

MEMO

To: Honor Committee Members
From: Bill Mandel
Date: 2/15/87
Re: Problem of Jurisdiction between Honor and Judiciary
Committees

The Joint Committee on Jurisdiction met weekly during the fall semester and twice this semester in an effort to narrow down the number of possible solutions to be submitted to the respective committees.

Problems

The problems of jurisdiction between the two committees comprise the areas of overlap and gap. Instances of overlap to which both committees appear to have a claim include:

- 1) Misuse of Identification Cards
- 2) Violations of State and Federal Law
- 3) The Act of Stealing Coupled with Some Other Misconduct, for example, burglary, robbery
- 4) Theft of Services, such as misuse of Univ. FAC numbers
- 5) Entrance into an event or dining hall without fee or proper card
- 6) Vouching

The gap between the two committees is most commonly found in acts which have been adjudicated non-serious by either the Honor System or by a prospective complainant/investigator. Also in the gap is the Bad Check Committee, which has no constitutional home in either the Judiciary or Honor Committee.

In addition to these tangible problems, the Joint Committee addressed the lack of common sense in the current division of authority between the two committees. Outside of "tradition" there seems to be no known reason why stealing is considered an honor offense but murder is not, why stealing property is worse

than vandalizing it, why breaking into a residence and stealing something should be considered by one committee while simply breaking in and not stealing something (but perhaps committing a sexual offense) is handled by another.

Possible Solutions

The Joint Committee investigated a number of possible solutions to these problems. Some of them are listed below:

- * 1) Moving all stealing to Judiciary
- * 2) Moving all lying, stealing, and cheating to Honor, possibly with the elimination of seriousness.
- 3) Merge the two committees
- 4) Expand the definition of Honor
- 5) Give Honor cases which are based on a sense of "dishonesty"
- 6) Give Honor cases which are based on a sense of "distrust"
- 7) Have all L,C,S go to Honor which may at some stage refer to Judiciary
- * 8) Have a standing joint committee review troublesome cases of jurisdiction
- * 9) Have a standing joint committee do the job of triage: all cases come to it for referral to either Honor or Judiciary
- 10) Split the two committees on an academic/non-academic basis
- 11) Split the jurisdiction: Honor getting academic and lying, Judiciary getting non-academic
- * 12) Split the jurisdiction: Honor getting academic, lying, and violations of honor pledges (whether academic or not), judiciary getting non-academic

The last five items received the most support on the Joint Committee. Most of the discussion came to center on # 12, it being the least problematic alternative of those which emerged from a logical division of authority. Numbers 8 & 9 beg the question of guidelines by which such a body would make its decisions. Numbers 10 & 11 do not capture all violations which intuitively are considered honor violations rather than violations of the Standards of Conduct.