



Dean of Students Office

Robert L. Nugent Building
PO Box 210040
1212 E. University Blvd
Tucson, AZ 85721-0040
Tel: (520) 621-7057
Fax: (520) 621-9866
<http://deanofstudents.arizona>

November 04, 2019

President [REDACTED]
Alpha Epsilon Pi
masteraerpiarizona@gmail.com
1520 N. Vine

Tucson, Arizona 85721

Dear President [REDACTED]:

The Dean of Students Office (DOS) received reports from multiple sources alleging Alpha Epsilon Pi's (AEPi) involvement in hazing of new members of the organization on or about September 1, 2019.

At the time of the reports, AEPi's Disciplinary status was *Events with Alcohol Suspension* and *University Probation* from a finding of responsibility from Spring 2018 for violations of Student Code of Conduct items: 2. Endangering / Threat / Cause Harm, 3. Sanction Violation, 4. Other Published Rules, 7. Failure to Comply, and 15. Alcohol.

Upon reviewing the allegations, the Dean of Students Office determined that AEPi continued to demonstrate a pattern of high risk behavior and the organization was placed on ***Interim Loss of Recognition***, including *No Contact with New Members*, on September 3, 2019 for the duration of the investigation of these allegations as a remedy to this risk.

In the course of this investigation, the Dean of Students Office gathered information related to the allegations in reports from UA compliance, the Hazing Hotline, Housing and Residential Life, The University of Arizona Police Department (UAPD), and Fraternity and Sorority Programs staff. DOS interviewed fall 2019 new members of AEPi and AEPi student leaders serving as fall 2019 new member/pledge educators. DOS also reviewed an internal investigation summary offered by you in your meeting with our office along with information provided in summary of an active investigation by the UAPD involving an alleged assault of an AEPi new member.

The Student Code of Conduct investigation by The University of Arizona set out to determine if Alpha Epsilon Pi violated the following prohibited conduct items set forth in the Student Code of Conduct:

Code of Conduct/2. Endangering / Threat / Cause Harm - Endangering, threatening, or causing physical harm to any member of the university community or to oneself, causing reasonable apprehension of such harm or engaging in conduct or communications that a reasonable person would interpret as a serious expression of intent to harm.

Code of Conduct/4. Other Published Rules - Violation of, or attempt to violate, other rules that may be adopted by Board or by the university.

Code of Conduct/19. Hazing - Engaging in, supporting, promoting, or sponsoring hazing or violating Board or University rules governing hazing.

Code of Conduct/20. Stalking/Unwanted Contact - Stalking or engaging in repeated or significant behavior toward another individual, whether in person, in writing, or through electronic means, after having been asked to stop, or doing so to such a degree that a reasonable person, subject to such contact, would regard the contact as unwanted.

Code of Conduct/26. Violation of State or Federal Law - Commission of any offense prohibited by state or federal law or local ordinance.

In the course of this investigation, the Dean of Students Office gathered information related to the new member experience during the week of August 26, 2019 through approximately September 2, 2019.

The information gathered described new members being yelled at by the active members. Comments such as “fuck you”, “I’m gonna rape you”, “I am gonna grab your boobs”, “retard” and “don’t fucking stare at me” were allegedly yelled at the new members. Each new member was individually picked on. In addition to the comments, cups of water were thrown and ice cubes were put down the backs of their shirts. The new members lifted their heads and recited an oath. During the oath, a cigarette was allegedly flicked towards the new members, hitting one in the face. After the new members recited the oath, active members began pushing, slapping, and bopping the new members on the head. At least two new members are alleged to have sustained injury to their mouths during this incident.

The new members had to then run to the outside basketball court. There they were told to do “chin to chest”. This activity required the new members to place their cat card between their chest and chin and hold it there while their hands were on the shoulders of another new member. If the cat card fell it was stated that the person would be “fucked”.

Active members continued to make comments to the new members by calling them “pussy” and “retards”.

After the activity you, President [REDACTED], are alleged to have appeared and asked the new members if anyone felt uncomfortable or felt an active member did something wrong to them. A couple of new members expressed displeasure. You allegedly told the new members that hazing was not tolerated in the fraternity.

New members were told that the number one rule to pledging is secrecy. Individuals interviewed said what they experienced is nothing compared to what other fraternities do. When asked what do other fraternities do, it was stated they didn’t know, and it was 'all rumor'. They felt the yelling, assaults, and chin to chest activity are just part of pledging and it didn’t bother them.

In response to the allegations, you offered a detailed summary of events as follows:

Week 1 Pledge Schedule

Monday 8/26: Bid night event was held at 7 or 8 pm (please refer to scheduled time with IFC). Pledges came to the house, ate dinner, and sat in a circle playing the name game. A pledge educator was running this event

while the president and pledge master periodically checked in. It became clear that the pledge educator was setting the wrong tone for the event and was removed from the pledge process until Wednesday. Pledges were at the house no more than 45 minutes (tops).

Tuesday 8/27: Pledges arrived at 5:45. They played name game until 6, at which time they got their dinner. Pledges were made aware that since they have yet to pay meal plan, that they are only able to eat the entrée since the chefs do not make enough of the other courses. Another pledge educator ran the name game while the president checked in. Pledges were not at the house past 7pm.

Wednesday 8/28: Pledges arrived at 5:45pm. It was raining so they played name game under the tent. They went in to get dinner around 6pm, left soon thereafter, and were informed that they needed to be back at 8pm for ritual induction and for the introductions of their pledge board members. When the pledges came to the house, they were instructed by members of the pledge board to go out to the court and to put their cat cards under their chins. This practice is not acceptable nor a part of our pledge program. The matter is currently being investigated and members will be held accountable.

Inductions began at 8:30 pm with the president presiding. The room was completely dark except for the candles on the front table and the phone light the president was using to read. When the pledges entered, the brothers were permitted to be loud. At no time did I hear brothers hurl any insults at the pledges. After the pledges were inducted, they went outside. While they were leaving, a brother shoved one of the pledges. I would later learn that the two are very close friends from back home and the gesture was not intended to be violent. Nonetheless, such behavior is not acceptable regardless of context and the brother was immediately told to leave the house, was banned from interacting with the new members, and was referred to judicial board.

The president had to go upstairs to deal with a tuition payment while pledge master ran the pledge board introductions. A member of the pledge board believes that he saw a brother throw ice up in the air during this time but was unable to determine who it was. This did not occur again in the night. After the pledges were introduced to their pledge board, they went outside with pledge master. The president came downstairs briefly as well to talk with them. The pledges were told that there is no tolerance for hazing and to immediately let any member of the executive board know if they are put in that situation. They are informed that they will never be put in danger nor will they ever be forced to do anything contradictory to their personal beliefs, religion, or sexual orientation. Pledges then left.

Thursday 8/29: Pledges arrived at house at 5:45pm. They went inside to eat at 6 and then had their first education session at 6:30 or 6:45. Appropriate attire, pledge pins, and an overview of their roles and responsibilities were discussed. The president and pledge master were not present for the education session. After education, some pledges remained at the house to help set up with brothers for the social event that night. Granted they didn't have homework; pledges were invited to attend the party. They were given a breakdown of behavioral expectations (no drinking, no pregaming) and were introduced to the idea of bystander intervention.

The president shut the party down at around 12:30am due to a weird smell in the house. The pledges that were still at the party when it ended went upstairs to debrief with Assistant Pledge Master (who is a prior risk manager). After that, some of the pledges helped the president consolidate trash downstairs before leaving.

Friday 8/30: Members of pledge board had a few pledges come to the house at 9 in the morning to further assist the brothers with clean up. The president was not aware of this. Most of the pledges went to Chabad at around 3 or 4pm to help set up for Shabbat dinner. Many did tefillin while they were there. Pledges then walked over to the chapter house at 545. Many expressed that they had a lot of school work, so they were given study hours at the

library with pledge educator. They were there for around 2 hours. Some pledges came back to the house to help brothers set up for the social event on Saturday.

Saturday 8/31: Some of the pledges were invited to attend the party while others were introduced to the role of Event Monitors. Pledges left the house by 5pm. The president gave the pledges explicit orders that they had the rest of the day off and were not to do anything for anyone.

Sunday 9/1: One of the pledges came to the house to help the brothers conduct a fantasy football draft. He stayed for about 30 minutes and then left. The brothers took advantage of this opportunity to give their interviews to the pledge.

Monday 9/2: The pledges officially had the day off from pledgship. The Executive Board and the Pledge Board held a “cross the line” event on Monday night at 8 or 9pm. It was done as normal.

Tuesday 9/3: The president received the email from the Dean of Students regarding the Chapter’s interim loss of recognition. The weekly chapter meeting (which is normally held on Mondays) was cancelled and pledge education was canceled as well. Any pledges that were at the chapter house were asked to go back to their dorms.

Topics addressed in Week 1 of Pledgship:

- 1. Not being afraid to take risks*
- 2. Supporting each other in failure and collectively celebrating each other’s successes*
- 3. Being vulnerable and addressing toxic masculinity*
- 4. The value of philanthropy and standing up for those who can’t stand up for themselves*
- 5. Not being ashamed of your religion*
- 6. Professional skills such as projecting your voice, sounding confident, and carrying yourself with pride*

Proposed action items:

- 1. All members of pledgeboard (with the exception of one) have been placed on suspended status by the president pending individual conduct reviews.*
- 2. Upsilon Alpha is prepared to pilot AEPi’s new new-member program. Thus, pledgship would effectively be abolished at this chapter. Please see attached document*
- 3. Intensive hazing-prevention programming to be developed in accordance with the school and nationals*
- 4. Sponsoring a hazing seminar with guest speakers for Greek community – paid for by chapter*

In considering the information reported and your response, DOS and AEPi are in agreement on the following:

- A member of the new member/pledge education board started the new member (NM) experience by yelling at the NMs; the individual’s behavior was inappropriate
- A chin to chest activity occurred where new members were to keep their catcard from falling from between their chin and chest as part of the education process
- Educators were present during this chin to chest (may have occurred multiple times)
- Chin to chest was inappropriate
- No educators intervened in chin to chest
- A new member was shoved by a member during an activity; the member’s behavior was inappropriate

- New member education occurred on the basketball court to keep members away from new members due to past behavior toward new members
- New members were subjected to darkness and members being loud as part of the experience
- New members were subjected to ice at some point in the experience

The facts that remain in dispute are:

- New members were yelled at and comments such as “fuck you”, “I’m gonna rape you”, and “I am gonna grab your boobs” were said to them
- New members were assaulted during the new member experience

In the initial reports to the DOS, the comments yelled at new members included: fuck you, I’m gonna rape you, I’m gonna grab your boobies, pussy and retard. In gathering information from new members, yelling was confirmed, expected and normalized as ‘not as bad as other frats.’ Some new members denied the negative comments reported to DOS and in doing so used at least one of the terms alleged to have been used.

The negative comments were consistent in each of the reports received including a call from a NM's family member.

In talking with the education board, there was confirmation that members yell but this was ‘messaging around’ with the members having no ill intent. Additionally, each of the educators expressed the educational activities were to occur on the basketball court to limit the interactions with members and made reference to issues in the past with member and new member interactions.

You stated the induction is in a dark space where members are allowed to be loud.

In considering the totality of information provided, it is more likely than not that new members were yelled at, at minimum by a pledge educator but also at large by the members in the house throughout the week of their new member experience before the AEPi Interim Loss of Recognition notice.

You confirmed a member shoved a new member and the new member fell. You addressed this with both the member and the new member.

The member was immediately removed from the event and barred from all new member contact.

The new member stated they are friends from home and everything is ‘ok’.

In addition, UAPD reported to DOS that a new member of AEPi was assaulted during a hazing incident. This case is still an active UAPD investigation and more information on the alleged assault may be considered by the Dean of Students Office at the conclusion of UAPD’s investigation.

The description of the assault reported to UAPD occurred differently than how you described the new member being shoved; they are distinct and different incidents.

Additionally, you made reference to disciplining two active members, a new member educator and another active member who shoved a new member.

You also stated the ‘chin to chest’ and ice incidents were under investigation for additional follow up on member accountability.

In considering the totality of information provided, it is more likely than not that at least two new members were assaulted; one shoved and one kicked.

In addition, there were multiple reports related to yelling and use of intimidating and discriminatory comments toward new members by active members. These allegations, in combination with the physical assaults, demonstrate physical and verbal abuse of the new members in violation of **COC Item 2/ Endangering / Threat / Cause Harm**.

In considering if hazing was present in these incidents, new members of AEPi were the target of the activities led by active members of AEPi at the chapter facility, meeting the first condition of the definition of hazing (the act was committed in connection with ... membership in any organization that is affiliated with the University).

Both physical harm and degradation/potential mental harm were alleged.

You confirmed that a shove of a new member did occur, and, on a separate occasion, a new member educator was suspended from the process for a few days after being described as: overexcited, too intense, amped up, yelled at them, being too much, and was 'setting the wrong tone'.

The shove and the behavior of the new member educator demonstrate examples of the harm and the degradation of new members; therefore, AEPi is responsible for **Code of Conduct/19. Hazing** - Engaging in, supporting, promoting, or sponsoring hazing or violating Board or University rules governing hazing.

Hazing is a violation of University policy and Arizona state law, therefore AEPi is responsible for **Code of Conduct/4. Other Published Rules** - Violation of, or attempt to violate, other rules that may be adopted by Board or by the university and **Code of Conduct /26. Violation of State or Federal Law**.

The number of known incidents that occurred in the short period of time between August 26, 2019 and the date of the *Interim Loss of Recognition* one week later demonstrate that the hazing and contact the new members experienced was not isolated to one incident *or* an individual member. The behavior was repeated and significant. Taking this into consideration, this investigator finds it is more likely than not that AEPi violated **Code of Conduct/20. Stalking/Unwanted Contact** - Stalking or engaging in repeated or significant behavior toward another individual, whether in person, in writing, or through electronic means, after having been asked to stop, or doing so to such a degree that a reasonable person, subject to such contact, would regard the contact as unwanted.

I also considered as aggravating factors in this case: AEPi's current probationary status (through December 2019), AEPi's disciplinary history, the lack of a local advisor, the new member educators standing by while chin to chest occurred and the level of impact on the fall 2019 new member class.

Based upon all information submitted and considered, I find it more likely than not Alpha Epsilon Pi violated the following provisions of the Student Code of Conduct 2, 4, 19, and 20 and 26. These findings and the serious and dangerous nature of the allegations support the sanction of **Loss of Recognition** from The University of Arizona effective immediately through May 31, 2025. *Loss of Recognition* means the withdrawal of Alpha Epsilon Pi as a recognized student organization at the University of Arizona. An unrecognized student organization cannot participate in any University sponsored event and loses the use of University facilities and resources.

Alpha Epsilon Pi may appeal the sanction of loss of recognition to the University Hearing Board by filing a written request for appeal with the Dean of Students Office. (see ABOR Student Disciplinary Procedures section 5-403.C.9 and 10).

Should AEPi present a viable plan to return to recolonize at the UA, a request can be made to the Dean of Students Office and Fraternity and Sorority Programs(FSP). Any mitigating or aggravating factors present from the date of this notice to the time of the request to recolonize will be considered. AEPi must be in good standing with FSP including payment of any outstanding fees.

Retaliation

Please be advised it is against University policy to retaliate against anyone involved in the investigation. To help protect the integrity of the investigative process, I ask you to refrain from disclosing or discussing this matter with possible witnesses or involved parties. I also emphasize the importance of not taking any action that might be construed as retaliatory. The University prohibits retaliation of any kind against anyone who has made a discrimination claim or cooperated in a resulting investigation. Should retaliation be alleged, it is a separate and distinct potential policy violation warranting another investigation. If you have any concerns or questions about retaliation or what could construe retaliatory action, please let me know.

A copy of the Student Code of Conduct and the Student Disciplinary Procedures can be found at the following:

[Student Code of Conduct](#)

[Student Disciplinary Procedures](#)

The Student Disciplinary Procedures provide for a formal appeal of this case to a University Hearing Board. To secure an appeal, go to [REDACTED] or submit a written statement of appeal to the Dean of Students Office, no later than 20 days which is, December 5, 2019. Please refer to the disciplinary procedures enclosed. Submit all correspondence to:

Hearing Board Technical Advisor
The University of Arizona
Dean of Students Office
Robert L. Nugent Building
P.O. Box 210040, Room 100
Tucson, AZ 85721-0040

Sincerely,



Chrissy Lieberman
Associate Dean of Students

c:Kendal Washington White, DOS
Marcos Guzman, FSP
Ethan Cook, Advisor
Andrew Neiberg, AEPi National Office