

# EXHIBIT 1

# UPDATED: Statement on Release of Sealed Warrant and Cancellation of Men's Lacrosse Season from President Brodhead

TOPICS FOR THIS STORY: NEWS RELEASES, ATHLETICS, DURHAM & THE REGION, STUDENTS

April 5, 2006 |

**Editor's Note:** A statement from Athletics Director Joe Alleva is available at [www.goduke.com](http://www.goduke.com).

**DURHAM, N.C.** - The court released today a previously sealed warrant, whose contents are sickening and repulsive.

I have canceled the men's lacrosse season and all associated activities, effective immediately. Lacrosse Coach Mike Pressler has submitted his resignation to Athletics Director Joe Alleva, effective immediately.

Typically, we are prohibited under federal privacy regulations from releasing information regarding individual student disciplinary matters. In this case, the student named in the warrant has signed a release and given us permission to say that he has received an interim suspension. As a result of the interim suspension, the student is no longer on campus.

I once again urge anyone with information pertinent to the events of March 13 to cooperate with the authorities.

#### MORE INFORMATION

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## Letter to the Community from President Brodhead

President describes five actions in response to lacrosse situation

Wednesday, April 5, 2006

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**Note to Editors:** For background information on the men's lacrosse controversy, [click here](#).

DURHAM, N.C. -- April 5, 2006

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### A Letter to the Duke Community

I want to speak to the issue that is troubling our community and announce five steps we are taking to address it.

Allegations against members of the Duke lacrosse team stemming from the party on the evening of March 13 have deeply troubled me and everyone else at this university and our surrounding city. We can't be surprised at the outpouring of outrage. Rape is the substitution of raw power for love, brutality for tenderness, and dehumanization for intimacy. It is also the crudest assertion of inequality, a way to show that the strong are superior to the weak and can rightfully use them as the objects of their pleasure. When reports of racial abuse are added to the mix, the evil is compounded, reviving memories of the systematic racial oppression we had hoped to have left behind us.

If the allegations are verified, what happened would be a deep violation of fundamental ethical principles and among the most serious crimes known to the legal system. Such conduct is completely unacceptable both within the university and in our society at large. If the truth of the allegations is upheld, it will call for severe punishment from the courts and from Duke's disciplinary system. This university has cooperated and will continue to cooperate to the fullest to speed the ongoing investigation by the police, and I pledge that Duke will respond with appropriate seriousness when the truth is established.



But it is clear that the acts the police are investigating are only part of the problem. This episode has touched off angers, fears, resentments, and suspicions that range far beyond this immediate cause. It has done so because the episode has brought to glaring visibility underlying issues that have been of concern on this campus and in this town for some time—issues that are not unique to Duke or Durham but that have been brought to the fore in our midst. They include concerns of women about sexual coercion and assault. They include concerns about the culture of certain student groups that regularly abuse alcohol and the attitudes these groups promote. They include concerns about the survival of the legacy of racism, the most hateful feature American history has produced.

Compounding and intensifying these issues of race and gender, they include concerns about the deep structures of inequality in our society—inequalities of wealth, privilege, and opportunity (including educational opportunity), and the attitudes of superiority those inequalities breed. And they include concerns that, whether they intend to or not, universities like Duke participate in this inequality and supply a home for a culture of privilege. The objection of our East Campus neighbors was a reaction to an attitude of arrogant inconsiderateness that reached its peak in the alleged event but that had long preceded it. I know that to many in our community, this student behavior has seemed to be the face of Duke.

Given the history of this campus and city, this has been particularly painful. Only forty years ago, the first African American student was admitted to Duke and at that time men and women lived on separate campuses. Today, more than one-third of Duke undergraduates are members of minority groups. Many, many dedicated members of the Duke and Durham communities have worked hard to bring us all forward. Duke has worked to be a good neighbor, supporting health care, K-12 education, affordable housing, neighborhood stabilization, and economic development through the Duke-Durham Neighborhood Partnership. Duke is not, as some have reported, just an institution for the children of wealthy families. This university admits undergraduates without regard to their family's ability to pay, and we invest more than \$50 million a year to enable the 40% of students who receive grant aid to afford a Duke education. Duke's Women's Initiative, launched by my predecessor Nannerl Keohane, took the national lead in exploring issues of gender inequality across the university. Perhaps most important, I know—and I suspect our students' harshest critics know too—that the huge majority of Duke students are well-behaved and good-hearted, and many work hard for the larger social good.

But if the dark aspect is not the whole truth, this is not a moment to take comfort or mount defenses. To get the good of the current situation, we all need to face up to the profoundly serious issues that recent events have brought to light and address them in a positive, substantive, and ongoing way. If none of these issues is peculiar to Duke, that's no reason why we should refuse to address them in our midst. As we decide what steps to take, let me underline the values that must govern our actions.

The university is guided by the principles of openness, inclusiveness, mutual toleration, and mutual respect. Everything that furthers these causes advances our ability to work



together toward the truth no individual or group can reach alone. Everything that hinders these causes retards the search for wisdom and knowledge. The university is also founded on the principle that we have an obligation to seek the truth, and that truth is established through evidence and disciplined inquiry. Reaching certainty without evidence or process is a double wrong in a university because it opens the door to injustice and violates our commitment to the truth.

In keeping with these values, I want to announce five steps Duke will take to address the issues before us. Some will be accomplished in a short period of time; others will require our sustained attention.

1. Investigation of men's lacrosse. In regard to men's lacrosse, I have announced today that the men's lacrosse season and all associated activities have been cancelled. Lacrosse coach Mike Pressler submitted his resignation today to Athletics Director Joe Alleva and it was accepted, effective immediately.

The criminal allegations against members of the team must continue to be investigated by the Durham police and we will continue to cooperate with that investigation to the fullest. Many have urged me to have Duke conduct its own inquiry into these charges. Frustrating though it is, Duke must defer its own investigation until the police inquiry is completed, first because the police have access to key witnesses, warrants, and information that we lack, and second because our concurrent questioning could create a risk of complications—for instance, charges of witness tampering—that could negatively affect the legal proceedings. I assure you, however, that the Duke disciplinary system will be brought to bear as soon as this can appropriately be done. Until that time, I urge us to be patient and remind ourselves that allegations have been made, the team has denied them, and we must wait until the authorities act before reaching any judgment in the criminal case.

Quite separate from the criminal allegations, there have been reports of persistent problems involving the men's lacrosse team, including racist language and a pattern of alcohol abuse and disorderly behavior. These are quite separate from the criminal allegations, and these we will address at once. The Athletic Council, the body with oversight of athletics in Duke's governance system, is the right group to perform this investigation. The Executive Committee of the Academic Council and I have asked a faculty subcommittee of the Athletic Council to investigate all the evidence regarding objectionable behavior prior to March 13. The intention here is not to single out the behavior of individuals but to understand the extent to which the cumulative behavior of many over a number of years signifies a deeper problem for which significant corrective actions are called for. I have asked this group to report its findings and to make any recommendations it may have by May 1. I am pleased that Professor James Coleman of the DukeLawSchool, an Athletic Council member, has agreed to chair this committee.

2. Investigation of Duke Administration Response. I have heard a good deal of criticism of the Duke administration for being slow to respond to the allegations against the team associated with March 13. At meetings with faculty, students, community members, and



others, I have explained why it took time to know how to respond: we learned the full magnitude of the allegations only gradually, as police and other information was reported in the media, and indeed it appears it took the police themselves some time to understand the nature of the case. Nevertheless, I want to address the concern that my administration did not respond as quickly as we should have and to learn any lessons this episode can teach. To that end, I have asked two individuals with outstanding experience in higher education and civil rights to look into the role of the Duke administration and Duke Athletics in handling this episode. I am grateful to William Bowen, President of the Andrew Mellon Foundation and former President of Princeton University, and Julius Chambers, former Director-Counsel of the NAACP Legal Defense and Educational Fund and past Chancellor of North Carolina Central University, for agreeing to take on this task. They have agreed to report their findings and make any recommendations to me by May 15.

3. Examination of student judicial process and practices. Questions have been raised within the Duke and Durham communities about the way Duke deals with problems of student behavior and the applicability of our Community Standard to social life. The Executive Committee of the Academic Council has charged the Council's Student Affairs Committee, chaired by Professor Prasad Kasibhatla, to study Duke's existing judicial processes and practices for students and make any recommendations for change to the administration and faculty by June 1.

4. Campus Culture Initiative. Duke traditionally has given its students a great deal of freedom, but at times the exercise of that freedom is not matched with a commensurate sense of responsibility. We must be concerned about issues of campus culture this episode has raised quite apart from the lacrosse team. This is a time for Duke to take a hard look at our institutional practices to assess the extent to which they do, or do not, promote the values we expect students to live by.

I have asked Vice President for Student Affairs Larry Moneta and Vice Provost for Undergraduate Education and Dean of Trinity College Robert Thompson to direct a Campus Culture Initiative involving faculty, students, and staff. The task of the Initiative is to evaluate and suggest improvements in the ways Duke educates students in the values of personal responsibility, consideration for others, and mutual respect in the face of difference and disagreement. The goal of this initiative is not to tell students "what to think" in some simplistic or doctrinaire way. Nevertheless, this is our chance to take the ethical dimension of education much more seriously than heretofore. An important task of the Initiative will be to enlist the faculty more fully in this broader work of education. Since we need to engage the whole of the student population in this process, we will also need to involve all of Duke's overlapping student groups and communities and learn how they can be parts of the solution.

Although the academic year will soon draw to a close, I believe the Initiative's work should begin this spring. We should not lose the chance for education in large and small groups supplied by this moment of heightened sensitivity. Some work can be done over the coming summer, and we are looking to pioneer a period of focused engagement on



campus issues for upper class students in the fall. In honesty, some of the Initiative's work will require long-lasting attention and is unsusceptible to any quick fix. This would include promoting a more responsible approach to the culture of campus drinking, a major factor in Duke's recent crisis and the source of much bad college conduct throughout the United States. I have asked Vice Provost Thompson to report on the Initiative's progress at the end of this term and again in the fall.

5. Presidential Council In addition to these steps aimed at the lacrosse team culture and our larger student culture, I will convene a presidential council to give advice and offer guidance to me and the Board of Trustees. This group will be made up of wise figures from within the university community, from the larger Duke family, from the national higher education community, and from the city of Durham. I will ask it to receive and critique our internal policies and self-assessments regarding the promotion of these central values; to inform our on-campus efforts with the best practices in other university settings; and to consider ways that Duke and its community can work yet more closely to promote these values in a larger social setting. Emeriti Trustees Wilhelmina Reuben-Cooke, Provost and Vice President of Academic Affairs of the University of the District of Columbia, and Roy Bostock, Chairman of The Partnership for a Drug-Free America, have agreed to chair and I plan to convene the first meeting of the Council this spring.

In addition to these five steps, I look forward to continuing a dialogue with leaders in Durham and at North Carolina Central University. I'm indebted to Mayor Bill Bell for hosting a meeting on the Duke campus last week that brought together many African American leaders to discuss the incident of March 13. We concluded that meeting with the resolve to meet again; I look forward to further discussions with this group and others at the next meeting, which my colleague NCCU Chancellor James Ammons has offered to host. Durham is a proud city with a rich history and a diverse population that responds to the challenges of the day better than many other cities in this country. I'm resolved to seize the moment to do what I can to strengthen what is in many aspects, but surely not all, a positive relationship between our university and city.

Nobody wishes trouble on one's house and I regret the trouble that this incident has brought to Duke and Durham. But when trouble arrives, it's the test of a community and its leaders to deal with it honestly, act accordingly and learn from it. This is a deeply emotional time as well as a rare opportunity for education – for our students, faculty, administrators, and members of our community. Let's move forward with a serious commitment to make progress on the many complex issues that confront us now.

Richard H. Brodhead

President

Duke University

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