

**PRESENTED AT**

The University of Texas School of Law  
34<sup>th</sup> Annual School Law Conference

February 28 – March 1, 2019  
Austin, Texas

## **Complaint Management in the #MeToo Era**

**Cory Rush**

**Author Contact Information:**

Cory Rush  
KARCZEWSKI | BRADSHAW | SPALDING  
Houston, Texas

[crush@kbslawgroup.com](mailto:crush@kbslawgroup.com)  
713.993.7066

# COMPLAINT MANAGEMENT IN THE #MeToo ERA

C. Cory Rush  
Bryce A. Corsaut

KARCZEWSKI | BRADSHAW | SPALDING  
NICHOLS | LAMP | LANGLOIS

## I. History of the #MeToo Movement.

Tarana Burke, a civil rights activist and founder of the #MeToo movement, served as a youth worker and camp counselor nearly two decades ago.<sup>1</sup> In that capacity, Burke met and bonded with a young camper named Heaven.<sup>2</sup> One day, Heaven confided horrifying incidents of sexual abuse she suffered from her mother's boyfriend.<sup>3</sup> Emotions overwhelmed Burke in less than five minutes, and she regrettably ended the conversation by directing Heaven to speak to another counselor who might "help her better."<sup>4</sup>

Regarding this interaction, Burke recalled:

As much as I loved [Heaven], I could not muster the energy to tell her that I understood, that I connected, that I could feel her pain. I couldn't help her release her shame or impress upon her that nothing that happened to her was her fault. I could not find the strength to say out loud the words that were ringing in my head over and over again as she tried to tell me what she had endured. I watched her walk away from me as she tried to recapture her secrets and tuck them back into their hiding place. I watched her put her mask back on and go back into the world like she was all alone, and I couldn't even bring myself to whisper...me too.<sup>5</sup>

Burke's inability to speak with Heaven inspired her to increase dialogue in order to comfort and support young African American women who also survived sexual violence.<sup>6</sup> In 2006, Burke coined the

---

<sup>1</sup> Burke, Tarana. "The Inception." MeTooMvmt.Org.  
<https://metoomvmt.org/the-inception/> (accessed January 16, 2019).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

phrase “me too” and initiated the #MeToo movement.<sup>7</sup> The goal has since evolved “to reframe and expand the global conversation,” in order to “galvaniz[e] a broad base of survivors to disrupt the systems that allow for the global proliferation of sexual violence.”<sup>8</sup>

The #MeToo movement gained worldwide popularity more than a decade later. On October 5, 2017, actress Ashley Judd reported that former Hollywood producer Harvey Weinstein sexually harassed her in a breaking story from *The New York Times*.<sup>9</sup> Actor Terry Crews then published 16 tweets five days later explaining how another high-ranking Hollywood executive sexually assaulted him in 2016.<sup>10 11</sup>

While media attention escalated regarding Judd’s and Crews’ experiences, Alyssa Milano received a screenshot from a friend that read, “If all the women who have been sexually harassed or assaulted wrote ‘Me too.’ as a status, we might give people a sense of the magnitude of the problem.”<sup>12</sup> Milano then tweeted on October 15, 2017, “If you’ve been sexually harassed or assaulted write ‘me too’ as a reply to this tweet,” before going to bed.<sup>13 14</sup> When she awoke the following morning, Milano discovered more

---

<sup>7</sup> *Id.*

<sup>8</sup> Me Too Movement. “About: History & Vision.” MeTooMvmt.Org. <https://metoomvmt.org/about/#history> (accessed January 16, 2019).

<sup>9</sup> Kantor, Jodi; Megan Twohey. “Harvey Weinstein Paid Off Sexual Harassment Accusers for Decades.” *The New York Times*. October 5, 2017. <https://www.nytimes.com/2017/10/05/us/harvey-weinstein-harassment-allegations.html?hp&action=click&pgtype=Homepage&clickSource=story-heading&module=a-lede-package-region&region=top-news&WT.nav=top-news> (accessed January 16, 2019).

<sup>10</sup> See e.g., Crews, Terry. Twitter Post. October 10, 2017, 12:45 PM. <https://twitter.com/terrycrews/status/917838446697226240> (accessed January 19, 2019).

<sup>11</sup> Hauser, Christine. “Terry Crews Shares ‘Apology’ Letter From Executive Who Resigned in His #MeToo Case.” *The New York Times*. September 17, 2018. <https://www.nytimes.com/2018/09/17/arts/terry-crews-me-too.html> (accessed on January 16, 2019).

<sup>12</sup> Milano, Alyssa. Twitter Post. October 15, 2017, 1:21 PM. [https://twitter.com/Alyssa\\_Milano/status/919659438700670976](https://twitter.com/Alyssa_Milano/status/919659438700670976)

<sup>13</sup> *Id.*

<sup>14</sup> Zacharek, Stephanie; Eliana Dockterman; Haley Sweetland Edwards. “Time Person of the Year 2017: The Silence Breakers.” *Time*. <http://time.com/time-person-of-the-year-2017-silence-breakers/> (accessed January 16, 2019).

Also available as part of the eCourse

[2019 School Law eConference](#)

First appeared as part of the conference materials for the  
34<sup>th</sup> Annual School Law Conference session

"Complaint Management in the #MeToo Era"