

March 29, 2022

Rory O'Connor
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear Rory,

The Office of Student Conduct and Ethical Development received a report regarding an incident on March 27, 2022 that states you threatened student representatives of Young Americans for Freedom with bodily harm via your Instagram post. As a result, you are being charged with allegedly violating the following sections of Part III of the *Code of Student Conduct* ("Code"):

1. I (Disorderly Conduct): Acting in a manner which annoys, disturbs, interferes with, obstructs, or is offensive to another/others.

A student conduct conference has been scheduled for you at **10:00 am**, on **Thursday, March 31, 2022**, at [REDACTED] in order to determine whether it is "more likely than not" that you are responsible for a violation of the *Code*, and, if necessary, to determine appropriate sanctions. If you fail to appear at this meeting, a decision may be rendered in your absence based on information contained in your student conduct file. For virtual meetings, please ensure your internet connection is stable; you may need to be hardwired in for best results.

The guidelines of Part V(B)(2) of the *Code*, include but are not limited to the following. For additional information, please go to policies.catholic.edu to review the *Code* in its entirety.

- The ability to request a reasonable extension of time to prepare for the proceeding;
- Reasonable access to review the case file prior to and during the proceeding;
- The opportunity to provide additional and relevant information no later than two (2) business day prior to the proceeding;
- The names of witnesses who have relevant and necessary information pertaining to the incident (these individuals will be invited by our staff to participate in the proceeding, but are not required); character witnesses will not be heard;

Office of Student Conduct and Ethical Development

620 Michigan Ave., N.E. | Washington, DC 20064 | 202-319-5619 |
cua-studentconduct@cua.edu | studentconduct.catholic.edu |

- To have one advisor present who will provide support and consultation to you during the proceeding; the advisor may not speak during any student conduct proceeding except privately to the party being advised; and
- An outcome supported by a preponderance of evidence; specifically, it should be acknowledged that a greater weight of evidence has been demonstrated in order to decide in favor of one side over the other (a preponderance of the evidence does not necessarily mean the greater amount of evidence, but rather the greater quality of evidence – making it more likely than not the matter in question is true).

Prior to the conduct meeting as scheduled above, you should review the attached *Acknowledgement of Student Conduct Proceedings* and return the signed form to zeich@cua.edu.

If you have any questions regarding your privileges under the *Code*, student conduct procedural guidelines or your status as a student at The Catholic University of America, contact me at (202) 319-5619 or zeich@cua.edu.

Sincerely,

A handwritten signature in blue ink that reads "Heidi Zeich". The signature is written in a cursive, flowing style.

Heidi E. Zeich
Associate Dean of Students

Acknowledgment of Student Conduct Proceedings

Name: Rory O'Connor

Student ID: [REDACTED]

Conduct Officer: Heidi E. Zeich

Case Number: [REDACTED]

Statement of Charges:

I hereby acknowledge written notification of the specific charges for my case and information on procedural guidelines for student conduct proceedings.

Charges:

- I (Disorderly Conduct)

Guidelines for Student Conduct Proceedings:

1. The respondent shall receive advanced written notification of the specific charges and the date, time, and location of the scheduled proceeding. Notice will most often take the form of a letter delivered to a student's University e-mail account and/or residence.
2. The respondent may request a reasonable extension of time to prepare for the proceeding. Requests for an extension will not be granted for a period to exceed two business days except in unusual circumstances where the respondent can demonstrate the necessity for a longer delay. All requests for extension of time should be made in writing at least one business day prior to the scheduled proceeding, except in cases of documented serious illness or emergency.
3. The respondent shall be afforded reasonable access to review the case file prior to and during the proceeding, and may request a copy of a redacted incident report from SCED. "Case file" means the file containing those materials pursuant to the Family Educational Rights and Privacy Act (FERPA) of 1974. If additional information becomes available and is relevant, it will be discussed and reviewed at the proceeding. The notes of University staff members and investigators are not included in the case file and thus are not accessible. Names and other information of students may also be redacted in the incident report as appropriate for confidentiality.
4. The respondent shall have the opportunity to provide to SCED additional and relevant information that is not contained within the incident report to be considered during the proceeding. Any such additional information should be submitted in writing at least two business days prior to the proceeding.
5. The respondent may provide the names of witnesses from the University community who have relevant and material information pertaining to the incident. Any additional witnesses must be submitted to SCED in writing at

Office of Student Conduct and Ethical Development

620 Michigan Ave., N.E. | Washington, DC 20064 | 202-319-5619 |
cua-studentconduct@cua.edu | studentconduct.catholic.edu |

least two business days prior to the proceeding. These individuals may be invited at the discretion of SCED to provide information related to the incident. Ordinarily, witnesses who are not members of the University community will not be invited to serve as a witness in the proceeding and expert witnesses generally will not be invited.

6. Proceedings will be closed to non-participants and to the public, including friends and University personnel without an official interest in the case.
7. A respondent may be accompanied by one advisor. The role of the advisor shall be limited to support and consultation; the advisor may not speak during any student conduct proceeding except privately to the respondent, nor shall the advisor question or address witnesses. Violation of this expectation will result in the advisor being removed from a proceeding at the discretion of the student conduct administrator. In consideration of the limited role of an advisor, and of the interest of the University to expeditiously conclude the matter, a proceeding will not normally be delayed if an advisor is unavailable.
8. During the proceeding, the respondent shall have the opportunity to respond to the information related to the alleged violation of the *Code*.
9. Information or testimony that does not directly relate to the facts at issue, but instead reflects upon the character, reputation, personality, qualities or habits of the respondent should not be presented and, if offered, may be excluded.
10. A respondent who fails to appear at a scheduled proceeding without good cause (e.g. documented serious illness), after proper notice of such a proceeding, may be adjudicated in absentia, and forfeits all rights to an appeal unless it is for lack of proper notice, as required herein. In such cases, decisions will be based solely on information available or information presented during the proceeding.
11. Proceeding outcomes must be supported by a preponderance of evidence. Preponderance of evidence means that a greater weight of evidence supports the conclusion that a fact is true, or to establish that an event occurred. A preponderance of the evidence does not necessarily mean the greater *amount* of evidence, but rather the greater quality of evidence - making it more likely than not the matter in question is true.
12. A respondent may be found responsible for any prohibited conduct (including sections of the Code for which he or she was not originally charged) when behaviors that were previously unknown are discovered during the course of the student conduct proceeding or if it is determined that a different section of the Code more appropriately addresses the conduct in question.
13. The outcome of the proceeding shall be conveyed to the student in writing.
14. An audio or audiovisual recording may be made by the Dean of Students Office. No other individuals present at the proceeding are permitted to make a recording. The recording is property of the University and will remain in the Dean of Students Office. A party that is preparing an appeal may listen to the recording but may not duplicate it. The recording will be preserved until the conclusion of the appeals process. The conduct officer will facilitate the recording; however, issues that result in no recording, a limited recording, or an inaudible recording are not considered procedural errors for the purpose of an appeal.

Honesty Statement:

It is expected that all information presented will be true and complete. Providing false information violates the Code of Student Conduct, and may result in additional disciplinary action by the University.

Student Signature: _____ **Date:** _____

Conduct Officer Signature: _____ **Date:** _____

**Catholic University of America
Student Conduct Incident Report**

Submitted on March 28, 2022 at 2:44:17 pm EDT

Nature	Conduct Referral
Urgency	Normal
Incident Date and Time	2022-03-27
Incident Location	Other (On Campus)

Reported by

Name:
Title:
Email:
Phone
Address:

[Authenticated as zeich]

Involved Parties

Rory O'Connor (5177980)

Person of Concern

██████████
Male

████████████████████
██████████

Description

Please include as complete a description as possible. (Ex: who/what/when/where/how)

I regret to email you out of necessity and concern for my campus group's safety. After reaching out to CUA Compliance, I have been directed to contact you at Dean of Students.

Last week, my chapter and I (Catholic University Young Americans for Freedom) hosted an open discussion, inviting any students to come and discuss the ongoing controversy of transgender athletes in women's sports. Unfortunately, we were then subjected to constant online harassment. Although we were expecting push back, we were not expecting to be sent a death threat by a Drexel University student through Instagram Direct Messaging, nor were we expecting to be flooded with self-proclaimed cyber-bullying efforts by Catholic University student Rory O'Connor.

Attached are a series of Instagram stories Rory placed on his Instagram story, for all of his followers--many Catholic University students--to see. One of the stories, one which I am specifically concerned about, is a threat to my chapter, as he tagged @catholicuyaf.

Quoted, the Instagram story stated (I apologize for the swearing and misspelling, however I wanted to keep this as non-editorialized as possible):

My terms to stop cyber billing the shit out of @catholicuyaf are simple

Do you wanna keep your post or do you wanna keep your kneecaps?

This post is in addition to a variety of Instagram stories all tagging @catholicuyaf, each of which are misrepresentative of our views, of our tabling, and of us as individuals. Because there are so many posts, I have attached them in a Google Drive folder here.

Rory O'Connor Harassment

I hope to hear from you soon. A Catholic University student should never threaten, harass, or bully other people, including other CUA students.

Please provide a complete inventory of any alcohol or other drugs and related items observed.

NA

Which of the following individuals responded to this incident (check all that apply)?

Other (specify in the incident description)

Did this situation involve an evaluation by medical personnel?

No

Did this situation involve a hospital transport?

No

Did this situation appear in any way to involve alcohol?

No

Did this situation appear in any way to involve other drugs?

No

Did this situation involve a visitation concern?

No

Attachments

img7948.pdf

Pending IR [REDACTED]

Submitted from 136.242.8.31 and routed to Allison M. Mockler (Associate Director, Student Outreach and Support). Processed by routing rule #72.

Copies to: zeich@cua.edu,kerra@cua.edu

21h



**My terms to stop cyber billing
the shit out of @catholicuyaf
are simple**



Do you wanna keep your **post** or do
you wanna keep your kneecaps?

Send Message

