the governor, in a bid to defeat his reelection. Despite these alternatives, NHPR implicated Mr. Spofford as a conspirator without a shred of evidence pointing to him.

We believe the evidence provided in this letter strongly suggests that NHPR may have used this article to frame Mr. Spofford for these vandalisms to undermine his civil litigation posture. As the chronology below demonstrates, reports of vandalisms targeting NHPR reporters surfaced only after Mr. Spofford alerted NHPR to a forthcoming defamation suit in Florida. If, in fact, NHPR manipulated the power of the press to deter Mr. Spofford from filing suit, that would be a startling conclusion. That is why we are requesting that your offices independently investigate the legitimacy of the reported criminal acts. Below is a timeline of the relevant events which, in our opinion, demonstrate that NHPR had the motive and opportunity to do so:

- **March 22, 2022:** NHPR published Ms. Chooljian's story about Mr. Spofford: [\*He built New Hampshire's largest addiction treatment network. Now, he faces accusations of sexual misconduct.\*](#) Before and after NHPR published it, Mr. Spofford denied the accusations made about him and told NHPR that they were all false. Mr. Spofford, through counsel, told NHPR to scrutinize its reliance on anonymous and disclosed sources, most of whom have criminal records, substance use and other severe mental health disorders, and biases for disparaging Mr. Spofford. NHPR did not do its diligence.
- **April 24, 2022:** Though not publicly reported until more than a month later, apparently "a vandal or vandals had spray-painted [an] obscenity in red on" homes of NHPR reporters or relatives in Concord, Hampstead, and Hanover.
- **May 17, 2022:** Mr. Piers Kaniuka, a key on-the-record source of statements and information for NHPR's March 22 article about Mr. Spofford, effectively recanted his statements. He told NHPR's Board of Trustees that his statements about Mr. Spofford were inaccurate, not based on personal knowledge, and went unvetted before publication.

- **May 18, 2022:** Undersigned sent NHPR the correspondence attached hereto as Exhibit A, which included a copy of Mr. Kaniuka's May 17 letter. Undersigned, on Mr. Spofford's behalf, demanded that NHPR retract the article given the effect of Mr. Kaniuka's letter on the reliability of Ms. Chooljian's story. Undersigned argued that NHPR's continued publication of the March 22 article was knowingly defamatory and violated its own Code of Ethics. Undersigned made clear that if NHPR failed to take appropriate remedial steps, then Mr. Spofford would have no choice but to file a defamation action against NHPR and the reporters.
- **May 19, 2022:** NHPR, through its counsel Sigmund Schutz, responded to undersigned's letter. *See Ex. B*, Letter from Schutz, S. to Levine, B. (May 19, 2022). Mr. Schutz argued that Mr. Kaniuka's May 17 letter had no substantive impact on NHPR's reporting and that any lawsuit Mr. Spofford brought against NHPR and its journalists would "run into a buzzsaw called the First Amendment." *See id.* In essence, NHPR's position was that it need not take any correction actions to account for Mr. Kaniuka's statement.
- **May 20, 2022:** After undersigned received Mr. Schutz's correspondence, we spoke. The call was substantive and, we believed then, productively moving toward a potential prelitigation resolution. Undersigned articulated that, even if NHPR believed Mr. Kaniuka's statement did not require complete retraction of the story, at minimum, it required that NHPR publicly acknowledge the statement's existence and make it available for readers to themselves weigh. Mr. Schutz repeatedly raised the issue of securing a release from Mr. Spofford for NHPR and its reporters as part of continued settlement talks.
- **May 21, 2022:** Unbeknownst to Mr. Spofford or undersigned, a white male allegedly vandalized an NHPR reporter's home in Melrose, Massachusetts. Neither Mr. Spofford nor undersigned were alerted to the act that day or at any time over the weekend. Mr. Spofford was in Miami and in regular contact with undersigned as we worked to prepare a written response to Mr. Schutz's May 19 correspondence and our May 20 telephone call. No member of law enforcement sought to speak with Mr. Spofford that day.
- **May 23, 2022:** Undersigned sent NHPR's counsel another letter. This correspondence began by acknowledging the May 20, 2022 telephone call and the commitment to continue a "dialogue" which was viewed as "an agreement to consider, in good faith, potential paths to resolving Mr. Spofford's defamation suit before it is filed in the Southern District of Florida." *See Ex. C*, Letter from Levine, B. to Schutz, S. (May 23, 2022). To facilitate transparent pre-suit negotiations, undersigned provided some key points about Mr. Spofford's legal strategy and welcomed that NHPR do the same. This was done to give NHPR an opportunity to "fairly assess its risk" should Mr. Spofford actually file. Undersigned openly identified the threshold issue to successful negotiations: NHPR's publication of Mr. Kaniuka's May 17 letter. And undersigned's letter concluded with an invitation for

NHPR to communicate its stance on publishing Mr. Kaniuka's letter and to "continue discussing potential ways to settle this matter in its entirety pre-suit."

- **May 24, 2022:** Unbeknownst to Mr. Spofford and undersigned, NHPR spoke with the Melrose Police Department Chief of Police Michael Lyle. Without any evidence connecting Mr. Spofford to the May 21 vandalism, Chief Lyle apparently told an NHPR—two days before a press release issued from the local prosecutor's office—that he thought Mr. Spofford ". . . may be interviewed by the authorities. He may have some information that might support a case. It would be too early to say he would be a person of interest. After the article came out, all this trouble started for the reporter or the news organization. At some point [investigators] may have a conversation with him." No one from the Melrose Police Department contacted Mr. Spofford or undersigned that day or any other day since.
- **May 25, 2022:** NHPR still had not responded to undersigned's May 23 correspondence. Undersigned tried calling Mr. Schutz to continue the settlement dialogue, but only reached his voicemail.

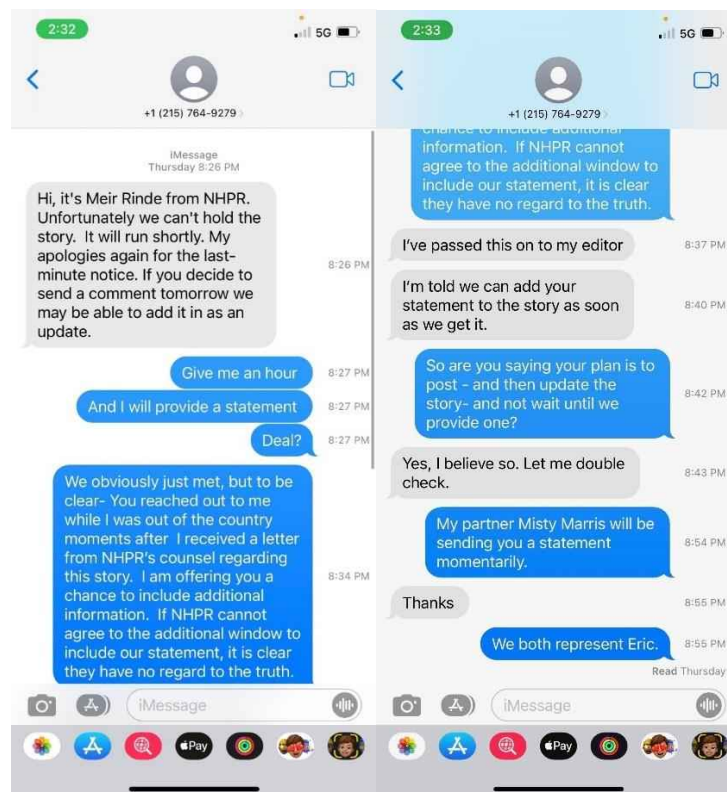
Against the backdrop of the above chronology, NHPR and others' conduct on **May 26, 2022**, was especially suspicious and suggestive of an improper motive:

- **10:07 a.m.:** Undersigned emailed NHPR's counsel asking whether he also was representing Ms. Chooljian and Mr. Jason Moon, the other contributor to the March 22 defamatory article. As undersigned stated in that email, the request was made solely "in the event" the parties did not "reach a timely resolution" so undersigned could "determine [the] method of service" of the summons once it issued from the Southern District of Florida. Mr. Schutz did not respond to this email.
- **2:46 p.m.:** The Middlesex County District Attorney's Office issued a press release titled [\*Investigators Seeking to Identify Man Who Allegedly Threw a Brick at a Melrose Residence\*](#). The release provided details about the alleged vandalism and connected it to a "reporter at a New Hampshire media outlet." NHPR reported that the District Attorney told members of the press that "[i]f it is determined that that motive. . . is either retaliation for some work that [Ms. Chooljian] has done or intimidation around work she may be contemplating, that obviously involves some First Amendment concerns, and is obviously much more disturbing."
- **4:59 p.m.:** About two hours after the Middlesex County District Attorney's Office issued the press release, NHPR's counsel responded to undersigned's May 23 correspondence. *See Ex. D*, Letter from Schutz, S. to Levine, B. (May 26, 2022). Mr. Schutz acknowledged receipt of undersigned's May 23 letter, as well as undersigned's subsequent emails and phone messages, but refused to respond substantively "pending completion of an ongoing criminal investigation." To undersigned's surprise, Mr. Schutz tethered the allegedly "five separate acts of vandalism. . . directed at NHPR news staff involved in reporting about [undersigned's] client, Eric Spofford" to, what undersigned believed at the time was, a productive and collegial telephone conversation about Mr. Spofford's

defamation claims on May 20. Mr. Schutz stated that NHPR was “fully cooperating with local, state, and federal law enforcement” and included pictures of the alleged vandalism. Mr. Schutz’s letter also included a hyperlink to the Middlesex County District Attorney’s Office press release, which had been issued just two hours earlier. Evidently, the Melrose Police Department had notified Mr. Schutz that the press release was being posted, as it is unclear how he would have learned of it so quickly otherwise.

- **5:27 p.m.:** About 30 minutes after receiving Mr. Schutz’s letter, undersigned received a telephone call from a freelance reporter on assignment for NHPR, Meir Rinde. Because undersigned was traveling internationally, Mr. Rinde left a voicemail requesting Mr. Spofford’s comment on a forthcoming article he was writing about the alleged vandalism of NHPR reporters’ homes.
- **5:41 p.m.:** 42 minutes after undersigned received Mr. Schutz’s letter, undersigned received an email from Mr. Rinde. *See Ex. E*, Email from Rinde, M. to Levine, B. (May 26, 2022). Mr. Rinde’s email included the same hyperlink to the Middlesex County District Attorney’s Office press release that Mr. Schutz had sent undersigned less than an hour earlier. Mr. Rinde stated that he was not sure when his article would publish, but that his deadline was noon the next day (May 27, 2022). He insisted that Mr. Spofford provide his comment, if any, before then.
- **6:26 p.m.:** Another 40 minutes or so later, Mr. Rinde left a second voicemail for undersigned who again, at the time, was traveling internationally.
- **6:42 p.m.:** About fifteen minutes thereafter, Mr. Rinde sent undersigned another email. This time he stated that the NHPR article would be published that evening. He insisted that if undersigned or Mr. Spofford wished to comment, it needed to happen “ASAP.”
- **7:18 p.m.:** Although undersigned had just arrived at his destination, undersigned called Mr. Rinde and requested that he give undersigned and Mr. Spofford until tomorrow—as originally offered—to provide a comment. Mr. Rinde essentially stated that he had no control over when the NHPR editor would publish his article and that it was not up to him. Mr. Rinde continued to apologize for the unreasonable comment deadline that had been imposed, reiterating that he was not the decision maker. Undersigned requested that Mr. Rinde nonetheless delay the publication for more time so undersigned could communicate with Mr. Spofford and determine if a comment was viable under the pressure cooker deadline that NHPR had imposed.
- **8:26 p.m.:** The following text messages were exchanged between Mr. Rinde and undersigned:





- **8:54 p.m.:** Undersigned’s colleague, Ms. Misty Marris, emailed Mr. Spofford’s statement to Mr. Rinde. She stated that the “STATEMENT SHOULD BE ATTRIBUTED TO ERIC SPOFFORD. IT SHOULD BE INCLUDED IN ITS ENTIRETY IN THE TEXT OF THE STORY.” See Ex. F, Email from Marris, M. to Rinde, M. (May 26, 2022).
- **9:09 p.m.:** Mr. Rinde acknowledged receipt of Mr. Spofford’s comment, but advised that NHPR would not include the complete statement in the story.
- **9:28 p.m.:** Ms. Marris responded, stating that “[o]ur expectation is that the full statement will be published. Anything short of that is a failure by NHPR to provide the full picture and the context of Mr. Spofford’s response.”
- **11:17 p.m.:** NHPR published the story, [Law enforcement investigating vandalism targeting homes of NHPR journalists](#) without including Mr. Spofford’s entire statement.
- **May 27, 2022:** The next day, Chooljian re-tweeted the story, despite that neither she nor NHPR republished the actual article, in an obvious and coordinated effort to escape liability for further defamation against Mr. Spofford.

During the time when NHPR was pressuring Mr. Spofford to make a statement for its hasty story, numerous media outlets reported on the alleged vandalism targeting NHPR reporters. These

reports were mostly styled as “breaking news,” despite the incidents occurring six and more than 30 days earlier, respectively. While NHPR deliberately connected Mr. Spofford to the alleged criminal acts in its story, other outlets loosely suggested that the conduct was tied to Ms. Chooljian’s recent reporting about him.

*The next morning*, however, Boston Globe reporter Mr. Travis Andersen requested that Mr. Spofford provide comment for an article it planned to run that day. Mr. Andersen tethered his request to the NHPR article, writing “The NHPR story on the vandalism notes the reporters’ homes were targeted *following their reporting on your client Eric Spofford*. Does Mr. Spofford have any comment on the vandalism?” (emphasis added). Ms. Marris gave the Globe the same statement that was sent to NHPR. The Globe ran the story, connecting Mr. Spofford to the criminal acts against NHPR’s reporters while including only a fraction of Mr. Spofford’s comment. However, once the Boston Globe received Mr. Spofford’s statement, even they found the timing of NHPR’s article to be questionable, as it pointed to the elephant in the room – that NHPR wants to deter Mr. Spofford from bringing lawful defamation claims. When contacted by the Boston Globe, NHPR declined to comment. Evidently, the Boston Globe believes there are viable alternative theories other than the one that NHPR proposed.

That morning, Ms. Marris also responded to Mr. Schutz’s correspondence from the day before. What she said to him then—in the aftermath of the media’s synchronized onslaught against Mr. Spofford—sums it perfectly:

The timeline tells the story. It is clear that NHPR was never interested in a good faith dialogue. Instead it was using all resources to create a narrative accusing Mr. Spofford of illegal conduct without a shred of evidence. As you well know, threatening to present criminal charges solely to obtain an advantage in a civil matter is a quintessential ethical violation and falsely accusing someone of a crime is defamation per se. These baseless accusations will not go ignored and Mr. Spofford intends to pursue all remedies available to him under the law.

NHPR is doing everything but defend the merits of its reporting. Instead of publishing the truth about a source, your client called in favors from its media friends to harass and further defame Mr. Spofford. When this case reaches discovery, the truth of NHPR’s coordinated media attack on our client will come out.

\* \* \*

In sum, a key source of on-the-record statements and background information for NHPR’s March 22 article about Mr. Spofford told NHPR that his statements needed clarification and were incorrect. That source confirmed that he had no knowledge of Mr. Spofford engaging in sexual abuse, misconduct, or other inappropriate behavior with Granite Recovery Center employees, clients, or former clients. The revelation, though not surprising to Mr. Spofford, significantly undermined the credibility of NHPR’s story and warranted retraction.

But NHPR refused. Instead, NHPR used the First Amendment as both sword and shield—or, as NHPR’s lawyer put it, as a “buzzsaw”—to cut Mr. Spofford’s reputation down while supposedly insulating itself from repercussions. Mr. Kaniuka’s reversal has cracked NHPR’s First Amendment shield. And when that shield cracked, the evidence suggests, NHPR turned to media guerrilla

June 1, 2022

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warfare. Whether and to what extent NHPR used these acts of vandalism in an opportunistic way to evade accountability for defaming Mr. Spofford should be investigated as it is criminal in nature. Moreover, to the extent NHPR strategically coordinated reporting law enforcement's supposed investigations with its media contacts in the region for the purpose of painting Mr. Spofford as a criminal is unethical journalism in its most egregious form. As the timeline above shows, the way events unfolded after Mr. Spofford put its litigation strategy on the table for NHPR to assess strongly suggests that NHPR is not playing by the rules.

Other news sources have picked up NHPR's biased and self-serving reporting of veiled accusations against Mr. Spofford. Earlier today, the Washington Post published an article, "*4 homes tied to journalist hit with bricks, graffitied with spray paint*," referencing Ms. Chooljian's recent article regarding Mr. Spofford. NHPR's buzzsaw thus continues to exact damage against Mr. Spofford.

The news media is indeed a core component of our democracy. But the First Amendment protection afforded to the press is not absolute. Though it is a rare occurrence, occasionally the media is held to account for defaming an individual. NHPR has attempted to distract from the shortcomings of its March 22 article and evade accountability for not doing the right thing once it became clear that NHPR had gotten its story wrong. It doubled down on the lies rather than own up to the truth. Whether this diversion was enabled through NHPR's own doing—based on the temporal proximity of all that occurred—should be investigated. We respectfully implore your offices to do so.

It is not uncommon for aspiring journalists to go to great, even unethical, lengths to catch their first breaks. Whether NHPR has escalated their push for notoriety to the point of criminality is the question we believe your offices must immediately investigate. This behavior by a local news outlet should not ever be tolerated. Without a fair review of NHPR's role here, however, it likely will escape accountability for its abuse of the free press.

Sincerely,

*Benjamin Levine*

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Misty Marris, Esq.

Jeffrey Camhi, Esq.

Lindsey Blackwell, Esq.

# EXHIBIT A

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**BY ELECTRONIC MAIL**  
[chair@nhpr.com](mailto:chair@nhpr.com)

New Hampshire Public Radio  
Board of Trustees  
2 Pillsbury Street  
6th Floor  
Concord, NH 03301

**Re: Eric Spofford**

Dear Board of Trustees:

We are Eric Spofford's defamation co-counsel. We received a copy of the signed letter that Piers Kaniuka also sent to the Board of Trustees. As you know, Mr. Kaniuka has effectively recanted the statements and information attributed to him in Lauren Chooljian's article, *He built New Hampshire's largest addiction treatment network. Now, he faces accusations of sexual misconduct*. As he should have. They were false.

In his letter, Mr. Kaniuka revealed that he "did not have any direct personal knowledge concerning any sexual abuse, misconduct, or other inappropriate behavior by Mr. Spofford with employees, clients, or former clients" of Granite Recovery Centers (GRC). He confirmed his regret for erroneously "comparing Mr. Spofford to Harvey Weinstein" and for falsely stating that Eric should be "prosecuted." He made clear that his statements were untrue and require correction. He did so voluntarily and with the aid of legal counsel. Eric *did not* and *never will* pay Mr. Kaniuka for coming forward with the truth.

That Mr. Kaniuka's statements to Ms. Chooljian are untrue is not a stunning revelation. Eric and his counsel told NHPR, before and after it published the article, that Ms. Chooljian's "reporting" was inaccurate and defamatory. Ms. Chooljian interviewed other former GRC clients and employees who have credibly debunked the allegations in this hit piece. Yet Ms. Chooljian chose to use false information from unreliable sources to push her preferred narrative over the

truth. She then utilized inflammatory language, mischaracterization, and deceptive innuendo to amplify those lies.

On its face, Ms. Chooljian's article was, at best, inconsistent with NHPR's professed [Code of Ethics](#). Mr. Kaniuka's letter, however, now indisputably demonstrates that the article is neither "accurate" nor "honest," and confirms that it violates NHPR's supposed ethical creed. Ms. Chooljian relied on Mr. Kaniuka's on-the-record statements, including the one likening Eric to a convicted sex offender, to support the other unfounded accusations in the article. Yet his supporting statements offered only an illusion of corroboration. And because Mr. Kaniuka now has admitted that his statements were untethered to the truth—statements essential to Ms. Chooljian's "dark portrait" of Eric—the other allegations against Eric collapse.

Eric already has suffered tangible and intangible harms because of the defamation here. He and his family have faced ridicule and harassment. His 10-year-old son was exposed to the horrible allegations in this specious story. NHPR can only begin to undo the harm it caused Eric and his family by taking the article down immediately. Doing so would suggest that there is a pre-suit path to fully resolving this matter. Doing nothing, alternatively, would constitute actual malice and a reckless disregard for the truth. Eric would have no choice but to file suit against NHPR, Daniel Barrick, Lauren Chooljian, Jason Moon, and the disclosed and anonymous sources referenced in the article. *See Calder v. Jones*, 465 U.S. 783 (1984). For these and other reasons, Eric's complaints will defeat any dispositive motions at the pleadings stage. *Jews for Jesus, Inc. v. Rapp*, 997 So. 2d 1098 (Fla. 2008); *Kieffer v. Atheists of Fla., Inc.*, 269 So. 3d 656, 659 (Fla. 2d DCA 2019); *Hoch v. Rissman, Weisberg, Barrett*, 742 So. 2d 451, 460 (Fla. 5th DCA 1999).

NHPR got this one wrong. Now the Board must do the right thing to fix it. We are amenable to discussing how it should go about doing so and encourage NHPR's counsel to call us. Please remove the article and audio recording from publication, all other NHPR stories published in connection with or referencing the article and audio recording, and advise your affiliates to do the same. Confirm that NHPR will take these steps before close of business on **May 18, 2022**. If you would like to discuss this matter directly, please contact the undersigned at (212) 453-0710.

Nothing in this letter is a waiver or relinquishment of Eric's rights or remedies, whether at law or in equity, all of which are expressly reserved.

Sincerely,

*Benjamin Levine*

Benjamin Levine, Esq.

cc: Lauren Chooljian (email)  
Mitch Schuster, Esq. (email)

# EXHIBIT B

May 19, 2022

**VIA EMAIL ONLY**

Benjamin A. Levine  
Gordon & Reese Scully Mansukhani, LLP  
One Battery Park Plaza  
28<sup>th</sup> Floor  
New York, NY 10004

Re: NHPR | Eric Spofford

Dear Mr. Levine:

I am a First Amendment lawyer representing New Hampshire Public Radio (“NHPR”). Your letter of May 18, 2022 demands that NHPR take down its March 22 article about serious misconduct by one of the most prominent and influential figures in New Hampshire’s response to the opioid epidemic, Eric Spofford, the former head of Granite Recovery Centers. NHPR will not do so.

The article is based on countless hours of reporting, careful due diligence by NHPR’s investigative journalists, and interviews with nearly 50 former clients, current and past employees, and others in New Hampshire’s recovery community. The article provides firsthand accounts that Mr. Spofford sent unsolicited, explicit Snapchat messages, including a photo of a penis and invitations to meet for sex, to a patient one day after she left treatment; multiple allegations of sexual misconduct by Mr. Spofford; and abusive leadership practices and acts of retaliation by Mr. Spofford while he was CEO. NHPR’s sources include Granite Recovery Centers’ former Chief Operating Officer, its former Human Resources Director, and Piers Kaniuka, the former Director of Spiritual Life.

You write that Mr. Kaniuka’s May 17 letter requires that NHPR immediately take down its article. But your characterization of his letter is patently incorrect. In his letter Mr. Kaniuka confirms that he made the statements attributed to him by NHPR. He does not dispute the accuracy of any of the information in the article. Nor could he dispute any of the firsthand accounts of sexual misconduct, as he acknowledges in his letter that he lacks “direct personal knowledge.” NHPR did not report that Mr. Kaniuka was a witness to the sexual incidents described in the article. And by specifically declaring that he does not have “direct personal knowledge” of inappropriate behavior by Mr. Spofford, Mr. Kaniuka unmistakably implies that he has other sources of information about the alleged misconduct.



PRETI FLAHERTY

Benjamin A. Levine

May 19, 2022

Page 2

Mr. Kaniuka does say that he regrets what he said, but he does not deny having said it. His regret appears to be the product of legal demands by you or other lawyers working for Mr. Spofford. You write that Mr. Spofford did not pay for Mr. Kaniuka's letter, but his letter cannot have been just a spontaneous act of contrition. NHPR received Mr. Kaniuka's letter on May 17 and yet somehow it had already found its way to you and became the featured attachment to your letter.

To evaluate Mr. Spofford's tactics in response to NHPR's reporting, including whether Mr. Kaniuka's letter was the product of pressure by you or other lawyers for Mr. Spofford, would you please forward all communications between your office (and any other lawyers for Mr. Spofford) and Mr. Kaniuka and his lawyers? It would also be appreciated if you would share your communications with other NHPR sources. NHPR is aware of and very interested in learning more about steps taken by you and others, on Mr. Spofford's behalf, to silence sources or otherwise attempt to intimidate them into retracting their prior on-the-record statements to NHPR.

NHPR has repeatedly asked Mr. Spofford for comment and would be pleased to once again extend that opportunity to him. NHPR offered to schedule an interview with Mr. Spofford, but he declined that offer. Mr. Spofford also remains free to answer the questions NHPR's Lauren Chooljian communicated in writing to his prior lawyer, Mitchell Schuster, on March 9 and again on March 14. Mr. Spofford chose not to respond to any of NHPR's questions. If Mr. Spofford is now willing to answer questions, NHPR would be pleased to arrange an interview.

Before publication, NHPR asked Mr. Spofford's lawyer, Mr. Schuster, to identify anyone who he claimed would not corroborate the allegations. He never identified anyone. Along similar lines, your letter refers to "former GRC clients and employees" who "credibly debunked" the allegations, but you also have not identified anyone. NHPR is not a mind-reader. If you have names and contact details, will that information be provided? NHPR is unaware of anyone who credibly debunked the allegations reported in the article, but remains interested in finding out who you believe has that information.

As I'm sure you know, should Mr. Spofford file any legal claim, he will run into a buzzsaw called the First Amendment. To state the obvious, Mr. Spofford is a public figure, and NHPR's article concerns matters of public concern. The article is therefore entitled to the highest level of constitutional protection.

PRETI FLAHERTY

Benjamin A. Levine

May 19, 2022

Page 3

Mr. Kaniuka's letter doesn't actually deny or retract anything. Please immediately withdraw your letter and confirm that your firm and Mr. Spofford will not be making further demands on NHPR. Please also refrain from harassing NHPR's sources.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'S.D. Schutz', with a horizontal line extending to the right.

Sigmund D. Schutz

SDS:jac

# EXHIBIT C

BENJAMIN LEVINE  
[BLEVINE@GRSM.COM](mailto:BLEVINE@GRSM.COM)

MISTY MARRIS  
[MMARRIS@GRSM.COM](mailto:MMARRIS@GRSM.COM)

JEFFREY CAMHI  
[JCAMHI@GRSM.COM](mailto:JCAMHI@GRSM.COM)

LINDSEY BLACKWELL  
[LBLACKWELL@GRSM.COM](mailto:LBLACKWELL@GRSM.COM)

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1 BATTERY PARK PLAZA, 28<sup>TH</sup> FLOOR  
NEW YORK, NY 10004  
[WWW.GRSM.COM](http://WWW.GRSM.COM)

***Confidential Settlement Communication***  
***Subject to FRE 408***

May 23, 2022

**VIA EMAIL**

Sigmund D. Schutz  
Preti Flaherty  
One City Center  
Portland, ME 04101  
[sschutz@preti.com](mailto:sschutz@preti.com)

**Re: Eric Spofford / NHPR**

Dear Mr. Schutz:

We appreciated our conversation with you on May 20, 2022. We write to continue that dialogue which, in our view, concluded with an agreement to consider, in good faith, potential paths to resolving Mr. Spofford's defamation suit before it is filed in the Southern District of Florida. We do not presently have the authority to settle this dispute—or, as you suggested, release the NHPR parties—for anything short of a complete retraction. That said, we are authorized to determine whether some lesser corrective action paired with other guarantees would be a compromise we could bring to our client.

But, right now, Mr. Spofford is committed to litigation. He already has expended substantial resources to prepare complaints against NHPR, its journalists, its sources, and others who have republished the defamatory article. He believes litigation is the only way to clear his name. That he may be deposed or have to turn over discovery is not a concern. The world already knows who Mr. Spofford is. He has never pretended to be something other than a self-made man in recovery, who overcame addiction and criminality to build a successful business that helped *thousands* of addicts enter and stay in recovery. He is open about his success and has enjoyed the spoils. That NHPR (and many others) may disapprove of how Mr. Spofford made his money or the lifestyle he leads in Miami does not give it license to publish specious accusations of sexual misconduct. This is especially so since NHPR has devoted just one article in 2022 to documenting

the Sackler family's deplorable role in causing and exacerbating the opioid epidemic, the effects of which have been especially harsh in New Hampshire.

The allegations against Mr. Spofford, however, are already out of the bag. The harm done, as we told you, is in some ways calculable and in others immeasurable. That is why, for the parties to meaningfully engage in pre-litigation settlement discussions, NHPR must first agree to immediately edit the March 22, 2022 article to prominently include a description of and hyperlink to Piers Kaniuka's May 17, 2022 correspondence to the Board of Trustees.

If, as you suggest, Mr. Kaniuka's letter supports the article— despite being written to “clarify and correct statements by [him] in the March 22, 2022 article—then NHPR should have no qualms about publishing his statement. By not publishing the Kaniuka letter, however, the implication necessarily arises that NHPR believes Mr. Kaniuka's statement undermines Lauren Chooljian's reporting. If this is the case, and NHPR views Mr. Kaniuka's letter as discrediting his contributions to the article, discrediting other accusations in the article, or both, then NHPR is under a legal and ethical obligation to publish the letter. As we reminded you during our call, each day that NHPR refuses to publish the Kaniuka letter is another in which Mr. Spofford suffers damages from NHPR's *now knowingly* defamatory publication. So while settlement could be on the table, negotiations cannot begin without NHPR demonstrating a threshold commitment to fairness by publishing Mr. Kaniuka's letter. We trust NHPR will agree to this threshold stipulation.

Assuming so, we have summarized some of the substantive arguments Mr. Spofford would make should he be forced to file his lawsuits. We offer these points for purposes of transparently setting out Mr. Spofford's position so NHPR can fairly assess its risk here. Mr. Spofford also is open to understanding NHPR's legal posture and would encourage it to provide a summary of its likely defenses should litigation ensue. Once our threshold stipulation is met and the parties' cards are on the table, we believe pre-suit resolution may be attainable. To that end, please consider the following:

- Analogizing the First Amendment to a buzz saw is telling. It suggests that NHPR views the constitutional right of free press as one that authorizes its journalists to cut people down with little regard for the accuracy or veracity of the reporting. But, like all other constitutional rights, First Amendment rights are limited, and do not protect defamatory speech. *See Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 340 (1974).
- Mr. Spofford's allegations will be accepted as true at the pleadings stage of this case and he will assert viable causes of action for defamation, defamation by implication, and likely other related torts against NHPR, its journalists, the anonymous and disclosed sources of the March 22, 2022 article, and others. Suffice to say, with Mr. Spofford's resources and our experience in this space, we are confident in his case's ability to withstand early dispositive motion practice. This is true even if Mr. Spofford is treated as a public figure and NHPR's article is deemed to contain reporting on matters of public concern—both issues which we dispute, because, among other reasons, the article was published three months after Mr. Spofford sold his business and essentially moved his life to Florida.

- If this matter cannot be resolved, we will proceed with litigation in the United States District Court for the Southern District of Florida. NHPR's focus on Mr. Spofford's ties to Miami, we believe the federal court there will exercise personal jurisdiction over the NHPR defendants under the reasoning of *Calder v. Jones*, 465 U.S. 783 (1984).
- We will avail ourselves of New Hampshire law, which lacks an anti-SLAPP statute, and is the applicable law under Florida's "most significant relationship" test to resolve conflict-of-laws questions. *Grupo Televisa, S.A. v. Telemundo Commc'ns Grp., Inc.*, 485 F.3d 1233, 1240 (11th Cir. 2007). *See also Gov't Emps. Ins. Co. v. Glassco Inc.*, No. 8:19-CV-1950-KKM-JSS, 2021 WL 4391717, at \*5 (M.D. Fla. Sept. 24, 2021) (recognizing that "a plain reading of [Florida's anti-SLAPP] statute suggests that [it] . . . is strictly a procedural" and thus may be inapplicable to diversity cases in federal court under the *Erie* doctrine).
- Even if Florida's anti-SLAPP statute applies, we will overcome it. Mr. Spofford's defamation claims are meritorious. Even if Mr. Spofford were deemed a public figure, this case presents numerous badges of malice, including NHPR's continued reliance on sources that have admitted their lack of knowledge, proven unreliable in other respects, and which lack corroboration, as well as the article's frequent and intentional use of mischaracterizations and material omissions to create false impressions. Moreover, even if Mr. Spofford is treated as a public figure, NHPR's refusal to retract the article *after* receiving Mr. Kaniuka's letter is an allegation sufficient to carry the actual malice standard here. *See Brown v. Fawcett Publications, Inc.*, 196 So. 2d 465, 473 (Fla. 2d DCA 1967) (holding that jury had ample reason to find malice where the magazine publisher "deliberately spurned the request to retract and apologize" after it was notified that the defamatory accusations against the plaintiff were false).
- NHPR will be forced to disclose the identities of these "nearly 50 former clients, current and past employees, and others in New Hampshire's recovery community." *See Downing v. Monitor Pub. Co. Inc.*, 120 N.H. 383, 387 (1980) (holding that "when a defendant in a libel action . . . refuses to declare his sources of information upon a valid order of the court, there shall arise a presumption that the defendant had no source"); *Carroll v. TheStreet.com, Inc.*, No. 11-CV-81173, 2014 WL 5474048, at \*8 (S.D. Fla. Apr. 10, 2014) (holding that "Florida law and the law of other states direct courts to pierce the journalist's privilege in libel cases when a journalist is the defendant and where a plaintiff's need for the information goes to the 'heart of the matter.'"). Several sources believe they were coerced or deceived by NHPR into giving statements. Other sources are patently unreliable. And many, if not all, of the sources that NHPR has relied on in support of this article will not withstand scrutiny. Their connections and coordination with one another will be exposed. Their biases and motives will be extracted. And their desire to participate in a litigation in which they have no horse in the race will be tested. One need look no further than disclosed source Justin Downey—the only source to corroborate

“Elizabeth’s” accusations against Mr. Spofford—who is a self-described “monster” that does not “feel a fucking thing for anybody unless [he] was either fucking it or trying to kill it.”<sup>1</sup> We also suspect that Ms. Chooljian has personal connections with at least some of her sources, such as, for example, former GRC employee Jeff Hatch. We fully intend to explore her ties to the sources during discovery to understand whether and to what extent she failed to disclose conflicts of interest or other information relevant to proving malice.

As you acknowledged in your May 19, 2022 letter, Mr. Spofford has been an “influential figure[] in New Hampshire’s response to the opioid epidemic.” He has dedicated his life to aiding others in their recovery from addiction. These accomplishments, coupled with the serious issues concerning source credibility, should give NHPR pause about continuing down this path. While NHPR may take exception to certain aspects of his lifestyle—his wealth, his appearance, and his supposed political affiliation—Mr. Spofford is not the sexual predator that NHPR has portrayed him to be. We have previously conveyed to you both the financial and non-financial harms that your defamatory story has caused our client, not the least of which is his child’s exposure to these appalling lies. That is why Mr. Spofford is prepared to litigate against NHPR and every other person who took part in this salacious hit piece.

Despite his desire to vindicate himself through judicial means, at this time, we have advised Mr. Spofford to entertain the potential for resolving this dispute without filing suit. His willingness to do so is limited. He has nothing to lose in a litigation and everything to gain, and he is willing to devote the resources necessary to see this through to trial. If another article is published about Mr. Spofford, settlement discussions will end and will never be revisited. NHPR should view these discussions as a fragile cease fire. It should appreciate that a new attack on Mr. Spofford will trigger an escalation of this conflict that will not end through pre-trial diplomacy.

Please advise whether NHPR will satisfy the threshold stipulation and, if so, when you are prepared to continue discussing potential ways to settle this matter in its entirety pre-suit. Nothing in this letter is intended to relinquish or waive our client’s rights or remedies, which are hereby expressly reserved.

Best regards,

Benjamin Levine

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<sup>1</sup> Arnold, J., *Trauma, Addiction and the Greatest Life Cheat: A Conversation with Justin Downey* (May 29, 2020), available at <https://www.joannearnold.com/posts/trauma-addiction-and-the-greatest-life-cheat-a-conversation-with-justin-downey>.

# EXHIBIT D



May 26, 2022

**VIA EMAIL ONLY**

Benjamin A. Levine  
Gordon & Reese Scully Mansukhani, LLP  
One Battery Park Plaza  
28<sup>th</sup> Floor  
New York, NY 10004

Re: NHPR

Dear Mr. Levine:

I have your May 23, 2022 letter, email, and phone messages, but will not be further responding pending completion of an ongoing criminal investigation.

There have been five separate acts of vandalism, including two early on Saturday morning (the day after our May 20 conversation), directed at NHPR news staff involved in reporting about your client, Eric Spofford. In four incidents windows were broken and in all of the incidents doors or siding of residential homes were defaced with red spray paint and the word "CUNT" or "JUST THE BEGINNING!" These incidents occurred in several municipalities and two states.

NHPR is fully cooperating with local, state, and federal law enforcement.



PRETI FLAHERTY

Benjamin A. Levine

May 26, 2022

Page 2

Further, we were notified by Melrose, MA Police Department that they decided to issue a press release this afternoon, available at: <https://www.middlesexda.com/press-releases/news/investigators-seeking-identify-man-who-allegedly-threw-brick-melrose-residence>

If you have any information that might assist with law enforcement's investigation, please contact the Melrose, MA Police Department at (781) 665-1212.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'S.D. Schutz', with a horizontal line extending to the right.

Sigmund D. Schutz

SDS:jac

# EXHIBIT E

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**From:** Meir Rinde <[meirrinde@gmail.com](mailto:meirrinde@gmail.com)>  
**Sent:** Thursday, May 26, 2022 6:24 PM  
**To:** Benjamin Levine <[blevine@grsm.com](mailto:blevine@grsm.com)>  
**Subject:** Re: Comment request for NHPR article mentioning Eric Spofford

Hi,

I've just learned that my article may run tonight. My apologies for the last-minute notice. If you or Mr. Spofford would like to comment, please contact me ASAP via email or at 267-666-0776.

Thanks,  
Meir

**Meir Rinde**  
[Meirrinde.com](http://Meirrinde.com)  
(267) 666-0776  
he/him

Meir Rinde wrote on 5/26/22 5:41 PM:

Hi,

I'm following up on a phone message I just left at your office number. I'm writing an article for New Hampshire Public Radio about several recent incidents of vandalism targeting the homes of NHPR journalists. The Middlesex, Mass. DA's office today put out a news release about one of the incidents, in Melrose, Mass.:

<https://www.middlesexda.com/press-releases/news/investigators-seeking-identify-man-who-allegedly-threw-brick-melrose-residence>

Three similar incidents occurred at home in Concord, Hanover, and Hampstead, New

Hampshire on April 24. The two most recent ones happened in Hampstead and Melrose on May 21. The vandalized homes are current or former homes of NHPR reporter Laura Chooljian and news director Dan Barrick.

My article will mention that Chooljian's reporting over the past year and half has focused on Granite Recovery Centers and Eric Spofford, including her two most recent articles in March on sexual misconduct allegations against Spofford. I'm also planning to mention that, as described in Ms. Chooljian's article, one of Mr. Spofford's attorneys denied the allegations and threatened legal action against NHPR if the article were published.

I'd like to check with Mr. Spofford, through you, to see if he'd like to provide a comment for the article. If he has any information about the vandalism incidents, please send it to me and I will try to include it in my article.

I don't know when my article will be published, but it could be as soon as tomorrow (Friday) afternoon. My deadline is tomorrow at noon; please send me Mr. Spofford's comments by then.

Thanks,  
Meir Rinde

**Meir Rinde**  
[Meirrinde.com](http://Meirrinde.com)  
(267) 666-0776  
he/him

# EXHIBIT F

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**From:** Misty Marris  
**Sent:** Thursday, May 26, 2022 8:54 PM  
**To:** 'meirrinde@gmail.com' <meirrinde@gmail.com>  
**Cc:** Benjamin Levine <blevine@grsm.com>  
**Subject:** Response to comment request for NHPR article mentioning Eric Spofford

THIS STATEMENT SHOULD BE ATTRIBUTED TO ERIC SPOFFORD. IT SHOULD BE INCLUDED IN ITS ENTIRETY IN THE TEXT OF THE STORY.

“NHPR would rather perpetuate lies about me than admit the article was for clicks and advertising dollars. I have nothing to do with whatever happened to people who work for NHPR. I shouldn’t even need to dignify these unfounded accusations with a response. While I already knew that NHPR’s journalism lacked any ethical standards, this latest stunt proves the lengths that NHPR will go to silence the truth.

It’s obvious why NHPR is engaging in this coordinated attack against me: it wants to deter me from bringing lawful defamation claims based on an article they wrote about me last March, because NHPR knows that I will win. On May 23, my attorneys advised NHPR of the legal avenues that I will be pursuing. And earlier this month, NHPR’s star source, Piers Kaniuka, also retracted his statements in the article in a letter to NHPR. When faced with sources that were unraveling and legitimate defamation claims looming, NHPR chose to double down and spin yet another hit piece about me – that I vandalized NHPR’s journalists’ homes. NHPR has seen a video of the suspect. Clearly, the guy in the video is not me. But NHPR is trying to draw a speculative connection to me, and has corralled its media buddies to pick up the vandalism story so that it can point fingers at me in another article.

Let me be clear – not only was I completely uninvolved with these incidents of vandalism, I also do not support or condone them. I also don’t need to vandalize someone’s property. I have truth on my side and I will vindicate myself through *lawful* means. I have no motive to vandalize a reporter’s property months after an article was written about me, when I am already expending significant resources to litigate these defamation claims. NHPR is quick to pin this on me, but the reporter apparently spoke with “nearly 50 former clients, current and past employees, and others in New Hampshire’s recovery community.” If these incidents are somehow connected to the article she published, maybe NHPR should consider whether one of these individuals she engaged with – some who have criminal histories, and who struggle with addiction and mental health – could be the culprit. One of her star sources is a self-described “monster” who publicly said in an interview that he does not “feel a fucking thing for anybody unless [he] was either fucking it or trying to kill it.” Many people in recovery have credited me with saving their lives. Perhaps one of them felt compelled to do these acts in a misguided attempt to defend me. I would never condone it, but I have no control over what other people do.

The timing of this reporting and the rush to point fingers at me is incredibly suspicious. NHPR claims that three of these incidents occurred on April 24 – then why didn’t NHPR report on these incidents at that time? Why did they wait until merely days after I sent legal notices asserting legitimate defamation claims? To try to deter me from bringing legal action, because they know I will win.

NHPR doesn't care about the truth. If it did, it would've posted Piers Kaniuka's recanting statement which it has had for over a week."



# **Exhibit 26**

[NH News](#)

# Law enforcement investigating vandalism targeting homes of NHPR journalists

New Hampshire Public Radio | By [Meir Rinde](#)

Published May 26, 2022 at 11:17 PM EDT

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On Thursday, the Middlesex County District Attorney released this surveillance photo of a man throwing a brick at a reporter's home in Melrose, Mass.

*Note: In keeping with company policy about covering news about NHPR or its staff, this story was independently reported and edited by journalists who are not employed by NHPR. NHPR staff did not provide any editorial input.*

The Middlesex County District Attorney and police in four towns are investigating several incidents of vandalism at the homes of two New Hampshire Public Radio journalists, including graffiti that appeared to threaten further attacks.

A reporter's current and former homes in Melrose, Mass., and Hampstead, N.H., were vandalized early in the morning of Saturday, May 21, police said. In Melrose, a person spray-painted the words "Just the beginning!" in red on the home, threw a brick through a window and was seen running away.

Earlier that morning, in Hampstead, a vandal spray-painted an obscenity on the garage door and threw a brick at the house, police said.

On April 24, a vandal or vandals had spray-painted the same obscenity in red on the same Hampstead residence, as well as homes in Concord and Hanover, N.H., and threw bricks at each house, breaking windows and causing other damage, according to police.

Middlesex County District Attorney Marian Ryan said during a press conference Thursday that investigators are looking at recent work by the reporter whose house was vandalized.

"The incidents of vandalism would be concerning on their own. If it is determined that that motive that we are looking at is in fact the reason for these attacks, if it is either in retaliation for some work that she has done or intimidation around work she may be contemplating, that obviously involves some First Amendment concerns, and is obviously much more disturbing," Ryan said.

Ryan released a [surveillance video](#) of a man throwing a brick at the Melrose home on Lynn Fells Parkway. Police described the suspect as a slender white man, about 5 feet 10 inches, wearing a light blue hooded raincoat, khaki pants, black sneakers and a blue-green backpack. The video shows the suspect fleeing past several people toward Lincoln Street.

Anyone with information on the incident is asked to call the Melrose police at 781-665-1212.

After the initial incidents in April, Concord Deputy Chief John Thomas said investigators had leads on potential suspects, who he declined to identify. Police in Hanover and Hampstead declined to discuss details of their investigations.

“We are aware of possible motives for the criminal mischief, but we haven’t determined who’s responsible or what the motive is,” Hampstead Deputy Chief Robert Kelley said.

The vandal or vandals could face misdemeanor charges of criminal mischief in New Hampshire or felony charges of malicious damage to property in Massachusetts, police said. If multiple people were involved, they could be charged with conspiracy to commit criminal mischief, a felony, or criminal liability for conduct of another.

The New Hampshire Attorney General did not respond to requests for comment. The FBI also declined to comment.

The vandalism targeted current or former homes of NHPR News Director Dan Barrick and reporter Lauren Chooljian. Chooljian was previously a co-host of “Stranglehold,” a podcast about New Hampshire’s presidential primary, and since December 2020 has been reporting on problems at Granite Recovery Centers, one of the state’s largest providers of substance abuse disorder treatment.

Her two most recent articles, published in March, described [sexual misconduct allegations](#) against Eric Spofford, the former CEO of Granite Recovery Centers. The first article quotes an attorney for Spofford denying the allegations and threatening legal action against NHPR if the article were published.

“I would certainly think [Spofford] may be interviewed by the authorities. He may have some information that might support a case. It would be too early to

say he would be a person of interest,” Melrose Police Chief Michael Lyle said on Tuesday. “After the article came out, all this trouble started for the reporter or the news organization. At some point [investigators] may have a conversation with him.”

In a statement provided by his attorneys, Spofford denied any role in the vandalism and alleged that NHPR’s coverage of the incidents is part of a “coordinated attack” to deter him from filing a defamation claim over Chooljian’s previous article. He suggested that one of the other people Chooljian spoke with for that article could be behind the vandalism.

“Not only was I completely uninvolved with these incidents of vandalism, I also do not support or condone them. I also don’t need to vandalize someone’s property. I have truth on my side and I will vindicate myself through lawful means,” Spofford said. “I have no motive to vandalize a reporter’s property months after an article was written about me, when I am already expending significant resources to litigate these defamation claims.”

“Many people in recovery have credited me with saving their lives,” he continued. “Perhaps one of them felt compelled to do these acts in a misguided attempt to defend me. I would never condone it, but I have no control over what other people do.”

Chooljian and Barrick confirmed details of the vandalism incidents, but declined to comment further. NHPR President and CEO Jim Schachter declined to discuss possible suspects.

“That reporting by Lauren and our newsroom is outstanding reporting that no one is going to intimidate our newsroom from continuing to pursue, wherever it takes them,” he said. Schachter said the station is “supporting in every way possible the victims of these crude, senseless attacks.”

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# **Exhibit 27**

MORNING MIX

# 4 homes tied to journalist hit with bricks, graffitied with spray paint

The vandal warned it was 'JUST THE BEGINNING!' in latest incident

By [Jonathan Edwards](#)

June 1, 2022 at 6:41 a.m. EDT

Journalist Lauren Chooljian came home last month to discover that a brick had been thrown through the front window of her home in Melrose, Mass. On the white siding just below the shattered glass, the vandal had spray-painted an ominous warning in big, red letters.

“JUST THE BEGINNING!”

In fact, the vandalism had begun nearly a month earlier. Since late April, there had been four other attacks on homes tied to Chooljian, all hit with the same two weapons: a brick and red spray paint. Targets included her former address, her boss’s place and her parents’ home, which was hit twice.

Police in four towns are investigating the five incidents. On Thursday, Middlesex County District Attorney Marian Ryan in Massachusetts released video footage of a vandal hurling a brick into Chooljian’s home and asked anyone with information about his identity to contact police. Ryan said investigators are considering the possibility that the attacks are linked to Chooljian’s work as a senior reporter and producer for New Hampshire Public Radio. The possible motive: revenge for stories she published in the past, intimidation to silence her in the future, or both.

“That obviously involves some First Amendment concerns and is much more disturbing,” Ryan said at [Thursday’s news conference](#).

On Tuesday, Chooljian posted a photo on Twitter of her broken window and the graffitied caption below it. Someone had tagged her boss’s front door with a misogynistic slur using the same kind of red spray paint, she wrote in the tweet, and did the same thing to her parents’ garage on two separate occasions.

“It’s not okay,” she said.

Lauren Chooljian   
@laurenchooljian · [Follow](#)

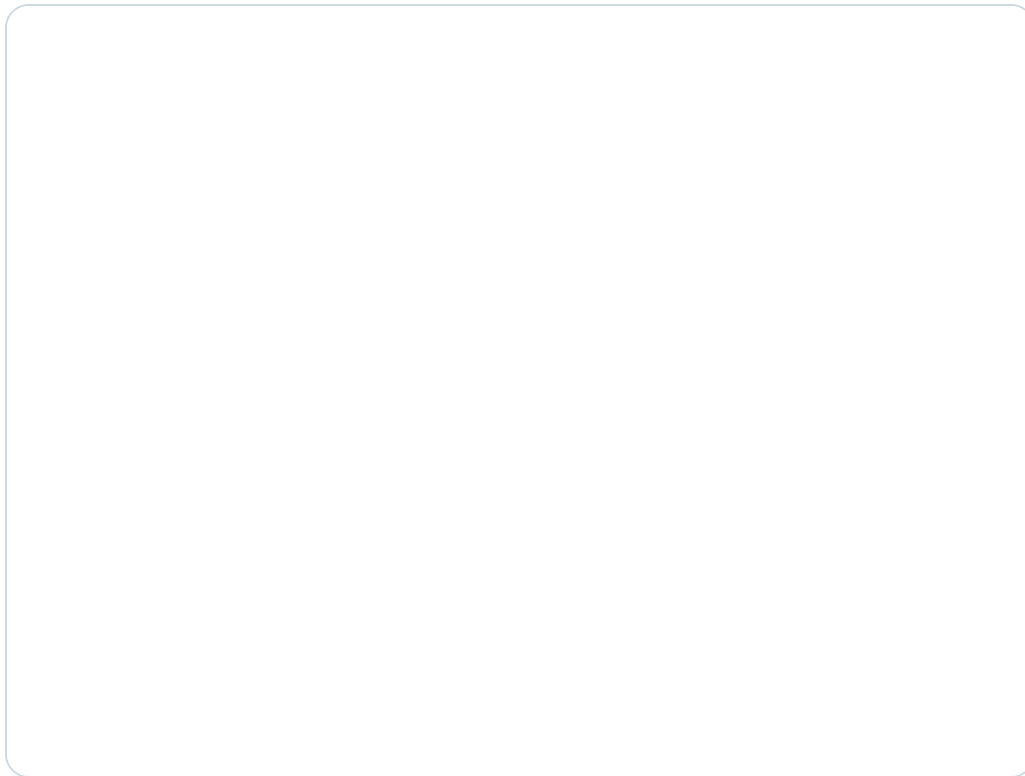


5 incidents of vandalism targeting journalists.

The c-word spray-painted in red on my parents' garage. 2 separate times.

The c-word in red on **@danielbarrick**'s front door. And on a house I used to live in. Bricks thrown through windows.

Here's my house. It's not okay.



4:11 PM · May 31, 2022



♡ 2K    💬 Reply    ↗ Share

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Chooljian's most recent work exposed allegations of sexual misconduct against Eric Spofford, a recovering drug addict who got clean and built New Hampshire's largest network of addiction treatment centers. Since 2019, the state of New Hampshire has awarded the network that Spofford founded, Granite Recovery Centers, more than \$3 million in no-bid contracts, according to her reporting.

Chooljian's investigative project, which published in March, led New Hampshire Gov. Chris Sununu (R), who appeared alongside Spofford in July during a news conference at Granite Recovery Centers, to call the accusations against Spofford "very serious" and say "they have to be taken seriously and investigated."

After Chooljian's home was vandalized, Melrose Police Chief Michael Lyle told New Hampshire Public Radio that he "would certainly think [Spofford] may be interviewed by the authorities."

"After the article came out, all this trouble started for the reporter or the news organization. At some point [investigators] may have a conversation with him," Lyle said, according to the radio station.

Spofford did not immediately respond to a request for comment from The Washington Post early Wednesday. But in a statement his lawyers gave to the radio station, Spofford denied any involvement in the attacks and said that the news coverage of the vandalism was a "coordinated attack" to stop him from suing for defamation over Chooljian's recent articles.

"Not only was I completely uninvolved with these incidents of vandalism, I also do not support or condone them. I also don't need to vandalize someone's property. I have truth on my side and I will vindicate myself through lawful means," Spofford told the station in the statement provided by his lawyers.

New Hampshire Public Radio president and chief executive Jim Schachter declined to talk about possible suspects with WBUR but denounced the vandalism as "crude, senseless attacks" that wouldn't stop Chooljian or the radio station from continuing their work.

"That reporting by Lauren and our newsroom is outstanding reporting that no one is going to intimidate our newsroom from continuing to pursue, wherever it takes them," Schachter said.

Fellow journalists have rallied behind Chooljian and her boss, news director Dan Barrick, whose home was also vandalized.

In a tweet Saturday, an NPR reporter called them "two of the best colleagues I've ever had, journalists of the highest integrity," adding: "It's NOT OK." A fellow reporter at New Hampshire Public Radio called Chooljian and Barrick "outstanding journalists and wonderful human beings" and said that even those who don't know them should be "saddened and outraged" by people attacking reporters.

Katie Colaneri, also a New Hampshire Public Radio journalist, struck a similar note in her tweet: "Violent vandalism and threats against journalists — and anyone speaking truth to power — is unacceptable and reprehensible," she wrote. "I stand by my colleagues ... & their families."