Joe, Frank, and Nancy
A Joint Honor Council-Administrative Panel

Abstract Released Spring 2002

Abstract Discussions:
Wednesday, April 10 @12:30pm (sunken lounge)
Thursday, April 11 @6:30pm (sunken lounge)

Introduction:
Nancy contacted the Dean’s office to report an incident that had occurred while she and her friend Frank (a student at another college) were walking to her dorm one night. She and her friend passed several guys hanging around a dorm and one of them, Joe, proceeded to approach Nancy and Frank with his pants down around his ankles, completely exposing himself. A small altercation ensued between Frank and Joe. Since it was dark outside, Nancy was unsure of the person’s identity. However, after contacting the Dean’s office she made a positive identification of Joe using the Haverford student directory.

Honor Council came to consensus on a suspicion of violation. After deliberating about the nature of the incident, Honor Council consented on holding a Joint Honor Council-Administrative Panel.

Statements of the Parties:
Prior to inviting Nancy and Joe into the room, the panel read the respective statements of both parties. The panel then asked Nancy and Joe to come into the room and recount what happened in their own words.

Nancy’s statement:
Nancy stated that on the night of the incident she and Frank were walking across campus to her dorm. As they passed another campus dormitory they noticed several guys peeing on it and yelling. Because it was dark outside neither Nancy nor Frank could make out who the guys were. As they passed them, one of the guys (who she thought was Joe) yelled “let’s get ‘em!” Nancy and Frank then noticed Joe waddling towards them with his pants down. He was approaching at a relatively quick pace given his condition of undress and Nancy claimed that Joe ran right into Frank’s shoulder, bounced back and fell to the ground. According to Nancy, Joe got up and shoved Frank in his chest and face, giving Frank a bloody nose. She stated that all along Frank had done nothing more than try to defend them from Joe. Before the altercation could escalate, one of Joe’s friends broke it up and the respective parties parted ways. Nancy and Frank returned to Nancy’s dorm. Nancy stated that she didn’t call security because it didn’t occur to her at the time. She also stated that she didn’t know Joe prior to the incident and only found out who he was by using the student directory. Her fundamental reason for taking the issue to Honor Council was that the incident made her feel uncomfortable walking around campus at night. She didn’t believe that Joe had specifically targeted her and/or Frank but at the same time it was too invasive
and threatening for her to view it as a practical joke. She was unsure whether Joe or his friends were drinking but thought it was a distinct possibility. She stated that she doesn’t really feel unsafe around campus anymore but that the incident hindered her sense of trust and acceptance within the Haverford community.

Joe’s Statement:

Joe initially stated that he agreed with most of what Nancy said but didn’t understand how the incident made Nancy feel uncomfortable about being out at night on campus. He also did not agree with Nancy’s account of the altercation. He stated that he and his friends were in a rowdy but good mood and that he thought it would be amusing to run at Nancy and Frank with his pants down, streaking them. He admitted to saying something to the effect of “let’s get ‘em” but claimed that it was meant as a joke since he didn’t actually know Nancy or Frank and was not singling them out for any particular reason. Joe claimed that he meant to be goofy and dumb rather than threatening. Though he admitted to having had a couple of beers, he adamantly proclaimed that he was sober at the time of the incident. Joe said he approached Nancy and Frank without the intent to touch either of them and that Frank had extended his arm and pushed Joe to the ground. Joe claimed that it was only at that point that he pushed Frank back, saying something like “oh you’re a tough guy.” He said that there wasn’t really anything (in terms of a fight) to be broken-up but that his friend came over after the pushing began. Joe asserted that pushing Frank was a defensive reaction to what he perceived to be an aggressive move on Frank’s part. Joe did, however, say that he could understand why Frank might have extended his arm given the fact that he and Nancy were being approached by a naked stranger, in the middle of the night, who had begun his charge with the words “let’s get ‘em.”

Panel Questions:

The panel asked Joe and Nancy several questions in an attempt to clear up inconsistencies between the stories (particularly concerning the physical altercation), find out why this happened, and better understand the effect the incident had had on Nancy.

Joe seemed defensive about his role in the altercation with Frank. There seemed to be a very definite line in his mind between the act of streaking and the pushing that ensued. The panel asked him questions regarding past experiences with streaking and fighting respectively. He claimed that he had done a lot of streaking while at Haverford but never with the same outcome. Joe said that he streaked as a way to relieve stress and only in good fun. We asked further questions regarding the distinction between streaking a crowd of people from a distance as compared to approaching two strangers in the middle of the night. Joe admitted to seeing how the latter could be viewed as a highly invasive and threatening act, yet still, seemed quite defensive about his intentions.

Joe claimed that he had never before been in a fight at Haverford. The panel’s questions about the altercation kept yielding technical responses about the nature of the fight and it seemed as if it would be impossible to reconcile the parties’ accounts of the fight itself.

The panel asked Nancy about possible resolutions and she was unsure what she wanted the joint panel to do.
Panel Deliberations:

The issues raised during the statements and panel questions sections proved to be more complex than expected given the divergence in the parties' accounts of the altercation. The panel's main concern was to ensure that Nancy felt comfortable on Haverford's campus and to address the breakdown of trust and respect between community members. The violence issue was not so straightforward. The joint panel decided to read Frank's statement even though he is a student at a different institution and could not be present at the trial. The statement was very similar to Nancy's and the panel felt it didn't bring any new relevant information to light. After lengthy debate the panel decided that though the exact nature of the fight was unknown, Joe needed to take responsibility for the fact that approaching Nancy and Frank with his pants down and saying "let's get 'em" led to the eventual altercation. In other words, the panel came to the conclusion that Joe needed to recognize the threatening nature of such an act and realize that it in and of itself was disrespectful and offensive to Nancy and Frank. Further, there would not have been an altercation had Joe not streaked Nancy and Frank. The panel consented on the following statement of violation.

Statement of Violation:

The student violated the Honor Code by not considering how his actions could have affected the other students' sense of safety and acceptance that is essential to their participation in the community (Honor Code, Article III, Section B).

Resolution Deliberations:

The panel's goal was to repair the breach of trust between the two parties and to ensure that Joe understood and took responsibility for his actions. With regard to resolution #3, the panel thought it was in the best interest of both parties to engage in a mediated dialogue but felt that it would be unfair to require it if Nancy was uncomfortable.

Resolutions:

1) Joe will write a letter to Frank reflecting on his actions and how they might have been perceived.

2) Joe will write a letter to Nancy reflecting on his actions and how they might have been perceived. The letter will also include, but is not limited to, how his actions affected her sense of acceptance in the community.

3) Joe and Nancy will engage in a mediated dialogue with the intent to repair the breach of trust.¹

¹ This resolution is contingent upon the confronting party's willingness to participate.
4) Joe will write a letter to the community addressing how one's actions may or may not violate community standards and how those actions may affect individual members of the community.

Presentation of Resolutions:

The panel presented the resolutions to the parties. They were accepted without change and the panel came to a final consensus.

Questions:

1) Should Frank's statement have been used given that he is not a Haverford College student? How is he treated under the Code?

2) In this case the Dean's office instructed both parties to avoid contact prior to the trial. Was this appropriate given the fact that the Code emphasizes personal confrontation?

3) How should Honor Council and the Code deal with potential legal issues that occur on campus?

4) Given the present state of the Code (it hasn't been ratified), do you feel that we as students owe our sense of campus-wide safety to this document? To what degree do we maintain mutual respect by keeping the social Honor Code in mind, both consciously and subconsciously?
Dear Community,

Many of us go through our daily lives at Haverford without thinking about how one's actions may or may not violate community standards and how those actions may affect individual members of the community. I myself am guilty of this lack of thought. Recently, however, I have realized the importance of acknowledging that other members of this community do not always share the same principles. When two members of such a small community interact in a way that is not in accord with each others standards often the outcome is a misunderstanding. This is especially true given that many people at Haverford have not been exposed to the values of people who are unlike them. It then becomes important for individuals to be wary of how their actions may be perceived by a person who is foreign to one's values since such misunderstandings can lead to the discomfort of other community members.

Joe