Elmo

Introduction:

In the course of "Herbert, Tom, and Gordan", the jury learned that Elmo, who had been present to give evidence, had known that the three had made the phone calls and were lying to the jury. A trial was deemed necessary in light of the section of the Honor Code which reads, "Since we do hold ourselves responsible for each other, the failure to confront or report another student involved in a breach of the Honor Code is itself a violation of the Code (Section IV Process)". Because of time constraints, the trial was not held until the beginning of the next semester. The original jury, Honor Council, and Elmo agreed that, for reasons of consistency, comprehensibility, and confidentiality, the 9 original jurors who remained on campus would serve on this trial as well. Three new jurors were selected to complete the jury. All names used in this abstract are consistent with those used in the "Herbert, Tom, and Gordan" abstract.

Fact Finding:

Elmo, Olivia, and Elmo's support person were present during "Fact Finding". Elmo began by explaining that, in the week or so immediately following the phone calls, he had known that Olivia had received a phone call, it had been traced to Herbert and Tom's room, and the trio was meeting with her about the call. He had finally asked the three about what was going on and they told him that they had made the calls. Tom had wanted to tell Olivia the truth, but Herbert had not.

A few weeks later, Olivia sent the trio a letter asking them to tell the truth or she would have to go to Honor Council. Elmo urged the guys to tell her the truth.

Before the trial began, Herbert came to Elmo and asked him to go before the jury and tell the truth about the party and having seen the three in Gordan's room, but not to mention specific times. Elmo convinced himself that as long as he told the truth it would be okay, "I felt pressure to help them. But (now) I wish I could do it over. I thought about going to Olivia to tell her, but I thought the guys would hate me."

The jury then began to ask questions. When asked if he told the truth during the first trial, Elmo replied, "The factual matters were true. I did say things like 'I don't think they could have done it', which wasn't true. It's clear that I violated the Honor Code". In response to other questions, Elmo explained that he had felt internal pressure to tell Olivia because she was upset. He thought that he had committed a violation even before the first trial began.

Elmo also informed the jury that the Herbert, Tom, and Gordan had had strategy sessions before the first trial began, grilling each other on possible questions, but that he had not been present for most of them. Elmo felt that Herbert's pressure was the major fact in his remaining silent.
Deliberations:

The jury quickly reached consensus on the following statement of violation:

1) Elmo violated the Honor Code by failing to fully confront Herbert, Tom, and Gordan when he knew that they had violated the Code by making the phone call. He further violated the Code by failing to confront them while they were lying to an Honor Code jury.

Jurors felt that statements at the previous trial such as "I don't think they could have done it" and "They don't seem like the kind of people..." went beyond stating the facts, and constituted lying. Therefore, the jury reached consensus on the following statement of violation:

2) Elmo violated the Honor Code by lying to an Honor Code jury at the previous trial.

A few jurors were concerned that Elmo was also lying at this trial because some of his statements during "Fact-Finding" were inconsistent with the previous trial, but we decided that since this trial was 8 months after the original incident and 3 months after the last trial, these inconsistencies could be due to lack of memory rather than lying.

Circumstantial:

All those present during "Fact-Finding" were also present during "Circumstantial". Jurors asked questions to clarify the circumstances surrounding the violations.

In response to these questions, Elmo told the jury that he had told the three to talk to Olivia. Elmo, himself, did not fully realize his personal responsibilities under the code until he was actually in the trial room. During the first trial, he did not say anything about the fact that the three were lying because he was scared. Elmo had known more or less what he wanted to say before the first trial began, but he got nervous and said the extra stuff about how the three wouldn't do that type of thing because of his nervousness. Elmo felt that he probably would have been too scared to come forward on his own for his own violations if he had not been implicated by the others.

Elmo then suggested some resolutions which included: writing a letter, doing something to raise awareness about Honor Code issues with prospective and admitted students, writing letter for use in the HCO discussions during Customs week, and doing community service.

Deliberations on Resolutions:

The jury felt that having Elmo do community service was a good idea, as it would hold him accountable for his actions. While the previous jury had seen lying as the major violation in the cases of Herbert and Gordan, this jury felt that Elmo had been thinking about the Honor Code and the issues
involved in his violations. Separation did not seem warranted in his case. The jury also felt that Elmo needed to gain some self-confidence, because he was unable to stand up to the trio, and that maybe a community service activity could be geared towards this. We consensed on the following resolution:

1) Elmo will meet with Marilou Allen to select a weekly community service activity, which he will perform for the next 20 weeks in the academic year.

The jury decided that while mandated letters to the community were often rather useless, we would informally give Elmo the option of writing one if he wanted. The jury did feel, however, that writing something which the HCOs could use during Customs week as a concrete example of "the policeman's clause" would be a good idea. It was decided that he could write this in consultation with his support person and a member of HCO committee.

Many jurors felt that more resolutions were needed because Elmo's violations were serious, and while community service was good, it was not doing anything directly for the Haverford community which he harmed. After discussing many options the jury decided that Elmo's idea of doing something concerning the Honor Code in Admissions was a good idea, since it would give something back to Haverford, and hopefully help strengthen the Code. The jury reached tentative consensus on the following resolutions:

2) Elmo will meet with two people familiar with the trial, one a member of HCO committee, to compose a "personal abstract" relating to his trial experience to be distributed to HCO groups next year. This document will also be posted on the comment board and included in the abstract files.
3) Elmo will research and write a report detailing the role of the Honor Code in the Admissions process. The report will be compiled by interviewing Admissions Office staff and reviewing Admissions materials and will be due by the end of the semester. The report will be used to start a committee to work on any issues raised in the report. Elmo's participation in the committee will be optional.

**Presentation of Resolutions:**

Jurors explained the reasoning behind the resolutions. Elmo said that he thought the resolutions, "work towards repairing my relationship with the Code." The jury reached final consensus on the resolutions and went home.

If you have comments on this abstract please put them in the box in the mail room. Thanks.
I never cheat, I don't have to worry about the honor code. That is what I thought when I entered Haverford freshman year. Like many incoming freshman, I thought about the policeman's clause of the honor code but figured it would never happen to me, after all they don't really expect you to turn in your friends. That all changed the second semester of my sophomore year. I got so slowly drawn into an honor council situation that I barely realized what was happening, much less what part I played in it. When my good friends came to me and told me that they had made an obscene phone call, the last thing I thought of was running to honor council. They were coming to me for advice, I had to help them. As the situation continued, I slowly got pulled in more and more, from just giving advice to actually going to their trial and saying, "I don't think they would do something like that".

It wasn't till that moment when I was at the trial that I realized exactly what part I was playing. They had asked me to come to their trial just to say who I had seen that night and where. I had to help my friends, didn't I? After all, they weren't even asking me to lie, or so it seemed. Once there, however, I realized I was lying by just keeping quiet with what I knew and being there on their behalf. But once again, how could I turn my friend's in. As the trial continued, hour after hour, day after day, I began to realize just what the policeman's clause is for, to prevent situations like this one. So much time was wasted, when it all could have been prevented. Even as the trial concluded the pressure was still there, the honor code or my friends. There had to be a third option, but there isn't and the strength of the honor code is based on students making the right choice. I didn't.

In the end not a single person benefited by my keeping silent. In the end, much damage was done. The victim of the phone call had to go through much emotional stress and pain. I had to go to trial. Two of my friends were separated and the other had to fulfill many resolutions. And everyone involved was messed up in their work, because this all took place during exam time.

I now have a much better understanding for the policeman's clause. It is not there to have you constantly watching over your friends, ready to run to honor council at any wrong move. It is there to assure that the honor code continues to run, to the benefit of everyone. Situations like the one I was involved in only make things worse. If I had followed the code, much time and stress would have been saved by everyone involved.