



Kappa Alpha Psi Fraternity, Inc.®

RISK AVOIDANCE COMMITTEE

“All For One and One For All,

United We Stand, Divided We Fall

Alexander Dumas

“The Three Musketeers”

Vision & Purpose

We are one layer of the comprehensive shield protecting Kappa Alpha Psi. Our purpose is to educate, motivate and empower our Brothers to protect Kappa Alpha Psi by preventing activities that threaten the long-term sustainability of the Fraternity.



Kappa Alpha Psi Fraternity, Inc.®

Risk Avoidance Committee Members

Darryl A. Parson, Esq., Co-Chair
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Committee Description

The Risk Avoidance Committee seeks to help the Northeastern Province and its member Chapters manage the inherent risks that accompany our various Guide Right, Membership Intake, collegiate, community, and social activities while minimizing situations that threaten the health and welfare of Kappas, prospective members, and the socio-economic viability of the Fraternity.



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2019 – 2020 Committee Goals

1. Collaborate with the Membership Training Academy to educate our newest Brothers concerning the risks of activities violating our Constitution and Statues
2. Review Fraternal websites to eliminate inappropriate depictions of the Fraternity, its motto and symbols
3. Monitor the number of individuals and vendors licensed to display and sell Kappa paraphernalia



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- **S** – ensure the Safety of your Person, your Chapter and our Fraternity.
- **M** – Be Mindful
- **A** – Aware of your environment
- **R** – Respond to the challenge
- **T** – Talk to one another



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Avoid – Stupid & Senseless (“ASS”)

- Alcohol Abuse – Avoid binge drinking it changes behavior
 - Avoid Drunk Driving – Uber / Lyft
- Drug Abuse – Avoid Social Drugs they change behavior
- Physical Abuse – Includes Women & Prospective Members
- Communications – Messages from Facebook, Twitter, etc. can be recovered

Reduce – Unnecessary Nuisances (“RUN”)

- No: Booze Cruises, X-Rated events & titles
- Yes: Open Community & Collegiate events
- Yes: Sexy & Classy parties - “Stogies & Stilettos”

Accept – Inherit Risks (“AIR”)

- Initiating New Members poses a risk, but the process is worth the time & effort.
- Hosting Community Events poses a risk, but the programs are worth the time & effort.
- Be Strong! Be Smart!



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2019 – 2020 Committee Objectives

- ❖ To encourage each Kappa to accept responsibility for his decisions and actions thereby protecting the Fraternity, Province, and individual chapters
- ❖ To encourage each Kappa to assist in the protection of our history, traditions and symbols
- ❖ To collaborate with the Chapter Advisors and Investigation Committees to protect the history, traditions and symbols of the Fraternity
- ❖ To encourage each Chapter to protect its financial assets through greater use of our Event Checklist for insurance coverage



Kappa Alpha Psi Fraternity, Inc.®

Protecting the Images of Kappa

Official Colors: Crimson and Cream

•Pantone Matching System Color 207 Crimson and PMS Color 7499 Cream

ΚΑΨ

ΦΝΠ

Kappa Nupe

OUR assets worn by our Brothers Only!!!



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The Images of Kappa

Kappa Alpha Psi Fraternity, Inc.® has a Vendor License Program accessible through the Fraternity's website:

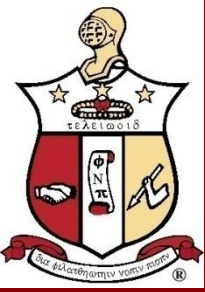
- <https://kappaalphapsi.org/vendors/>

\$350 for Kappas in Good Standing, \$500 for all others

Kappa Alpha Psi Fraternity, Inc.® has a list of Official Vendors also accessible through the Fraternity's website

Official Jeweler = Herff Jones - www.herffjones.com

Official Vendor = Nupemall – www.nupemall.com



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The Social Networks – Protect Kappa

We are Men of Distinction. Do not damage or degrade our name or our symbols!

Monitor your Chapter and personal internet sites!

- Delete improper messages and images
- Update on regular basis – monthly, quarterly, etc.
- 2013 – Pi Kappa Alpha – Florida International
Chapter suspended – Members used Facebook to sell drugs,
post X-rated pictures and discuss hazing
- Monitor “affiliate” sites, e.g., Chapter (Blank) Alumni

Abandon any symbols of Playboy Enterprises, Inc., including their name or rabbit head trademarks. Symbols still present at Grand Chapter meeting.

Real Playboys wear Crimson & Cream!!!

Our Image – Our Property – Our Dream



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Finances & Insurance

Attention: Polemarchs and Committee / Event Chairmen

- Chapters should complete the “Insurance Event Checklist Form.”
- Create event in KappaOrg
- The insurance form is required to invoke the coverage.
- *10/21/18 – Kappa Lambda (Clemson) hosted homecoming party and the floor collapsed*

The document is a great checklist for planning your event:

- Administration
- Security
- Alcohol – No Chapter may sell alcohol under Fraternity’s liability policy
- Social host liability
- Athletic event liability

The insurance form applies to ALL Kappa activities, including meetings.



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Membership

HAZING IS ILLEGAL IN EVERY STATE OF THE NEP

The following is a compilation of current state statutes that outlaw hazing. Typically, statutes prohibit any willful action that recklessly or intentionally endangers the physical health of a student; some statutes include the mental health of a student as well. Many statutes enumerate certain acts which constitute hazing, i.e. sleep deprivations, forced calisthenics and drug and alcohol use. Although a particular state may not have enacted a specific hazing statute, often actions that constitute hazing may be prosecuted under other criminal statutes, such as assault or reckless endangerment statutes.

In the vast majority of states, **consent** by the pledge or new member is not a defense to hazing.



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Membership

Connecticut - § 53-23a

Prohibits the endangerment of the health and safety of a person for the purpose of initiation. Student organizations, in addition to forfeiting rights at an educational institution, may be punished by a fine not greater than \$1,500 while individuals may be fined up to \$1,000.

Delaware - Title 14, § § 9301 to 9304

Class B misdemeanor. For the purposes of initiation it shall be presumed to be a forced activity. Requires all institutions to adopt and enforce a written anti-hazing policy.

Maine - Title 20-A, § 10004 and § 6553

Applies to post-secondary, secondary and elementary levels. The penalties and rules are to be determined by the school board or the board of trustees, which shall disseminate the information to the students. The secondary and elementary definition has been expanded from the reckless endangerment standard to include harassing behavior and the risk to school personnel.

Massachusetts - Title 1, Chapter 269, § § 17 to 19

An organizer or participant of hazing shall be fined not more than \$3,000 and/or imprisoned not more than one year. Failure to report an incident of hazing shall be punished by a maximum fine organizations are responsible to acknowledge annually the receipt of notification of state hazing law.



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Membership

New Hampshire - § 641:7

Class B misdemeanor - punishments include failing to report hazing. Education institutions may also be charged with a misdemeanor for knowingly condoning hazing or negligently failing to take adequate measures to prevent student hazing.

New Jersey - Title 2C, § § 40-3 to 40-4

Hazing is a disorderly persons offense, however if hazing results in serious bodily injury then the person is guilty of aggravated hazing, which is a crime in the fourth degree.

New York -Penal Code § § 120.16 to 120.17

Class A misdemeanor if physical injury occurs. Second degree hazing for the substantial risk of bodily injury.

Pennsylvania - Chapter 24, § § 5352 to 5354

3rd Degree Misdemeanor. Educational institutions with the power to grant associate or higher degrees must adopt an anti-hazing policy.



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PENALTIES & DEFENSE

Civil & Criminal

- Civil and / or Criminal defense is expensive and time consuming
- The Fraternity will Not defend your civil suit or criminal prosecution
- Kappa is Not the savior.

Collegiate

- Collegiate administrators may bring additional charges against a student, e.g., violation of Student Honor Codes or Codes of Conduct
- You can be Suspended or Expelled without a criminal conviction
- Due Process may not apply

Fraternity

- Expulsion, Suspension and/or Fines



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Hazing Risks Today

UConn	2018	Nu Psi suspended until 2028, 7 collegiates expelled, 4 members of Hartford Alumni
Morehouse Univ.	2018	Pi chapter suspended until 2028
Univ. of Kentucky	2017	KAΨ chapter suspended 6 years by college
Hyattsville/Landover Alumni	2015	Kappa sued for \$2 million. Prince George's County Police officer named in suit and suspended.
Coppin State	2015	Kappa sued for \$4 million. (Same attorney in both cases, also sued AΦA for \$3M)
Virginia State	2013	2 students killed pledging "Men of Honor" social organization -- Students died trying to cross river rapids 3 men arrested – ages 19, 26 and 35!!!
Northern Illinois	2012	Pi Kappa Alpha pledge dies from heart attack with alcohol intoxication as cause
FAMU	2007	2 Kappas convicted of hazing and sentenced as felons

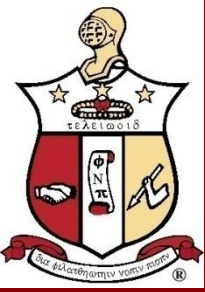


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Hazing Impact on the Fraternity

Cal. State Bakersfield, 2013	3 Kappas pled “no contest” to hazing charge for 2011 incident -- Prospect suing Kappa although no Chapter was on campus,
Univ. of Florida 2012	13 Kappas charged with offenses from 2010-2012
Youngstown State 2012	9 Kappas indicted, Chapter suspended 15 years 1 Kappa pled guilty, age 28
Wayne State 2010	Unspecified punitive damages
Univ. of Kentucky 2009	Unspecified punitive damages
UT – Chattanooga 2009	\$500,000 Compensatory damages, \$500,000 punitive damages
Southeast Missouri 1996	\$2.25 million settlement in death of pledge
Tennessee State 1994	A Kappa sued Kappa for prior hazing

Be Strong & Be Smart!!!



Public Relations Risks

- Letters, E-mails, Texts and Voicemails can last forever.
- Carefully review correspondence regarding the Fraternity.
- Carefully follow MTA procedures
- We CAN and SHOULD reject inappropriate candidates
- Make sure you Communicate through proper forums

Goodwill is an asset. Value it.



Membership Intake

- RECRUIT the Best!!!
- Coaching axiom: “It’s not about the X’s and O’s, it’s about the Jimmies and Joes.”
- Fill the pipeline with qualified, motivated, and influential candidates.
- A personal relationship mitigates the greatest risks.