Abstract discussion will be held on Wednesday, February 17th at 7 PM in the MCC (Stokes 106).

Hamilton:
An Honor Council Social Trial
Released Spring 2016

This abstract was not released in accordance to the timeline specified by the Students’ Association Constitution. The confronting party consented to the release of the abstract. The confronted party consented to the release of the abstract.

Key:
Confronted Party: Alexander Hamilton
Confronting Party: George Washington
Professor of class from original trial: Professor Thomas Jefferson
Student copied from in original violation: Peggy Schuyler

Summary/Pre-Trial:
In the semester preceding this trial, [Alexander Hamilton] was involved in an Honor Council Academic trial for an incident of copying another student’s work on a final exam\(^1\) in Professor [Thomas Jefferson]’s class. The resolutions for this trial stated that Hamilton would be separated from Haverford college for two semesters, with the option to return after one semester if he were to complete a specified subset of the resolutions by the end of that semester\(^2\). During Hamilton's academic trial, Hamilton never admitted to having cheated despite overwhelming evidence that this was the case, and in general did not engage with the jury throughout the process. Hamilton appealed the separation resolution to the President of the College, but this appeal was denied.

Toward the end of the semester following the academic trial, it came to the attention of Honor Council that Hamilton had been living on campus and attending classes, despite the fact that this was supposed to be his first semester of separation. Honor Council confirmed that this was the case with Hamilton’s dean, [Hercules Mulligan], and the registrar, and decided that [George Washington], the Honor Council Co-Chair who had chaired Hamilton’s academic trial, would confront Hamilton. Honor Council reviewed statements from both parties and consented

\(^1\) Refer to the abstract “Bones,” released Fall 2015, for the details of this case.
\(^2\) Refer to Appendix A for the complete set of resolutions from this trial.
to send the case to a social trial\(^3\). The trial was chaired by another experienced member of Council, rather than by one of the Honor Council Co-Chairs.

The jury of this social trial came to an extensive set of resolutions that included a year of separation. These resolutions also affirmed the resolutions that the original jury had crafted to address the academic violation, as well as added supplemental resolutions to restore the breach of trust caused by Hamilton’s violation of the separation resolution.

**Fact Finding:**

Washington summarized his perspective on the events that had transpired. Of the previous trial, he commented that the trial process had seemed unusually disjointed and that Hamilton had not seemed to engage in the process or make an effort to connect with the jury. While Hamilton had continued to deny that he had violated the Code in any way throughout the trial and appeal process, the jury felt that the overwhelming evidence made Hamilton’s denial implausible. The idea behind the original jury giving Hamilton the option to return after one semester of separation was to give him the chance to take charge of his own restoration by claiming responsibility for his actions.

Washington went on to describe how he had come to learn that Hamilton was living on campus and taking courses at Haverford, as well as his confrontation with Hamilton. While Hamilton had initially seemed to try and avoid responding to Washington’s attempts to meet, he agreed to meet with Washington after receiving an email from his dean. During the meeting, Hamilton acknowledged his mistake and seemed willing to engage with the Honor Council process to restore himself to the community. He also expressed that he wished for Washington to inform the original jury of this situation to avoid any misunderstanding if members of the original jury saw him around campus.

Washington emphasized that he thought that Hamilton’s violation of separation constituted not only a significant breach of trust with the community, but also with the jury of his original trial who had spent upwards of 12 hours crafting a set of resolutions that would restore him to the community. He noted that the jury had been in agreement that the set of resolutions would not be sufficient to restore Hamilton to the community unless it included separation.

Hamilton immediately admitted that he had broken the Honor Code by violating separation. He went on to say that since being confronted, he had undergone a period of deep reflection. During the college break before the current semester, he had justified to himself his coming back. He said that his tuition had already been paid and he didn’t know if it could be refunded, and that he did not want his parents to know about the violation. He also reported in his original statement that he had attempted to effectively “separate himself” by limiting his interaction with the Haverford community. He added that he had limited himself less during the second half of the semester since his friends had expressed concern and he did not want them to

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\(^3\) See Honor Council’s guidelines for parties breaking or not completing resolutions: [http://honorcouncil.haverford.edu/guidelines/guidelines-for-a-party-breaking-or-not-completing-resolutions/](http://honorcouncil.haverford.edu/guidelines/guidelines-for-a-party-breaking-or-not-completing-resolutions/)
figure out his situation.

In his statement, Hamilton described reflecting after being confronted and coming to the conclusion that he suffered from some sort of paranoia, which had become more prominent over the last few semesters and had made it difficult for him to take responsibility for his actions. He said that this caused him to “blame the system” for his problems and thus had allowed him to justify ignoring the separation resolution. During the original trial, he had blamed the jury and Honor Council for his problems and thus was able to de-legitimize their resolutions and the process and justify to himself coming back. He said that when Washington had originally confronted him and his dean had emailed him, he had felt the same feelings of resentment against “the system” and had given the same set of justifications that he had been giving to himself, but after thinking deeply about it, had come to realize that this type of justification came from personal issues, and now wanted to deal with them.

Hamilton described how he had begun to use counseling resources since being confronted and wanted to continue to do so. He also emphasized that he did not think that he could work on these issues away from the resources that Haverford offers and thus still did not see separation as being beneficial for him. In his initial statement to Council, Hamilton had suggested a set of four resolutions that he felt would restore him to the community. These were: periodic meetings with a counselor, periodic meetings with his dean, periodic meetings with a member of the original jury, and writing a letter of apology to the original jury.

With respect to the original violation, Hamilton told the jury that he had no memory of violating the honor code, but thought that it was possible that he could have suppressed the memory of doing so to avoid dealing with it; therefore this furthered his desire to want to get help for his personal issues.

When asked whether he had considered separating himself after being confronted and having these personal revelations, Hamilton said that he didn’t think that he could move forward in addressing these issues without being at Haverford and having access to these same counselling resources, and that he feared leaving Haverford would make him revert back to “blaming the system.” Hamilton added that by the time he had had his revelation, he had “heard that he wouldn’t be separated for the rest of the semester,” and felt that leaving at that point would be punitive since he had already spent time and money on the semester. Hamilton also had not made any progress on his additional resolutions from the academic trial.

Regarding whether Hamilton’s issues of mental well-being had come up during the previous trial, Hamilton said that he had not thought about these issues he was bringing up now until after he had been confronted. He said that he had been blaming the system and didn’t think that the problem was himself. He said that he had felt attacked and judged, and that he had kept these things bottled up.

When asked if coming back had been worth the stress of having to hide and eventually be found out, Hamilton said that he wished he had realized that the original violation had been his fault, not the system’s. He added that it had been a tough semester both academically and
mentally, and that he would have benefitted from some time off. He clarified that he no longer thought that time off would be beneficial since he felt that he needed to confront his problems and that he needed to be at Haverford to do so. When asked whether he thought that he could use counseling resources away from Haverford, Hamilton said that he had a supportive group of friends at Haverford and was less comfortable being open with his family. The jury asked Hamilton whether he had told anyone, including his parents, about the violation, which he had not. Hamilton clarified that he knew that he needed to tell his parents, and that that was something else he needed to work on.

**Jury Deliberations/Statement of Violation:**

The jury quickly agreed that Hamilton had violated the Honor Code, and consented to the following statement of violation:

> [Hamilton] violated the Honor Code by failing to engage with the restoration process, most notably by deliberately disregarding the separation resolution decided upon by the jury of his previous trial. (All 10 jurors consent)

The jury also decided that it might be helpful for them to speak to an expert witness regarding the issues of mental well-being that Hamilton had brought up, since they worried that these could affect the case in ways that they did not understand. They decided that they would speak to an employee of CAPS after the Circumstantial portion.

**Circumstantial:**

Hamilton told the jury that in addition to the external breaches of trust caused by the violation, he felt that he needed to address the internal breach of trust that had occurred between “me and myself.” He continued that he felt that separation would not be good for him personally in restoring such a breach of trust since it would cause him to revert back to blaming the system. He reported that he had reverted to this feeling briefly after the Fact Finding meeting, and did not want that to happen more permanently. Hamilton added that in thinking of his increasing paranoia over the past couple of semesters, he realized that his increasing marijuana use might have been a factor. He added that he had stopped using marijuana a few months prior.

One juror asked Hamilton to expand on what he had said about reverting back to his previous mindset as a result of the fact finding meeting. Hamilton said that since separation had been brought up, his deep fear of separation had caused him to revert back to blaming the system. When asked more about this fear, he added that it was deeply entrenched and connected to his paranoia; he didn’t think that he could deal with being separated again since it would cause him to fall back into the mindset of trying to game the system.

One juror asked Hamilton about his mindset during the break before the semester in which he was supposed to be separated. He said that he had wanted to tell his parents, or
someone, but couldn’t. He had tried to think of a way of getting around the resolution and coming back, and when he couldn’t think of a way to come back legitimately, he had created his own justifications and decided to come back anyway. One juror asked if he was worried about being away from Haverford for the upcoming break. He said that he thought that the break could be good for him, but that more than that would be too much, specifically because of his fear of separation.

One juror asked Hamilton to elaborate on how he felt he had breached his own trust. He said that the part of him that blamed the system was not who he is and he felt manipulated by it. He said that he didn’t trust himself to be able to restore himself and needed the resources on campus to help him do so. A juror asked whether Hamilton’s family was aware that this semester had been tough or about any of the issues he was describing and if he felt that they could be helpful. Hamilton responded that they knew a little bit and would ultimately be helpful, but that they might be confused if he told them everything right now. He said that he would be worried about their immediate reaction.

Another juror asked about Hamilton’s relationship with the Code before the first violation and how it had changed since. Hamilton said that he had been really into the Code his freshman year and had been an HCO in a later year, but that his connection to the Code had started to decline over that year. He blamed his feelings of paranoia stemming from marijuana use for this change. He added that he now felt a renewed interest and enthusiasm in the Code and this process and that he wanted to regain this relationship.

Regarding Hamilton’s statement that he thought he might have suppressed the memory of the original violation, a juror asked whether he thought that there had ever been other blocks of time that he didn’t remember. He said that he did not have reason to believe that there were. Upon further questions, he clarified that the last thing that he remembered from that day was taking the exam alone in his room. Asked whether he would do things differently if he could go back to the end of his original trial, Hamilton responded that he probably wouldn’t have come back and violated separation, but that he didn’t know how long that mindset would last. He feared that he would still be prone to the same type of paranoia regarding separation as he was the first time.

Washington opined that there was certainly a difference from the original trial in terms of Hamilton taking responsibility and being more forthcoming, but that the fear of separation was the same. Washington added that he wished that Hamilton could have been able to express some of these things surrounding marijuana use and paranoia in the original trial, and that Hamilton had told his family about what was going on. He added that many parties who had been separated found it very restorative, but that he also sympathized with Hamilton’s current situation.

Washington said that in addition to the original breach of trust with the community, there were also serious breaches of trust with each of Hamilton’ professors from this semester since he had been a student in their classes even after he had rescinded his commitment to the Honor
Code and was not rightfully part of the Haverford community. Washington further stated that the unique nature of this violation made it one of the most serious violations that he had seen. With regard to specific resolutions, Washington thought that Hamilton’s proposed resolutions were good in terms of Hamilton’s restoration with himself, but indicated that further resolutions would be necessary for Hamilton to be held accountable and to restore him to the community. He thought that some sort of apology to the original jury was called for, as well as an additional letter from Hamilton to the community. Washington added that Hamilton certainly should not be exempt from completing the resolutions from his original trial, including the year of separation, since the original breach of trust had yet to be restored. He indicated that it did not make sense for Hamilton to have his separation removed or shortened as a result of coming back in violation of the resolution. As for additional separation beyond that specified by the original resolutions, Washington was conflicted.

**Jury Deliberations and Tentative Resolutions Part 1:**

A juror started off by saying that he felt like Hamilton was being elusive, and that he was not able to recognize how many people’s trust he had breached. The jury decided that they would feel more comfortable if they could talk to an expert witness surrounding issues of mental health before consenting to resolutions.

The jury felt that the resolutions needed to address several breaches of trust, including those with the original jury, Professor Jefferson, [Peggy Schuyler] (the student from whom Hamilton had copied), Washington, his current professors, and the community. The jury generally agreed that the resolutions from the original trial⁴ should stand. They also pointed out that Hamilton had isolated himself from the community, and felt the resolutions should encourage him to re-engage with it in a tangible way.

The jury agreed with the first three of Hamilton’s 4 proposed resolutions, namely meetings with a counsellor, with members of the original jury, and with his dean, however felt that Hamilton might simply be suggesting some of these resolutions as an alternative to separation. A juror felt that Hamilton showed a fundamental misunderstanding of what separation was since he had felt that locking himself away in his room could be equivalent to separation, and so there should be a resolution asking him to reflect on the purpose of separation.

**Jury Deliberations and Tentative Resolutions Part 2:**

The jury began this meeting by discussing separation. For the most part, the jury felt that at least some separation was warranted; many jurors felt strongly that the original resolutions (including separation) should be upheld, as the original breach of trust with the community had yet to be restored (in addition to this new breach). However, jurors wanted to ensure that Hamilton would have a support system in place if separated to help address his mental health.

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⁴ See Appendix A
concerns. Jurors were conflicted about additional separation beyond the year from the original trial. Some felt that Hamilton could adequately reflect on both violations at once, and so additional separation might not be necessary; a few felt that additional separation might help address accountability for this new violation. One juror was unsure about any separation, and uncomfortable considering it before the meeting with the expert witness.

The jury then discussed how to ensure a support system for Hamilton, whether or not he was separated. It agreed that counseling would be beneficial for Hamilton, but jurors expressed concerns about his financial ability to obtain it if separated. A juror also worried about Hamilton not wanting to tell his parents about being separated. The jury discussed the fact that Hamilton seemed to have a good support system at Haverford (his friend group and his counselor), and wondered if his situation at home could be sufficient. The jury speculated that although Hamilton was hesitant to talk to his parents about the violation, he might still find support at home after doing so.

The jury felt that some sort of grade change in Hamilton’s current courses was necessary for accountability, but did not want to cancel the semester altogether (as that would be financially punitive towards Hamilton’s parents). The jury found a solution to this in the decision to require that each of Hamilton's courses for the current semester be graded on a pass/fail basis. That way, he would still receive credit for the courses he took, but his grades for the semester would not count toward his GPA or major. On a more idealistic level, this resolution would acknowledge that Hamilton had not been taking classes as a full member of the community that semester, since he was not meant to be on campus.

The jury quickly agreed that the violation should be reported to other institutions of higher learning due to its severity, especially considering that the original jury had recommended that the original violation be reported.

**Jury Deliberations and Tentative Resolutions Part 3:**

The trial chair began the meeting by saying that he and two other jurors had met with [Lafayette], an employee of CAPS, as an expert witness to discuss the case. He and the other jurors summarized the meeting and expressed the sentiment that the meeting had not been pertinent to the case, especially because the meeting was by nature limited to general issues rather than specifics about Hamilton, and the jury had already come to a general understanding of how the mental health issues Hamilton had brought up should or should not influence the resolutions. However, it did make them feel that while Hamilton may have gone through a lot of mental stress, that this need not be their main consideration in coming to resolutions.

At this point, every juror was in favor of some amount of separation. As a whole, the jury felt that separation would provide Hamilton with time to reflect on both violations, as well as to address his mental health concerns. Additionally, there was a strong sentiment among the jurors that the original resolutions should be changed as little as possible. However, there was a split amongst the jurors regarding how long the separation should be. Some jurors were in favor of
adding additional separation time to the original resolutions (making the total a year and a half). They felt that Hamilton would need more time to fully restore himself to the community, as well as to restore trust with himself. Other jurors felt that a year of separation would be enough for Hamilton to reflect.

At this point, the jury was effectively between two options: a year and a half separation, with the option of returning after one year conditionally on completing certain resolutions, and a one year unconditional separation. One juror felt very strongly that Hamilton should not return after a year unless he demonstrated an engagement with the process in some way (by completing resolutions, or having the jury reconvene and deciding that Hamilton should be allowed to return early). However, another juror felt just as strongly that separation should never be conditional, feeling that Hamilton’s return to Haverford should not be based on the jury’s feelings toward him, particularly as they might be biased as a result of going through this long trial process. This juror believed that the idea of separation was to give Hamilton time to reflect and restore himself to the community; and did not think the jury should hold other requirements over him in order for him to return.

The jury then discussed the mechanics of what conditional separation would look like. The trial chair explained that if the jury did not reconvene to evaluate the completion of conditional resolutions, then the decision would be left up to the Honor Council staff support person (whose main responsibility is tracking resolution completion). Many jurors felt that, if they were to impose conditional separation, they would rather have the staff support person judge the completion of the resolutions rather than reconvene the jury.

Jurors suggested a more implicit form of conditional separation in which the jury would require Hamilton to complete a subset of his resolutions during his separation by setting deadlines during that time. Jurors in favor of conditional separation, however, worried that Hamilton would be able to miss these deadlines without real consequence, and would be allowed to come back without having completed these resolutions. The trial chair explained Honor Council’s guidelines for missing a resolution deadline5: throughout the process, the staff support person would regularly check in with him to make sure that he was completing his resolutions. If he missed a deadline, the staff support person would check in to see what was going on, and would work with him to make an appropriate timeframe for completing the missed resolutions. However, if he either never responded or kept missing deadlines, the staff support person would talk to the Honor Council Executive Board and the deans, who would consider (in a worst case scenario) conditional separation until the resolutions were completed. The Council jurors explained that this almost never happened, and the vast majority of confronted parties worked with the staff support person to complete their resolutions.

**Jury Deliberations and Tentative Resolutions Part 4:**

5[http://honorcouncil.haverford.edu/guidelines/guidelines-for-a-party-breaking-or-not-completing-resolutions/](http://honorcouncil.haverford.edu/guidelines/guidelines-for-a-party-breaking-or-not-completing-resolutions/)
The jury dove right back into discussing separation. The jury spent many hours deliberating between a year and a half, and between conditional and unconditional separation, but ultimately could not reach consensus on an appropriate course of action. Many jurors in favor of a year and a half felt that if someone could think of another resolution that addressed accountability, they would be comfortable consenting to a year of separation. The jury then adjourned for further reflection.

**Jury Deliberations and Tentative Resolutions Part 5:**

One juror was absent for this meeting. A juror proposed that Hamilton complete the requirements of the Rufus Jones Leadership Institute as additional accountability. This would entail attending a number of talks and conferences, as well as holding leadership positions on campus. The juror felt that this would both hold Hamilton accountable for his violation of the Code, as well as help him get involved with and give back to the Haverford community upon his return. The jury was enthusiastic about this idea, and agreed that this along with a year of separation would be appropriate. The jury also decided to set certain deadlines within the period of separation, so that Hamilton could begin the reflection and restoration process while away from campus, and then complete it when he returned. With that, the jury consented to the following tentative resolutions:

1. **Each of [Hamilton]’s classes from the [current] semester will be graded on a pass/fail basis without the option to uncover.** (9 jurors consent, 1 stands outside in absentia)

2. **The resolutions from [Hamilton]’s original trial will be upheld with the following adaptations to meet the current circumstances.** (9 jurors consent, 1 stands outside in absentia)
   a. **Original resolutions 1, 5 and 6 stand in their original form.**
   b. **Original resolutions 3 and 4 will be completed in their entirety upon [Hamilton]’s return; this will entail two meetings with the OAR and attendance at five abstract discussions.**
   c. **While the spirit of original resolution 2 will be upheld, the logistics are adapted to the current situation as reflected in resolutions 3, 4 and 5.**

3. **[Hamilton] will be separated from Haverford College for one year beginning in the [coming] semester. He will re-sign the Haverford Honor Code upon his return to the College.** (9 jurors consent, 1 stands outside in absentia)

4. **In the spirit of original resolutions 2-b&c, during his separation [Hamilton] will read a selection of abstracts chosen by the Honor Council librarian. He will then will then [sic] write periodic reflections at least every two weeks that are a minimum of 75 words to be submitted to Council as a form of progress check. The jury leaves [Hamilton] the option to submit a video log on this same timeline in place of any of these reflections. The first reflection should be completed by [date]. At the end of his separation [Hamilton] will**
write a reflective essay on what his original trial meant to him and the value of the trial process; this essay should be completed by [date]. (9 jurors consent, 1 stands outside in absentia)

5. [Hamilton] will write the following letters: (9 jurors consent, 1 stands outside in absentia)
   a. A private anonymous letter to [Peggy] addressing the original violation, to be completed by [date].
   b. A letter to Professor [Jefferson] addressing both violations, to be completed by [date]. During his first semester back on campus, [Hamilton] will meet in person with Professor [Jefferson] and a member of the original jury.
   c. A letter to the community addressing the original violation, to be completed by [date].
   d. Private anonymous letters to each of the professors with whom he took classes in the [current] semester, to be completed by [date].
   e. A letter to the jury of his original trial addressing his violation of their resolutions, to be completed by [date].
   f. A letter to Dean [Mulligan] addressing the violation of separation, to be completed by [date].
   g. A letter to the community addressing his violation of separation, to be completed by [date].

6. Following [Hamilton]'s return to campus, he will write an essay reflecting on the purpose and value of separation, to be completed by [date]. (9 jurors consent, 1 stands outside in absentia)

7. [Hamilton] will complete the requirements of the Rufus Jones Leadership Institute to the fullest degree possible during his separation and remaining semesters at Haverford. (9 jurors consent, 1 stands outside in absentia)

8. For the first semester following his separation [Hamilton] will have biweekly meetings with his dean. (9 jurors consent, 1 stands outside in absentia)

9. For the first semester following his separation [Hamilton] will have monthly meetings with two members of the jury. We the jury also invite two members of the previous jury to attend these meetings. (9 jurors consent, 1 stands outside in absentia)

10. The jury supports [Hamilton]'s utilization of psychological counseling resources and recommends that he continues to do so. (9 jurors consent, 1 stands outside in absentia)

11. The jury recommends that this proceeding be considered a disciplinary hearing for the purpose of reporting to other institutions of higher learning. (9 jurors consent, 1 stands outside in absentia)

Resolutions as a whole: (9 jurors consent, 1 stands outside in absentia)

Finalizing Resolutions:
Hamilton began by saying that he had expected to have the same reaction to the separation resolution as in his last trial, but that that had not happened this time. He added that he was even excited to have the time during separation to work on the issues he had talked about. He also added that he felt that it was possible that he would feel in a position to come back after only one semester of separation, and asked that the jury consider adding the possibility for early return that had been left open to him in the original trial. Finally, Hamilton asked of Washington that he say “thank you” on his behalf to the person who had alerted Washington that Hamilton was on campus that semester.

Washington was also very pleased with the set of tentative resolutions. Washington also expressed concern that this jury had given Hamilton too long to complete resolutions repairing breaches of trust from the original violation (ie letters to Professor Jefferson and Peggy), since so much time had already passed since the original violation. Washington added that he thought that it would be beneficial for the jury to recommend a letter from the original jury to be included in the abstract.

The jury quickly decided to leave the tentative resolutions mostly unchanged, given the positive feedback of the parties. They did decide to shorten some of the letter deadlines (as Hamilton said he would be fine with this), and to add a resolution giving Washington the option of writing a letter to the community. The entire jury was in agreement that the separation resolution should remain a year unconditionally.

The jury consented to the following final resolutions:

1. Each of [Hamilton]’s classes from the [current] semester will be graded on a pass/fail basis without the option to uncover. (8 jurors consent, 2 stand outside in absentia)
2. The resolutions from [Hamilton]’s original trial will be upheld with the following adaptations to meet the current circumstances. (8 jurors consent, 2 stand outside in absentia)
   a. Original resolutions 1, 5 and 6 stand in their original form.
   b. Original resolutions 3 and 4 will be completed in their entirety upon [Hamilton]’s return; this will entail two meetings with the OAR and attendance at five abstract discussions.
   c. While the spirit of original resolution 2 will be upheld, the logistics are adapted to the current situation as reflected in resolutions 3, 4 and 5.
3. [Hamilton] will be separated from Haverford College for one year beginning in the [coming] semester. He will re-sign the Haverford Honor Code upon his return to the College. (8 jurors consent, 2 stand outside in absentia)
4. In the spirit of original resolutions 2-b&c, during his separation [Hamilton] will read a selection of abstracts chosen by the Honor Council librarian. He will then write periodic reflections at least every two weeks that are a minimum of 75 words to be submitted to Council as a form of progress check. The jury leaves [Hamilton] the option to submit a
video log on this same timeline in place of any of these reflections. The first reflection should be completed by [date]. At the end of his separation [Hamilton] will write a reflective essay on what his original trial meant to him and the value of the trial process; this essay should be completed by [date]. (8 jurors consent, 2 stand outside in absentia)

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   a. A private anonymous letter to [Peggy] addressing the original violation, to be completed by [date].
   b. A letter to Professor [Jefferson] addressing both violations, to be completed by [date]. During his first semester back on campus, [Hamilton] will meet in person with Professor [Jefferson] and a member of the original jury.
   c. A letter to the community addressing the original violation, to be completed by [date].
   d. A letter to the jury of his original trial addressing his violation of their resolutions, to be completed by [date].
   e. Private anonymous letters to each of the professors with whom he took classes in the [current] semester, to be completed by [date].
   f. A letter to Dean [Mulligan] addressing the violation of separation, to be completed by [date].
   g. A letter to the community addressing his violation of separation, to be completed by [date].

6. Following [Hamilton]’s return to campus, he will write an essay reflecting on the purpose and value of separation, to be completed by [date]. (8 jurors consent, 2 stand outside in absentia)

7. [Hamilton] will complete the requirements of the Rufus Jones Leadership Institute to the fullest degree possible during his separation and remaining semesters at Haverford. (8 jurors consent, 2 stand outside in absentia)

8. For the first semester following his separation [Hamilton] will have biweekly meetings with his dean. (8 jurors consent, 2 stand outside in absentia)

9. For the first semester following his separation [Hamilton] will have monthly meetings with two members of the jury. We the jury also invite two members of the previous jury to attend these meetings. (8 jurors consent, 2 stand outside in absentia)

10. The jury supports [Hamilton]’s utilization of psychological counseling resources and recommends that he continues to do so. (8 jurors consent, 2 stand outside in absentia)

11. The jury leaves [Washington] the option of writing a letter to the community to be included with the abstract. (8 jurors consent, 2 stand outside in absentia)

12. The jury recommends that this proceeding be considered a disciplinary hearing for the purpose of reporting to other institutions of higher learning. (8 jurors consent, 2 stand outside in absentia)

Resolutions as a whole: (8 jurors consent, 2 stand outside in absentia)
Post-Trial:
The resolutions were not appealed.

Hamilton’s Letter to the Community for his First Violation (Per Resolution 5c):
Dear Friends and Members of the Haverford College Community,

In the wake of my violation of the Honor Code, a breach of trust for which I am extremely sorry, I have been doing a tremendous amount of soul searching. How could I have done something that is not only egregiously wrong, but something that is so out of character for me that neither I nor my family can understand it? Fully aware that “I’m sorry” does not cover for this violation, I have begun an intense period of reflection, trying to understand how I could do something that not only runs counter to the tenets of the Honor Code, but completely counter to how I was raised and how I have always viewed myself.

One of the main things that drew me to Haverford was the fact that [a relative] graduated from here. It was not only the stories he told of college escapades and great teachers that drew me to this school; it was also the pride he took in talking about the Honor Code. He told me about the self-scheduled exams, and the proctor-less tests, but also the happy memories of confronting the Board of Managers during the final efforts to go fully co-educational. He was (and is) a huge believer in the Code. The breach of trust I have engendered by my actions is something that has not only rightfully impacted my position in the Haverford community; it has also, and perhaps more seriously, impacted my relationship with him.

All of this leads, once again, to my questioning of how I could have done what I did. I’ll never escape the reality that I cheated on an exam. But perhaps, by examining the implications of what I’ve done, I’ll discover enough about me to take something positive from this experience.

I decided to consult the essay I wrote on the Honor Code during the application process. I had written that the Honor Code created a sense of trust in the community founded on love, mutual respect, and moral courage. Through my actions, I exhibited a lack of all three of these qualities, but especially the third one. As painful as it is for me to admit (to the Community, but especially to myself) I lacked the moral courage (at the time of the infraction) to accept the fact that I was not going to do well on that exam, and I was afraid of having to deal with the consequences. This realization is more painful to me than even the separation from Haverford. As for the qualities of love and mutual respect, I feel that I have betrayed a school that I honestly love (and that love has only grown with this period of separation). I have also betrayed the respect I owed to my fellow student (off of whom I cheated) and my professor.

I plan to work closely with the Honor Council to create a more personal relationship with the Honor Code. I am using this period of separation to reflect on my horrendous decision regarding the exam and recognizing that I am responsible not only for the consequences of my
actions on myself but also how these actions have consequences for my fellow students, my professors, my family, and the entire Haverford community. I realize now that my actions were not only dishonest, but also selfish and I recognize that these actions have caused pain that will take a great deal of time and effort to overcome. I am fully committed to repairing the breaches in love, in respect, and in trust that I have caused.

In my Honor Code essay, I suggested that “(the Honor Code) allows social and scholastic predicaments to be transformed into learning experiences rather than disciplinary inquiries.” I will take full advantage of this experience to rebuild the trust I have broken between the Haverford community and myself. I fully recognize how lucky I am to be given this chance, and I am extraordinarily grateful to have an opportunity to be restored to such a loving, wonderful community.

Sincerely,
[Alexander Hamilton]

**George Washington’s Letter to the Community (Per Resolution 11):**
Having spent much of my time at Haverford on Honor Council, I saw tangible violations of the Honor Code all too often. I sat on juries and asked questions of confronting and confronted parties, and eventually chaired many trials in which I directly interacted with confronting and confronted parties via email and outside of the trial. I thought about the trials I was on constantly, it’s a huge burden to have the future of someone at Haverford partially in your hands. I thought about the people involved in the trial even more often, the other jurors dedicating so much time and energy to this, the confronted party undoubtedly under immense stress, the confronting party certainly feeling a breach of their own trust - our trials aren’t easy for anyone. Ultimately, I would tell myself, trials are intended to restore people who have violated the Honor Code to the community. I was always able to release a bit of the burden with that, because no matter what decision we came to as a jury, we were hopefully setting that person on the path to feeling apart of Haverford and engaging with the Code.

Hopefully. It’s not always the case, though. The most difficult thing I’ve ever experienced as a juror was being almost certain a violation occurred, but being told otherwise by the confronted party. Take the case in which [Hamilton] originally violated the Code. You have a professor who is sure a violation has occurred on a take-home exam and a violation in which a student took the take-home exam of another student and copied from it without their knowledge. The student who was copied from and roped into this whole process was confused and stressed by this. [Professor Jefferson], who had his trust broken by this, just wanted an outcome that would help the both student and the community heal. As a jury we knew a violation occurred, there wasn’t any other explanation for the striking similarity between the two take-home exams, and it was striking.
Yet, as that entire trial proceeded, I proceed with a certain discomfort and lingering doubt. We came to a statement of violation, but what if we were wrong, what if [Hamilton] really wasn’t at fault? We came to a set of resolutions that included a semester of separation, but what if we were needlessly separated a member of our community for something they never did? [Hamilton], for his own part, couldn’t explain the similarity between the take-home exams, and never protested to the decisions we made very strongly, but he maintained he never did what we were saying he did the whole time. My mind raced at times throughout and after that trial. I often thought how awful it would be to have a jury of fellow Haverford students tell you that you did something you knew you didn’t do, and knowing you couldn’t do anything about it. Sure, rationally I was convinced he had violated the Code, that he was just not telling us the full truth because he couldn’t accept it himself or he was worried about what would happen, but it didn’t stop my wandering mind, as I’m sure that rationality didn’t stop other jurors running the very same chilling scenarios through their heads.

I’m saying all of this so that anyone reading can understand how difficult it is for everyone involved, the jurors and parties, to engage in the process of an Honor Council trial. We’re looking to restore the confronted party, but in a trial where the jury and confronting party say one thing, and the confronted party says another - throughout the entire process - what sort of restoration have we really done? We’ve provided a set of resolutions, included among them separation, to someone who couldn’t admit to us (or perhaps to themselves) the reason behind the trial and resolutions in the first place. We came to the separation resolution for a couple reasons. We wanted [Hamilton] to have time to reflect on what happened, have time to come to terms with it, and be fully ready to engage with the Honor Code when he returned. We also felt the violation was so severe that separation should be considered anyway, as a means of allowing the community to heal. Maybe if [Hamilton] had been upfront all along, it would never have come to separation, maybe it would have, I’m not entirely sure. What I do know though, is that if [Hamilton] had been upfront and honest all along, the process would have been a lot more effective, a lot more helpful to him, and this second trial would probably never have needed to happen. That’s the problem with our trials though, they can’t work unless everyone involved wants them to work. Otherwise, trials truly are punitive, at least in the eye of the confronted party, they haven’t engaged in the process and so the process is nothing more than a means of discipline to them.

By the time this initial trial was over, I was left with a bad taste in my mouth. It did not feel like any real restoration occurred or would occur. Still, I would never have expected [Hamilton] to return to campus. For his part, he was clearly under immense stress from this entire situation, and instead of being upfront and honest with himself and his family, he chose to test our system. I can’t imagine he felt like a real part of Haverford’s community while he was on campus and separated, and I really can’t imagine what an unbearable feeling that would be. I know
[Hamilton] wishes he had never violated his separation, he wishes he had just been upfront from the start. We all do. It would have prevented this entire second process. I think, though, if we can take one huge positive out of [Hamilton] violating his separation and going through this second process, it is that I believe true restoration has occurred. [Hamilton] has come to terms with his violation, [Hamilton] has written a letter to his original jury apologizing and telling the truth about violating the Honor Code on that take-home exam, [Hamilton] has come clean to his family, [Hamilton] has said he is determined to come back to Haverford as a new him and as someone who wants to engage with the Honor Code. I think, without this entire second turn of events, [Hamilton] may have held contempt for Honor Council, but my impression is after all has been said and done, he’s content with the final outcome, it allowed real personal reflection and restoration to take place for him.

I never expected to be a confronting party in an Honor Council trial. No matter how many trials I had been a juror on or chaired, it did not prepare me for the feeling of being on the other end of the trial. It was very unconventional how this confrontation happened, a result of guidelines that had been consented on by Honor Council just months prior that said a Co-Chair of Honor Council would serve as the confronting party in a trial in which someone has broken their previous trial resolutions. At first, I felt very personally that my trust had been breached, [Hamilton] had broken a resolution from a trial I was a juror on, a resolution that we as the jury agonized over for hours. In the end though, I realize that original trial didn’t restore [Hamilton], I don’t know if there is anything we as a jury could have done to restore [Hamilton] at a time he didn’t want to engage in the process. I came out of this second trial feeling very optimistic that [Hamilton] will return to Haverford happier, more ready to engage with the Honor Code, and feeling closer to the community. So for all the trouble of these two lengthy trials, and everything that happened in between, I’m happy for [Hamilton], I’m happy he has come to terms with everything, and I hope he will return to Haverford feeling restored. In the end, I hope this trial - and letter - serve as a cautionary tale. Honor Council trials won’t work unless everyone involved engages with them. When they do work though, they can be truly profound, people can come out feeling a reinvigorated sense of community. After all, ten fellow Haverford students did just spend hours of their time thinking about you and how they can help you restore yourself to the community. The process, at its best, is collaborative and it is one that can truly leave everyone feeling that sense of trust, concern, and respect that often make Haverford such a special place.

Sincerely,
[George Washington]
Appendix A (Statement of Violation and Final Resolutions from Bones):

Statement of violation:

[Hamilton] violated the Honor Code by knowingly representing another student’s work as his own on his final exam (8 jurors consent, 2 stand outside due to absence)

Final resolutions:

1. The jury recommends that [Hamilton] be failed on his entire final exam (self-scheduled and take-home) in [class] (10 consent, 0 stand outside)

2. [Hamilton] will be separated from the community for the duration of one year (starting next semester), with the opportunity to return to the community after one semester if the jury agrees the following resolutions have been completed to an appropriate degree. To be readmitted after one semester, the jury must consent with a minimum of 5 members that [Hamilton] has been appropriately restored to the community, taking into account the efforts on his resolutions. The completion of these resolutions is mandatory regardless of the timeline. The following are these resolutions:
   a. During separation - [Hamilton] will write a reflective letter to the community, a private anonymous letter to [Peggy], and a letter to Professor [Jefferson]. The letter to Professor [Jefferson] will be accompanied by a in person meeting with Professor [Jefferson] and another member of the jury prior to separation, at the discretion of Professor [Jefferson].
   b. During his separation, [Hamilton] will write periodic reflections at least every 2 weeks that are a minimum of 75 words to be submitted to Honor Council as a form of a progress check. The jury leaves [Hamilton] the option to submit a video log on this same timeline in place of any one of these reflections.
   c. [Hamilton] will read a selection of abstracts chosen by the Honor Council Librarian, he will write a reflective essay on what this trial meant to him and the value of the trial process. (10 consent, 0 stand outside)

3. Once prior to separation and once after his separation, [Hamilton] will meet with a staff member of the OAR to discuss studying strategies and better techniques for academic success. (10 consent, 0 stand outside)

4. [Hamilton] will attend 2 abstract discussions of his choosing prior to separation as well as 3 abstract discussions of his choosing following his separation as a means of reflecting on the trial process and restoring his breach of trust with the community. He will begin his every other week logs prior to separation based on these 2 initial abstract discussions. (10 consent, 0 stand outside)

5. In hopes of fostering his restoration to the community following his separation, [Hamilton] will complete ten hours of community service. He will have the opportunity to choose a particular role in the community that he feels will best restore mutual trust. If
[Hamilton] cannot find a project that fits this goal, the jury will assist him in choosing one. (8 consent, 2 stand outside)

6. The jury recommends that this violation be reported on applications to other institutions of higher learning should it be applicable (10 consent, 0 stand outside)

Resolutions as a whole: 10 consent, 0 stand outside

Discussion Questions:
1. Should resolutions ever include conditional separation?
2. Should a violation of previous trial resolutions result in another full trial? If yes, which type of trial?
3. Are there other ways besides separation for a jury to hold someone accountable for an egregious breach of the honor code?