



# The Crossed Swords

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## A Tragedy In Theta Chi

by Dave Westol, Executive Director

On Saturday, February 8th, 1997, the nine members of the Delta Sigma chapter at Clarkson University in Potsdam, New York, invited a number of men they hoped to recruit for the chapter over to the house, located off campus. Included among the twenty or so students who were invited was Binaya Oja, a freshman at Clarkson.

Many of the men who were invited were not academically eligible to join a fraternity. Chapter members had been notified of this by the University, consistent with a procedure established by the institution.

That evening, the guests were given alcohol to drink by members. Police reports indicate that guests were given liquor in bottles, along with beer. According to statements in police reports, Binaya, who was 17 years old at the time, consumed alcohol.

At some point in the evening, Binaya was put to bed on a couch in a third floor room of the chapter house. He never woke up. Members contacted a local hospital the next morning--February 9th--to report that they had an emergency situation. Police and EMTs responded but were unable to revive Binaya.

The official cause of death has not, as of this writing, been determined. However, it is believed to be related to the consumption of alcohol.

The Potsdam Police department immediately began an investigation. Several of the undergraduate members were questioned on Sunday afternoon, including the president and immediate past president of the chapter.

I made an emergency trip to the campus on Sunday evening, February 9th. I met with university administrators on Monday, February 10th, followed by meetings with the undergraduate members, the presidents of all fraternities and sororities at Clarkson, and media representatives.

University recognition of the chapter was withdrawn on Tuesday, February 11th.

On February 13th, all nine undergraduate members of the chapter, and one young alumnus, one boarder, and one

individual who attends SUNY--Potsdam but apparently was associated in some way with the chapter, were charged, individually, with 43 misdemeanors under New York State law. The charges included Hazing and Reckless Endangerment. A total of 473 separate charges were issued by the local District Attorney's office against the members and others.

If convicted, each individual could be sentenced to a maximum of two years in jail.

The Grand Chapter revoked the charter of the chapter effective Saturday, February 15th.

All chapter members had to move out of the house by March 1st. Most were required to move back on campus, because the University no longer recognized the house as approved housing. Two older members, who could live off campus in unapproved housing, moved into an apartment.

The National Board of Trustees, which has a mortgage on the house, is moving to foreclose on the mortgage. The house will probably be sold. The large bright red Theta Chi letters and the name on the front of the chapter house were painted over on February 19th. Now, it is just another house on Elm Street.

If the Fraternity does return to the Clarkson campus, the recolonization of the chapter would not occur before September, 2002. The University and Grand Chapter must approve any recolonization effort. It may well be longer before any return to campus is contemplated, much less undertaken.

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Whenever the Headquarters staff coordinates a convention or Chapter Leadership Conference, or the Deranian Presidents Conference, or another special leadership event, we always sit down afterwards to talk about what happened, and why, and what we can learn from our performance to improve the way in which we do things in the future. The question we always ask ourselves is, "What have we learned from this?"

For you, as our undergraduate members of Theta Chi, the same approach can be utilized in regards to the tragedy at Clarkson.



You have learned.....that a young man lost his life, which is one of the most profound tragedies that any group, any college or university, and any family and any group of friends can face.

It is another example that risk management is not a phrase. It is reality. It is, figuratively and literally, a way of life.

The undergraduate members of the chapter learned....that the charter of the chapter is granted to a chapter. It can be withdrawn in a matter of days.

They learned....that the house, which was the focal point for the chapter, can be vacated and boarded up in a matter of days. In all probability, its halls and rooms will never again echo with the shouts and laughter of Theta Chi brothers.

They learned....that society does not and will not tolerate violations of hazing laws and the illegal use of alcohol.

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Delta Sigma chapter is inactive. After nearly 45 years of existence, and nearly 700 initiates, the chapter is no more. The house will in all probability be sold. It, too, will soon be a part of history.

All undergraduate members are now suspended.

None of the men being recruited who were at the house that night actually joined or pledged Theta Chi Fraternity. When I met with some of them during a return visit to the campus on February 23rd, they were drifting apart.

Alumnus members who return next fall for homecoming will have nowhere to go. Perhaps a group or two from a particular year of graduation, whose members have remained in touch, will gather somewhere. More likely, many alumnus members will walk or drive slowly by the former chapter house, looking for signs of what was. There will be none.

Binaya Oja, the young man who lost his life, was remembered at a memorial service on the Clarkson campus. Over 100 students and others attended to say goodbye. He had many friends on the Clarkson campus, and they remembered him for his sense of humor, his energy, his friendship.

No one said goodbye to Delta Sigma chapter. No one gathered to express their sorrow, or to remember the chapter.

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I met with members of the chapter on two occasions on February 10th. As with any situation of this magnitude, the members displayed shock, anguish, sorrow, and bewilderment. Several were dazed. They had difficulty talking. Words came slowly. Some members sat with their heads down, mumbling responses.

I wish that I could have videotaped the members. I wish that I could have somehow captured the feelings in the room that afternoon and evening.

It is difficult to accurately calculate the losses involved. But, the losses begin with Binaya's death, and end with the sale of the chapter house.

Are our undergraduates listening?

For two chapters, apparently not.

Even as we were working through the Clarkson situation, two more situations arose involving the use of alcohol.

At Alpha Sigma chapter at the University of Oregon, a new member suffered head injuries when he reportedly fell on a wet floor. He had been drinking as part of a "pledge night" activity.

National President Patrick O'Connor placed Alpha Sigma chapter on a thirty day suspension. No activities can occur--no meetings, no social events, no new member activities, no athletic events--until the investigation is completed and a decision reached by the Risk Management and Standards Committee as to the appropriate action to be taken. A Show Cause hearing has been recommended.

At Sigma chapter at Oregon State, a young woman was struck by a beer bottle allegedly thrown from the chapter house during a social event. A meeting has been held with chapter members, university administrators and neighbors. In the meantime, an investigation continues.

The Clarkson tragedy underscores the need to educate all members and to emphasize risk management each and every semester. There is no room for, "We've heard enough" or "We know it all".

As our Alpha Sigma and Sigma chapters are rapidly learning, and as a number of chapters learned last fall, we will continue to respond quickly to any risk management situation. Violation of risk management policies will simply not be tolerated.

In the meantime, Theta Chi Fraternity continues to change.

Since 1988, 35 chapters have been closed by the Grand Chapter. Fifteen of those closings were based on low membership, including seven situations in which the members themselves asked that the charter be revoked. In 20 of those closings, it was the behavior of the members that brought about the closing.

Since 1988, nearly fifteen chapters have been reorganized. Most of those reorganizations can be termed successful, as the members remaining--in some cases less than ten--have rebuilt their respective chapters. As you may know, a reorganization is a membership review. All members are suspended, and then interviews are conducted to determine which members will be invited to rejoin the chapter, and which will be continued on suspension.

Since 1988, over 30 chapters have been installed or reinstalled. With the exception of a few, those chapters have developed into a collective source of pride for our Fraternity. We very seldom encounter problems with our new or reinstalled chapters. Members usually resolve situations through internal discipline. They use standards boards and suspensions. They are not afraid to recommend a member to the Grand Chapter for expulsion.

In other words, through the closing of chapters, reorganizations, and the installation or reinstallation of chapters, over one-half of our active chapter roll has been changed in less than ten years. In some circles, this is known as, "Trading up". For nearly every chapter we have closed, we have opened a better chapter. For most of the chapters which were reorganized, a better, stronger chapter has emerged.

If it takes reorganizing five or ten or twenty more chapters, as was done at Alpha Psi/Maryland, Gamma Rho/Florida State, Delta Theta/Toledo, or Epsilon Tau/Stephen F. Austin, then that will be accomplished.

If it takes the closing of five or ten or twenty more chapters to make the point that we cannot and will not tolerate the concerns that brought about the closing of Zeta/New Hampshire, or Nu/Hampden-Sidney, or Epsilon Rho/Rider, or Zeta Alpha/Slippery Rock, or Theta Upsilon/Frostburg, then that will be accomplished.

If we must devote more time and effort to expansion, under the theory that it is much easier to work with a group of men who want to be gentlemen, who understand the need for risk management, who understand that hazing has no place in our Fraternity, and that a charter is an investment which appreciates over time, then that will be accomplished.

It is much easier to work with a group of men who understand those simple concepts rather than to try to convince members of a social/athletic club with Theta Chi on the front door that change is inevitable, but progress is optional. If that is the best course for our Fraternity to follow, then that will be accomplished.

For all the strengths of our Fraternity, and for all our excellent chapters and colonies, and thousands of outstanding young men who join us each year, and for all of our dedicated alumnus members and volunteers who share countless hours to improve our Fraternity, one chapter on one campus can harm what it has taken us over 140 years, and over 140,000 men to build.

Our Creed begins with the words, "I believe in Theta Chi...."

If our brothers at Clarkson truly understood those words, they gave no indication of it during the evening of February 8th, 1997.

Let us understand that. All else that then follows will be representative of our ideals, values, and standards.

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## CHAPTER DISCIPLINE

The following chapters were placed on Level I Probation on 08/09/96 for failure to seat an undergraduate delegate at the National Convention in accordance to Article III, Section 6 of the National By-Laws of Theta Chi Fraternity:

Pi/Dickinson  
Alpha Beta/Pittsburgh  
Alpha Pi/Minnesota  
Beta Omicron/Cincinnati  
Gamma Eta/Bucknell  
Gamma Mu/Bowling Green  
Delta Upsilon/Arizona State  
Epsilon Sigma/Wagner  
Eta Sigma/Arkansas Tech  
Theta Zeta/North Carolina--Asheville  
Theta Xi/Virginia Commonwealth

The following chapters were reviewed by the Risk Management & Standards Committee (RMSC) for violations of Theta Chi risk management policy:

**Omega/Penn State:** Members "passed the hat", purchased, and served alcohol to members and guests under the legal drinking age. A guest who was only 18 years old became very intoxicated, stumbled onto the street in front of the chapter house, and was struck by an oncoming automobile. The guest sustained serious head injuries.

*Recommendation to RMSC: Level III Probation*

**Alpha Gamma/Michigan:** Chapter furnished a common source of alcohol to members and guest at a mixer with a local sorority. Upon entrance, women were offered shots of vodka. A female guest became very intoxicated and was taken back to her residence by a group of her sorority sisters. Ultimately, the woman was taken to the hospital for treatment of alcohol poisoning.

*Recommendation to RMSC: Level III Probation*

**Alpha Phi/Alabama:** Some chapter members participated in inappropriate activities which included acts of personal servitude and requiring new members to recite information. National President Patrick O'Connor placed the chapter on a 30 day suspension.

*The RMSC placed the chapter on Level III Probation.*

**Beta Upsilon/Fresno:** The chapter hosted an open social event with over 500 people in attendance. Alcohol was provided to guests, including guests under the legal drinking age. Members and guests also participated in drinking games. Undercover investigators cited two underage females with alcohol possession and one chapter member for providing alcohol to minors.

*Recommendation to RMSC: Level III Probation*

**Delta Tau/Kent State:** The chapter hosted open social events with alcohol during the Labor Day weekend, which was one week prior to the Greek system's formal rush period. Underage members and guests consumed alcohol at these events.

*The RMSC placed the chapter on Level III Probation.*

**Zeta Delta/St. Cloud State:** The chapter hosted an open social event with alcohol at the chapter house. More than 200 members and guests were in attendance. Police raided the event and cited over 150 minors for possession of alcohol. A 16-year-old boy was taken to a nearby hospital because police were concerned that he may have had consumed too much alcohol. At least six guests younger than 18 years of age were cited by police for possession of alcohol. The university temporarily suspended the chapter and placed the chapter on probation.

*Recommendation to the RMSC: Level III Probation*