

Oct. 18, 2021, University of Kentucky Student Tragedy

BRIEFING DOCUMENT

Executive Summary

On Oct. 18, 2021, the UK community suffered a tragic loss with the death of first-year student, Thomas “Lofton” Hazelwood.

Lofton, as he was known to those close to him, was 18 years old and from Henderson, Ky. He was an agricultural economics major who lived in Lewis Hall and was a new member of the FarmHouse fraternity.

Following his death, the university immediately took the following actions:

- Launched two independent investigations: one by UK Police and one by the UK Office of Student Conduct.
- Placed an immediate ban on activities by the FarmHouse Chapter.
- Immediately prohibited any new member activities in any Inter-Fraternity Council (IFC) chapter at UK.

The two extensive investigations included nearly 50 interviews collectively by police and student conduct officials, reviews of available video evidence and hundreds of thousands of messages and exchanges on relevant social media channels and platforms.

The reviews determined the following findings:

- The reviews found no evidence of physical coercion or forced drinking on the night of the tragic incident. Other new members were drinking with Hazelwood. At least one new member who was present where the incident occurred did not drink at all. However, the reviews found that FarmHouse Chapter members practiced hazing throughout the semester, creating a culture of noncompliance in which such activities were accepted.
- There is no evidence of criminal wrongdoing directly related to Hazelwood’s death, based on the findings of the institution’s investigations to date.
- Fraudulent identification cards were purchased by members, which is illegal. UK Police will be working with local, state and federal partners to address the increased use of fraudulent identification cards purchased online.
- Toxicology reports indicate that Hazelwood’s blood alcohol level was 0.354.
- Outside the context of the specific incident, investigations yielded findings of several violations of university policy and the Code of Student Conduct, including hazing; underage drinking and misuse of alcohol; and failure to follow UK’s COVID-19 health and safety guidelines.

Based on these findings and after extensive reviews, the following actions have taken, or are taking, place:

- The national FarmHouse Chapter has revoked the charter of the local Farmhouse chapter at UK and has issued a no-contact ruling for seven years. That means current chapter members cannot have any association with FarmHouse during that time.
- Former members are moving out of the fraternity house. UK will work with students who are interested in moving elsewhere on campus or to other living accommodations in Lexington.
- UK is revoking FarmHouse's status as a Registered Student Organization (RSO) for at least four years.
- Individual students, because of the review, could be charged with violations of UK's Code of Student Conduct and will go through the institution's review and hearing process.
- Enhanced and expanded education around required responsibilities for all new members of UK IFC chapters must be completed before activities can be resumed. Those education and responsibility programs include peer mentoring and education; alcohol awareness education and training; and bystander intervention education and training. The institution has plans to expand these programs to other student organizations and activities.
- Increased staffing within Fraternity and Sorority Life has been – and is being – added with additional responsibilities for alcohol education and hazing prevention.

By way of background in support of the findings and next steps enumerated above, this report provides the following detailed summaries of both investigations: the Office of Student Conduct and UK Police.

Important notes:

- The UK Police investigation is not final at this time. Two search warrants for specific social media accounts and chats that occurred among FarmHouse members have not yet been returned and may not be available for several weeks or months.
- However, UK Police believe that the investigation's outcomes will not materially change. They are able, as a result, to offer substantive details and provide initial conclusions regarding the incident, which are presented below in conjunction with the Student Conduct review.
- The Student Conduct investigation also is not final. Some remaining interviews still will be conducted as the institution will now start the process of potentially pursuing conduct charges against individual students. However, as with the police report, the institution does not expect the findings or conclusions to change in a material fashion.
- When both the police report and Student Conduct reviews are completed, they will be appropriately redacted for privacy concerns and publicly posted.

UK Dean of Students Report

The Office of Student Conduct received incident reports on Oct. 18 and 19, 2021. These reports described an incident that occurred in the FarmHouse Fraternity facility on Oct. 18, which resulted in the death of one student, Lofton Hazelwood. The incident reports also identified areas of concern regarding behaviors among organization members throughout the fall 2021 semester.

Investigation Process

Upon receiving the incident reports, the Office of Student Conduct initiated an investigation process on Oct. 19. An investigation letter was sent to the chapter president on this date requesting an internal report regarding the allegations resulting from the incident. This investigation letter also included an interim measure for the fraternity to cease all chapter operations, effective immediately, until the conduct process concluded. The chapter president provided the response on Oct. 22 through an attorney.

Individual interviews began on Oct. 27. Each interview lasted approximately 60 minutes. Mike Brown, Associate Director, Office of Student Conduct, and Ellen Kilgore, Student Responsibility Coordinator, Office of Student Conduct, conducted each of the individual interviews.

Interview Outcomes

Through the investigation interviews, themes emerged regarding the events that occurred on Oct. 18. Information pertaining to other activities and events within the organization throughout the fall 2021 semester was also gathered.

Interview responses indicated that multiple FarmHouse new members of the fall 2021 class purchased alcohol to be consumed prior to an unregistered chapter event on Oct. 18. New members purchased a 1.75 L bottle of Wild Turkey 101 bourbon and a 750ml bottle of Burnett's vodka. New members consumed the alcohol in a room within the chapter facility. New members consumed various amounts of alcohol. Hazelwood was described as consuming approximately eighteen (18) one-ounce shots of Wild Turkey 101 bourbon within approximately 45 minutes.

During the investigation interviews, the Office of Student Conduct also learned of behaviors occurring within the FarmHouse new member process. The behaviors described by members include but are not limited to personal servitude; forced wearing of apparel which is conspicuous and not normally in good taste; degrading or humiliating games and activities; line-ups and berating; and an expectation of participation in activities that are illegal or in violation of university policy. These activities were for the purpose of initiation into the organization and were negligent or

reckless in nature; were humiliating or endangered individual members; and unreasonably interfered with scholastic or employment activities of members.

The organization engaged in several chapter events that were not registered with the university, including serenades (a tradition in which fraternity members visit sorority houses during Monday dinners and sing to sorority members) on Oct.18, as well as additional events described by members that occurred during the fall 2021 semester. These unregistered events also did not follow UK COVID-19 health and safety guidelines in place for organizational events to reduce the impact of the COVID-19 pandemic.

Based on the information gathered through the investigation interviews, it does not appear that new members were coerced, forced or required to consume alcohol on Oct. 18, in the chapter facility. There was at least one new member present in the room who was not consuming any amount of alcohol during the incident that occurred in the chapter facility.

Recommendations

Currently, the Office of Student Conduct believes there is sufficient information present to recommend charges of violations of the Code of Student Conduct for the fraternity. The Office of Student Conduct recommends the following charges:

- Code of Student Conduct Policy 6.M. Hazing
- Code of Student Conduct Policy 6.P. Misuse of Alcohol
- Code of Student Conduct Policy 6.AA. Violations of Law or Other UK Policies
- Code of Student Conduct Policy 6.BB. Failure to Follow UK Covid-19 Health and Safety Guidelines

The Office of Student Conduct is committed to promoting a safe, healthy, student-centered and inclusive community. UK strives to create an environment where students can engage in academic inquiry and campus life.

UK Police Report

The UK Police Department responded to the incident on Oct. 18, 2021, which involved the death of Lofton Hazelwood. The following report outlines the officers' arrival on the scene, the results of the investigation and the results of the toxicology and coroner report.

UK Police Arrival on Scene

On October 18, Lexington 911 received a 911 call at 6:16 p.m., regarding an unresponsive individual at the FarmHouse Fraternity house located on Rose Lane. Lexington Fire Department arrived on the scene at 6:19 p.m.

UK Police were notified by Lexington 911 at 6:21 p.m. and arrived on the scene at approximately 6:24 p.m.

The individual was identified as Thomas Lofton Hazelwood, and he was transported to UK Albert B. Chandler Hospital, where he was later pronounced deceased.

Investigation Findings

Upon arrival, UK Police began documenting the scene and retrieving witness statements from individuals who were at the scene during and before the incident. Based on the witness statements and conversations that took place at FarmHouse Fraternity house on the night of the incident, UK Police conducted 22 follow up interviews with various students and an additional interview with Hazelwood's sister. Additionally, UK Police served six search warrants: one on Hazelwood's iPhone, three to Microsoft GroupMe, one to Venmo and one to Snapchat. UK Police also recovered video footage from Big Daddy Liquor.

Findings resulting from these search warrants indicated that several students engaged in underage drinking together while socializing and playing video games. These activities took place before the group was scheduled to participate in a sorority serenade — a tradition in which fraternity members visit sorority houses during their scheduled dinners and sing to the sorority members. The alcohol was paid for by these members via the peer-to-peer payment app, Venmo, and was acquired by individuals with a fraudulent identification card.

Multiple students stated in the interviews that Hazelwood was obviously heavily intoxicated as the group practiced for the serenades. As a result, according to the interviews, the group decided to leave him at the fraternity house, rather than bringing him along to the sorority houses. The individuals assisted Hazelwood back to a couch in a residential room. Per the interviews, several students expressed that, though Hazelwood was clearly intoxicated, in their estimation, he had not reached a level they

considered dangerous. The students stated that they rolled him on to his side. One student stated in an interview, that he “didn’t think he was in that bad of shape” and that placing him on his side was “just precautionary.”

The students participating in the serenades left the house between approximately 5:10 and 5:15 and returned between approximately 6:05 and 6:15.

A student arrived at the fraternity house that evening, entered the room where he had been left and found him on the couch, unresponsive. This student stated that he quickly assessed that the situation was outside of his ability to handle and needed to get help immediately. At that time, he alerted several other students who were at the house, including one individual with experience administering CPR. This individual performed CPR while another individual called 911. He continued CPR until Lexington Fire Department arrived on the scene and transported Hazelwood to UK Chandler Hospital.

UK Police recovered items from hospital staff that may have been pertinent to the investigation, including Hazelwood’s cellphone, clothing and other personal items. UK Police secured a search warrant for Hazelwood’s cellphone and coordinated with Lexington Police Department’s Forensic Unit to generate reports of content near the date of Hazelwood’s death to include GroupMe and Snapchat conversations, text message data, search history and social media information. The reports did not reveal anything indicating that Hazelwood’s death was the result of any malicious act or any type of criminal negligence. Moreover, the reports did not reveal any evidence of hazing by other students specifically related to Hazelwood’s death.

UK Police set up a “tip line” for individuals to report information they felt was pertinent to the investigation. This line received four tips, one of which was text-based and three of which were audio recordings. The tips referred to allegations of hazing and underage drinking. The investigation confirmed the presence of underage drinking; no evidence revealed through the investigation (witness interviews, search warrants and video footage) corroborated the allegations of hazing. Consistent statements made by all members interviewed over the course of this investigation were that the students who were participating in the activities the night of Hazelwood’s passing were doing so voluntarily. Currently there is no information available to UK Police to support any criminal charges regarding Hazelwood’s death.

The House Mother for the chapter was interviewed as well and reported to police that she was not at the chapter house when the incident occurred.

Toxicology and Coroner Report

The toxicology report prepared by NMS Labs indicated that Hazelwood’s blood alcohol concentration (BAC) was 0.354. This blood alcohol concentration is almost 4.5 times the limit .08 for an adult of legal drinking age. (A person of legal drinking age would be considered too intoxicated to operate a vehicle with a .08 BAC). In addition to the

alcohol in his system, Hazelwood also tested positive for 94 ng/mL of amphetamine, specifically Adderall. This is consistent with statements made by witnesses and family that Hazelwood habitually took a prescribed dose of Adderall medication.

The Fayette County Coroner's Office officially ruled Hazelwood's manner of death was accidental, with alcohol poisoning as the significant contributing factor.

Next Steps

UK Police

UK Police will receive the results of the two outstanding search warrants for electronic data when they are returned.

UK Police will work with local, state and federal partners to address the increased use of fraudulent identification cards being purchased online.

UK Dean of Students

The Office of Student Conduct has revoked FarmHouse fraternity's status as a registered student organization (RSO) at the University of Kentucky.

The Office of Student Conduct will also charge individual students involved with violations of the Code of Student Conduct. Individual charges will be determined once the investigation process has concluded.

Additionally, the following actions have been — or will be — initiated jointly by the UK Dean of Students Office and the Office of Student Well-Being.

Phase 1: No New Member Activities - Current Status

- New members of IFC chapters - regardless of initiation status - are not allowed to participate in chapter activities or have contact regarding official chapter business with members other than the chapter president and new member educator.
- Chapters must complete the following educational programs.
 - FSL 101 completed by all new members.
 - FSL 201 completed by all returning members who have not previously completed the program.
 - New Member Education Training completed by the New Member Educator.
 - Chapter Coaching meeting with FSL and HQs.
 - Chapter Expectations meeting with all members.

Phase 2: Business and Academic Activities Resume

- Chapters who have completed the outlined requirements in Phase 1 can resume business meetings (chapter, committee and new member education) and academic support activities with new members present.
 - These activities must follow all university requirements, including appropriate registration through University Events, and occur on campus or in the recognized fraternity chapter facility.

- The first activity in this phase will be to host the Chapter Expectations meeting requirement outlined in Phase 1.
- Chapters must complete the following activities in Phase 2.
 - Bystander Education Program completed by all members.
 - New members complete new member education programs, including any post-initiation education identified in the coaching meeting.
 - Chapter initiation ceremonies occur with at least one chapter advisor present.
 - Completion of a coaching meeting focused on officer transition for any group electing new chapter officers.

Phase 3: Chapter Activities Resume

Can occur after Phase 2 items are completed

- Chapters who have completed the educational requirements in Phase 2 will be allowed to resume new member participation in all chapter activities including social, philanthropic and brotherhood activities.
 - These activities must follow all university requirements, including appropriate registration through University Events, and occur on campus or in the recognized fraternity chapter facility.
 - Examples include chapter-sponsored brotherhood events, philanthropy events hosted by any group and intramural sports.
- Chapters must complete the following activities in Phase 3.
 - Submission of all end-of-semester required forms to Fraternity and Sorority Life, including the New Member Program plan for spring 2022.
 - Completion of a chapter coaching meeting focusing on spring recruitment, new member education and risk management.

Additional Capacity and Education Efforts:

Changes in Staffing structure:

- New positions were created, and existing positions were revised to identify personnel to institute increased alcohol education and hazing prevention programs.

Further work with the FSL community and other student organizations.

- Multiple conversations with various members of the FSL community were designed to gather information on the best path forward. Work is also underway with UK Student Government leaders who want to be involved in helping change the culture.

Creation of educational programs and interventions

- We are preparing a phased approach to training and interventions. Next semester, training offered to IFC is the first iteration of the proposed phases.
 - Upcoming phases are inclusive of discussions regarding the timing in which interventions are effective for UK students.
 - Types of interventions needed for students on our campus