

REAL-WORLD CONSEQUENCES

Preventing and Confronting Hazing; My Sister, My Responsibility®

Developed by Dave Westol, speaker and CEO of an organizational consulting company

TIME | 40 minutes

Objectives:

- Understand the criminal and civil law aspects of hazing.
- Understand members' and officers' accountability in preventing and stopping hazing.

Group size:

- Any group size is suitable for this workshop.

Setup:

- Choose a space where the group can sit and face the facilitator comfortably.
- A classroom environment works best.
- Arrange chairs in a circle or square if possible.
- You will play a PowerPoint presentation during the lesson, so you'll need to connect a laptop to a projector and screen.

Preparation:

- Look up the university and state hazing policies and add them to the PowerPoint.
- Find state hazing policies at www.stophazing.org.
- Be sure to review these policies in advance to gain a clear understanding of each set and any differences between them.

Materials needed:

- Projector and screen
- PowerPoint
- Flip chart and markers
- For each participant: "What is Hazing?" handout

INTRODUCTION | 5 minutes

The facilitator should introduce him/herself, welcome participants and thank everyone for attending the session.

Share:

- This program and our discussion today will help you better understand the criminal and civil consequences of hazing and how we could be held accountable as individual members and officers and as an organization.
- As we talk today, remember that there are no dumb questions. My role is to educate, and education is the main focus of our discussion. We are not here to debate our organization's position on hazing or argue about the definition of hazing. We are here to learn about the legal ramifications of hazing.

WHAT LAWS AFFECT US IN TERMS OF HAZING? | 10 minutes

Share:

- There are two types of law that address hazing cases: criminal and civil.
- Criminal law: More than 40 states have statutes that prohibit hazing.
- In a civil case, the plaintiff usually seeks monetary compensation for damages.

FACILITATOR TIP

Distribute the "What is Hazing?" handout. Ask members to volunteer to read the state's hazing law from the PowerPoint.

Review the state's hazing law.

Share:

- You can be charged for hazing as an individual. Convictions may include providing alcohol to minors, assault and battery or aggravated assault and hazing violations.
- A criminal conviction may remain on your record for a number of years, depending upon the state and the significance of the crime.

Discuss:

- How do you think that could affect you in the future?
- What post-college goals do you have that a criminal conviction could really interfere with?

Real-World Consequences

Objectives

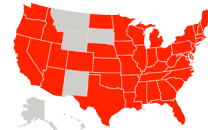
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- Understand members' and officers' accountability in preventing and stopping hazing.

What Laws Affect Us in Terms of Hazing?

- There are two types of law that address hazing cases: criminal and civil law
 - Criminal law: more than 40 states have statutes that prohibit hazing
 - In a civil case, the plaintiff usually seeks monetary compensation for damages.
- You can be charged for hazing as an individual. Convictions may include:
 - Providing alcohol to minors
 - Assault and battery
 - Aggravated assault as well as hazing violations

States With Anti-Hazing Laws

Depending on the state and significance of the crime, a criminal conviction may remain on your record for a number of years.



How do you think that could affect you in the future?

- Convictions of hazing can have far-reaching effects upon your career, especially if your plans include graduate school, law school, medical school or teaching.
- If charged or convicted for hazing, you would likely have to disclose this to prospective employers or on applications. This could severely hurt your chances of achieving the type of future you are passionate about.
- How can we actively discourage hazing within our organization?

What post-college goals do you have that a criminal conviction could really interfere with?

- Civil law: The primary cause of action against chapters, alumni corporations and undergraduates in hazing cases is negligence. This means that your actions (or lack thereof) affect you, our organization and others!
- In order to establish negligence, the plaintiff—the individual or entity bringing the action—must show that there was a duty to do something or not to do something, that there was a breach or failure of duty by the defendant(s), that there was a relationship or nexus between the failure and damages, and that the plaintiff suffered damages.
- Damages can be physical, psychological and emotional and can include pain and suffering. Some states allow for punitive measures as well—a warning to others that they should not engage in this behavior. For this reason, hazing should be actively discouraged.

Share:

- These convictions can have far-reaching effects on your career, especially if your plans include graduate school, law school, medical school or teaching.
- If charged with or convicted for hazing, you would likely have to disclose this to prospective employers. This could severely hurt your chances of achieving your goals.
- If you had two female candidates of approximately equal experience and skills and one woman had a conviction for hazing on her record, which would you select?
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Ask:

- How can we actively discourage hazing within our organization?

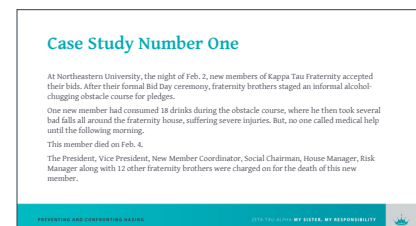
CASE STUDIES | 15 minutes

Discuss:

Let's talk about some real examples of hazing and the legal consequences.

• Case Number One

- » At Northeastern University, the night of Feb. 2, new members of Kappa Tau Fraternity accepted their bids. After their formal Bid Day ceremony, fraternity brothers staged an informal alcohol-chugging obstacle course for pledges.
- » One new member had consumed 18 drinks during the obstacle course, where he then took several bad falls all around the fraternity house, suffering severe injuries; but no one called medical help until the following morning.
- » This member died on Feb. 4.
- » The President, Vice President, New Member Coordinator, Social Chair, House Manager and Risk Manager, along with 12 other fraternity brothers, were charged in the death of this new member.



- » Why do you think these six key chapter officers were named?
 - *If it can be shown that the officers knew or had reason to know of the hazing, and they knew it was wrong but did nothing to prevent it, then the chapter as an entity may be held liable.*
- » What do you think their reason was for not calling for help sooner?
- » Why would you NOT wait to call for help?
 - To quote ZTA’s insurance policy, “If an insured person intends to harm someone, they will not be afforded protection by the policy.” Therefore, members who haze would be excluded from coverage. Individual members, officers and others would be paying for attorneys, damages awarded to the plaintiff and more on their own.
 - These are big expenses that could fall on you as an individual if you choose to go down this path.

• Case Number Two

- » A chapter at Southeast State University had their new members over to the house after spring Recruitment for Initiation night. The night started with innocent get-to-know-you games so the new member class could get to know each other even better and get to know the older members of the chapter. Then, older members of the chapter start playing trivia with the new members, forcing them to drink straight vodka when they answer a question wrong.

FACILITATOR TIP

- *Be firm in your approach. Be prepared for pushback from those who believe hazing is a rite of passage for members.*
- *This would be a good time to remind the chapter who the Judicial Chair is and how to approach her about a concern.*

Share:

- These are real situations. In both scenarios, officers were named as defendants in civil hazing cases because they have a higher duty to eliminate hazing than members who are not officers. The purpose of the program is not to frighten or discourage officers but instead to encourage each one of us to confront negative behavior and set an example of sisterhood.
- Individuals who participate in hazing should also face consequences within the chapter. These members should be held accountable for violating ZTA policies and the sisterhood we strive to create.

Discuss

- Why do you think these six key chapter officers were named?
- What do you think their reason was for not calling for help sooner?
- Why would you **not** wait to call for help?

Case Study Number Two

A chapter at Southeast State University went through spring Recruitment where they had their new members over to the house for Initiation night. The night starts with innocent ‘get to know you’ games so the new member class can get to know each other even better, as well get to know the older members of the chapter. Then older members of the chapter start playing trivia with the new members, forcing them to drink straight vodka when they answer a question wrong.

Summary

- These are real situations. In both scenarios, officers were named as defendants in civil hazing cases because they have a higher duty to eliminate hazing than members who are not officers.
- The purpose of the program is not to frighten or discourage officers but instead to encourage each one of us to confront negative behavior and set an example of sisterhood.
- Individuals who participate in hazing should also face consequences within the chapter. These members should be held accountable for violating ZTA policies and the sisterhood we strive to create.

- **How can they be held accountable in the chapter?**

- The ZTA judicial process is in place for such accountability. This is a confidential process that helps sisters hold each other responsible for upholding ZTA's values and policies. A member charged with participating in hazing would have a meeting with the Judicial Committee and the member who believes she is responsible. They would discuss what happened, hold the responsible members accountable and educate them on the consequences and effects of hazing.

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- They would discuss what happened, hold the responsible members accountable and educate them on the consequences and effects of hazing.

PROSECUTING AND CONSPIRACY HAZING

LET THE SISTER MY SISTER MY RESPONSIBILITY



WRAP UP | 10 minutes

Share:

- Remember the key aspects of civil and criminal law. In a civil case, the plaintiff usually seeks monetary compensation for damages. In the first case, the damages were physical or psychological injuries that resulted from an illegal activity.
- In criminal law, the burden upon the prosecution is much heavier. States have supersized their laws to include felony-level hazing, and more local prosecutors and district attorneys are enforcing the laws to the fullest extent.

Remember...

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PROSECUTING AND CONSPIRACY HAZING

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Discuss:

- How does this make you feel in terms of relying upon your sisters to do the right things with the new members?
- What will you do to help eliminate hazing?
- How could hazing impact us individually and collectively?

The room may be quiet at this point, which usually means that those in attendance are thinking about the legal consequences.

- Does anyone have additional questions?

Wrap Up

- How does this make you feel in terms of relying upon your sisters to do the right things with the new members?
- What will you do to help eliminate hazing?
- How could hazing impact us? Individually and collectively?

PROSECUTING AND CONSPIRACY HAZING

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WHAT IS HAZING?

ZTA HAZING POLICY

No chapter, colony, student or alumna shall conduct, participate in or condone hazing activities. Permission or approval by a person being hazed is not a defense. Hazing activities are defined as: “Any action taken or situation created intentionally, whether on or off Fraternity premises, to produce mental or physical discomfort, embarrassment, harassment or ridicule. Such activities may include but are not limited to the following: use of alcohol; paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside of the confines of the chapter house; wearing of public apparel which is conspicuous or not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; and any other activities which are not consistent with academic achievement, fraternal law, ritual or policy or the regulations and policies of the educational institution or applicable state law.”

Zeta Tau Alpha does not condone any form of hazing by any member, new member or alumnae member. Such activities conflict with the Fraternity’s ideals and traditions and project a negative image of the organization. ZTA collegiate chapters must develop new member programs that reflect the true meaning and high standards of sisterhood. These programs must not demean, embarrass or endanger members or new members.

STATE HAZING POLICY

(Find each state’s policy on www.stophazing.org.)

UNIVERSITY HAZING POLICY

(Search your university website or ask your fraternity/sorority advisor what your university’s policy states.)

WHO CAN YOU TALK TO?

If you have lingering questions after a *My Sister, My Responsibility* workshop, want further information about hazing or need to talk about something happening in your chapter or on your campus:

1. Contact your New Member Advisor, General Advisor or Collegiate National Officer.
2. You can call International Office at (317) 872-0540 if you are not comfortable discussing the issue with women who work with your chapter.
3. If you are uncomfortable speaking to a ZTA about the activity, you may call the Greek Hazing Hotline at 1-888-NOT-HAZE (888-668-4293).

