

September 5, 2018

Dear Friends:

Theta Tau was a **founding member** of this esteemed body nearly a century ago, and its members have served the IFC, the university student body as a whole, and our national Fraternity in high offices and behind the scenes throughout our near century-long relationship. Our chapter has produced two **ΘT National Presidents**, several **ΘT Hall of Fame Laureates**, numerous **leaders in business and industry**, and countless others who have served our nation in times of war and peace. One held the country's highest military office as **Chairman of the Joint Chiefs** and "founded" the US Air Force Academy; OSU has recognized another by naming the Chemical Engineering Department in his honor.

We mention the above not to brag, but to indicate how seriously our members have considered a question that has been before most of those in this rooms for at least the past year. Many of you know that we were placed on an "interim suspension;" however, it was recently made clear to me by Kelly Smith that she would continue investigating us "**as long as it took**" to find something. She furthermore explicitly stated that was "**not going to share**" anything with us related to her allegations which had been the purpose of our meeting. These two factors communicated several important things to us:

- 1) The suspension was not truly interim, but is instead "indefinite."
- 2) OSU has insufficient evidence to support her sexual misconduct claims (because there is none).
- 3) The Student Conduct Office operates under practices made infamous by **Lavrentiy Beria**, who said to his mentor Joseph Stalin: **Show me the man and I'll find you some crime.**

Tellingly, Stalin described Beria to President Roosevelt as his very own Heinrich Himmler. Like Beria, OSU's corrupt Conduct Office targets a group first, defames and slanders it to any who will listen, and then fabricates offenses. This sort of harassment, stalking, and bullying has no place in the world, and certainly no place at an institution of higher learning. Multiple staff persons in the Student Conduct Office have recently been found by judges to lack immunity from prosecution and liability in unrelated cases.

Last April, a US District Judge found one OSU staffer was "[helping a rape accuser lie about her motivation to accuse the male student.](#)" Last month, another US District Judge specifically named Kelly Smith as one who "[did not investigate adequately ... sexual misconduct](#)" charges if the perpetrator was female and the victim male in clear "**violation of equal protection**" under the law. OSU's response to this violation was not to demote, suspend, or terminate Smith's employment, but instead, she was given a promotion to Director of Student Conduct. It is beyond the pale to expect that organizations would be expected to work with such a person. It is a stain on this university to require any student or student organization to do so. It is hypocritical to ask young, maturing students to meet such high standards and expectations while setting the bar so low for its own employees.

Smith has repeatedly lied to us going so far as to recently claim that requiring prospective new members to take a written nationally prepared [exam](#) on our Fraternity's history to be a prohibited form of hazing. A look at the [university](#) and state statutes in the regard show this claim to be false. While this lie is a small one, it is indicative of her propensity for dishonesty in even the most insignificant of matters.

Tellingly, about the time of the judge's ruling last April, OSU implemented an anonymous reporting mechanism for offenses. It is apparently lost on university leadership that the implementation of anonymous reporting, combined with employees who willingly lie and create fake evidence, is system ripe for abuse. To put it more plainly, it is our belief that **OSU Conduct Office staff have used, are using, or will use the anonymous reporting system to create more fake evidence against their target victims.** We will have **no part of that**; it's disappointing that OSU has decided that it will.

Though Kelly Smith (as the District Judge determined) does not take allegations of violence against men seriously, our National Fraternity does. Due to the seriousness of the very specific claims she has made against us, and at significant expense, our National Fraternity sent a former federal investigator to visit us. The conclusion of his three-day investigation, which included meetings with students, alumni, and OSU staff, was that there was “**not a shred of evidence**” to support the allegations. The allegation itself is so outrageous, offensive, and absurd that we cannot bring ourselves to speak of it openly. Kelly Smith herself said that she thought it was a “red herring.” Despite this admission, she recently again claimed that they would continue investigating the claim, and she has thus far refused to remove her charges related to the absurd, disgusting, slanderous, and defamatory sex-related allegations. As a result, Theta Tau’s Executive Director concluded that if OSU will not remove the charges, then there must be evidence to support them, and therefore contacted City of Columbus Police Department last Friday to report the crimes that OSU has alleged to have occurred.

OSU’s response to his contacting the local police was not to step back and re-evaluate, but instead to seek retribution by contacting other student members and alumni “to find some crime.” In that effort, the Conduct Office recently sent a letter to a recently initiated member **ordering him with less than 24 hours’ notice** to attend a meeting with the Conduct Office. He declined that meeting request citing the Student Code itself, at which time Smith claimed that he had been **sent the that demand mistakenly**. This is another lie. While quoting a large number of sections of the conduct Code, it conveniently failed to include the sections relevant to the student’s rights. The letter sent was the one intended so it was clearly not a mistake. However, if we are wrong in this regard, then we must conclude that the Office of Student Conduct is simply incompetent. OSU is unwise to place us in the care of such persons regardless of whether their behavior is the result of malice or merely incompetence.

Finally, while all this was going on, I must add that someone working for OSU, perhaps at the direction of Kelly Smith, implemented a cyber-attack on our national headquarters’ computer network. The **phishing-attempt** failed, but the attack attempt was very real, **targeted directly** at Theta Tau. The University’s explanations have been inadequate.

In closing, let me add that there is always room for improvement in ours, or any, operation. The former federal investigator did find one or two areas that needed to be addressed, which were communicated to both OSU and our National Fraternity. I am sure that activities that may have taken place in 2011 are not acceptable by today’s standards in 2018, but no one in the chapter now was around in 2011, 2012, 2013, or 2014 to respond to such those claims. Tellingly, our chapter has about doubled in size since 2015 which is when I joined. Any suggestion that systemic abuse has been occurring during the time in which we have experienced the greatest growth in chapter size is a silly claim, made by non-serious persons, with lazy minds and big mouths. There is not just a preponderance of the evidence, there is an avalanche of it. It is clear, convincing, and beyond a shadow of a doubt that the OSU Office of Student Conduct is corrupt, incompetent, and staffed by ones who continue to bring discredit to The Ohio State University.

It is, therefore, with deep regret that I must announce Theta Tau’s deactivation and deregistration from The Ohio State University effective immediately. Theta Tau has no desire to associate or affiliate with certain persons currently in the university’s employ. We look forward to the university correcting deficiencies in its operation and staffing so that we may consider reactivating at some time in the future.

Interfraternally yours,

Sigma Chapter of Theta Tau