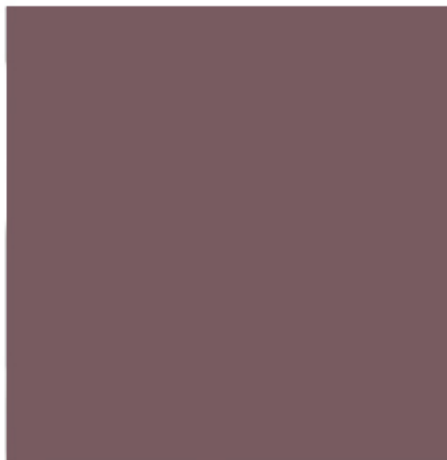
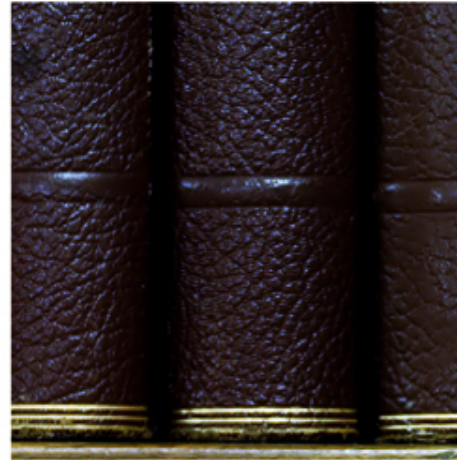


HAZING: A CRIMINAL PERSPECTIVE

SW Rodney A. Edwards, Esq.
Eugene C. Johnson Lodge #318



Mid-Year Workshop
July 16, 2016

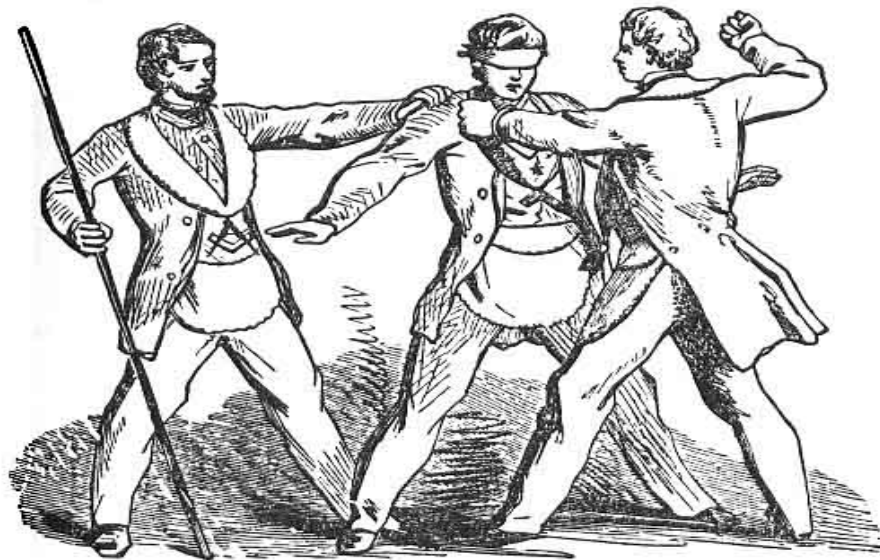
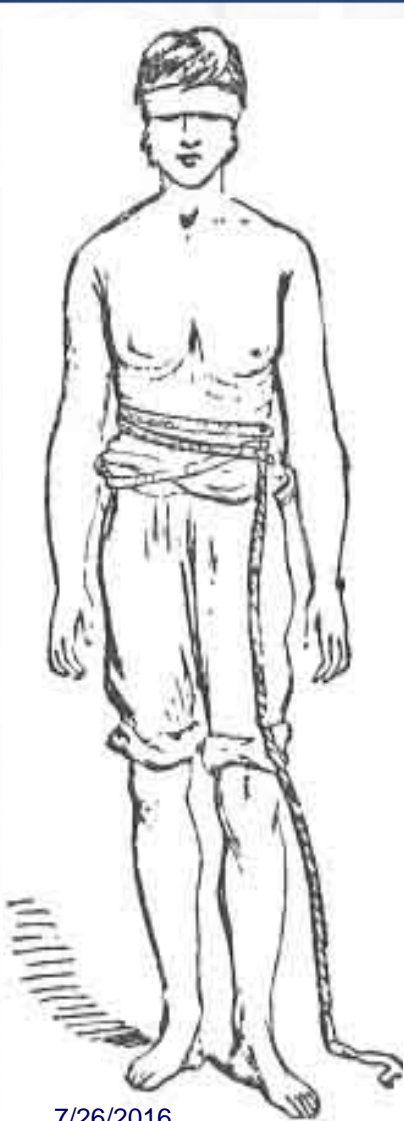
LEARNING OBJECTIVES

- Define Hazing
- Intent vs. Impact
- Identify Criminal Hazing
- Review Cases
- Criminal Impact

HAZING IS?

- Justice Potter Stewart (Obscene Speech)
 - “I shall not today attempt further to define the kinds of material I understand to be embraced... [b]ut I know it when I see it...”

RITUALISTIC RITES & TRADITIONS



WHAT IS HAZING?

- Hazing is a process, based on a tradition that is used by groups to discipline and to maintain a hierarchy (pecking order). Regardless of consent, the rituals require individuals to engage in activities that are physical and/or emotional discomfort. Hazing is about group dynamics and proving one's worthiness to become a member of the specific group.

HAZING IS?

- Reckless or intentional actions which produce mental or physical discomfort, embarrassment, harassment or ridicule.
 - Paddling, excessive fatigue, physical and/or psychological shocks, conducting quests, treasure hunts, scavenger hunts, road trips, public wearing conspicuous apparel or paraphernalia not normally in good taste, public stunts of buffoonery, morally degrading or humiliating individuals through word or deed, after hour sessions.

WHAT IS HAZARDOUS HAZING?

Occurs when the traditions or initiation rites skid out of control and cause significant and lasting physical and/or psychological damage.

BLUEPRINT OF HAZING?

- Newcomer or Victim
 - Is hazed
 - Gains acceptance by the group
- Victim becomes a bystander
 - Watches as others get hazed
 - Achieves senior status and power
- Bystander becomes Perpetrator
 - Do onto others what was done to them
 - They have the right and duty to pass on the tradition

CRIMINAL HAZING HISTORY

- 1838
 - Franklin Seminary (Kentucky)
 - John Butler Groves dies from hazing incident
- 1847
 - Amherst College (Massachusetts)
 - Johnathan Torrance dies of illness following ice bucket custom “Freshman visitation”
- 1873
 - Cornell University (New York)
 - Kappa Alpha Society

CRIMINAL HAZING HISTORY

- 1873 (Cont.)
 - Mortimer Leggett died in a fall into a steep gorge on a walk in the dark
 - Blindfolded
 - Extensive newspaper coverage of this incident
- 1885
 - Hazelton, Pennsylvania High School
 - Student Edward Turnbach died of injuries from a beating by fellow students

MASONIC HAZING CASES

Southside Masonic Lodge #493

- Albert Eid (76) – F/C William James (47) & 10 other brothers
- Basement of Lodge
 - Chairs, Rat Traps, Tin Cans, 9 Ft Tall Guillotine, Set-up designed to mimic walking the plank
- Purpose of Initiation Process
 - “It was just for you to be there and realize you were in good hands, and you didn’t have to fear anything.”

MASONIC HAZING CASES

Southside Masonic Lodge #493 (Cont.)

- Initiation
 - F/C seated in chair with tin cans beside the head
 - Most senior Mason 20 ft. away with gun with blanks
 - Mason near F/C knocks tin cans over
- Two Guns
 - .22 w/blanks in left pocket
 - .32 (Personal) w/live rounds in right pocket
- Incident
- Charge – 2nd Degree Manslaughter

MASONIC HAZING CASES

Andrew Morgan Commandery #9 (MWPHGL Washington) Mannheim, Germany

- Spc. Donald Anthony Wilder
 - Perfect Square Lodge #88 (Member)
 - History of Alcohol Dependency & Treatment
 - Warned parents of Fear of Knights Templar Ritual
- Initiation
 - Consent Given to Hazing Ritual
 - Alcohol Portion of Ritual
 - Blindfolded, Removed shirt, pants, & shoes
 - “Walked the Line”

MASONIC HAZING CASES

- Celebration
 - After Session
 - Bar Hopping (Binge drinking)
 - Passes Out Twice
 - Found Dead in Shower
- Injuries
 - Alcohol Poisoning
 - Large Bruises & Scrapes
 - Buttuks
 - Thighs
 - Scrotum

MASONIC HAZING CASES

- Justification
 - Due to Morgan's Complexion / Nationality
- Charges (Military Tribunal)
 - Negligent Homicide
 - Ruled Out because of Consent
 - Aggravated Assault
 - Cruelty
 - Maltreatment and Dereliction of Duty
- Andrew Morgan Commandery #9
 - All Officers Removed
- Public Relations

CRIMINAL PROSECUTION

Misdemeanor (1st & 2nd Degree)

- Hazing, Assault, Battery, etc.
- Sentence
 - 1 year (1st Degree)
 - 60 days (2nd Degree)
- Fines
 - \$1000.00 (1st Degree)
 - \$500.00 (2nd Degree)
- Attorney Retainer Fees
 - \$2,500.00 (1st Degree)
 - \$1,500.00 (2nd Degree)

CRIMINAL PROSECUTION

Felony (Capital, Life, 1st, 2nd, & 3rd Degree)

- Charges
 - Hazing (College) resulting in Injury/Death, Manslaughter (Voluntary/Involuntary), Aggravated Battery / Assault, etc.
- Sentences
 - 30 years to Life (1st Degree)
 - 15 years (2nd Degree)
 - 5 years (3rd Degree)

CRIMINAL PROSECUTION

- Fines
 - \$15,000 (Life Felony)
 - \$10,000 (1st & 2nd Degree Felony)
 - \$5,000 (3rd Degree Felony)
- Attorney Retainer Fees
 - \$25,000.00 min (1st Degree & Life Felony)
 - \$10,000.00 min (2nd Degree Felony)
 - \$5,000.00 min (3rd Degree Felony)

WHATS AT RISK?



QUESTIONS

What is **BROTHERHOOD** to you?

