HONOR COUNCIL ABSTRACT

BRIAN, MARK, JAMES, SERGEI AND SUITE 67

Introduction:
Jane, Gwen, and Nancy complained to the Dean of the College and Marilou Allen, the EEOC representative, about a case of potential sexual harassment involving Brian, Mark, James, and the remainder of Suite 67. The Dean and Ms. Allen agreed that it was an issue for Honor Council and the Honor Council Chair was contacted. The issue was brought before Honor Council, which agreed that a trial was necessary. This case occurred approximately two years ago.

Fact Finding
The confronting and confronted parties arrived and after a moment of silence we began the trial.

The confronting party began by giving their account of what occurred. Nancy began by saying that there was a large gender gap on the hall (14 men and 3 women) with all of the women living in Suite 65. On the first night there, Nancy stated they had gone around to all of the suites, attempted to meet people, and set a friendly tone, but the men in Suite 67 had not even bothered to turn off the television.

Within the first week Suite 67 threw a party which trashed the hall and bathroom. Nancy went to talk to James about keeping parties in Suite 67, noting that "shared space is shared space".

A few weeks later, the bathroom was trashed again. Nancy again confronted the members of Suite 67, telling them again of "shared space", as well as pointing out how rude this was to the janitor who had to clean up the mess. Suite 67 claimed that their friends had made the mess, and denied that the hall was unusable. Nancy stressed that she was "not out to get them, but just wanted to be able to live together."

At this point Gwen continued the story. She said that someone began using soap and other bathroom articles of Suite 65 (the women's suite) and continued to do so for a couple of weeks. In response to this the women put up a note (note #1 - see end of abstract for a complete list of the notes.) on the bathroom door, and addressed to no one in particular, since they did not know who was using their things. Later that day, grammatical corrections were placed on the note, a gesture which the women saw a mocking the original note and their attempts at communication.

The next day, after note #1 had been taken down by the women, note #2 appeared in its place. The women took down note #2 after a few hours and thought nothing more about it.

A few days later, note #3 appeared, and this concerned the women because it used the wording of the original note (note #1), and was sexual in nature, and once again mocked their attempts at communication.

Jane then continued the story. Several days later note #4 was up on the door. The women found this note "disgusting and frightening" and said that although it was signed with their names, they did not write it. To the women, the note was a "use of masculinity to make us feel very uncomfortable.

Jane also added that the use of the phrase "shared space" was a blatant mockery of the words used by Nancy when she spoke to Suite 67.

After this, the notes stopped for a number of weeks. However, on Nancy's birthday, Jane left a note on Suite 65's memo board wishing her a happy birthday. Sometime during that night, note #5 was added to the memo board. The women were now extremely concerned because the notes were becoming more sexual in nature. Jane said that she erased the memo board after finding the note but later told her suite mates about it.

The next night the women went into the bathroom together at about 1:00 AM. Jane returned to the bathroom at about 1:30 and saw note #6 on the memo board, with a drawing...
of penis next to it. She then showed the sign to the other women. Jane described the note as "offensive, disgusting, shocking, upsetting" and a "blatant sexual threat". The women also said that they saw it a more personal, since it was directed at Nancy.

Nancy said that she ripped the memo board down as soon as she saw the note, and that she was extremely upset. While in her suite, she heard two men talking about the memo board. She went into the bathroom to see who it was, one man ran into a stall while John just stood there. He left and Nancy waited for the other man to leave the bathroom. After a few minutes, James; exited the bathroom, and Nancy returned to her suite.

A few minutes later, Nancy heard the two men talking to someone else about the incident. Nancy came out of her suite and said, "If you guys going to talk about me, please take it into your suite". James, thinking he was being blamed for tearing down the memo board, tried to explain that he had nothing to do with it, but Nancy ignored him and returned to her suite. Once she had gotten into her suite, she heard a "really loud" bang on the suite door. She opened the door, and found a fork on the ground, which had been thrown at the door.

After a short break, the members of Suite 67 gave their impressions of what had happened. Randy began by saying that the women's presentation was "powerful" and that the problem was a difference in perceptions. "We took the events in isolation, while the women did not." He explained that at their first meeting there had been guests in the suite, which is why they did not turn off the television, but that the members of the suite had gotten up and introduced themselves.

Randy also explained that they had cleaned up after the first party, and although they did not cause the mess of the second party, they did apologize to the janitor and clean up the mess. Randy also denied that any members of the suite had been responsible for the use of the women's bathroom articles.

Randy then continued by stating that they had seen note #1, but they had not made the grammatical corrections. The suite, however, did put up note #2 to poke fun at Mark. Randy said "We used the women as the stage of our joke."

Randy noted that if the women were upset with the contents of note #2 they should have come and talked to the members of Suite 67. There appeared to have been a pattern set where the women would question the behavior of Suite 67, Suite 67 would then change their behavior. Randy claimed that they expected this pattern to continue, and said that his suite "wasn't trying to make anyone uncomfortable".

Brain then spoke and admitted that he had written note #2, and he and Randy agreed that no one in the suite knew who had put up notes #3 and #4. Brian said that the note the women had put up was "rude" and that it wasn't right to blame people for using their stuff. Note #2 was, according to Brain, "a parody, but not a disrespectful parody". He also said that he had no idea how the women felt about the note.

Brain also said that he had seen note #3, but not note #4. He also admitted writing note #5, which he claimed was a joke. He said that since he thought that Mark and Nancy didn't like each other It would be funny if she thought that Mark had gotten her a present. He said that the note was — meant to be sexual in nature, but he now understood its effect and he now regretted writing it.

James then explained the fork incident. He said he felt bad when he came out of the bathroom stall. He was discussing the incident with Mark and John when Nancy came out of her suite and asked them to move to their own suite. He said that he tried to explain that he did not tear down the memo board. Nancy "turned and walked away from me." He said the fork hit the door, and that it wasn't thrown, but tossed.

James said that the women "made us feel very uncomfortable" on the hall. Tim added that the women had never been friendly towards him. Brian spoke again, saying that Suite 67 didn't know the women but "wanted to become friendly". Suite 67 also knew, however, that they were "different kinds of people". He felt fine with their relationship and felt that the women would talk to Suite 67 if their behavior bothered them.
Brian also added that this whole procedure felt like a "witch hunt" and that he was shocked when the Chair first came to speak to him. He also said that the Suite had "no idea that the actions affected [the women] like this" and that the actions were not malicious.

Randy reemphasized that there were lines of communication established between the two groups, and asked the women, "Why didn't you talk to us? What about Communication Outreach?"

Mark then spoke and said he had never had any problems with Nancy or the other women of Suite 65. He said even when the notes were up his relationship with the women was still friendly, and they had shown him no hostility. He added, "I hope that I didn't play any part in your fear."

He admitted writing note #6, in response to Brian's note #5. He said it was meant for Brian to see and it was not an attack on the women. He told them, "I'm really sorry I did something that offended you."

He said that when he saw the board ripped down and Nancy angry, he assumed she was upset about the board having been torn down. He also said he did not realize how serious the situation was until he had heard the women speak at the trial. "It's wrong", he said, "I don't know what you want me to do to show that it was wrong." He added that it was not meant as a personal attack on the women and that he was sorry.

The jury then asked for clarifying questions. One juror asked why the women hadn't confronted the men earlier. Nancy answered that the notes were anonymous except for the last two, which meant that she couldn't confront anyone.

Another juror asked how this had come to Honor Council. Jane said that the women had called Dean Hamabata, and that a meeting had been arranged with the EEOC officer, who offered the opinion that this should be handled by a student group. When asked if they thought mediation was possible, Jane answered that the women didn't think it would help. Nancy added, "it was never a witch hunt".

The men were asked to clarify some things. They said that they had not written notes #3 or #4, but Brain, Randy, and John admitted to having seen note #3. One juror asked if the men were worried that someone had signed a note with their suite number on it. Randy responded that it was part of the pattern of the joke, and that it was clear they hadn't written their own suite number on the note. He also said that they didn't take it down because "they [suite 65] would come talk to us if they had a problem". James was asked about the fork incident. He said it was an act of frustration, due to Nancy's cutting him off. He also mentioned that he had run into the stall because "the bathroom door started to open".

Mark was asked about the penis drawing on note #6, and he repeated that he had not drawn it.

**Jury Deliberations:**

The jury looked at each of the notes separately in an attempt to determine which of them constituted violations of the Honor Code. However, the jury did keep in mind the cumulative nature of the notes and their effects.

The first note the jury discussed was note #2, which Brain said he had written, but that the entire suite had taken responsibility for. Some jurors thought that the note was a joke, and a trivial matter. Others responded that they should have thought about the effects of their joke. Another juror added that if you are joking around you would not note someone else's name. Eventually, consensus was reached that Suite 67 had failed to think about their actions, and that the women were hurt by these actions. After much discussion, the jury agreed Note #2 was a violation of the social honor code.

Next, the jury agreed that note #6, written by Mark, was also a violation of the Honor Code. However, the issue of the penis drawn beside the note was difficult. Eventually the jury agreed that they could not determine who drew the penis, since a half-hour had passed between Mark's writing the note and the discovery of the drawing.
The fork incident came up next all of the jurors agreed that the action was inappropriate, but some of the jurors sympathized with his frustration. They pointed out that Nancy had cut him off while he was trying to assert his innocence. However, other jurors noted that the fork incident was the closest thing to violence in this whole process and was physically threatening to the women. Two jurors felt this was not a violation, but deferred to the weight of the group. Consensus was reached that this was a violation of the Code.

The jury also quickly agreed that the corrections on note #1 and the use of the women's bathroom items were untraceable. Because of the uncertainty involved, these two issues were quickly dropped. Unclaimed notes #3 and #4, were then discussed. One juror noted that some of the members of Suite 67 had seen note #3 and not removed it, despite the fact that it was signed with their suite number. The juror felt this condoned what the note said.

Some jurors were very upset that the jury would say that merely failing to take down a note that had their suite number on it was a violation of the Code. Further, the men on the hall claimed part of the joke was to sign other people's names and suite numbers. Because of this fact no one should believe that it was their note, despite the signature on the note. One juror said that this was turning into a "blood hunt".

The jury was split on whether or not seeing the note and not taking it down was a violation. Some jurors felt the note could easily be taken as a joke. They felt that simply seeing it and failing to remove it was not a violation.

Those who felt it was a violation said the note clearly mocked the women, and that if they saw it and did not take it down, then they were condoning it. After considering the cumulative effects of the notes, the jury reached consensus that the people who saw note #3 were in violation for condoning the note.

The discussion concerning the actual writing of notes #3 and #4 came next. Essentially, the jury was debating whether or not to believe the men and their denials. Many jurors, upset by the Brenda abstract and other cases, did not want the notes to go unaccounted for. They stated that note #4 mocked the notion of "shared space" mentioned by Nancy in the two original confrontations. Also, the jury noticed that no one was taking responsibility for the unsigned notes, but people were taking responsibility for the signed notes. Most jurors believed that one of the six men had either written the notes or knew who had, although the jury could not determine who it was. Some of the jurors felt, on this basis, that the jury should hold all six accountable. Others were very uncomfortable with this because the jury would be including five innocent people.

After much discussion, the jury could not agree to hold all six men accountable, but could only agree that the notes were offensive and in violation of the Code. The jury didn't want the notes to pass unnoticed, so a statement was written which would be included in the statement of violation.

The question of note #5 was perhaps the most difficult. Some felt the note was a very small thing. They felt uncomfortable calling it a violation since Brian did not mean it sexually, regardless of how the women interpreted it. Other jurors said it was a violation to write on another person's board in this fashion. This logic was questioned since "memo boards are meant to be written on." Those who felt it was not a violation said that there had to be a harsher action or intent before they would call it a violation. One juror set out three reasons why it was a violation.

1) Brian had signed it with someone else's name
2) There had been previous incidents, and the note must be seen in context.
3) The mental state of the women was fear, and they were hurt and scared by the note.

Jurors who felt the writing of note #5 was a violation of the Code thought so for at least one of those three reasons stated above.

There was tension between those members of the jury who saw the note as a isolated incident and those who felt it was part of a larger issue, and was thus a violation. After spending some time on other topics, the jurors who thought that it was a violation
reiterated their points: the note moved the problem to private space, it used Mark's name, and it used the women as part of their jokes. The two jurors who felt the matter was "petty, little, and small" decided to join in consensus and argue for lenient resolutions.

The jury also agreed to add a summary statement to the beginning of the Statement of Violation.

Statement of Violation

The following violations, taken together, created a atmosphere of distrust and fear on Lunt 6th floor. Through their actions, Brian, James, Randy, John, Tim and Mark all contributed to this atmosphere.

1) The members of Suite 67 (Brian, James, Randy, John, and Tim) violated the Honor Code by placing note #2 on the bathroom door of Lunt 6th

2) By seeing note #3, which was signed with their suite number, and not removing it, Brian, Randy, and John agreed to the note and are responsible for its content. In light of their previous violation, the condoning of note #3 is a violation of the Honor Code. (Later removed and replaced by statement concerning Sergei)

3) By writing note #5 on Suite 65's memo board and signing Mark's name to it, Brian violated the Honor Code.

4) Mark violated the Honor Code by writing note #6 on the message board of Suite 65.

5) Throwing the fork at the door of Suite 65 was an inappropriate and threatening action. By doing this, James violated the spirit of the Honor Code.

The jury condemns the writing of notes #3 and #4, and views them as violations of the Honor Code

Circumstantial:

After all parties had been called back, the circumstantial part of the trial began. One juror started out by explaining that the acts, although taken individually, had also been examined in a larger content. Another juror stated that he felt the jury believed that one of the six was responsible for notes #3 and #4 and said it would be good for the person who wrote them to step forward. The men were very angry at having been accused of putting up notes #3 and #4, even though it was not a formal part of the statement of violation. Brian said he was "angry at the jury, not at the women" he also said he could have lied to us from the start, and hadn't, but there was still no trust in what he had said. Brian and Randy were also upset with resolution #2 which held them responsible for note #3. Randy said, "You might as well say that we did it." Brian said the resolution was based on "false reasoning".

Tim stated at one point, "I feel horrible I would never want to make anyone feel the way that the women felt. I wish there had been better communication..." Nancy replied, "It wasn't a lack of communication. It was impossible to do. I communicated two other times and felt nervous, but sexual fear made it impossible to communicate further."

After this, the jury discussed possible resolutions. The women suggested resolutions, basing them on two issues: the privilege of campus housing, and gender relations. Gwen said, "Housing is a privilege, not a right They have violated that privilege. All six have not respected the people who lived around them. The reactionary attitude of suite 67 is backwards." Because of this, the women proposed the men be moved off campus.
Then Nancy spoke of the “gray areas” between men and women. She discussed the use of words as “weapons” and identified “a inability to see things from our perspective” on the part of the men. She felt the trial had started the educating process, but that there was still a long way to go. She said a lecturer would soon be coming to campus to speak on gender issues and thought that it would be helpful if the men attended the lecture. She also asked that the abstract be released as soon as possible so that other women could learn from their experience.

Randy then spoke. He said he saw this as a personal issue between the members of the floor, not a community issue and not as a gender issue. He did agree going to the talk would be a good idea, but was rather uncomfortable with the idea of moving off campus. Brian then spoke and said he had been wrong to write the two notes. He said the problem was that he “was totally unable to think about how [suite 65] might feel.” He said he wanted to understand where the women were coming from. He also agreed that the talk was a good idea, but was opposed to moving off-campus, although he could accept moving suites.

James said his main fault was “not understanding” and he could understand moving off the hall.

John said he felt that apologies and some sort of communication would be sufficient.

Tim summed up the views by saying “You’ve already opened my eyes, our eyes, to how women feel, but you’ve only just begun. I want you guys to feel as comfortable as possible. I understand moving off the hall, but it wouldn’t do us any good to move off-campus....How would isolation help us?”

Mark spoke. He proposed a volunteer program at a women’s organization, to be coordinated with The 8th Dimension Coordinator, as well as two letters of apology, one to the community, and one to the women. He added, “I did something wrong, and I am seriously apologetic.”

A juror asked the women how they felt about mediation. Nancy said it would be necessary if the members of Suite 67 didn’t move off the hall. She added that the lecture was a good idea, but not sufficient to address the gender aspects of the problem “A semester’s worth of gender studies class would be helpful”, she said.

A juror asked how the men felt about a gender studies class, and they said it was a good idea, although some of them were on very tight class schedules.

Another juror asked how the men felt about moving off the hall. The men said they would prefer to stay, but they understood what the women were saying.

Finally, a juror asked if moving the men off the hall only avoided the uncomfortable situation. Nancy said the situation could never be avoided, and that it took a great deal of effort to deal with - the situation. When asked if it was agreeable to keep the men on the hall, Nancy said, “We’d be most comfortable with them gone, but we can live with it.”

**Jury Deliberations:**

After discussing briefly how each member of the jury felt about the case, the jury agreed to discuss Mark. The jury quickly decided that moving Mark off the hall would not be necessary since he appeared to have a reasonably good relationship with the women, and no one questioned the sincerity of his apology. The jury quickly reached consensus that some form of communication was necessary, and agreed to a Communication Outreach facilitation.

The jury then considered Mark’s suggestion of designating a volunteer program. Everyone felt it would be a good idea, although one juror noted that we should not be lenient on him just because we liked him and he appeared sincere. Others reminded the jury that the act was not premeditated. The jury also agreed it would be educational and would hold him accountable, since it would involve him giving up some time. The jury consensused that he would set up a community service program with the 8th Dimension
Coordinator.
Some jurors still felt Mark's accountability for his actions was not being addressed, but the jury could not come up with any resolution that would address this lack in the context of the violations. The issue was dropped for a while.
Finally, the jury decided to give Mark the option of writing a letter to the community, which would be sent out at Honor Council expense, if he felt that it would be helpful.(See end of abstract)
At this point, another member of the floor, a suite mate of Mark's, came forward and admitted to writing note #3. The jury agreed that another fact-finding session was in order.

Fact Finding Part II:
Sergei came into the trial as a confronted party and the jury heard his version of the story.
He said he had heard about the trial the night before, when Mark had come around asking if anyone was responsible for notes #3 or #4. Sergei admitted to writing note #3, meaning it as a joke on the rest of the men on the hall. He noted that it mentioned only Mark's name, and said "Hey, guys". He said it was not directed at the women, and was a spur of the moment joke. He added that "I feel bad that they interpreted it as being malicious towards them."

In response to questions, he claimed he had signed note #3 with his own suite, (Suite 66) rather than Suite - 67, as the women had claimed. Also, there were minor discrepancies regarding the wording of the note. However, when asked, the women claimed it was definitely signed Suite 67.
Sergei also added that he was not on the hall often, and had little to do with either of the suites involved with in this trial. He also denied ever having seen note #4.
After Sergei had left, the jury discussed the note, and was split on whether or not it was a violation. Some members of the jury felt the jury would be overreacting by calling it a violation, that the note was not mocking the women, and that the women were overreacting to a note that was not meant for them. Others felt the note was mocking the women and since Sergei had put the note up in a public place he had to be held responsible for its contents. The jurors also pointed out that this note followed another violation, and contributed to the tension on the hall Finally, the jury came to consensus. Placing the note on the door was a violation of the Code.

Statement of Violation (added to the other statement)
1) Sergei violated the Honor Code by placing note #3 on the bathroom door of Lunt 6th floor.

Circumstantial: (Sergei only)
Sergei came back, was read the statement of violation, and answered a few more questions. He said he wasn't thinking of the first note when he wrote his note, that was just joking with the members of his suite and suite 67. He wanted to make it clear that he was not directing the note at the women. He explained that the meaning of the note was "something to the effect that the doll had been destroyed by being used." He also said he was not very close to suite 67, he had never met the women, and that he was unaware of the tension on the hall.

Jury Deliberations:
After he left, the jury discussed resolutions. Many jurors were upset with the use of the term "destroyed", since they saw this as a violent image. Others countered by saying he merely meant it in terms of overuse and was directing it at the men. Some jurors
suggested that Sergei go to the lecture the women mentioned, but others thought that the violation was not enough to merit even that.

Finally, a juror suggested the parties involved go to mediation because Sergei had never had a chance to hear why the note he had written had bothered the women. Also, the women did not either understand his intentions or who the note was directed towards. The jury quickly agreed to this suggestion.

**Resolution:** (for Sergei, added to other resolutions):
1) Sergei and the members of Suite 65 will attend a Communication Outreach facilitation.

**More Jury Deliberations:**
The jury resumed the main jury deliberations. First the jury removed violation #2 from the statements of violation, since there was new uncertainty as to the signature on note #3 the jury realized that its previous conclusions were invalid. Therefore, it removed statement #2 of the statements of violations.

The jury then discussed the need for communication between suite 65 and suite 67, and quickly reached consensus that the jury would suggest a facilitated dialogue between the two suites to be moderated by a Dean.

The next issue Suite 67's enrollment in a gender studies class. Although the jury saw it as educative the jury was concerned about the logistical problems, such as scheduling, and the question of whether or not the jury had the right to mandate the use of an expensive Haverford credit. Also, the jury wondered how the professor and the rest of the class would react if there were students present who obviously did not want to be there.

Finally, the jury reached consensus on suggesting that the members of Suite 67 take a gender studies course before graduation. However, this was not an official resolution.

The jury discussed moving all five of the members of Suite 67 off the hall. Those opposed to the move said the violations of the suite did not merit moving all five off the hall. Other jurors, considering the women's fear, said the move would address that fear. Some jurors, both men and women, felt that the women's fear was understandable and justified, while other jurors, both men and women, felt the women's fears were blown out of proportion and the men could not be held responsible for that. Finally, the jury agreed that it would not reach consensus on moving all five, and decided to discuss moving only Brian and James off the hall.
After much discussion, the jury had most of the arguments for and against moving Brian on the table. The arguments for moving him were: He began the entire note business with note #2, he involved the women by moving the notes to their door. Therefore, he should be moved to alleviate the fears of the women. There was a violation of community standards, not just a misunderstanding, and Brian meant to hurt the women. Arguments against moving Brian were: The notes were not as frightening as the women perceived them to be, moving Brian would avoid the problem, people must learn to live together. They felt it is wrong to move Brian based on the women's fear, it would be pure punishment, and Brian did not mean to hurt or scare the women.

Later, in discussing this, the jury agreed it would never come to consensus on whether or not to move Brian off the hall. So the matter was dropped. The jury also discussed whether to move James off the hall for the fork incident. Many jurors felt strongly that James should move since his act was the most physically threatening of all the violations. A couple of jurors felt James' lack of premeditation (which all of the jurors agreed was the case) made the incident less serious, and the event did not merit him being moved off the hall, regardless of the women's fear. These jurors saw moving off the hall as excessively harsh. Most of the jurors felt very strongly that he should move. Two jurors were opposed to this resolution and stood outside of consensus. However, a consensus to move James off the hall was reached.

The jury then addressed the issue of community service for Brian and/or James. The jury agreed that community service would be educative for both Brian and James. The only concerns expressed were time commitment, and the severity of the combination of the two resolutions for James. The jury quickly agreed that community service was appropriate for Brian, and consensed on a resolution that required him to set up a community service program with The 8th Dimension Coordinator, which would last 1.5 semesters.

The jury came to agreement that moving James off the hall and community service did address separate issues. Moving James off the hall was meant to repair the breach of trust, while community service was meant to be both educative and deal with accountability for his actions. The jury also reached consensus on a community service requirement for James that was of the same length as Brian's.

The jury then reached agreement on a number of other resolutions: 1) The members of Suite 67 must read selections from History before their mediation with Suite 65. 2) The members of
Suite 67 should talk with an HCO about their misunderstandings of the social aspects of the Honor Code.

With this the jury paused to reflect for 24 hours, before convening to present the resolutions.

Resolutions

All:

1) The members of Suite 67 will read selections from past Herstories before the facilitated dialogue. In addition, Mark and Sergei will read the same selections before their facilitations. Copies will also be given to members of Suite 65.

2) The jury suggests that one or all of the confronted parties take a gender studies course before graduation.

Suite 67:

1) The members of Suite 67 and the members of Suite 65 will participate in a facilitated dialogue led by Randy Milden (later removed)

2) The members of Suite 67 will meet with an HCO to discuss the Social Honor Code.

Mark:

1) Mark and the members of Suite 65 will attend a Communication Outreach facilitation in order to continue the dialogue which has already begun and to further mutual understanding. (Later changed)

2) Mark will meet with The 8th Dimension Coordinator to set up a volunteer program with a women's organization to be fulfilled over the course of a semester, meeting on a regular basis.

Sergei:

1) Sergei and the members of Suite 65 will attend a Communication Outreach facilitation. (Later changed)

Brian:

1) Brian will consult with The 8th Dimension Coordinator to select a weekly volunteer program which both feel is appropriate. Brian will begin the program immediately and continue it until the end of next semester.
James:

1) James will consult with The 8th Dimension Coordinator to select a weekly volunteer program which both feel is appropriate. James will begin the program immediately and continue it until the end of next semester.

2) James will move off the hall for the rest of the semester (two jurors stood outside of consensus on this resolution)

Presentation of the Resolutions:

The jury began with a moment of silence, and then presented the resolutions. Mark had no questions about the resolutions.

Brian said he had no trouble with the resolutions as they stood, but said the beginning of his sports season would interfere with the last month or so of community service that he was required to perform. He then asked the jury to move the community service timeframe such that it would end at the beginning of his season.

James felt the decision was very unfair, since it singled him out by making him move off the hall. He said moving off the hall was punishment, not education. A juror explained that James' action was violent and threatening. James felt his character was being judged when the jury didn't know his character at all. Jurors stressed the fact that this was not a reflection on his character, but instead a reflection on his actions.

Randy said moving James off the hall would solve little, since he would always be around. He also said moving all five of them would be preferable. He said he would try to find a 5 person suite to trade with so the suite could remain together. The jury had no troubles with this.

James said the community service resolution, although a good idea, would be hard for him to fulfill since he was already participating in the community service program, taking 4.5 classes, and a member of a different sports team. He said that he would gladly take a gender studies course instead and asked the jury to consider this change in the resolutions.

The women then responded to the resolutions. Nancy spoke to the members of Suite 67, saying "You just don't get it." She felt the community service resolutions should stay in their present form, because they would help to repair the trust and be educative. She was very upset and expressed disappointment that the men were complaining about the inconvenience of the community service, since the women had been inconvienced for an entire semester.
Jane then made it clear that the women did not want to participate in a dialogue with Suite 67. They did not wish to be the educators of Suite 67, they just wanted to be left alone and put the whole incident behind them. They did not trust the members of Suite 67, and did not feel that the mediation would serve any purpose. However, the women did agree to meet informally with both Sergei and Mark.

Asked about the men moving off the hall, Nancy said that she would rather James move off the hall than no one, but would rather have had them all move.

At this point the parties left and the jury considered the statements made.

The jury removed the resolutions concerning mediation, since the women did not agree to them. (Note: For a mediation to be, both parties must agree to be present and a confronting party cannot be forced to participate) The Herstory resolution was changed accordingly.

The jury discussed replacing James' community service with a class in gender studies, but the jury agreed that the two addressed different issues. However, the jury did agree that the scheduling for James should be flexible this semester, due to the large time commitment of his sport. To achieve this the jury agreed that James would be trained this semester for a particular type of service, which he could begin at the beginning of next semester.

The jury reached consensus on the resolutions. After a moment of silence, the jury adjourned. The trial lasted 34 hours.

Student Response

Please return to Honor Council room in the Campus Center

1.) Should this case have gone to an Honor Code jury?

2.) Did the resolutions do a good job of addressing the issues?

3.) Any other comments?
Notes

Sign #1 - (WRITTEN BY SUITE 65)

"HEY GUYS!
DON'T USE OUR SOAP, OR OUR SHAMPOO,
OR OUR WASHCLOTHS.
BUY YOUR OWN - SUITE 65"

Sign #2 (WRITTEN BY RANDY)

"STOP STEALING OUR CONDOMS.
BUY YOUR OWN, MARK. - SUITE 65"

Sign #3 (WRITTEN BY SERGEI)

"HEY GUYS
STOP USING OUR BLOW-UP DOLL"

Sign #4 (WRITER UNKNOWN)

"SUITE 67:
PLEASE STOP MASTURBATING IN
THE SHOWER STALLS.
THIS IS SHARED SPACE!
USE YOUR OWN ROOM!
   -SUITE 65"

Sign #5 (ORIGINAL WRITTEN BY THE WOMEN - AMENDED BY RANDY)

women wrote:
"HAPPY BIRTHDAY NANCY!"

randy added:
"COME TO MY ROOM TO GET
YOUR PRESENT.
   LOVE, MARK"

Sign #6 (WRITTEN BY MARK)

"ROSES ARE RED
VIOLETS ARE BLUE
I'VE GOT A BIG DONG
THAT'S WAITING FOR YOU.
   HAPPY B-DAY
   LOVE,
   RANDY"

This note was accompanied by a drawing of a penis on the memo board. It remains unknown who was responsible for the drawing.
Dear Fellow Students:

So, how many of you laughed when you read the abstract? Some of you probably did.

I wrote the last note that was on the door of the confronting party. When I did it, and before I went to trial, I thought it was funny. In fact, although I did not know all the occurrences on the hall, I did not think most of them were terribly offensive.

Before my trial I was confident that although I shouldn’t have written the note, I was not terribly wrong.

However, when I heard the confronting party speak, I lost all of my thoughts. I could not believe how they had felt. I honestly did not know how intimidated and upset they were. When it came my turn to respond, I was so upset that I had trouble speaking. It is amazing what I had inadvertently done to the women on the hall.

The night after I heard the women speak, I thought about the situation I had helped to create. I never really thought how they felt. I assumed that if they were terribly upset, I would have known or they would have told me. They didn’t tell me and I didn’t know.

Hearing the women speak of their fear of me was a frightening experience. I never before thought of myself as terribly intimidating and didn’t mean to be perceived that way. A little forethought and consideration would have avoided it. You may think that doing what I did just requires a lack of common sense, but it goes on all the time.

It starts as little comments and little jokes and before you know it the jokes are out of control. More than one of the jurors on my trial told me afterwards that some of the occurrences on our hall were humorous. Did they learn anything from the trial? When you see someone getting extremely upset over something, it’s not something that’s funny - especially the offensive behavior from our hall.

I will always feel that I owe the confronting party for what I participated in. We are talking and on good terms now. I now understand the damage thoughtless jokes can cause and my responsibility to those around me. Unfortunately, it took a trial for me to learn, but I know that I would never again consider doing anything of the sort.

I was wrong in my actions, and there was no excuse for my behavior. Thus, I realized that I had to do something to repair the breach of trust. I recommended community service, because I felt that my actions were insensitive to gender issues. I believe working with a women’s group will allow me to better understand gender issues. I think it will also give me a chance to help others and restore the trust between myself and the community.

Most importantly, I would like to apologize to the women. There is no excuse for my behavior. As hard as it may be for you to believe, I did not mean to be offensive, and I do sincerely regret it.

Sincerely,

[Signature]