

CAMPUS ASSAULT SCENARIO

FACT SCENARIO

Stuart Dent (his friends call him "Stu") is enrolled at State University and has pledged Alpha Beta Gamma fraternity. State University is scheduled to play an intercollegiate football game, and the "pledges" have been told by the "brothers" (members) to arrange a post-football game party at the fraternity house, and to make sure that, "We have a good band and that lots of coeds are invited."

Stu makes arrangements with an independent caterer for food and beer to be catered, and gains approval for it to be billed to the fraternity. Stu then visits his girlfriend, Sophia Moore (her friends call her "Sophie"), asks her to come to the party and to bring some of her friends from her dormitory. Sophie asks Stu about details for the party, and he tells her that, "It's mainly just to come to the game and sit in the fraternity "block" (seating), and then to the frat house for food, drinks, and dancing. Sophie decides that it will be enjoyable to sit in the fraternity block (which is on the 40 yard line), and that a post-game dance will also be enjoyable. She determines that she can finish her homework assignments easily on Sunday, and so she accepts Stu's invitation and informs him that she is bringing three of her friends, Kim, Kristie, and Jennifer.

Stu and the women have a great time at the game, and after an exciting win by State University over its arch-rival Greenville State University, everyone walks to the fraternity house, and the party begins at about 6:30 p.m. The fraternity house is owned by the University, as is the property on which it is located. Residents sign University housing agreements which contain some special provisions regarding the house being operated as a fraternity house. Other rules regarding inspection by the University, limitation of cooking to the kitchen, etc., are evident. The University employs Joyce Jones as a Resident Advisor for Fraternities and Sororities, and she is periodically present at the University's fraternity houses and sorority houses; however there is no resident advisor assigned to each house (as would be the case in a dormitory), nor are there other "live-in" personnel employed by the University assigned to the fraternity houses.

Sophie and Stu, and the others at the party engage in dancing, eating, and drinking, and Sophie remarks that she likes Stu's fraternity brothers and thinks he will like being a member of the fraternity.

About 3 hours into the dance party, the president of Alpha Beta Gamma, Sean Yorre, announces that there will be an amateur cheerleading contest for the women and that the winning coed will receive \$50 in cash. Stu urges Sophie to join in the fun and Sophie agrees. She and several other women take turns acting out one of State University's popular cheers as the brothers and other guests shout encouragement. Ultimately, amid much cheering and shouting, some of the brothers decide to also join in and they begin lifting the women "contestants," simulating the manner in which male cheerleaders lift female cheerleaders during cheers at the game. Sophie lets one of the brothers, Jason, lift her over his head, and they almost fall. Deciding that she doesn't want to risk injury, she says, "OK Jason, let's call it a day. We're not so good at this." Jason urges her to try one more time, and amid continued shouts of encouragement from the observers of the now quite boisterous "contest," she says loudly, "C'mon, we could get hurt doing this." Jason persists, lifts her, and tosses her to another brother, who falls to the ground with Sophie on top of him. The crowd laughs and cheers loudly, yelling, "Way to go Sophie, you're the best!"

By this time, Sophie is quite embarrassed, and angrily and loudly admonishes the two men to "Let me go so I can get out of here! This is humiliating!" Several of the partiers shout to Sophie to "C'mon...be a good sport," and "Don't worry about your image so much; lighten up and have some fun!"

By now, the noise from the party can be heard at least a block away, and it is indeed heard by two campus police officers who are on foot patrol of the campus residential areas. The officers comment to each other that the party sounds loud and they decide to call the dispatcher by radio and are informed that no complaints have been received concerning any noise or disturbance at any of the fraternity or sorority houses that evening. On the basis of this information, they continue their rounds without stopping at the Alpha Beta Gamma house.

Encouraged by the fun, and the beer they have consumed, the partiers loudly declare Sophie the winner of the contest. As Sophie is attempting to regain her composure from the fall, Jason and Stu pick her up, and as the crowd chants "Winner gets a bath!," the men carry Sophie outside toward a decorative fountain-pool in the front yard of the fraternity house. As they approach the fountain, they begin swinging Sophie back and forth, and counting loudly..."O.K., on ten everybody...one, two...." The crowd joins in the count and Sophie shrieks loudly, and yells "Put me down!" Despite her protests, the

crowd continues the count, and at the count of ten, Sophie is thrown into the fountain. Unfortunately, the men throw her too far and she strikes her head on a cement figure in the center of the fountain, knocking her unconscious and causing her to sustain a serious head injury.

Ms. Jones, having been two houses away attending a "combined sorority-fraternity" party at another fraternity house, hears the commotion on the lawn of the Alpha Beta Gamma house, but arrives only in time to see Sophie in the fountain, unconscious. Stu and two other men immediately climb into the fountain, and amid the startled cries of the partiers, they pull her from the fountain. Jones directs Sean to call 911 and campus security. He does so, and an ambulance is dispatched to the scene, arriving within seven minutes. Sophie is taken to Methodist Memorial Hospital, accompanied by the three men and her friend Jennifer.

Officer Tipton arrives on the scene as Sophie is being placed in the ambulance. She asks Jones for an explanation, and for assistance in identifying witnesses to the incident. The partiers are told to give their names and student status to Tipton and Jones, and each does so, and then the partiers begin to leave. Subsequently, Tipton files a report that night and places the report on the desk of Chief Sheffield of State University's Police Department.

The next morning, Dean of Students W. Clarke Douglas arrives at his office on the campus. He accesses his voice mail at 8:15 a.m. and finds messages from Officer Tipton, and Ms. Jones, placed on his voice mail at 11:17 p.m. the night before, that there had been a serious injury of a student at the Alpha Beta Gamma house. This is the first he hears of the incident. He immediately contacts Tipton who informs him that Sophie Moore is in surgery at Methodist Hospital and that her parents are with her. The outcome is uncertain at this time, but there is confirmation of a skull fracture and a significant period of recovery with impairment.

Dean Douglas notifies Dr. Lawrence DeNardis, the University's President, of the incident, and then leaves a message for George Shur, the University Attorney. Dr. Douglas then calls Dr. Diane Waryold, his student conduct officer to meet with him in his office.

From the hospital, Sophie Moore's father calls Joseph Fioravanti, his attorney, and tells Mr. Fioravanti that his daughter has been seriously injured in an accident at the University. He leaves the hospital's number, and the number of

a hotel where he and Sophie's mother will be staying until she is able to be released or transported from Methodist Hospital.

From a source at the hospital, Mike York, an investigative reporter for the city's largest newspaper, hears that a female student has been assaulted and seriously injured at a fraternity party following State University's football game against GSU.

This incident follows a series of situations which have occurred during the semester, of rowdy student behavior during and after football games, both at the stadium, and at parties in dormitories and fraternity houses. Students have complained throughout the term about noisy parties at fraternity houses, disruptive and abusive behavior in the student sections at football games, and there have been several incidents of minor injuries of students at games or parties, including one incident of a male student falling over the railing of the football stadium at a game and sustaining temporary physical injuries, as well as a reported incident of the hazing of some female students at a fraternity party the week prior to this incident. Disciplinary proceedings are pending as to the "hazing" incident, but none of the accused are involved in the instant scenario at the Alpha Beta Gamma house.

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