



Office of Student Conduct

21 February 2008

# confidential copy

Alpha Kappa Lambda Fraternity  
700 NE California  
Pullman, WA 99163

Dear [REDACTED]:

On Wednesday, 13 February 2008, the Conduct Board was convened to hear charges that Alpha Kappa Lambda had violated the Washington State University Code of Conduct for Students. You represented Alpha Kappa Lambda at the hearing. Your advisor, Mr. Jeremy Slivenski, was also present at the hearing.

Alpha Kappa Lambda was charged with violating the following provisions of the Code:

**WAC 504-26-209: Violation of University policy, rule, or regulation.**

Violation of any University policy, rule, or regulation published in hard copy or available electronically on the University web site. Failing to have your resident advisor physically reside in the chapter house at 700 NE California is a violation of the Fraternal Organization Agreement. Failure to properly register social events is also a violation of this policy.

**WAC 504-26-210: Violation of the law.**

Conduct that would constitute violation of any federal, state or local law. Allowing drugs to be sold on chapter property and at chapter sponsored events at the live-outs known as the [REDACTED] and [REDACTED] is a violation of this policy. Furnishing alcohol to minors at social events on chapter property and at the [REDACTED] and [REDACTED] is a violation of this policy.

**WAC 504-26-211: Drugs and drug paraphernalia.**

Use, possession, manufacture, or distribution of marijuana, narcotics, or other controlled substances, and drug paraphernalia except as permitted by federal, state, and local law. Use, possession and distribution of drugs by members and chapter officers on chapter property and at the live-outs known as the [REDACTED] and [REDACTED] is a violation of this policy.

**WAC 504-26-212: Alcohol**

Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by University regulations), or public intoxication are prohibited. Alcoholic beverages may not, in any circumstances, be used by, possessed by, or distributed to any person under twenty-one years of age. Furnishing alcohol to minors at social events on chapter property and at the [REDACTED] and [REDACTED] is a violation of this policy.

The Conduct Board recorded your plea of *Responsible* to WAC 504-26-209, but *Not Responsible* for WAC 504-26-210; WAC 504-26-211 and WAC 504-26-212.

At the hearing, the Conduct Board heard testimony from Pullman Police Detectives Scott Patrick and Bryce Nebe. We also heard testimony from Alpha Kappa Lambda members:

[REDACTED] Finally, we heard from M. Alice Rager, the Fraternity's cook.

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Based on the testimonies heard at the hearing, as well as the information compiled by the Office of Student Conduct in the course of its investigation, the Conduct Board made the following findings of fact:

1. [REDACTED] of the Alpha Kappa Lambda, [REDACTED] bribed [REDACTED], a [REDACTED] member of the Chapter to fraudulently sign a contract to act as live-in advisor (knowing that he had no intention of living in the Chapter house). At the hearing, [REDACTED] admitted that he did this because of the financial incentives provided by the chapter [REDACTED].
2. In August, 2007, Alpha Kappa Lambda held an unregistered function. You told us that it was not a function because there was no evidence that there was a "gathering of 25 or more people." However, one of your members admitted that 72 t-shirts (with "Work Week Date Dash" printed on them) had been purchased prior to the event. We saw photographs of members and their guests wearing these t-shirts and drinking alcohol. Then, implicitly admitting that it *was* a function, you argued that no one on the Chapter's Executive Board knew how to register a function when school was not in session. We considered that the lamest of excuses.
3. At various "parties" at a live-out referred to as the [REDACTED] underage members and guests were provided with alcohol. You initially denied this charge, saying that there was no evidence that underage drinkers were ever provided with alcohol. When we pointed out the photo showing you ([REDACTED]) holding an alcoholic drink, you admitted that the Chapter was responsible for this violation. One of your members also noted that members of the Chapter were responsible for "door duty" at AKL's live-out (the [REDACTED]) to "keep out the cops" during fraternity parties.
4. You denied that drugs had been sold on chapter property. However, several of your members—after being arrested on drug-related charges—were expelled from the chapter. Moreover, photographs of chapter social events showed the presence of Christopher Smith (a known drug dealer) on at least two occasions. In one of those photos, Smith is wearing the "Work Week Date Dash" t-shirt. Another photo shows [REDACTED] (who, along with Christopher Smith was arrested for dealing drugs) at the house. Your [REDACTED] ([REDACTED]) was arrested for selling drugs out of the [REDACTED] after police made a controlled buy of 4 ounces of cocaine. When [REDACTED] was arrested, his wallet contained a "crib" card—indicating that five of your members owed him money for drug purchases they had made. One of your members, according to [REDACTED], had been robbed at gun point of four pounds of marijuana. Finally, we noted that on the mantel of one of the rooms in the [REDACTED] someone had painted "420" in big letters. In the experience of board members, 420 indicates that a place is "marijuana-friendly."

The Conduct Board found, by a preponderance of the evidence, Alpha Kappa Lambda *Responsible* for each of the charges.

Members of the Conduct Board found that you, as the Representative of your Chapter, were not entirely truthful in your testimony at the hearing. You initially denied, for example, that underage drinking had taken place and only changed your plea when we pointed out the photo of you drinking alcohol. You said that no one in the house knew that drugs were being used and sold. Given the amount of drug activity on the part of your members, however, we found that implausible. We also found that the [REDACTED] perpetuated a fraud when he bribed a member to sign a form agreeing to be live-in advisor; the [REDACTED] was selling cocaine, and the [REDACTED] was arrested for intimidating a witness.

Ms Rager (your cook) told us that the freshmen and sophomores are much better than the juniors and seniors. Yet one of the younger men who testified had recently been arrested for possession of marijuana. Moreover, we found that many of the people who were interviewed by the Office of Student Conduct, including those who testified at the hearing, were unfamiliar with the official policies of Alpha Kappa Lambda concerning drugs and alcohol. That was perhaps surprising, given that the [REDACTED] was arrested for selling drugs.

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Certainly, their experiences as members of Alpha Kappa Lambda have not prepared them to operate responsibly as fraternity members.

Therefore, the Conduct Board assigns the following sanctions:

1. Effective immediately, loss of recognition for at least five years. In June of 2013, the Chapter may petition to regain recognition from the University. If the petition is to be successful, it must provide evidence that the Chapter and its members will comport themselves according to University policies.

The intention of the Conduct Board is to ensure that most if not all of the current members of Alpha Kappa Lambda will have graduated and left the University before the fraternity is regains recognition.

2. If the Fraternity gains recognition again, it will be on disciplinary probation for two years.

Alpha Kappa Lambda has the right to appeal the decision in this case and/or the sanction. If you choose to appeal, you must do so in writing (stating the grounds and arguments) to the Office of Student Conduct, within twenty-one days of the date of this letter. If you choose not to appeal, this decision becomes final.

The following are grounds for appeal:

- a. a procedural error which materially affected the decision;
- b. new evidence not previously available which would have materially affected the decision;
- c. the decision was not supported by substantial evidence;
- d. the standards of conduct do not apply to the alleged conduct;
- e. the severity or appropriateness of the sanctions.

If you choose to appeal the decisions or the sanctions of the University Conduct Board, the burden of proof shifts from the University to you. The appeal process is a review by the University Appeals Board of the record of the hearing plus the letter of appeal, including any written argument(s) submitted by you, and new evidence if that is the ground for appeal. It is not a new hearing.

If you have questions concerning the decision of the Board, the nature of the sanctions, or the appeal process, please contact the Office of Student Conduct or me [ljmcint@wsu.edu]

Sincerely,

Lisa J. McIntyre  
Chair, University Conduct Board

cc Chris Wuthrich, Associate Director, Office of Student Conduct