Abstract Discussions will be held Monday, November 1st at 7 p.m. and Tuesday, November 2nd at 6:30 p.m. in the Sunken Lounge of the DC

Rip Van Winkle
An Honor Council Social Trial
Released Fall 2010

This abstract was released in accordance with the timeline in the Constitution.
The confronting and confronted parties were given the opportunity to review this abstract prior to its release.
(The addition of this disclaimer began Fall 2010).

Introduction
Rip Van Winkle contacted Honor Council concerning his behavior on a Saturday night, which ended in a visit to the Bryn Mawr Hospital. According to the Quaker Bouncers, the Safety and Security report, and hospital staff regarding the course of the night, Van Winkle ran away from Founders Hall and the Quaker Bouncers, refused to cooperate with and threw his vomit at Safety and Security, spat at local EMTs, attempted to remove his IV and resisted other help at the hospital. Dame Van Winkle had confronted Van Winkle about how he mistreated the hospital, ambulance, local police and Safety and Security staff. Van Winkle was confused about his supposed actions because he had blacked out early in the night and remembered nothing. He had not even been aware that he had gone to the hospital, as he had not been kept there overnight. Van Winkle requested that a non-involved Honor Council representative help him with the case because he did not remember the events and was intimidated and confused by his initial confrontation with Dame Van Winkle, an administrator of the College.

Honor Council met and suggested mediation between the two parties, followed by a social trial. Though Dame Van Winkle supported a social trial, she did not think it was her place to undergo a mediation with Van Winkle, or be present at any portion of the trial. After a meeting with Council Co-Chairs, she agreed to participate in the trial.

Fact-Finding Portion
All jurors, the confronted and confronting parties, Nicholas Vedder, Dominie Van Schaick, Derrick Van Bummel, and Van Winkle’s farm hand were present for the start of the fact-finding. Van Winkle had requested that Vedder, the farm hand, Van Schaick and Van Bummel be present as witnesses, as he could not account for his activities that night. The chair explained that the confronted and confronting parties would start out with statements, and that witnesses would then be asked to join the conversation.

Dame Van Winkle explained that she was not an eyewitness, but was confronting on behalf of the College.
Van Winkle said his birthday was earlier that week. He admitted that he had used extremely poor judgment on the night of his hospitalization, but that he did not remember the evening.

A juror asked Dame Van Winkle why she did not want to be involved with the circumstantial portion of the trial. Dame Van Winkle explained that, as an officer of the college, she thought it was unfair to say that “this is how I feel”, and that she had only brought Rip Van Winkle to Council as a member of the community, because no one student could confront him. She was frustrated with the lack of non-student to student confrontation at the College. She thought the lack of precedent for non-student to student confrontation was problematic in this situation, as the Deans’ Office had decided that this was an issue that should be dealt with by Honor Council and appointed an administrator to serve as the confronting party.

A juror asked Dame Van Winkle why she had confronted Rip Van Winkle. Dame Van Winkle said that Van Winkle's behavior was disrespectful towards members of the community at large, and merited confrontation.

The farm hand interjected that he wanted to tell his side of the story because he thought the meeting was straying from fact-finding. The farm hand explained that he ran the farm with Van Winkle and tutored him in Wood Forestry. Van Winkle and the farm hand met three times a week, late at night, for tutoring. Early on the night of Van Winkle’s hospitalization, Van Winkle and some friends came to the farm hand’s hut. Van Winkle was drunk, had slurred speech and asked to reschedule his tutoring appointment. Soon thereafter, Van Winkle left. The farm hand had been worried, but assumed that Van Winkle’s friends would take care of him. The next day Van Winkle apologized to his farm hand, calling the night before a “wake-up call” with regards to his use of alcohol. Van Winkle also told the farm hand that he regretted his treatment of Safety and Security.

Van Winkle explained that he had sent a letter of apology for his actions at Founders to a representative of the Quaker Bouncers, who responded that the Bouncers did not believe there had been a breach of trust. Van Winkle also sent letters of apology to the police constable and Safety and Security. As a result of his behavior, Van Winkle had been removed from the local hunting team, of which he had been a dedicated member.

Van Bummel said that at some point that night he had called Van Winkle to hang out with him. Van Bummel explained that he had brought alcohol with him to Van Winkle’s room and that they drank together (with their friend Van Schaick) for about an hour to an hour and a half. Van Bummel did not see Van Winkle after their visit to the farm hand.

Van Winkle explained that he did not remember what happened that night after his friend Van Schaick left his dorm.

A juror asked Dame Van Winkle what part of Van Winkle’s behavior she thought was against the Honor Code. Dame Van Winkle said that Van Winkle's behavior was disrespectful and violated community standards. Van Winkle agreed and added that his behavior towards Safety and Security was the pinnacle of his lack of respect. Van Winkle said he was very remorseful and ashamed of his actions and blamed his actions on his lack of experience with alcohol. He explained that no one besides Dame Van Winkle had confronted him for his behavior that night.
A juror asked Van Winkle if he had talked to the hospital staff since the night in question. Van Winkle said that he had not, and that further, he had no recollection of going to the hospital, as he had woken up the next morning in his dorm.

Vedder, who had been bouncing that night, said that by his recollection, Van Winkle came to the dance with a friend, and that Van Winkle was very drunk, giddy and talkative. The Quaker Bouncers realized that Van Winkle was in bad shape and called for Safety and Security. At this point, Van Winkle ran away toward home, followed by Safety and Security. Later, the QBs got a letter from Van Winkle, but the QBs did not think there was a breach of trust with the organization, as there was nothing particularly disrespectful in Van Winkle’s interactions with them.

A juror asked Van Winkle if he had any contact with Safety and Security since the incident. Van Winkle said that the first time he learned of his behavior that night was when he spoke with the Director of Safety and Security and the Associate Director of Safety and Security. The Director of Safety and Security told Van Winkle to not “beat [him]self up” over the situation. Van Winkle said that he received a police summons for underage drinking, which he felt very guilty about. Over the course of the week, Van Winkle met with Dame Van Winkle and the Substance Abuse Educator.

A juror asked why the Dean’s Office chose to confront. Dame Van Winkle explained that there was no way for other administrators or staff to confront and that she represented a part of the community that was affected by the case. The juror asked if Dame Van Winkle included Van Winkle’s behavior with police, EMS and hospital staff under the umbrella of her confrontation, to which Dame Van Winkle agreed. The juror asked if a confrontation involving members outside of campus was typical, to which Dame Van Winkle responded that those individuals were members of the community. Dame Van Winkle added that few community members have access to Safety and Security records, placing her in a unique position for the confrontation.

A juror asked Dame Van Winkle why the initially scheduled mediation did not happen. Dame Van Winkle thought that the power asymmetry between herself and Van Winkle would make the meeting unfair.

Another juror asked what was the original purpose of the planned mediation. Dame Van Winkle said there was no reason why a conversation couldn’t take place, but she saw the mediation as replacing Council’s role in the case. Dame Van Winkle explained that she misunderstood the role of the mediation, and thought that mediation would have been the final step with regards to Van Winkle’s case. A juror asked if the mediation might still take place. Dame Van Winkle said that mediation was within the realm of possibility, but that she didn’t want any mediation to somehow affect the judgment of Council.

The jury had no further questions for any of the parties and they left.

Statement of Violation

The Chair explained that the jury must decide through consensus whether “the event described transgresses the values and standards of the community” (7.02 e ii).

A juror was greatly dismayed with the proceedings because he thought Dame Van Winkle was trying to use the jury as a disciplinary panel. Another juror pointed out that, while Van Winkle did violate the Honor Code, any resolutions that the jury might assign now would be purely punitive. A third juror agreed.
At this point, many jurors did not want to continue the trial because they did not want the trial to become disciplinarian. Nevertheless, the jury consented that a violation had occurred and agreed to the following statement of violation:

_Rip Van Winkle violated the Honor Code by drinking to excess, such that he was not in control of his actions. Rip also violated the Honor Code by disrespecting members of the community._

Following the meeting, the Chair sent Van Winkle and Dame Van Winkle the statement of violation.

The jury wanted to continue with the trial that evening. The Chair was concerned that continuing with the trial the same evening would be contrary to the Constitution, because the confronting party is entitled to be present for the circumstantial portion, and to present resolutions to the jury. However, because Dame Van Winkle was uninterested in attending the circumstantial portion or proposing resolutions, the jury did not think the concern was relevant. The jury consented to continue with the trial and Van Winkle agreed to return that evening.

**Circumstantial Portion**

All jurors and Van Winkle were at the circumstantial portion. Van Winkle began with his statement. He explained that he had been drinking to celebrate his 56th birthday, but that he hadn't planned on drinking that evening, and certainly not to such excess.

A juror asked whether Van Winkle had changed his habits regarding alcohol use since the night in question. Van Winkle said he now keeps in mind how much he can safely drink.

A juror asked whether Van Winkle had used alcohol prior to the night in question. Van Winkle replied that he had, but that he could “count all experiences drinking on one hand.”

Van Winkle was asked if he would like to be a Quaker Bouncer. Van Winkle said he would like to try being a Quaker Bouncer, and that it would “drive home the other side of the equation.”

A juror asked Van Winkle how his relationship with the Code had changed, if at all. Van Winkle said that he now recognized the broader ideas and influences of his actions on the community.

Another juror asked Van Winkle if he would still like to talk to Dame Van Winkle. Van Winkle said that a meeting with Dame Van Winkle would be productive, especially in the form of a mediation, as it would help clear up lingering confusion.

A juror asked Van Winkle whether he had sent any letters of apology. Van Winkle said that he had sent letters to the Quaker Bouncers, Safety and Security, and to his farm hand. Van Winkle was awaiting the name of the town constable at this incident, and was not sure whom to contact at the hospital.

**Proposed Resolutions**

The jury and Van Winkle were present for this portion of the meeting. The Chair read Van Winkle's proposed resolutions. Dame Van Winkle did not submit proposed resolutions. Van Winkle's proposed resolutions were:
1. Continue to meet with a counselor assigned by Counseling and Psychological Services.
2. Have at least 1 follow-up meeting with the Substance Abuse Educator.
3. Re-write the Honor Code essay and submit this to Honor Council.
4. Work with Safety and Security, in whatever capacity they deem most appropriate and helpful, both Friday and Saturday night of Haverfest weekend from 10pm to 2am.
5. Volunteer at a Quaker Bouncer event this semester, in whatever capacity they deem most appropriate and helpful.

Van Winkle had no changes to his proposed resolutions, except for the addition of a mediation with Dame Van Winkle.

The Chair asked about Van Winkle’s CAPS meetings so far. Van Winkle said that they had been going well, and that he enjoyed talking through his issues.

The Chair asked whether Van Winkle would want his re-written Honor Code essay released to the community, in addition to his letter to the community. Van Winkle had no issue with releasing the essay.

No further questions or points were made, and Van Winkle was dismissed from the meeting.

Tentative Resolutions

The jury was concerned about releasing Van Winkle's new Honor Code essay to the community. They thought it was too personal an assignment, and did not want Van Winkle’s essay to be aimed at pleasing the community. The jury did not otherwise object to Van Winkle's proposed resolutions. The jury consented to the following tentative resolutions and broke for 48 hours:

1. Rip will meet with CAPS for as long as he feels necessary.
2. Rip will have at least one follow-up meeting with the Substance Abuse Educator.
3. Rip will re-write his Honor Code essay.
4. Rip will volunteer with the Quaker Bouncers at Haverfest.
5. Rip will write a letter to the community.
6. Rip will write a letter of apology to the hospital staff.
7. Rip will have a mediation with Dame Van Winkle.

Finalizing Resolutions

Van Winkle and all jurors were present to finalize the resolutions. Van Winkle was asked to leave the room momentarily for a discussion of the resolutions. The jury decided to transform the sixth resolution to a recommendation, and specified that a mediation with Dame Van Winkle would regard their specific confrontation and the confrontation process. The jury consented to the following resolutions:

1. Rip will meet with CAPS for as long as he feels necessary.
2. Rip will have at least one follow-up meeting with the Substance Abuse Educator.
3. Rip will re-write his Honor Code essay.
4. Rip will volunteer with the Quaker Bouncers at Haverfest.
5. Rip will write a letter to the community.
6. We recommend that Rip write a letter of apology to the hospital staff.
7. Rip will have a mediation with Dame Van Winkle regarding their confrontation and the confrontation process.

Van Winkle was invited back into the room and agreed with the finalized resolutions. He did not offer a closing statement.

The jury re-consented on the following set of final resolutions:

1. Rip will meet with CAPS for as long as he feels necessary.
2. Rip will have at least one follow-up meeting with the Substance Abuse Educator.
3. Rip will re-write his Honor Code essay.
4. Rip will volunteer with the Quaker Bouncers at Haverfest.*
5. Rip will write a letter to the community.
6. We recommend that Rip write a letter of apology to the hospital staff.
7. Rip will have a mediation with Dame Van Winkle regarding their confrontation and the confrontation process.

Presentation of Resolutions
Rip Van Winkle and Dame Van Winkle were informed of the final resolutions as soon as the meeting ended. No objections were made.

Discussion Questions
1. Should staff or administrators confront students on behalf of the College?
2. Who should be considered a community member?
3. Should witnesses be allowed to participate in a social trial?
4. How important is it that Van Winkle took steps to repair the breach of trust without the prompting of Council or a jury?

* This resolution was not approved by the Quaker Bouncers ahead of time. In the future, juries should consult parties involved in resolutions.
Rip Van Winkle's Letter to the Community

I exercised poor judgment by drinking to excess on a Saturday night. I understood this fact the next morning when I woke up in a bed of dried vomit with a brutal headache. I understood this when listening to the reactions of family and friends to events I had no memory of. I understood this when I was kicked off the hunting team for the remainder of the year. I understood this during my multiple meetings with the Substance Abuse Educator and a CAPS counselor to talk about the event. I understood this upon receiving several substantial hospital bills and a citation from the Haverford Township Police. I understood this attending my court summons and returning to Pennsylvania over the summer to weed whack fields in Elwyn and pick up trash on the streets of Chester. Lastly, I understood this during the 12 hours of alcohol education classes I took in Media. Though I have no memory of the night in question, I have not forgotten these lessons.

Dame Van Winkle’s response to this situation was sadly very inappropriate given how the Honor Code is meant to serve our community. At a time when I needed her council and guidance she coerced me into contacting the Honor Council by threatening me with more serious charges. She put me through an ordeal for which there is no precedent. In so doing, she manipulated a student-determined and student-enforced document to selectively prosecute a common occurrence of student intoxication. She justified this by ascribing intentionality to involuntary bodily functions I was not conscious of doing, a nonsensical and cruel decision. She withheld the content of her confrontation from me for over two weeks after confronting me (significant as I had no memory of the events she was confronting me for), misrepresented her role in the trial, and presented my private medical information to the Honor Council as evidence against me. Despite this abuse of my trust, I believed the mediation would provide me with an opportunity to impress upon her my feeling that she had acted in bad faith. Much to my regret, I do not feel this was achieved.

I applied to only Haverford on the strength of the principles the Honor Council is responsible for upholding. I regret drinking to a point at which I was unable to do so myself. Since that night I have learned much about the dangers of alcohol and the implementation of Haverford’s ideals. With profound disappointment I have witnessed administrative abuses of the Honor Code, perverting the community’s principles from behind a veil of confidentiality.

Those who operate under the pretense of honor propagate a painful deceit. Those who are apathetic to the perversion of Haverford’s defining principles are complicit in perverting them. A community that lends its name to such corruption of its ideals has lost its honor.

- Rip Van Winkle