A Joint Honor Council-Administrative Panel

Introduction

The Office of Safety and Security contacted the Dean of the College to inform him that Officer Feeney had issued a ticket to Corey for speeding and driving while intoxicated. The Dean of the College contacted Honor Council. After much discussion, Honor Council reached consensus to send the matter to a Joint Honor Council-Administrative Panel.

The Panel

The six panel members, Corey, and his support person, Sean, were present at the first meeting of the panel. Officer Feeney could not attend this first meeting for personal reasons, but the panel and Corey had copies of Officer Feeney's incident report. After a moment of silence, the proceedings began.

Corey's Statement

Corey told the panel that on the day in question he played a cricket game, ate dinner with some of his teammates and went home to watch TV with his friends. He and his friends drank beer in his dorm room while they watched TV. Corey said that he overestimated his limits that night because he had not been drinking much in the past weeks. After drinking for a few hours, Corey fell asleep. He went on to tell the panel that he woke up very early the next morning and, finding very little food in his room, decided to go to Wawa. When he got in his car, he noticed a bottle of vodka that had been left in the back seat a while ago by one of his friends. Corey told the panel that he moved it to the front seat so that he would not forget to bring it inside when he returned. On his way to Wawa, Corey made a wrong turn and ended up back on campus. He said that while he was looking for a place to turn around, he accidentally hit a gate arm. After turning around, Corey began to head out to Wawa again, but was stopped by Officer Feeney, who told him he was speeding. Corey recalled that Officer Feeney asked him to leave his car and walk
back to his dorm. He told the panel that he walked away from his car initially, then returned because he did not want to leave his car far away from his dorm. Corey drove back to his dorm and was met by Officer Feeney, who had followed him there. Corey said that Officer Feeney asked him for his keys, but he did not want to give them to him. When Officer Feeney mentioned calling the police, Corey gave his keys to Officer Feeney and went inside. At this point, Corey told the panel, he realized that he had put himself and others in danger with his actions.

Corey told the Panel that he went to Safety & Security the next day, paid his fine, and turned in his other set of car keys. He also mentioned that he had been suspended from the cricket team, of which he was a captain, and had had to explain to his teammates why. He added that he felt badly about the decision he had made, and was so affected by the experience and his poor decision-making that he had made an appointment with an alcohol counselor.

Questions

The panel members asked Corey several clarifying questions. The following is a summary of Corey's responses:

Corey could not remember why he decided to move the vodka bottle to the front seat, but added that he did not drink any vodka that morning. He said that some of what Officer Feeney said to him was still hazy in his mind. Corey stated that he realized he had put himself and others in danger, and wanted badly to make amends for his behavior. One panel member asked Corey if he understood the legal ramifications of Driving Under the Influence (DUI). Corey said that, yes, he had friends who had been charged with DUI's.

After all questions had been answered, Corey and Sean left the room. The panel discussed his statement, but decided that they wanted to hear from Officer Feeney the next day before reaching any decisions.

Officer Feeney's Statement

(All six panel members, Corey, Sean and Officer Feeney were present for this portion of the panel.)

Officer Feeney told the panel that he had been out checking around the dorms when he saw Corey driving his car down an on-campus road. He heard a loud crack of wood breaking and proceeded in his vehicle to the point at which he saw Corey's car turn. Officer Feeney stopped Corey, noted a half empty bottle of vodka in the front seat and asked Corey for his ID. Officer Feeney told the panel that Corey had denied breaking the gate arm and told him that he had to go meet someone. He said that Corey seemed disoriented and his speech was slurred. Officer Feeney told Corey he was too intoxicated to drive and offered him a ride back to his dorm. Corey declined the ride and Officer Feeney, having observed Corey walking away, left the scene. Officer Feeney told the panel that another officer had observed Corey's car driving back toward his dorm. At this point the local police were notified and asked to stand by. Officer Feeney met
Corey at his dorm and asked him for his keys. When Corey "defiantly" refused to hand over his keys, Officer Feeney threatened to have the local police come on campus. Corey handed over his keys and Officer Feeney watched Corey walk back to his dorm. Officer Feeney noted that there had been no passengers in Corey's car and that he had not observed anyone walking around the on-campus roads at that early hour.

Questions

The following is a summary of answers to the panel's questions:

Officer Feeney stated that the first time he stopped Corey, he was defensive but not argumentative, his speech was slurred, he fumbled with his wallet while retrieving it from his pocket, and he took his time answering questions. Officer Feeney told the panel that the police were not brought into the situation because the problem had been resolved when Corey turned over his keys. He added that there is now a new policy whereby the police will be called on campus for any incident involving a student driving under the influence of alcohol.

Corey said that he agreed with Officer Feeney's statement, though he noted that parts of their conversation were still hazy.

After all questions were answered, Officer Feeney, Corey, and Sean left the room and the panel began deliberations.

Deliberations

Some members of the panel were concerned with Corey's hazy recollection of the incident. They questioned whether he might have had more to drink after he woke up, perhaps from the vodka bottle in his car. Other panel members felt that it would be unfair to second guess Corey's statement, given that there was no real indication or proof that he was lying. All panel members agreed that it was worrisome and somewhat scary that Corey had lost parts of that early morning in his memory. However, the panel could not determine whether the gaps in his statement were due to a genuine loss of memory or to lying.

The panel was glad to hear that the policy regarding on-campus DUI's had been changed, as they felt the incident was serious enough to warrant legal action.

The panel felt that Corey demonstrated a lack of respect for his fellow community members, for Officer Feeney, and for himself when he drove while intoxicated. They determined that because Corey had failed to uphold the tenets of trust, concern and respect as stated in the Honor Code, he violated the Honor Code. The panel reached consensus on the following Statement of Violation.

Statement of Violation
Corey violated the Honor Code by driving while intoxicated, thereby endangering his own life and the lives of others in the community.

Presentation of Statement of Violation

Corey, Sean and all six panel members were present. The student co-chair of the panel read the Statement of Violation and asked Corey if he had any questions. When he answered no, the co-chair asked him if he would like to propose any resolutions to the panel. Corey had prepared a list of suggested resolutions. He proposed that he either lose his on-campus parking privileges or that he be required to obtain his keys from Safety and Security before using his car. He said that he would continue seeing the alcohol counselor regardless of whether or not this was a formal resolution. In addition, Corey proposed that he volunteer his time until graduation and including Senior Week with Safety & Security or with the grounds crew. He suggested that he write a letter to the community and that he meet with the Athletic Department to discuss his actions. Corey's final statement to the panel was that he hoped they would still allow him to graduate, as not doing so would greatly affect his family and his future.

The panel had no clarifying questions. Corey and Sean left the room and the panel began deliberations on resolutions.

Deliberations II

Some members of the panel were curious about what consequences Corey's actions would have had if Security had called the police on campus. Thus the panel began its deliberations by looking at what the legal ramifications would have been for a DUI. Under the Pennsylvania Motor Vehicle Code, arrests can be made without a warrant and without probable cause so long as there exists a witness. This means that the police, had they been called on campus, could have arrested Corey based on Officer Feeney's observation of him driving. This arrest could have resulted in $500 fees on top of offenses and the possibility of license suspension.

The panel moved on to discuss possible resolutions, keeping in mind that resolutions seek to address Education, Repairing the breach of trust and Accountability (ERA). The panel decided that Corey's suggestion about losing his on-campus parking privileges was a good one, but they also liked the idea of having Corey obtain his keys from Safety & Security whenever he wanted to use his car. The panel agreed on Resolution #1 because the inconvenience of having to go to Safety & Security to get his keys and then walk off-campus to get his car would force him to consider whether or not he was fit to drive. In addition, an outside party would be able to observe his state before giving him his keys. Some members of the panel wished that there were some way the panel could ask him not to drive at all.

The panel discussed ways to educate Corey on the very real dangers of drunk driving. One panel member suggested having him shadow an EMT for a week, but the panel felt this would be logistically infeasible, given that Corey does not have an EMT certification. Instead, the panel felt that helping Safety & Security out during the two nights of Haverfest might give Corey an
opportunity to see the effects of alcohol on his fellow community members. Resolution #3 was the result of this discussion.

Several panel members were concerned that the resolutions thus far did not adequately reflect the severity of Corey's violation. One panel member thought that there needed to be a resolution that would "hit home" and make Corey realize the extent to which he endangered himself and the community. The panel began to discuss the possibility of Corey not graduating or not walking in graduation. A few panel members felt that Corey did not fully understand the implications of his actions, and felt that by not allowing him to graduate or walk in graduation he would always remember this experience and would not repeat his behavior. Other panel members were strongly opposed to not allowing him to graduate, as they felt that his academic record and future plans should not be affected by his "social" actions. These panel members felt that not allowing him to walk in graduation was overly punitive and would punish not only Corey but also his family. These panel members felt that not allowing Corey to participate in Senior Week, including Senior Party, and requiring him to work for Safety & Security every night of Senior Week would better address the violation. Senior Party and Senior Week nights typically involve a large quantity of alcohol. By ensuring that Corey would be occupied with Safety & Security every night that week, the panel would hopefully prevent him from becoming inebriated and getting behind the wheel of his car again. One panel member added that taking away a Senior's last opportunity to be with his friends in college seemed almost as severe as taking away that person's right to walk in graduation. The difference lies in the people affected by the resolution and in the person's perception of what the events mean to him. The panel remained split on the issue of walking in graduation, mostly because a few panel members felt that this was the only resolution that would drive home the severity of the incident. In the end, the panel agreed to Resolution #4.

The next issue the panel sought to address was Corey's status as co-captain of the cricket team. They felt that he should not be allowed to hold a leadership position where he would be looked up to and admired by his teammates, given that he had violated the Honor Code by driving under the influence of alcohol. Through their discussions with Corey, the panel learned that cricket and his position as co-captain were extremely important to Corey. Yet they felt that it was important that Corey and his teammates recognize that his actions were not the sort of behavior that should be held up to teammates as exemplary behavior. The panel agreed to recommend to the Athletic Department that Corey step down from his position as co-captain.

The panel reached a tentative consensus on the following resolutions, with two members of the panel expressing reservations that the severity of the resolutions was not reflective of the severity of the violation.

**Resolutions**

1. Corey will lose his on-campus parking and driving privileges and must remove his car from campus immediately. Security will retain possession of all sets of his car keys. Corey
may retrieve his keys as needed, but must return them to Security when he arrives back on campus.

2. The Panel recommends to the Athletic Department that Corey be asked to resign as Co-Captain of the Cricket Team.

3. Corey will work with Safety and Security, in whatever capacity they deem most appropriate and helpful, both Friday and Saturday night of Haverfest weekend from 10 PM to 3 AM.

4. Corey will not be allowed to attend the Senior Party. He will also not be allowed to participate in any Senior Week activities, including any trips or events organized by the Class Commencement Committee. In addition, he will work with Safety and Security, in whatever capacity they deem most appropriate and helpful, from 10 PM to 3 AM, beginning on Saturday night and ending on Friday night.

5. The Panel strongly encourages Corey to continue seeing the alcohol counselor assigned by Counseling and Psychological Services.

Presentation of Resolutions

The panel met with Corey and Sean to present the above resolutions. Each panel member explained some of what went into his/her decision, and the panel members who felt that the resolutions were not severe enough told Corey their reservations. Panel members also expressed to Corey their hope that he would remain sober for the remainder of the school year. Corey asked a few questions, and after they were answered said that he understood the resolutions.

Corey and Sean left the room. The panel reached a final consensus on the resolutions as they stand above and, after a moment of silence, the panel ended.

The Panel - Part II

The panel co-chairs decided to reconvene the panel when Corey was seen at the Senior Party. Resolution #4 specifically states that "Corey will not attend the Senior Party." The panel met as a group and decided that, because it seemed that one of the resolutions had been broken, they should meet with Corey again and then discuss the possibility of imposing additional resolutions.

Corey, Sean and the six members of the panel were present for the meeting.

One of the panel co-chairs told Corey that he was seen at the Senior Party, and asked him to tell the panel what he did that night. Corey confirmed that he had been at the Senior Party. Corey told the panel that he had been in his room most of the night, quite depressed that he was not at the party when all of his friends were there. Some of his friends called him to tell them that they missed him and to try to convince him to come stand outside and talk to them. Corey decided that standing outside would not be in violation of Resolution #4. He left his room and went to
Founders, where he stood outside drinking beer and talking to his friends. While he was standing outside, Tapanga asked him to come inside and dance with her. Corey decided that he could not turn her down, so he went inside to dance. Corey said that he was inside the Senior Party for approximately half an hour. He said that at the time he knew what he was doing was in violation of one of the resolutions, but because he had fulfilled everything else, he felt that it was somehow okay. In retrospect, he realized that he should not have gone to the Senior Party.

One of the panel members asked Corey if he had dressed for the Senior Party, to which he responded that he wore what he had been wearing all day. At this point one of the panel members said that she was the one who saw him at the Senior Party. The panel member explained to Corey that she had been one of the panel members who was strongly opposed to taking away his right to walk in graduation and who had trusted that he would perceive the seriousness of his violation through the resolutions with which he had been presented. Because of this fact and her trust in him, his violation of Resolution #4 was particularly upsetting. The panel member told him that she seriously considered not telling the rest of the panel that he had attended the Senior Party, but in the end decided that not doing so would put her in violation of the Code.

Other panel members expressed their belief that Corey simply had not understood the severity of his original actions, and had again made an extremely bad decision. One panel member told Corey that they were uncomfortable not only with his presence at the Senior Party but also with his drinking there. After further discussion, the panel informed Corey that because he had willingly violated one of the very specific resolutions, the panel would be discussing additional resolutions, including the possibility of not allowing him to walk in graduation. Corey told the panel that he was willing to work even more hours with Safety & Security, would work with grounds crew right up until graduation or sit in his room for the remaining days of the semester. He stressed that it was extremely important to him to be able to walk in graduation with his class. At this point Corey and Sean left the room, and the panel began deliberations.

**Deliberations III**

Given the number of days left in the semester, the panel felt that their options for further resolutions were very limited. A few of the panel members felt that Corey should not receive his diploma until the end of the summer or later. Others were opposed to this idea because the ramifications would have too much impact on his future beyond Haverford. The panel agreed that they had given Corey the benefit of the doubt with their first set of resolutions, and he had violated their trust and the trust of the community by purposely violating Resolution #4. After much discussion, the panel agreed that Corey should not be allowed to walk in graduation. A few panel members still felt that this was not enough, and proposed that, because Corey was no longer taking part in Commencement Weekend, he should not be allowed to remain on campus for the weekend. A few panel members wondered if he would decide to leave on his own, since he had no reason to be at graduation anyway. The panel continued discussing Corey's presence on campus for quite a while, and finally reached consensus on the following resolutions.

**Additional Resolutions**

1. Corey will not march at graduation or attend any graduation activities or ceremonies.
2. Corey must vacate his room and remain off campus by tomorrow evening. The room key must be returned to the Deans' office by 5 PM that day. Without the permission of the Dean of the College, Corey will not be permitted to return to campus through the end of next month.

After a moment of silence, the panel ended.

Questions: (please return your question sheet to any Honor Council member or through campus mail to Honor Council Chair HC/CM)

1. Do you believe that driving under the influence is a violation of the Honor Code? Why or why not?

2. Do you agree with the panel's original resolutions? Why or why not?

3. Do you agree with the way the panel handled the violation of Resolution #4? Why or why not?

4. If the panel member who saw Corey at Senior Party had decided not to bring his presence to the attention of the rest of the panel, would she have been in violation of the Honor Code?

5. If the panel had not finished their deliberations before graduation, and thus had not made a decision regarding Corey's right to walk in graduation, do you think Corey should have been allowed to walk in graduation? Should there be a blanket policy regarding graduating Seniors who are involved in a panel that does not conclude before graduation, whereby those individuals would not be allowed to walk in graduation?

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 Co-Chairs or Honor Council at 642-CODE. If you have general comments about this or any other abstract, please contact your local Honor Council representative.

1. Clarification: Corey was in his room that night, instead of working for Safety & Security, because Safety & Security decided that his assistance would be more valuable to them at another time of day. After some discussion, the panel decided that Corey had fulfilled the part of Resolution #4 that required him to work with Safety & Security, despite the fact that his working hours had not been those requested by the panel.

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