

Rantt Exclusive: Utah Attorney General Sean Reyes Continues A Legacy Of Corruption

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Part One of Our Investigation into Utah Attorney General Sean Reyes

Utah AG, and Trump's potential FTC nominee, appears to have used human trafficking busts as political props and contaminated a child pornographer's crime scene



Utah Attorney General Sean Reyes (AP Photo/Rick Bowmer)

Utah is a state dominated by Republican politics, both at the local, state, and Congressional levels. And while the pervasiveness of a single party might allow for the effective advancement of legislation in deep red or blue states like California and Texas, it comes with its own inherent drawbacks. One of those is a lack of accountability and an increased

risk of corruption among state and local officials, whose focus becomes advancing the party agenda and retaining a lock-step majority rather than serving the interests of their constituents.

The Utah Office of Attorney General may have become an unfortunate victim of this kind of corruption, helmed by a string of attorneys whose primary objectives appear to be either personal or political.

When the current Utah Attorney General, Sean Reyes was sworn in on December 30th, 2013 at the State Capitol, he promised to usher in a new era of transparency and accountability to the office. His predecessor, John Swallow, resigned amid allegations of bribery and evidence tampering that had dogged every step of his tenure as AG. Reyes, appointed by Governor Herbert, became the new sheriff in town, charged with rolling up his sleeves and cleaning house in an office that had become infamous for corruption.

Much of this reputation came from former AG, Mark Shurtleff, known for his aggressive raids, military tactics, and “pay to play culture.” Both Shurtleff and Swallow, Shurtleff’s hand-selected predecessor, became subjects of an investigation that ultimately led to their arrest in July of 2014. While felony charges against Shurtleff were dropped and Swallow was acquitted by a jury, the scandal haunts the Utah AG’s office today.

Sean Reyes, was seen as a young, ambitious lawyer who, unlike Shurtleff and Swallow, would advocate for victims. In the beginning, it appeared that there were signs that this AG might not be the panacea that Utah’s law enforcement community was looking for. **Like his predecessors, AG Reyes became proud of his badge and seemed to have seen his appointment and subsequent re-election as an opportunity to campaign while executing his duties.** Sources inside the office at the time say the new AG wore a Senate pin on his suit, and seemed focused on talking up “dignitaries” and fundraising.

Reyes’ high-profile human trafficking busts and reported mishandling of the prosecution of sex crimes may have led to less justice and more trauma for victims. And, despite repeated attempts by the local media to highlight concerns about Reyes, **he remains a favorite among Republicans who insist Trump is considering Utah’s Attorney General to become the next FTC Commissioner.**

The Blingin Bishop



Utah's 21st Attorney General, Sean Reyes

A former bishop and member of the Latter-day Saints (LDS) church, Sean Reyes is a widely recognized figure in Utah. His father was an immigrant from the Philippines and his mother is of mixed Japanese and Hawaiian descent. **When he was appointed to be Attorney General, Reyes became the first ethnic minority to hold statewide office in Utah.** He

earned commendations early in his career as the recipient of the “Outstanding Young Lawyer” award from the American Bar Association, and served as a volunteer small claims court judge for the Third District Court of Utah.

Reyes lives with his wife and six children in a suburban Salt Lake City neighborhood, where his flashy style and love of basketball earned him the nickname of “Blingin’ Bishop.” **One of his first public profiles ran in City Weekly in 2008, and it begins with a very revealing story.** Reyes brags that in the early 90s, some teenagers egged his passing car. Sean, barely an adult himself at the time, chased the car. At a stoplight, he got out, jumped onto the hood of the teenager’s car, broke off the antenna and began thrashing the windscreen of the Hyundai with the metal tip.

“It’s not like I was going to kill anybody,” Sean Reyes recalls 14 years after he set upon that car. “I just wanted to teach them a lesson.”- City Weekly, “The Bishop of Bling”, 2008

Sean Reyes’ penchant for wearing a bulletproof vest around town and flashing his badge off hours is eerily reminiscent of his predecessor, Mark Shurtleff. Reyes is best known for his participation in several human trafficking operations through an organization called Operation Underground Railroad (O.U.R.), liberating children from sex trafficking in Columbia by posing as sexual deviants. **And while the stories of these raids have taken on mythical proportions and are widely publicized by Reyes, it’s an unusual and perhaps dangerous departure from his role as Attorney General.**

Donations Pour In

Sean Reyes has come under fire recently for accepting large donations to his campaign from corporations with less than sterling reputations. Apparently, once word got out that Reyes was a potential Trump nominee for the FTC, he gained lots of new friends with very deep pockets.

“Mr. Reyes, who is not up for re-election and won handily last year, received more than \$113,000 in donations in the first three months of the year, far more than he received during the same period last year, an election year.”- New York Times, Utah Attorney general Makes Trump Shortlist and Donations Pour In, April 28, 2017

But much of this is actually old news. The Salt Lake Tribune began sounding the alarm on Reyes’ donors in 2015, when they noticed several amounts totaling up to \$40,000 from Washakie Renewable Energy, a company that’s known as a front for the notorious Kingston Clan. The Kingstons are wealthy polygamists who often attempt to fund local politicians in hopes they’ll get a pass on numerous criminal activities, including the exploitation of young girls in their care. **Reyes was the keynote speaker at the company’s Christmas party in**

2015. Several members of the clan have been convicted of rape or criminal incest.

The resulting media firestorm led Reyes and his campaign manager, Alan Crooks, to freeze the funds.

Potential Conflicts Of Interest

In an effort to avoid the kind of controversy Shurtleff and Swallow became known for, Governor Herbert recommended that Reyes resign from all boards when he was appointed as Attorney General in 2013. The rationale stems from the idea that as Attorney General, it's unethical to be sitting on the advisory boards of organizations that might break the law and be prosecuted by the state.

As you'll see from the 2016 candidate disclosure form below, Utah's current Attorney General sits on several different advisory boards, including the following:

- Hale Center Theater
- Fight the New Drug (Anti-Pornography Organization)
- Operation Underground Railroad (Anti-Trafficking Organization)
- BYU Alumni Board
- Key Bank Advisory Board

Sean Reyes' 2016 Campaign Disclosure Form

Transparency

Sean Reyes promised to assure in a new era of transparency. The new Attorney General widely publicized the fact that he intended to have all existing staff reapply for their own positions to weed out potential sources of existing corruption.

Anonymous sources within the AG office at the time say this was mostly smoke and mirrors to create the illusion of propriety. Several prosecutors with questionable backgrounds were kept on, included one with a felony criminal record and a chief of investigations, Leo Lucey, who was once formally cited in a federal court decision for evidence tampering and racial prejudice.

Additionally, within just a few months of taking on his new position, Reyes issued an internal memo that was seen as a virtual gag order for all employees. Dated March 17, 2014, the order directs all communication with the media to occur through the Chief Communications Officer, Missy Larsen and prohibits prosecutors from commenting directly on cases.

"All communications with media, or those claiming to be media, concerning the Attorney General's Office including policies, personnel, cases, or any other UAG business that take place outside of this system are subject to immediate disciplinary actions up to and including termination."



**Official Media Policy for the Utah Attorney General's Office
under the direction of Attorney General Sean D. Reyes**

Date of Implementation: March 17, 2014

Media Correspondence

All press policy is governed by Section 1.20 of the *Utah Attorney General Employment Policies & Statutes*. In addition to those guidelines, employees should follow the additional guidelines as follows until the full policy manual is updated and posted:

All communication with media, or those claiming to be media, regarding any business or personnel of the Utah Attorney General's Office, written or verbal, must be directed through the Communications office of the Utah Attorney General by contacting:

Missy Larsen

Chief Communications Officer

Utah Attorney General

missywlarsen@utah.gov

801.538.1892 (desk)

801.230.9890 (mobile)

Each communication or potential communication inquiry will be assessed and, where needed, attorneys/experts will be contacted to discuss specific topics or cases based on media source, impact and focus. All communications with media, or those claiming to be media, concerning the Attorney General's Office including policies, personnel, cases or any other UAG business that take place outside of this system are subject to immediate disciplinary actions up to and including termination. If there is any question whatsoever about whether you are authorized to communicate with anyone outside the

While it's not unusual for a government office to want to control communication more strictly, the move was certainly unexpected from an Attorney General that had lauded increased transparency. Some even argue that this kind of policy is considered

unconstitutional since it prevents employees from keeping the public informed about policy and discourages whistleblowers. And it signaled something important about the new executive team Reyes had installed within the AG's office.

As one anonymous source commented, "The AG's office executive staff does not serve the state of Utah. It is a barely concealed political campaign staff for Sean Reyes."

An Inside Job?

In the immediate aftermath of the John Swallow resignation, members of Utah's legislature saw a clear pattern of behavior in the Utah AG's office that they were eager to address. Representative Richard Greenwood, a former law enforcement officer, introduced H.B. 100 in January of 2014. The bill was designed to take the investigations team assigned to the Attorney General's Office and move it to the Department of Public Safety. Uncoupling investigations and prosecution seemed to make sense.

"When you have the investigators and prosecutors in the same office serving the same boss, I think there could be a perception among the people we serve ... that there's not a good check and balance." - Richard Greenwood, Salt Lake Tribune Interview

The bill was met with resistance from the Attorney General, who wasn't eager to lose the funding and the prestige of his own task force. Then, on February 11th, 2014, the task force arrested Victor Manuel Rax, a man accused of trafficking and sexually abusing boys whom he recruited to sell drugs to local high schools. The apprehension of Rax was highly visible, caught on camera by Fox13 who'd been tipped by the AG's office to catch the footage for prime time news. Rax, an immigrant from Guatemala, was charged with 63 felonies, including child sex trafficking.

Sean Reyes announced this high-profile arrest until the same day H.B. 100 went to committee; nearly two days after the arrest took place. The formal press release on the AG website was entitled:

UTAH ATTORNEY GENERAL'S SECURE STRIKE FORCE LOCKS UP WANTED INTERNATIONAL CRIMINAL.

Reyes appears to have held the press conference at a strategic time, highlighting the task force's name in a prominent arrest. Later, H.B. 100 is promptly reshuffled for consideration during another legislative session and forgotten.

And Victor Manuel Rax, one of the first cases of child sex trafficking to be prosecuted in Utah, is never convicted. Instead, he dies in custody in a Salt Lake City jail from what authorities say was an apparent suicide. **Sean Reyes, however, credits Rax with inspiring**

him to pursue justice for victims of human trafficking; an issue which will become a pivotal part of his tenure with the Utah Attorney General's office.

Operation Underground Railroad



Reyes and Ballard, August 2014

Around the same time that Sean Reyes was taking the oath of office to become Attorney General in 2013, Tim Ballard, the founder of Operation Underground Railroad, was turning in his badge. Ballard, a member of the LDS church who lives in Utah, was an I.C.E. agent at the time. He says he grew increasingly frustrated with ineffective campaigns to address child trafficking in other countries. Ballard retired and decided to start a non-profit group that could coordinate “ops” or missions with foreign governments to rescue children from trafficking rings without the bureaucratic red tape.

In October of 2014, Attorney General Sean Reyes participated in a mission with O.U.R. to rescue victims of trafficking in Columbia. He acted as interpreter and bodyguard on the operation, stalling the traffickers for about an hour until the raid could take place.

“The hardest part was not wanting to kill the guy,” Reyes commented.

O.U.R. says fifty-four children were rescued during that particular mission, ranging in age from 9 to 16 years old. Reyes became an avid fundraiser for Operation Underground Railroad, attending the movie premiere for The Abolitionists, a documentary on O.U.R., and promoting it in interviews.

While Ballard and Reyes see these rescue missions as moral imperatives, the reality is a little more complicated than that. **Many human rights activists who work on trafficking issues say sometimes, these operations simply recycle victims, returning them to the same families that exploited them.** Foreign Policy conducted an in-depth investigation in 2015 into an O.U.R. mission in the Dominican Republic, where government officials say they repeatedly warned Ballard they didn’t have the ability to support the number of children he was attempting to rescue.

“Less than three weeks later, the girls are released to their families on a judge’s order — well short of the three months of targeted care the rehabilitation organizations had hoped to provide. IJM’s Villeda claimed in an interview with Foreign Policy that his group asked O.U.R. to consider a smaller operation “knowing that the Dominican government didn’t have the capacity to house the number of victims that they were expecting to rescue.”
Foreign Policy, The New Abolitionists

In addition to the concerns about whether or not these missions are effective, Operation Underground Railroad faces increasing scrutiny about whether they may have violated Utah state law by fundraising under false pretenses that donations were used to fight local human trafficking issues. Davis County District Attorney Troy Rawlings has declined to comment about complaints received regarding O.U.R. and whether a criminal investigation has been launched.

Perhaps most disturbing of all, there is legitimate concern that vigilante organizations like Operation Underground Railroad, by conducting busts for the cameras and pressing for larger and larger raids, may in fact be feeding demand and scooping up children that would otherwise not be targeted by traffickers.

Human Trafficking in Utah

While it might seem counter intuitive, human trafficking does exist in Utah, but it probably doesn't look the way you'd expect. In many cases the images of very young children in chains or viral stories of those kidnapped from IKEA create a false impression of what human trafficking entails.

Laurin Crosson, the founder of Rockstarr, has devoted her life to providing a “ride out” to women and children who want to escape sex trafficking in Utah. She says the majority of children trafficked are young women, who are coerced or exploited around the age of 13. **It's an inherently dangerous business, with an average lifespan of seven years from the time a minor enters trafficking. The number one cause of death? Murder.**

Many desperately want out, Laurin says, but fear being punished or caught attempting to escape. Rockstarr runs the only safe house in Utah devoted to providing housing for survivors of human trafficking, and Laurin worries that the perception that women need to be “rescued” has been a damaging narrative. In most cases, the hard part begins after the “ride out”, in the months of rehabilitation and support that are needed to fully recover from trauma and abuse.

“We don't need special ops. We don't need guns. We don't need cameras first and SWAT teams. They don't want that. They want a ride out.” –Laurin Crosson, Rockstarr

Go Big or Go Bust

After participating in O.U.R.'s dramatic missions, Reyes came home and attempted to bring a similar brand of salvation to Utah's trafficking problem with mixed results.

While he conducted several large busts of various massage parlors around the state in 2015, there were few arrests and even fewer prosecutions. And no details about the victims of trafficking and the kind of support they might have received in the aftermath of these raids.



Sean Reyes on a warrant scene in 2015, waiting for footage of the arrest, with press and other officers

Investigations like these are staged to provide maximum press coverage and visibility for the AG's office, but may lack the substance to earn serious convictions. Anonymous sources tell us press, legislators, donors, and other civilians were invited to participate in several of these raids in April and September of 2015 with little regard for victim's rights. **In at least one instance, sources report these "dignitaries" were given permission to take photographs of the scene, including of victims, as long as they agreed not to post those photos to social media.** Meanwhile, victim advocates were barred from the scene until after the civilians had departed.

According to multiple sources within the AG's office at the time, this was standard practice for AG Sean Reyes, enabling him to get increased press coverage during election cycles and keeping the funds rolling into his campaign. But these high-profile human trafficking busts have several unfortunate side effects.

First, it places these operations in danger to have such a wide sphere of people aware of the particulars of the warrants being served, compromising the entire team's safety. Secondly, all of the flashing cameras on the evening news make investigators and members of these task forces easily recognizable, potentially hindering their ability to work effectively undercover.

Most importantly, however, is the message it may send victims of trafficking. **Going in with a heavy police force, cameras first, gives the impression that those trapped in these trafficking situations may be treated as criminals or deported. And it may make them less likely to reach out for help.**

In 2015, Reyes joined Tim Ballard in testifying before Congress about the prevalence of human trafficking and what organizations like O.U.R. are doing to help. It appeared their hope was to earn additional funding, encourage Congress to sponsor legislation, and create partnerships with government agencies that might raise awareness of human trafficking.

In Reyes final comments in the testimony he says education and awareness are key and that they can't simply investigate and prosecute their way out of this problem. He chases that statement with this statement, directed at a Congresswoman who is attempting to wrap up the hearing.

"When you're ready to come to Utah for an undercover sting, Congresswoman, come on out. We'll get you a flak jacket and put you to work."

Contaminating Crime Scenes

Utah has a serious problem with child pornography and all of these flashy raids siphon away resources that could be used to more aggressively address the issue. **AG Sean Reyes has, on at least one well documented occasion, potentially interfered in the**

prosecution of a child pornographer by contaminating the crime scene.

In 2014, Lieutenant Blair Barfuss, then a sergeant of the West Valley City Police Department, filed a police report on the serving of a warrant for a suspected child pornographer. The report itself, which Rantt obtained and is available below, is fairly uneventful and details the evidence they gathered, including several hard drives from the basement. Barfuss and the agent who initiated the investigation, Special Agent David Stallings from the ICAC (Internet Crimes Against Children) Task Force, questioned the suspect outside in a mobile unit where the interview was recorded while other officers secured the scene. It seemed like an open and shut case. Evidence was filed, testimony was recorded, and the officers involved went on their way secure in the knowledge that they'd helped convict a potentially dangerous predator.

Reyes West Valley Police Report

Police report details how Sean Reyes contaminated a crime scene and the attempted cover-up that followed.

www.scribd.com

But then we get to the supplement of the report, dated January 26th, 2015. In it, Sergeant Barfuss informs the AG's office that he did notice Attorney General Sean Reyes, who came along on the raid accompanied by Representative Jason Chaffetz, taking photos while inside the home and in the middle of the crime scene. They had been instructed to stay outside, but AG Reyes apparently entered the basement of the residence and began snapping pictures with his personal cell phone.

"I advised both Deputy AG Smith and Deputy AG Rozycki that while on scene at the residential warrant, I observed Attorney [General] Sean Reyes taking pictures with a cellular phone in the basement of the residence. This observation caused concern with Deputy AG Smith and Deputy [AG] Rozycki, who asked why he would take pictures at a search warrant scene." -West Valley City Police Department Report #141050756, Supplement

Shortly after reporting this, Barfuss quickly gets inundated with calls. First it's Commander Farnsworth from the ICAC Task Force, indicating Reyes insists his phone is broken and he was only holding it closer to his face to see through the cracked screen. Barfuss believes there is some level of incredulity regarding this account, but he agrees to let it go. **At a later**

warrant service, in March of 2015, as Barfuss is waiting for AG Reyes to show up with more “dignitaries,” several other officers confirm they witnessed the photos being taken.

On April 1, 2015, Barfuss receives an email from a paralegal at the AG’s office declining to charge the child pornographer. Frustrated, he goes down to the office and speaks to the prosecutor on the case, Kris Knowlton. She pulls him into her office to apologize and then says two very surprising things. **First, there are eight minutes missing from the recorded interview, which is one of the official reasons given for refusing to prosecute.**

Secondly, Knowlton was told by Leo Lucey, Reyes right-hand man and chief of investigations, that Barfuss had recanted his observations about AG Reyes taking photos on the scene after they had a lengthy discussion.

Barfuss expresses shock at this account. He’s never actually spoken to Leo Lucey before and he knows it’s a blatant lie. He informs Knowlton, Farnsworth, and others involved of the discrepancy and apparent cover-up, dots the i’s on the report and files it away.

The Salt Lake Tribune picks it up the story in late 2016, reporting that the friction caused by the case ultimately resulted in Knowlton being pushed out of the AG’s office into early retirement.

Most interestingly of all, the Tribune runs this story initially with a different headline, which you can see in the screen capture below. Less than 24 hours later, the headline is softened to “Utah A.G. Sean Reyes complicated child-porn case, investigator says” but the live URL still retains the evidence of the original language.

<http://www.sltrib.com/news/4731643-155/how-ag-sean-reyes-and-his>

Rolly: How Utah A.G. Sean Reyes and his cellphone doomed a child-porn case

By paul roly The Salt Lake Tribune
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Utah Attorney General Sean Reyes has made his war against the exploitation of children a centerpiece of his political profile, but his zeal to be at a child-pornography bust may have tainted that investigation and helped the suspect go free.

The problem began when Reyes was seen taking pictures of the crime scene with his cellphone, although the attorney general insisted he had no photographs from inside the home, only outside. Still, investigators at the scene reported that they saw him snapping photos in the basement.

That concerned prosecutors in the attorney general's office enough that they declined to go forward with the case. They feared defense lawyers could argue at trial they didn't get all the discoverable evidence.

The incident occurred after the multiagency Internet Crimes Against Children (ICAC) Task Force started investigating a West Valley City man suspected of downloading material from child-porn sites in September 2014.

The West Valley City police report, obtained by The Salt Lake Tribune through the Government Records Access and Management Act, was written by then-Sgt. Blair Barfus, a member of ICAC, and noted the frustration of the task force when the case was tossed out.

At the sting, Reyes entered the home with the ICAC team. Rep. Jason Chaffetz also was on hand but stayed outside.

While investigators gathered evidence and interviewed the suspect and his wife, Barfus reported, the attorney general appeared to be taking pictures of the scene with his cellphone.

Afterward, Barfus was poised to proceed on 10 felony counts of sexual exploitation of a child. He took the case for screening to prosecutors in the attorney general's office in late January 2015.

"While reviewing all case details, I was asked [by one of the prosecutors] if all reports and evidence were provided for discovery," Barfus wrote. "I advised [the prosecutors] that while on scene ... I observed Attorney General Sean Reyes taking pictures with a cellular phone in the basement of the residence. This observation caused concern with [the prosecutors] who asked why [Reyes] would take pictures at a search-warrant scene."

Barfus wrote that, in March 2015, he received a call from Jessica Farnsworth, leader of the ICAC team, who wanted more clarification about Reyes taking photographs in the basement. She told Barfus that Reyes maintained he took pictures only outside the house. Reyes said it may have looked like he was taking photos in the basement because his phone had a cracked screen, and he had to hold it at eye level to read messages.

Barfus reported that he was "90 percent sure" he saw Reyes taking pictures in the basement.

Then-Assistant Attorney General Kristine Knowlton, head of the ICAC prosecution team, eventually opted against pressing charges because of questions about Reyes' cellphone use in the house.

Knowlton said her refusal to prosecute the case caused friction with top brass in the attorney general's office, who felt her decision reflected badly on her boss.

In late June 2015, Knowlton was invited to lunch at the New Yorker by her supervisor, who told her she was being moved from ICAC to the welfare-fraud division.

"He offered to buy me a glass of wine, which I thought odd because it was during business hours," Knowlton said in an interview. "I wondered if I was being set up. Then, at the end of the discussion, he said, 'Can we have a professional hug?' That was weird. I looked at him and said no."

Rather than accept the transfer, Knowlton, a 20-year veteran of the attorney general's office, retired.

West Valley City Police Chief Lee Russo said Reyes and Chaffetz may have tagged along on the sting because "a mobile crime lab was used." The lab was partly funded through government grants, explained Russo, who added that officials may have wanted to monitor its effectiveness.



(Tribune file photo) A spokesman for Utah Attorney General Sean Reyes says his office has an obligation to defend the laws of the state.

We followed up with former special agent David Stallings, who corroborated Barfuss' account of the incident from the 2014 West Valley Police Report.

"I heard the clicking noise. No doubt about it. Reyes was definitely taking photos."

Stallings says he was questioned about this incident later and discussed it directly with Leo Lucey.

“I was called in by Farnsworth and questioned about it. I told her what I saw and she then had me follow her into Chief Lucey’s office and she says, “tell him what you told me”. I again recounted what I saw and heard, personally, and I was told that Lucey had spoken with Reyes and was told about the whole cracked screen thing, so I was to drop it.”

Despite the best efforts of both Lieutenant Barfuss and David Stallings, the child pornographer in this case was never charged.

Survivors Say They Don’t Need a Hero. They Need Help and Long term Support.

Sean Reyes may truly believe he’s advocating for victims, but it appears his office is more focused on the ways in which these high-profile operations and cases benefit their public image. While trafficking is a legitimate issue that needs to be addressed, most human rights activists agree that militarized raids and splashy PR campaigns don’t rescue victims of sex crimes.

These types of operations carried out by the AG’s office place the focus on busting down doors and arresting “bad guys,” instead of where the bulk of the work exists in quietly supporting victims as they recover from trauma and offering a safe place to escape without fear of punishment or reprisal.

It remains to be seen whether Sean Reyes will become Trump’s next nominee or if his ambitions to attain a seat in Congress will be realized. But one thing is clear; when the Attorney General’s office becomes politicized and places priority on campaigning instead of prosecuting, victims of crime are the ones who have the most to lose.

Do you have a tip or additional information about this story? Share it with us and help hold government accountable by contacting kaz@rantt.com.

After her case was undermined by the Attorney General’s Office, Terry Mitchell decided to seek justice on her own.

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