

Case No:

Organization Name: Beta Theta Pi

Incident Date: Feb. 14, 2020

Hearing Date: April 23, 2020

• Incident report/complaint

• Notice of investigation/meeting request

• Notice of charges

• Response to charges

•



Department of Public Safety

University Police 1291 Blankenship Hall 901 Woody Hayes Drive Columbus, OH 43210 614-292-2121 Phone dps.osu.edu

Case P2020-00475

Printed on February 17, 2020

Status Approved Report Type Patro

Primary Officer Reg na Shoopman
Investigator Jason Becker
Reported At 02/14/20 14:11

Incident Date 02/14/20 01:20 - 02/14/20 09:00

Incident Code Cr m na Inc dent

Location 120 W 11TH AVE, COLUMBUS, OH 43210 (Park-Strad ey Ha (0851))

Zone Co umbus Beat South D str ct

**Disposition** Invest gat on Pend ng **Disposition Date/Time** 02/17/20 12:03 **Review for Gang Activity** None

Crime Log Location Park-Strad ey Ha

Crime Log Dispostion Open - Pend ng Invest gat on

### Offense Information

Offense Rape Statute 2907.02

NIBRS Code 11A - Forc b e Rape

Counts 1
Offense Details F1
Include In NIBRS Yes
Completed Yes

**Details** Offender(s)

Used A coho Offender(s) Used Drugs

Bias Motivation No B as/Not App cab e

LocationCo egeEntry ForcedNoForces UsedNone

## **Dispatch Information**

**CFS #** CFS20-04271

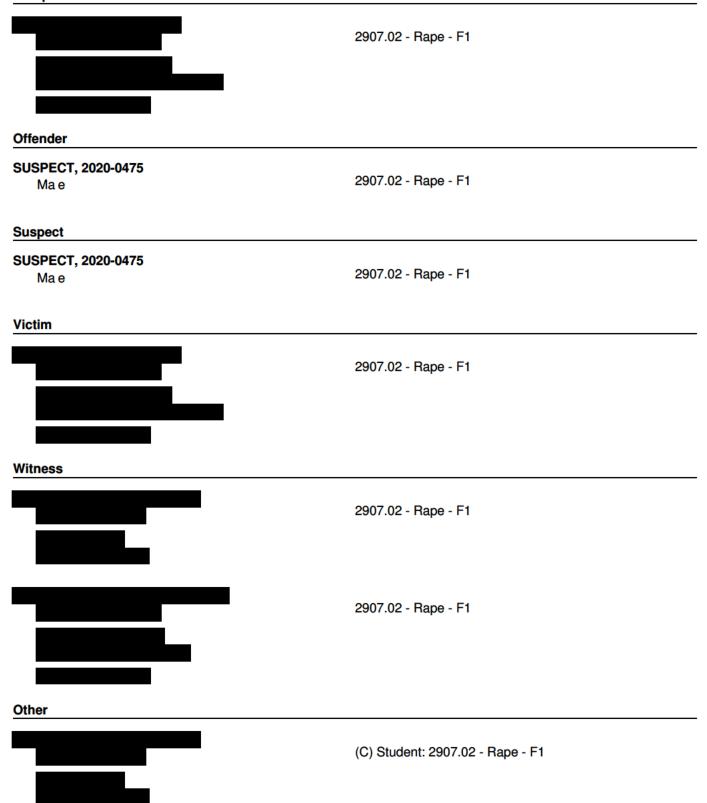
Location 410 W 10TH AVE, COLUMBUS, OH 43210

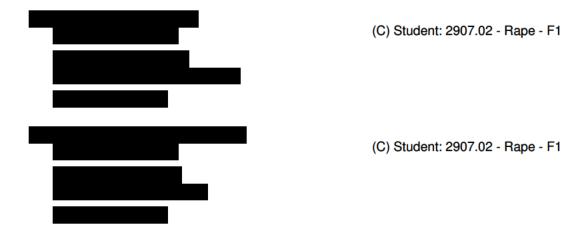
Incident Code 44 : Sex Cr me

Occurred Between 02/14/20 14:11:03 and

**Assigned** 14:16:07 **Enroute** 14:16:07 **On Scene** 14:36:07 **Completed** 15:47:28

## Complainant





# Primary Narrative By Regina Shoopman, 02/14/20 16:09

Fema e student reports Rape by a known suspect.

# Supplemental Narrative By Regina Shoopman, 02/14/20 16:17

On February 14, 2020 at approx mate y 1440 hours, I responded to the OSU Wexner Med ca Center for a sexua assau t report.

Upon arr va I met w th n Emergency . There was an advocate w th her. I asked
what happened and she br ef y exp a ned that she and her fr end,
gone out to a fratern ty/soror ty "pregame" at a fratern ty house on 2/13/20. Around 2330 hours, and after hav ng some
dr nks, they wa ked to the ocated at purchased a m xed dr nk that
she and shared. met a ma e, . Around m dn ght the three of them got on the
." says she vague y remembers the bus r de and arr v ng at "but
does not remember anything after that until the following morning at 0900 hours.
Park-Strad ey. She had no c othes on, fe t ke she had vag na ntercourse, and found a condom wrapper
on the foor a ong w th a gray t-sh rt. dd d not know who she had been w th.
dr nk at the bar may have been drugged. A short t me ater that morn ng (2/14) she rece ved a
snapchat from the ma e she be eves she was w th.
d d not want to dent fy the ma e who she be eves she had ntercourse.
wanted to pursue any act on against the male, but wanted evidence collected in case she decided to.
After ett ng te me what happened, I covered her reco ect on of what happened in more deta. After finishing
nterview I spoke to what happened, it covered her recorded out the OSU Wexner Medica. Center.
stated she had woken up on 2/14 w th no pants on at
remember anyth ng after arr v ng at ether.
and went to the "pregame" at an un dent f ed fratern ty house. They arr ved around 2130 hours.
sa d she on y had four or f ve cans of beer that she had opened.
a so a m xed dr nk, "tw sted tea" that was be ng served at the fratern ty.
dr nk w th her. They eft the fratern ty a tt e after 2300 hours, and wa ked to the
that she wa ked to the "short s de" of the bar and ordered a vodka and soda w that spash of cranberry. She pad w that she wa ked to the "short s de" of the bar and ordered a vodka and soda w that she wa ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the "short s de" of the bar and ordered a vodka and soda w that she was ked to the she
cash and does not know if the bartender was a male or female. Says she and shared that drink.
sa d she never put the dr nk down or eft t. She sa d they were stand ng by a ra and had the dr nk n her
hand, rest ng t on the ra . It was n her per phera v s on, but she was not d rect y watch ng t. sa d she
met at the . She d d not know before this date. said
bought a bott e of champagne the two shared. dd not share n the champagne. says her

reco ectoris become nazy as they were eaving the	sa u the same tirrig. Around
·	She does not remember herse for give the bartender her credit mber paying for one and there until she woke up the following
sa d stayed down the ha overnight. Sa d fee's bad about dorm room with the male. It does not not tak to sa d fee's bad about a sa d fee's bad about sa d fee	he ha to the restroom and ran as cute." to d to d her that he ma e and she eft. teav ng her room mate n the d she ocated a gray t-sh rt n her ondom wrapper. I asked f e d d not. She dec ned me go ng washed her bed sheets and
sa d she thinks she knows who the male she was with because in the morn in a male she did not know. She asked him if he was the one she was with, and he said him what happened and he replied, "We were making out and had sex."  She says she is pretty sure she knows who he is based on his snapchat, but she did not she said she had never met him before this event.	yes. sa d she asked d she d d not respond after that .
sa d she had contacted her parents. They were ab e to prov de her w th a trashowed that she eft around 0113 hours and arr ved at Park-Strad ey around me w th a description of what she was wearing, a white V neck crop sweater and black orange on the inside. She had on black jeans and was wearing her hair down. Her hair ength.	0130 hours. prov ded k z p up cropped jacket that s
I have requested CAC rev ew Park-Strad ey v deo and attempt to ocate she s w th. V deo(camera ) was ocated and requested.	ng nto the bu d ng to see who
The v deo shows at 0118 hours, four peop e get out of a dark sedan, be eved to be an out of the front passenger s de and wa ks away, she s probab y not nvo ved.  dr ver's s de rear. They both wa k to the door.  and the suspect. This male swipes his ID to get this male is nvo ved in the incident or just shared their de.	and the suspect get out of the A ma e gets out of the passenger
E evator camera shows the three get onto the e evator. They a go to the m nutes ater, the ma e that sw ped h s ID to enter the bu d ng gets back on an e evator and goes to the foor.	

At approx mate y 0141 hours, the suspect gets on the e evator (camera and goes to the suspect gets on the e evator (camera and goes back to the suspect gets on the e evator (camera and goes back to the suspect gets on the e evator (camera and goes up to the foor. That is the ast time he is seen on camera. A camera footage was requested. (RITM1382322,RITM1382267)
spoke br ef y w th the SANE nurse gett ng ready to do exam. She stated d d g ve ur ne and b ood samp es for drug test ng. Sad that she d d not request drug test ng. I co ected the gray t-sh rt and open condom wrapper that had brought to the hosp ta. They were oose n her bag when I co ected them. I submitted them into property.
ater Off cer Catron responded to the OSU Wexner Med ca Center and co ected the SANE exam ev dence kt and ogged t nto property.
prov ded a resource packet to and confirmed that received resources from Columbus Police.

# **Property / Evidence**

Item #	Category	Туре	Status	Location	Description
P2020-00475-001	Ev dence	Phys ca	In Custody	Vau t 6F	Art c e - grey t sh rt
P2020-00475-002	Ev dence	Phys ca	In Temporary Custody	Temp Locker 10	Art c e - condom wrapper
P2020-00475-003	Ev dence	Phys ca	In Custody	Vaut 6H	Art c e - SANE co ect on k t



### OFFICE OF STUDENT LIFE

STUDENT CONDUCT
550 Lincoln Tower
1800 Cannon Drive
Columbus, Ohio 43210
614-292-0748 Phone
614-292-2098 Fax
studentconduct.osu.edu

February 19, 2020

Beta Theta Pi
Sent electronically to

### PERSONAL AND CONFIDENTIAL

Regarding Case Number:

To the members of the Theta Delta chapter of Beta Theta Pi,

Student Conduct has received information that describes conduct by Beta Theta Pi on February 13, 2020. The report details concerns related to alcohol management and/or alcohol distribution to underage individuals. I am investigating whether this conduct may have occurred and violated the following sections of the university's Code of Student Conduct:

- 3335-23-04 (I) Alcohol. Use, underage intoxication, production, distribution, sale, or
  possession of alcohol in a manner prohibited under law or applicable university policy or
  facility policy.
- 3335-23-04 (B1) Endangering behavior. Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.

Based on the nature of the allegation, I am directing your chapter not to have any events where alcohol is present pending the outcome of this investigation.

As a leader of the organization you are required to notify the entire membership of this matter. Please send one email with this letter as an attachment to all members of your organization and copy me on the email.

Should any individuals wish to provide information to me regarding this investigation they are encouraged to email me at Reistad.1@osu.edu.

All members of the organization are advised that should they violate the directives listed in this letter that they will be charged as an individual student with the following policy:

3335-23-04(G) Failure to Comply with University or Civil Authority – Failure to comply with legitimate directives of authorized university officials, law enforcement or emergency personnel, identified as such, in the performance of their duties, including failure to identify oneself when so requested; or violation of the terms of a disciplinary sanction

As a leader of the organization, you must contact Student Conduct **as soon as possible**, and no later than February 24, 2020, to schedule a preliminary conference with me. The purpose of this conference is twofold. First, I will explain and answer your questions about the Student Conduct process. Second, you will have the opportunity to explain what happened, to provide materials, and to identify other individuals with information about the alleged incident. Please submit any relevant materials (including your own written statement, text messages, photos, emails, etc.) by email to me at reistad.1@osu.edu prior to our meeting.

# You must bring the following information with you to the meeting, or you may submit it prior:

Guest list for the registered event;

Copy of registered event form;

Name(s) of anyone who served alcohol at the event/pregame (i.e., bartender);

Name(s) of those who live at the property where the event/pre-game occurred;

Any other documents you'd like to provide that demonstrates risk management practices were followed

You may bring one advisor and a registered co-leader (if applicable) to your preliminary conference. Your advisor can be any person who is not involved as a witness or other participant in the case. Upon request, Student Life's Student Advocacy Center (http://advocacy.osu.edu) is able to provide information and assistance in this process.

You will find the Code of Student Conduct and information about our process at http://studentconduct.osu.edu. Additionally, I have attached a Statement of Student Rights and a description of the university's Hearing Procedures to this letter.

Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at (614) 292-6207 (voice), (614) 688-8605 (TTY), ada-osu@osu.edu, or visit https://ada.osu.edu/. One week's notice will allow for seamless access. Should you need additional time in order to seek any appropriate accommodation, please contact me immediately.

If you do not contact our office by February 24, 2020 to set your preliminary conference appointment, I may place a disciplinary hold on your university account. This hold could prevent you from scheduling classes; viewing grades; or receiving transcripts, diplomas or refunds. Please note that if you do not participate in our process, I may continue this investigation without your input. This could result in charges, a hearing, and sanctions if a violation is found.

To schedule your preliminary conference, please call Student Conduct at (614) 292-0748 between 8:00 a.m. and 5:00 p.m. Monday through Friday. Thank you in advance for your prompt attention to this matter.

Sincerely,

Aaron Reistad

Conduct Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas

Alumni Advisor Aaron Moore

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## Student Rights and Responsibilities

The Code of Student Conduct provides the procedures and definitions used to respond to complaints regarding students' behavior. Many of the rights and responsibilities found in the Code of Student Conduct are highlighted below. For a full review of all the rights and responsibilities given to students please refer to the Code of Student Conduct, which can be found at <a href="https://www.studentconduct.osu.edu">www.studentconduct.osu.edu</a>.

- Students shall receive written notice of university charges, through one of multiple methods of communication, including: in person; in a residence hall mailbox; by email to official university email address, which may then direct the student to vie the notice in a secure website; by text message or other electronic communication; or by mail to a local or permanent address. (3335-23-08-A)
- Students are afforded the opportunity to meet with a university official following the notification of charges. (3335-23-08-C)
  - University staff members authorized to investigate complaints usually request a meeting with students prior to issuing charges.
  - Once charges are issued, students can request another meeting.
  - o Students are strongly encouraged to meet with a university official.
- Students may choose to bring an advisor (i.e., support person) for support throughout the disciplinary process. (3335-23-12-C)
  - The advisor may be any person other than a witness.
  - The advisor may only counsel the student and may not actively participate in the process.
- Students are offered options for the resolution of charges. (3335-23-08-D)
  - Generally, students may choose between an administrative hearing or a hearing before the University Conduct Board to resolve charges other than those related to:
    - Academic Misconduct (3335-23-04-A)
    - Discrimination and harassment, including, but not limited to sexual misconduct, based on a protected class, prohibited by university policies 1.15 and 1.10, which can be found at http://policies.osu.edu. (3335-23-02-C)
  - NOTE: If students fail to respond to the initiation of charges and there is enough information to support finding a violation, the hearing officer may issue an administrative decision, as long as the sanctions do not include suspension or dismissal. (3335-23-09)
- An administrative decision allows the student to admit, in writing, to the violation(s), and serves as a request to have appropriate sanctions made by the hearing officer, rather than having charges referred to a hearing body. (3335-23-09)

- o In these cases, the student waives rights to a hearing and any procedural guarantees that come from taking part in a hearing.
- Students have the opportunity to request a separate hearing and choose either an administrative (with one university official) or board hearing, except under special circumstances. (3335-23-10-C)
  - Students will receive notice of the hearing at least 10 calendars prior to the hearing, including all charge(s), logistical information, and statement of student's rights. (3335-23-11-C)
    - The respondent may request to postpone the hearing for a reasonable cause, which must be made in writing and received by the person sending the hearing notification at least 2 business days in advance. Decisions on postponements are made at the discretion of the university. (3335-23-11-D)
  - Attendance at hearings, though not mandated is strongly encouraged, and also limited to, respondents and those directly involved or requested by the hearing body.
  - Students will be informed of witnesses invited to attend the hearing by the university, and will be able to invite relevant factual witnesses to attend. (3335-23-12-D)
    - The respondent will have the opportunity to ask questions of all witnesses.
  - A single record of the proceedings, consisting of written notes, audio recording, or another method determined by the hearing body will be made. This will remain the property of the university but will be made available to the respondent for review during the appeal period. (3335-23-14)
  - Students will only be found in violation if a preponderance of evidence supports the charges. (3335-23-12-E)
- Students found in violation of the code, or who accept responsibility for violating the code, will receive sanctions that should be commensurate with the violations found to have occurred. (3335-23-17)
  - A disciplinary sanction: a formal reprimand; disciplinary probation; suspension; or dismissal, will be given in addition to (in most cases) educational outcomes.
- Students found to have violated the code of student conduct have the right to appeal the original decision. (3335-23-18)
  - All appeals must be sent within five working days after the date on which notice
    of the decision was sent to the student, unless the deadline was extended in
    response to an extension request as described in 3335-23-18-A(2).
  - Students who accept responsibility through an administrative decision waive their right to appeal, except on the basis that the disciplinary sanction is grossly disproportionate to the violation(s) committed.

- Students are limited to one appeal of a decision, and the decision of the appeal officer is final.
- o Information on how to submit an appeal, including grounds for appeal, will be included with communication following a decision from the appropriate hearing body.



#### OFFICE OF STUDENT LIFE

STUDENT CONDUCT
550 Lincoln Tower
1800 Cannon Drive
Columbus, Ohio 43210
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studentconduct.osu.edu

March 6, 2020

The Theta Delta chapter ofBeta Theta Pi Sent electronically to

### PERSONAL AND CONFIDENTIAL

Regarding	Cace	Number	
Regarding	Case	Mullioci.	

To and the members of the Theta Delta chapter of Beta Theta Pi:

Thank you for speaking with me to discuss Beta Theta Pi's conduct case. I am writing to give you an email record of the charges discussed and information shared during the meeting. At this stage of my investigation, there exists reasonable cause to issue one or more charge(s) under the Code of Student Conduct. Charging does not, however, assume that your organization is responsible for violating any sections of the code; it only causes the second half of our process to begin.

I have attached your organization's Charge and Process Form to this email. Please review it carefully and select your organization's resolution option. Our office can usually schedule an Administrative Hearing on any business day. The University Conduct Board hears cases on Mondays and Fridays. If you select a hearing before the University Conduct Board, please indicate which of the available hearing days/start times you prefer. Upon request, our office can provide an excuse letter for employers and instructors.

Once you have completed the charge and process form, you may scan and email it to reistad.1@osu.edu. This form is due by 4:30 p.m. on March 19, 2020. Failure to return this form may result in Student Conduct issuing an administrative decision pursuant to section 3335-23-09 of the Code of Student Conduct, or scheduling an administrative hearing to resolve the charges.

Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at 614-292-6207 (voice), 614-688-8605 (TTY), ada-osu@osu.edu, or visit https://ada.osu.edu/.

Upon request, Student Life's Student Advocacy Center (http://advocacy.osu.edu) is able to provide information and assistance about this process.

Please call our office at 614-292-0748 between 8:00a.m. and 5:00p.m. Monday through Friday,

or email me if you have questions.

Worth Roistad

Sincerely,

Aaron Reistad

Conduct Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas

Aaron Moore Jacob Tidwell



# **OFFICE OF STUDENT LIFE**

STUDENT CONDUCT
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# PERSONAL AND CONFIDENTIAL

Regarding Case Number
CHARGE AND PROCESS FORM
Name: and the members of the Theta Delta chapter of Beta Theta Pi
Email:
<b>I.</b> Charge(s): It is alleged that on February 13, 2020, the Theta Delta chapter of Beta Theta Pi violated the following sections of the Code of Student Conduct:
• 3335-23-04 (I) Alcohol. Use, underage intoxication, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable university policy or facility policy.
The Theta Delta chapter of Beta Theta Pi co-hosted an event where alcohol was provided and failed to successfully implement risk management practices. This resulted in guests under the age of 21 being provided and consuming alcohol.
II. Acceptance/Non-Acceptance of Responsibility: To resolve these charges, place your initials next to your selection.
On behalf of the Theta Delta chapter of Beta Theta Pi I accept responsibility for the violation(s) of the Code of Student Conduct as listed in Section I of this form. <b>I request an Administrative Decision.</b>
On behalf of the Theta Delta chapter of Beta Theta Pi I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. <u>I</u> request an Administrative Hearing before a University Hearing Officer.
On behalf of the Theta Delta chapter of Beta Theta Pi I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. I request a hearing before the University Conduct Board. The preferred hearing day/times for the organization are:
Mondays starting at 9:00 a.m.

Mondays starting at 1:00 p.m.
Fridays starting at 9:00 a.m.
Fridays starting at 1:00 p.m.
<b>III. Possible Sanctions:</b> If you are found in violation, please understand that the Theta Delta chapter may be subject to a formal reprimand, disciplinary probation, deferred revocation of registration, dismissal, or any other sanction and/or combination of sanctions in the Code of Student Conduct.
I have received notice of the charges. I will return this form by email to reistad.1@osu.edu by <b>March 19, 2020</b> at 4:30 p.m. I understand that if I do not return the form, it may result in Student Conduct issuing an administrative decision pursuant to section 3335-23-09 of the Code of Student Conduct, or scheduling an administrative hearing to resolve the charges.
Beta Theta Pi Signature: Date:
Acknowledgements
Beta Theta PiExecutive Board Member Signature: Date:
Beta Theta Pi Advisor Signature: Date:

From:

Subject: Beta Theta P

Date: March 17, 2020 at 10:22 AM

To: Re stad, Aaron Z. re stad.1@osu.edu

JH

### Hello Aaron,

Thank you for all of your help through this process. We appreciate the due diligence you took in the investigation. At this time, On behalf of the Theta Delta chapter of Beta Theta Pi I accept responsibility for all violations of the Code of Student Conduct as listed in Section I of the three forms provided. I request an Administrative Decision.

I am hoping that we can be given an extension to form our sanction recommendations. Life has been quite crazy lately with the Coronavirus updates every day. Let me know if this would be okay.

I hope you and your family stay well during this time! Thanks again.

