A Joint Honor Council-Administrative Panel

Note: Due to issues of time and impartiality, the Honor Council Chair(s) did not co-chair this Panel

Introduction:

The Dean of the College contacted the Honor Council Chair(s) regarding an email that she had received from Hobbes, a student. Hobbes reported that he had witnessed Calvin selling drugs to other Haverford students on two occasions. Hobbes communicated these incidents, not because they involved the illegal sale of drugs, but solely because he believed that Calvin's actions violated the resolutions from a previous Joint Panel in which Calvin was involved. Due to the nature of these allegations, which involved possible violations of both the Honor Code and College Policy, the Dean of the College, the EEOC officer, the Honor Council Chair(s), and the Honor Council Secretary reached an agreement that it would be best for the College to serve as the confronting party and for Hobbes to serve as the key witness. The confrontation took place and Honor Council reached consensus to send the matter to a Joint Honor Council-Administrative Panel. Honor Council's decision to send the matter to a Joint Panel was based entirely on the allegation of drug sales and did not include Calvin's alleged violation of a resolution from his previous Joint Panel.

The Panel:

Calvin arrived with his support person and the panel began. The panel started by clarifying how Calvin's prior panel and resolutions would be considered during the proceedings. One panel member explained that the purpose of this panel was not to retry Calvin for his past actions but to consider primarily the new allegations of illegal drug sales on campus. However, because the testimony given by Hobbes focused on Calvin's possible violation of a previous panel's resolutions, the current panel must also consider that issue. Furthermore, the panel would view the new allegations in light of a possible pattern of behavior.

Since the College was the confronting party, a statement from this party was read by one of the panel co-chairs. This statement consisted of a brief note from the Dean of the College and an email sent by Hobbes to the Dean of the College. In this email, Hobbes explained the two drug sales that he had witnessed. On the first occasion Calvin, with Hobbes and several other students
present, sold marijuana to Haverford students. Calvin then received money from others with the intent to buy drugs for these people at an off-campus location. On a second occasion, Hobbes witnessed Calvin selling marijuana to yet another student. Hobbes heard Calvin inform the buyer that he could acquire whatever drugs the person desired. Furthermore, Hobbes' email explained that Calvin had enlisted the help of others on campus to sell drugs.

At this point, Hobbes was brought into the room to present his testimony. He began by asserting that his reason for bringing this issue to the attention of the administration and Honor Council was not due to concerns about drugs or their sale but solely because of Calvin's inability to realize how his actions affected both the community as a whole and the individuals involved in the previous panel. Hobbes explained that he knows Calvin well and he also understood both the incident that occurred and those involved in Calvin's previous panel. Hobbes believed that Calvin lacked a respect and understanding for what had led to the incident that was the cause of his previous panel. In Hobbes' opinion, Calvin continued his pattern of failing to consider how his actions affected others. It was Calvin's inability to realize how his actions affected the people involved in the previous panel that had prompted him to come forward.

Calvin's written statement began with an admission that he had sold and used drugs during the semester. He then detailed exactly how many people he sold drugs to, how often he sold and bought them, and when he stopped. He emphasized that he had sold nothing other than marijuana and mushrooms. Calvin clearly expressed his disagreement with Hobbes' testimony concerning one of his two alleged drug sales. Although Calvin admitted to having sold drugs to the particular student involved on the second occasion, he disagreed that the entire transaction occurred within that individual's residence. Although Calvin was unsure of whether the exchange of the money or the drugs take place outside of the dorm, he was positive that one of those aspects of the sale had occurred off-campus.

At this point the panel began to ask clarifying questions of both Calvin and Hobbes. One panel member asked Calvin about a sentence from his statement which declared that he "made no profit selling drugs." Calvin explained that he had received his own marijuana cheaper because he had sold some to others. In effect, his sales had subsidized his personal marijuana use. Someone then asked Calvin about selling drugs in the residence in which the people from the previous panel lived. Calvin stated that he had never thought about the fact that that dorm was where those people lived. In response to a question about how the drug dealing had begun, Calvin explained that he had been buying for himself and then a friend accompanied him and they made a large purchase together. The marijuana from this large sale had sold so quickly that Calvin decided to do it again. After this second sale, Calvin became nervous and stopped buying. Calvin explained that, in his opinion, many people on campus sell drugs and it is seemingly accepted, since they are not confronted. Calvin declared that he did not believe he was violating any community standards by selling drugs.

One panel member asked Calvin to explain how he interpreted the resolution in question from his previous panel which called for him to consider how his actions affected others and to avoid behavior that might be deemed inappropriate. Calvin stated that he felt the resolution pertained to a different issue which he had been working to correct. He believed that the resolution did not apply to his drug use for it had not been an issue during the previous panel. Calvin also explained
that although he did not realize his actions were harming other people at the time, it was now obvious to him that in fact he had hurt the people involved in the previous panel.

Calvin was then asked for his concluding statement. He began by stressing that he had not known that his behavior had any effect on the people involved in the previous panel. He believed he had adhered to the previous panel's resolutions in so far as he understood them, but said that he was not aware that there were some problems with his understanding. He concluded by stating that if Haverford's policy is one of no tolerance for drugs or dealing drugs, then it is obviously not being enforced.

**Deliberations:**

The two main issues which the panel believed needed consideration were Calvin's drug dealing in and of itself and his consideration for others in regards to both the entire community and its individuals. The panel was concerned about Calvin's violation of College Policy through his drug sales, as well as the potential dangers and violence associated with drugs to which the Haverford campus was exposed by Calvin's actions. The panel concluded that Calvin thought he had upheld the resolutions from the previous panel; however, he had not fully considered what constituted inappropriate behavior. In addition, the panel weighed the issue of Calvin's responsibility for any harm that the drugs he sold might have caused to anyone.

After further consideration and discussion, the panel reached consensus on the following Statement of Violation:

"The Honor Code depends for its effective operation on both our personal concern for each other and our collective concern for the maintenance of the community standards reflected in the Code," which enjoin us to be concerned about how "our actions affect those around us and the reputation and the spiritual quality of this institution." (I. Introduction)

1. Calvin violated the Honor Code by failing to uphold these tenets when he dealt illegal drugs to Haverford students on campus. Selling drugs puts the safety and welfare of Haverford students and our community at risk by making it vulnerable to the violence and criminal activity associated with drug dealing. In addition, drug dealing encourages drug use which can have serious health and behavioral consequences. Furthermore, selling drugs violates the College Drug Policy as well as local, state and federal law.

2. Calvin violated one of the resolutions from a previous Joint Panel: He failed to refrain from behavior that might be deemed inappropriate or threatening and failed to take into account how his actions affect others.

**Resolutions:**

The panel began the discussion with the issue of Calvin's pattern of behavior whereby he only considered his actions and their effect on others retrospectively. The panel agreed that the most worrisome aspect of Calvin's behavior was his lack of consideration of several issues. He failed to consider the effects his actions could have on the whole community, that drug dealing is against College Policy, and the effect that selling drugs in the dorm of the people involved in the
previous panel would have on those individuals. For these reasons, the panel agreed that separation would afford Calvin time to consider his actions and their ramifications. In addition, the panel was unanimous in their belief that Calvin's drug sales on campus were a serious violation of both the Honor Code and College Policy. Although the panel did not wish to make an example of Calvin, they did want to address the severity of the situation in an appropriate manner. The panel felt that Calvin was jeopardizing the safety of the Haverford community by exposing it to the potential dangers associated with drugs.

The panel then began to discuss the length of the separation. Some members felt that since Calvin's actions were not malicious in intent, he could return to the community at some future point as a productive and contributing member. The general belief was that one semester would be too short to allow Calvin to work through the emotions that naturally result from a separation and he would require an additional period of time to consider his actions and their effect on both the community and individuals within the community.

At this point the panel went around the room and explained how they felt in terms of length of separation. The entire panel fell within the range of three to five semesters. Some panel members felt that three semesters would not be enough time for Calvin to gain a better sense of both the severity of his violations and how his actions affected those around him. Other panel members believed five semesters to be too punitive. After lengthy discussions, the panel agreed on four semesters. The panel also felt it should define the terms of Calvin's separation. Due to the severity of Calvin's actions, which included both the sale of illegal drugs and his violation of one of the resolutions from a previous panel, the panel members believed that his behavior warranted a true separation from the community. To accomplish this separation, the panel agreed that for the first two semesters Calvin would not be allowed on campus. However, after the end of those two semesters, Calvin could visit campus only if he received the advance permission of the Dean of the College.

The panel also agreed that Calvin's return to the community should be contingent upon some sort of re-admission process in which Calvin would be asked to demonstrate an understanding of the issues raised during these proceedings. The panel wanted Calvin to consider the fact that an individual's actions have effects that extend beyond the individual himself. The panel also believed Calvin should consider the legal and social ramifications of drug dealing as well as its effect on the Haverford community. One panel member was also concerned with Calvin's lack of understanding of the Honor Code, given that he had violated it twice in his Haverford career. The panel discussed the fact that Calvin may have adhered to the letter of the resolutions from his previous panel, but seemed to have given little or no consideration to the spirit of these resolutions. The panel believed that by allowing Calvin to choose the method by which he would fulfill resolution two, he would be able to take complete control and responsibility of the process and, hopefully, become more engaged in that learning experience. The panel also agreed that there should be a definitive process by which the College would determine whether or not Calvin could return. Finally, the panel held that if Calvin should be found in violation of either the Honor Code or College Policy a third time, then his two previous panels should be factored into that jury/panel's decision.

The panel reached consensus on the following resolutions.
1. Calvin will be separated for a minimum of four (4) semesters. He may not return to campus for any reason during the first two (2) semesters of his separation. After that point, Calvin may visit campus only with the advance permission of the Dean of the College.

2. During his separation, the Panel expects Calvin to explore and consider the following issues raised in the Statement of Violation:

   a. the legal and social ramifications of drug dealing as it relates to society in general and Haverford in particular.
   
   b. the ways his actions affect others.
   
   c. the Honor Code and how his understanding of it has evolved in light of his experiences both while at Haverford and during his separation.

3. Once Calvin is eligible to return, he must request re-admission to the College. To complete this process, Calvin will:

   a. Write a letter, addressed to the Chair(s) of Honor Council and the Dean of the College describing how he spent his time away from Haverford, his understanding of the issues itemized in resolution #2 above and the reasons why he feels ready to return to Haverford and contribute to the community in a positive and constructive manner.
   
   b. Meet with the Dean of the College, the Chair(s) of Honor Council, the Director of Admission as well as any members of this Joint Panel still on campus.

Following this meeting, a decision will be made regarding Calvin's request for re-admission.

4. A letter including these resolutions will be kept on file in the Dean's office until Calvin graduates. Should he be found in violation of the Honor Code or College Policy in the future, the details of his two previous Joint Panels will be made known and factored into whatever resolutions are suggested at that time.

The panel presented these resolutions to Calvin. Calvin then had an opportunity to make a statement to the panel concerning the nature and extent of the resolutions. Calvin read a written statement and specifically asked if the panel might find a way to address the violation by a method other than separation. Calvin then left the room and the panel debated any potential changes. After further discussion, the panel agreed that there was no possible resolution, other than separation, that would allow Calvin to contemplate and understand the consequences of his actions. Following additional reflection, the panel decided that they had no further amendments and so they reached a final consensus on the resolutions. After a moment of silence, the panel ended.

Calvin appealed the Panel's decision to the President of the College, who upheld the decision in its entirety.

Questions:
1. Do you think all of the issues were addressed in the resolutions? If not, how could they have been dealt with better?

2. How should the use or sale of drugs be treated in Honor Council cases?

3. Do you believe the sale of illegal drugs is acceptable by Haverford's community standards? Why or why not?

If you have any further comments or questions about this abstract, Honor Council offers the opportunity for you to discuss this abstract with an actual member of the panel. Please contact the Honor Council, at 642-CODE, for more information. If you have general comments about this or any other abstract, please contact your local Honor Council representative.

Send comments, problems, or suggestions to: code@haverford.edu