

WHO KILLED JANE DOE? FACILITATOR NOTES

In the large group, tell the participants that they are going to break into small groups (5-6) and the group is to read the scenario and gain consensus of who was to blame for the death of Jane Doe. Rank the nine in order of most to least. Based on the group, you can be intentional and have them count off, encourage them to get with people they might now know as well or just have them self-select. Give them about 15 minutes for this task.

You might get questions regarding if we are ranking based on legal, suffering, moral or which perspective. Tell them they are able to complete however they prefer.

When they come back to the group, ask them “Who is blame for Jane Doe’s death?” They will all likely yell out “Jane.” At this point you can agree. Jane is dead and her decisions contributed significantly to the tragedy. Then you move on...”Who else is to blame?”

At this point you will facilitate for about five minutes and have folks say who was blame and justify their answer. Likely participants will challenge and you can push back. At some point, the conversation will come to a point where the discussions are breaking into legal versus suffering.

At this point, the facilitator then discusses there are two ways to look at Jane’s death. If we are looking at who will suffer the most because of Jane’s death, the participants will give you the logical answers in order (parents, Karen, sorority, fraternity, Greek community). The facilitator can give some insight / personal life experiences here on being a parent, losing a friend, etc.

When a parent loses a child, they look at the evening/incidences and wonder who was to blame. Lawyers are hired and essentially they start at the end of the evening and works towards the beginning. Ask the participants “Why?” The alcohol that was last in her system ultimately was the alcohol the killed her. So, work backwards and tell me who was to blame?

- National Fraternity, Local Chapter, Housing Corporation will likely all be named.
- Individuals from the chapter will be named? “Who do you think?” Answer is it will be any officer that had their hands in coordinating event. Any member/associate that helped plan the event including collecting money, driving a car to purchase the alcohol, setting up the bar, etc. In this situation, individuals can serve jail time and be sued individually. Even if you have no money, they will go after your parents’ Homeowners Insurance usually capped at \$500K.
- Joe will be named. He will say he was told to stand there and serve alcohol and a hazing investigation will take place. Associates should not be the ones “managing” the party.
- The bar will be named.
- The bartender will likely be named.
- Highly unlikely the sorority will be named as it was not a co-sponsored event.
- Even though Karen, her friend, could have stayed with her or gotten her help based on past lawsuits, she will not be named.
- It comes down to who provided the alcohol.

If this case were to go to trial, each party would have to prove who was responsible. If the suit were \$10 million dollars (this is high but it makes the numbers easy to divide) and the verdict was that Jane was 50% responsible, then the payout goes down to \$5 million. If the jury said the fraternity was 40% responsible and bar was 10% responsible, they would pay out \$4 million and the bar would pay out \$1 million.

How do we prevent Jane’s death? You can do this at the time you are facilitating or after you have gone through the Ladder of Risk. The goal is prevention and if participants are able to tell you how to prevent by filling in the blanks and providing specific procedures in line with the risk management policy, then we know this scenario is useful. All the answers to how to run an event correctly will be found in the Social Event Planning Guide. But use this scenario to test their critical thinking and to see if they can apply what the learned.