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DSG President Elliott Wolf discusses University evidentiary standards at the group's meeting Wednesday.

Wolf criticizes Duke's stance on use of evidence

By: Ashley Dean

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Duke Student Government President Elliott Wolf gave a presentation about the evidentiary standards used in University judicial proceedings at Wednesday night's general body meeting.

"We as an organization have a responsibility to fight for the most autonomy for students," said Wolf, a junior.

He added that the Office of Judicial Affairs has taken judicial action against students based on illegally obtained evidence from Durham Police Department officers.

When students are cited off campus, the police department faxes the school incident reports.

"The University will use that evidence independent of any evidentiary standards that are used in the courts," Wolf said.

The practice gives police an incentive to cite students when they otherwise would not due to a lack of evidence, he said.

The policy, moreover, is ideologically inconsistent with the University's judicial process, which does not impart the same strict penalties as a court of law and is instead focused on ensuring that students learn from their mistakes.

He said the issue of Durham police officers treating students differently from community members was highlighted during the lacrosse case last spring.

Wolf sent a memo to Stephen Bryan, associate dean of students and director of judicial affairs, March 28 stating that the University should not use illegally obtained or insufficient evidence collected by local law enforcement.

"We hope that the University institutes minimal evidentiary standards when dealing with evidence collected by Durham police officers to protect students' constitutional rights and decide not to use evidence that was illegally obtained," Wolf said.

He added that he does not think the police department, Alcohol Law Enforcement or other parties should

have the ability to manipulate Duke's judicial process.

After the meeting, Wolf said he thought DSG's argument was very clear.

"Either [the Office of Judicial Affairs] could do this and do what we want, or they could not do this and everyone would know they are wrong," he said.

Wolf and Executive Vice President Joe Fore, a senior, also presented a possible change to the fall exam reading period.

The proposal entailed making Monday a full reading day and eliminating the Thursday morning reading period, in place of the present system in which both Monday and Thursday are only partial reading days.

In an informal process, the DSG Senate approved the proposal. Wolf said he hopes to learn next week if the University will approve the changes.

In other business:

Senior David Snider, vice president for athletics and campus services, gave a presentation detailing his committee's work this year. He highlighted changes made in athletics, transit and technology, and said he will continue to work on parking projects.

"It's been frustrating," Snider said about requests to reduce parking ticket fines and add drop-off zones. "I have cautious optimism about changes being made."

Senator Madison Li, a sophomore, submitted a complaint yesterday following the results of the DSG Executive Board elections.

Li, a candidate for vice president for student affairs, petitioned for a new election because she said the death of junior Chris Sanders Tuesday cost her votes.

The election commission denied her request, and freshman Lucy McKinstry will step into the role next year.

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