

**PERSONAL AND CONFIDENTIAL**

October 15, 2021

██████████, Respondent  
WashU Student

Nick Rodriguez, Complainant  
President, On behalf of WashU College Republicans

RE: Case #00583-001-2021

Dear Parties:

Respondent was involved in an incident which occurred on September 10-11, 2021 on Mudd Field. The allegations concerning that incident are as follows: On the evening of September 10, Respondent was found removing the American flags on Mudd Field, which were a part of an approved 9/11 memorial display created by a student group, the College Republicans. When Respondent was initially approached by the Washington University Police Department (WUPD), he reportedly was untruthful in telling the officer that he was part of the College Republicans, and he allegedly shared that the group ordered new flags to replace the ones he was collecting. When asked to show his student identification card, Respondent initially obstructed his name but ultimately provided it to WUPD. After leaving the area, Respondent returned and began gathering flags again and placing them in a large plastic bag. When students confronted him, Respondent reportedly dropped the bag of flags he had gathered on Mudd Field and then left the area. Other students began replacing the flags, and he returned and began removing them again, which further upset the students. WUPD stepped in to mediate, and ultimately, the recovered flags were taken to WUPD.

On early Saturday morning, Respondent reportedly returned to Mudd Field and began to remove more flags. WUPD again asked Respondent to stop, but he refused. Another WUPD officer arrived and again asked him to stop and speak with her. After the officer advised Respondent that his actions were likely in violation of the Student Conduct Code, he allegedly disagreed and continued to remove the flags. The WUPD officer again asked him to stop and leave the area, and after reportedly yelling profanities at the officer, Respondent left.

Based on the allegations above, Respondent charged with the following violations of the Student Conduct Code:

- *University Student Conduct Code/2. Interfering with the rights - Interfering with the rights of other members of the University community or visitors to the University to engage in educational, recreational, residential, administrative, professional, business, and ceremonial activities or other functions.,*
- *University Student Conduct Code/12. Furnishing false information - Knowingly furnishing false information to the University, or one acting on its behalf, including but not limited to (a) the falsification of information in applications for admission or financial aid, or (b) the intentional passing of an insufficient funds check or fraudulent money order in payment of any financial obligation to the University, or (c) filing a false police report.,*
- *University Student Conduct Code/14. Knowingly making a false claim - Knowingly making a false claim to represent the University or a student group of the University.,*
- *University Student Conduct Code/16. Failure to Comply - Failure to comply with the reasonable and lawful request of University officials or designees acting in the performance of their duties.,*
- *University Student Conduct Code/17. Theft/unauthorized taking - Theft, attempted theft, unauthorized taking or use of any University, public, or private property.*

I met with Respondent, the Complainant College Republicans' President and two other members, one of whom witnessed and video recorded Respondent's actions. I also met with the responding WUPD officers. I have completed my investigation into this matter and am writing to inform the parties of my decision in the case filed against the Respondent under the University Student Conduct Code.

I was able to confirm with the Office of Campus Life that the College Republicans 9/11 memorial with the American flag display on Mudd Field was approved by the University from Thursday, September 10, 2021 through Sunday, September 12, 2021.

In my meeting with Respondent, he admitted that he removed flags from the display and placed them in several plastic bags on Friday night, September 10, 2021 and on Saturday morning, September 11, 2021. Respondent was not authorized to remove the flags. The Respondent shared with me that he took these actions to engage in his own protest and to "cultivate a conversation" that he believes has not been happening around the role of 9/11 and America's history over the past twenty years. He denied being untruthful or uncooperative in his interactions with WUPD.

Following my conversation with the Respondent, I contacted each of the WUPD officers who were present and interacted with him on both Friday and Saturday. Multiple officers stated that he told them he was a member of the College Republicans and that he received a new shipment to replace the flags he was removing. Officers reported that on Friday night, Respondent was asked three times for his student identification, and when he initially showed his student identification card, he covered his name with his fingers. Eventually, he showed them his entire identification card.

On Saturday, when Respondent returned to Mudd Field and again began removing flags, WUPD officers who responded told me they had to ask him repeatedly to stop removing the flags and to have a conversation with them, but he continued to remove flags as they asked him to identify himself. Eventually, he did stop to speak with them and show them his identification. He then left the area.

**CONCLUSION:**

I have considered the evidence and statements gathered during the course of the investigation. I find the WUPD officer statements credible, and I appreciate Respondent's acknowledgement that he removed the flags. I find that it is more likely than not that the Respondent is responsible for violating Offense Nos. 2, 12, 14, 16, and 17 of the Student Conduct Code.

### **SANCTIONS:**

As a result of the finding of responsibility, I am imposing the following sanctions:

#### ***Probation and Warning***

Respondent is placed on probation for the remainder of his enrollment at the University. If Respondent is found in violation of the above offenses or any other Code violation during the remainder of his enrollment at Washington University, the Student Conduct Board will determine sanctions, including potential suspension or expulsion from the University community.

#### ***Educational Remedies***

Respondent will be expected to meet with a university faculty or staff member and complete an essay on a topic, which will be determined by my office. The purpose of this educational sanction is to encourage meaningful reflection on his actions and their impact on other members of our community. I will be in touch with Respondent no later than Friday, October 22, 2021 to provide further details. The deadline to complete this sanction is Friday, November 5, 2021.

#### ***Restitution***

Respondent is directed to pay \$500 restitution for the flags that were damaged by Friday, October 29, 2021. Payment must be made in the form of a check or money order made payable to Washington University and delivered or mailed to the Office of Student Conduct and Community Standards.

### **APPEAL:**

The Complainant and Respondent students have the opportunity to appeal the above decision. All appeals must be submitted in writing within fourteen (14) days from the date of this letter. As set forth in Section VII.C of the Student Code of Conduct, the scope of the appeal is limited to the following:

- the hearing was unfair; or
- the sanction imposed was insufficient or excessive.

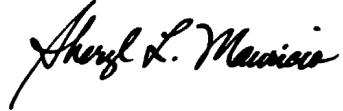
When submitting an appeal, students are encouraged to provide all relevant materials to support their request for review. Upon receipt of the materials, the Chair of the University Student Conduct Board will review the materials and issue a written decision.

Appeals should be emailed to **[StudentConduct@wustl.edu](mailto:StudentConduct@wustl.edu)**.

If either party has any questions regarding the decision or appeal process, please feel free to contact me. For information regarding the University Student Conduct Code and Procedures, including the review

process, please refer to the Office of Student Conduct and Community Standards website at <http://studentconduct.wustl.edu>.

Sincerely,

A handwritten signature in black ink that reads "Sheryl L. Mauricio". The signature is written in a cursive style with a large initial 'S'.

Sheryl L. Mauricio  
Associate Dean for Student Conduct and Community Standards

cc: Robert M. Wild, Associate Vice Chancellor for Student Affairs and Dean of Students