

NORTHWESTERN UNIVERSITY
EVANSTON, ILLINOIS 60201

DEPARTMENT OF UNIVERSITY RELATIONS
REBECCA CROWN CENTER
633 CLARK STREET
(312) 492-5000

April 18, 1969

REPORT ON THE PROCEEDINGS OF THE UNIVERSITY DISCIPLINE COMMITTEE
ON SUNDAY, APRIL 13, IN MC CAW HALL REGARDING
THE EVENTS OF MARCH 4 AT THE TRIANGLE FRATERNITY

This special weekend hearing of the Committee was called upon advice to the Committee on Friday, April 11, that 21 black students wished to appear before the Committee and admit to various degrees of participation in the wrongful entry into Triangle Fraternity house on the evening of March 4, 1969, and the group action which caused property damage and personal injury.

This wish had been conveyed to the University by Mr. Leo Holt, attorney for the black students, and then to the Committee by Mr. Alban Weber, University Counsel.

In the absence of Vice President for Student Affairs and Dean of Students Roland J. Hinz, who was out of town on University business, Dean John Ritchie of the Law School served as chairman pro tem of the Committee as well as presiding officer. The hearing had been scheduled for 3 p.m., but did not open until 3:45 p.m. due to a delay in the arrival of the black students and their counsel.

Mr. Weber made an opening statement in which he requested that charges pending against 10 black students be withdrawn and that new charges be made against 21 black students (including some of the previously mentioned 10) who had admitted participation. This procedure, which had been endorsed by Mr. Holt, was accepted by Dean Ritchie and arraignment of the 21 black students proceeded as follows:

Charged with disrespect for the rights and property of members of the University community in very serious violation of Section 2b of the Student Self-Determination Bill, Student Handbook 1968-69, p. 17 ~~was~~ 2 students
Charged with serious violation as above -- 13 students
Charged with violation -- 6 students

All entered pleas of guilty through their attorney, Mr. Holt, who was then asked by Dean Ritchie if his clients understood that such pleas entitled the Committee to impose such penalties as it deemed appropriate without hearing additional testimony. Mr. Holt said that his clients did understand this.

Mr. Weber reminded the Committee that criminal charges were pending against some of the persons charged and for the purpose of supporting any findings of the Committee without prejudicing those persons in the criminal proceedings, Mr. Weber and Mr. Holt had agreed upon a stipulation of facts relating to the incident at the Triangle Fraternity house. The stipulation was read into the record.

Mr. Weber stated that the appearance of the 21 defendants before the Committee resulted from an agreement reached with Mr. Holt under which the University had suggested appropriate terms of discipline to which the defendants agreed. He stated that the defendants had agreed to make full restitution for damages to property of the Triangle Fraternity in accordance with professional estimates that would be approved by Mr. Holt and Mr. Weber.

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The suggested terms of discipline were as follows:

For very serious violation — suspension for the balance of the academic year and disciplinary probation for one year after the student's return to the campus

For serious violation — suspension for 30 days and disciplinary probation for one year after the student's return to the campus

For violation — disciplinary probation for two years

Mr. Douglas Quick, president of Triangle Fraternity, who had been invited to the hearing by the University, then requested to make a statement. He said that he regarded it as "completely improper" for the University Discipline Committee to entertain this agreement and the suggested terms of punishment without prior consultation with the injured party. He stated that Triangle had not been consulted in regard to the agreement and that the degrees of seriousness of guilt had not been determined in conference with the injured party (Triangle).

The Committee dismissed to consider the terms of discipline and reconvened at 4:53, at which time Dean Ritchie handed down the disciplinary sanctions according to the suggestions of the University counsel, as stated above.

He also stated that the University Discipline Committee reserved the right to reopen the hearings if full restitution of the property damages were not made to Triangle Fraternity.

Mr. Weber spoke in regard to the charges pending in Evanston criminal court on Monday, April 14, against two of those pleading guilty before the Committee. He said that it was the University's intention to go before the court and say that the University was satisfied with the adequacy of punishment for all defendants. (Note: This court proceeding was later continued to Monday, April 28).

Mr. Weber expressed the University's gratitude to Mr. Holt for his long and arduous work in getting students to admit their participation and accept punishment. He stated that "substantial justice" had been achieved, with due process of law, and that while he was aware that Triangle Fraternity members were not fully satisfied, their interests had always been in the University's consciousness and he felt that, in time, they would come to realize this settlement as a good one.

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March 14, 1969

REPORT OF THE PROCEEDINGS OF THE UNIVERSITY DISCIPLINE COMMITTEE ON FRIDAY, MARCH 14, IN MC GAW HALL REGARDING THE EVENTS OF MARCH 3 & 4, 1969, AT WILLARD HALL AND THE TRIANGLE FRATERNITY

The hearing concerned the charges against four black students--Clinton Bristow, Roland E. Person, John A. Trimble II, and Michael C. Smith--that they made wrongful entry of the Triangle house on Tuesday evening, March 4, 1969, in group action which caused property damage and personal injury. At the UDC meeting of March 8, 1969, all four students pleaded not guilty. UDC Chairman Roland Hinz opened the administrative hearing with the announcement that the charges against Michael C. Smith had been dropped as of March 12. Then he turned the meeting over to Dean John Ritchie of the Law School, who presided. University Attorney Alban Weber introduced into the record of the hearing three items: Section 2b of the Student Self-Determination Bill, which appears on page 17 of the Student Handbook; the University statute regarding the UDC, which appears on page 60 of the Student Handbook; and a letter indicating the appeal procedure from decisions of the UDC.

Leo Holt, counsel for the students charged, moved that the UDC disqualify itself from proceeding further in the hearings based on four aspects of the situation that made a fair and impartial hearing impossible at that time: 1. The absence of substantive University Rules and Regulations defining the misconduct allegedly committed by the respondents; 2. The absence of procedural rules and regulations governing the conduct and functioning of university disciplinary authorities, including this Committee; 3. The absence of specific provisions stating the possible punishment for the alleged misconduct; and 4. With regard to the two respondents presently involved in criminal proceedings, the possibility of self-incrimination resulting from their participation in these hearings.

A recess was declared. The Committee returned after a long meeting and Dean Ritchie made the following points: that the UDC was holding an administrative hearing and not a criminal trial; that the charges placed against the students subjected them to action by the UDC; that the Student Self-Determination Bill states the rules broken; and that the responsibilities and powers of UDC are set forth in the University statutes. He also said, for the Committee, that it was not a denial of due process to proceed with the hearing while criminal charges were pending against two of the respondents because they could remain silent in the hearings and no inference of guilt would be drawn. The Committee, he said, denied Mr. Holt's motion.

Holt then appealed to the Committee to continue the case until the criminal charges against Bristow and Trimble were resolved because without their participation a full and fair hearing could not be held, and their participation at that time could put them in the position of incriminating themselves. As a result, he said, their attorney in the criminal proceedings had advised them not to testify.

The Committee took a lengthy recess to consider this motion. The Committee finally returned and Dean Ritchie announced that after extended consideration and a secret ballot the Committee had voted to continue the hearing until Tuesday, April 15 at 1 p.m. in McGaw Hall.

Dean Hinz made the following announcement in view of the continuance: on the basis of the evidence presented in the hearing on the charges against Richard Tarr, the Committee finds no proof of misconduct on his part, and the charges against him are dismissed.

A discussion followed this announcement in which Holt and Jerry Hosier, counsel for Tarr, raised questions with the Committee about procedures, following which the hearing was adjourned.

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DEPARTMENT OF UNIVERSITY RELATIONS
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March 8, 1969

REPORT OF THE PROCEEDINGS OF THE UNIVERSITY DISCIPLINE COMMITTEE
REGARDING EVENTS OF MARCH 3 and 4, 1969, INCLUDING AN INCIDENT AT
THE WILLARD HALL DINING ROOM AND AN INCIDENT AT THE TRIANGLE FRATERNITY

The ten-member UDC—with one member absent—met in the Second Floor Lounge of McGaw Memorial Hall Saturday, March 8, convening at 10:15 a.m. The first section of the administrative hearing dealt with a charge against Richard R. Tarr, a tech junior, by Miss Mattie E. Harris, an Arts and Sciences freshman, that he insulted her and also grabbed her by the arm during a disagreement in Willard Hall dining room at noon on Monday, March 3. Tarr is a busboy in the dining room.

Dean John Ritchie of the Law School presided over the hearings, and University Attorney Alban Weber led the direct questioning of witnesses.

Tarr pleaded not guilty to the charge. Student Michael C. Smith, acting as counsel for Miss Harris, who appeared at the proceedings, said that Miss Harris wished to withdraw her complaint and that she had elected not to testify against Tarr. Gerald Hosier, Tarr's counsel, requested that witnesses be called to establish Tarr's innocence, which he said was not satisfactorily established by Miss Harris dropping her complaint. He asked Smith to agree to a statement that the charges were not true. Smith declined.

Smith, in a speech quoting from the Black Student Agreement of May 3-4, 1968, made the point that the black student community feels the University is responsible for both of the incidents of March 3-4, that they are not properly represented on the UDC, and that swift University action was not taken in the Willard Hall incident.

The first two witnesses called—Carol Green and Pauline Jones—did not appear. The third witness—Susan Woods—was present but declined to testify. Tarr was the first person to testify. He denied insulting Miss Harris and also of having any physical contact with her whatsoever. He said the policy of the dining hall is to wait until a table is vacant of patrons before clearing it. Miss Harris asked him to clear the fourth place at a table where three other girls were sitting. Tarr told her he thought the table was not that dirty. He did, however, clear off some glasses and put them away. Miss Harris, he said, swept a plate onto the floor, breaking it. Without speaking to her, he went into the service area and notified Mrs. Mary Friedman, Willard Food Service Supervisor.

The next witness was Mrs. Katherine Solomonson, director of Willard Hall. Mrs. Solomonson said she spoke to Mattie Harris within an hour of the incident. Miss Harris said she had broken the plate, but did not at this time say that Tarr had grabbed her. Mrs. Solomonson said she later met with a group of black men students who were looking for Tarr. She discussed in detail who had been informed among her superiors about the incident. Immediate contact was made by phone, and a written report was delivered on Wednesday.

Three witnesses--William Bell, Connie Krinke, and Joan Hakkio--who were present during the incident testified that none could hear the vocal exchange between Tarr and Miss Harris, though they were very close, and that they saw no physical contact between Tarr and Miss Harris.

Mrs. Mary Friedman testified that Tarr notified her in the serving area about the broken plate as soon as the incident happened. Mrs. Friedman said Miss Harris reported no physical contact between them to her. About ten minutes later a group of black men students came into the dining hall saying they were looking for the busboy.

Dean of Women Patricia Thrash testified about the timetable of reports on the incident to herself and Dean Roland Hinz. She said that the incident was considered a problem of bad manners on Monday, but was considered a Student Affairs problem by Tuesday. She said that Assistant Dean of Students Paul Black convinced a group of black men students looking for Tarr at Willard Hall on Monday evening to leave.

Victor Goode, a black student who is resident assistant at the North Shore Hotel, was called to testify by the counsel for Miss Harris. The substance of his testimony was that Miss Harris had reported to him that she had been grabbed by the busboy, that Goode had joined other black male students in investigating the incident at Willard, that he had urged in a meeting with Mrs. Solomonson that a full statement by Miss Harris be included in Mrs. Solomonson's report. He said he also had urged prompt reporting and inquiry because emotions were running high among the black students. The report sent to Dean Hinz's office was examined. It showed that Mrs. Solomonson's report on the incident did not come to the Dean's attention until Wednesday and did not include the complete text of Miss Harris's complaint.

The section of the hearing on the Triangle incident was continued until 1 p.m. Friday, March 14, in the Second Floor Lounge of McGaw Hall on request of counsel for the four black students charged with wrongful entry of the Triangle house on Tuesday evening, March 4, 1969, in group action which caused property damage and personal injury. The grounds on which Dean Ritchie granted the continuance was that the notices for the hearing did not reach those charged until Friday evening and did not reach counsel until 2 p.m. Saturday, thus leaving insufficient time for preparation for the hearing.

The four black students charged--Clinton Bristow, Roland E. Person, Michael C. Smith, and John A. Trimble II--all pleaded not guilty.

The hearing was recessed until next Friday.

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