

July 5th, 2019

To Whom It May Concern:

We write to you as concerned members of the University of Pittsburgh community. We were recently made aware of the Snapchat messages sent by Pitt student Ethan Kozak to fellow Pitt student D.J. Matthews. Given the violent, racist and homophobic nature of Ethan Kozak's messages, we demand that he be banned from the University of Pittsburgh, and subject to disciplinary dismissal, a counseling assessment and subject to pay fines as defined by the University's Student Code of Conduct.¹ Furthermore, we urge the University of Pittsburgh to develop a hate speech policy for the entire University system to protect all students, and hold those who violate said policy accountable. We feel it is necessary for the University to distinguish between misconduct that results in "individual student sanctions" as outlined by the Student Code of Conduct, and this type of unspeakable behavior.

Members of the "Black Pitt" community have been discussing the nature of the conversation between Matthews and Kozak for the past week, and understandably, many of us are outraged by Kozak's messages. His use of racist, homophobic words including "cotton picking n****r" and "f****t," inhibit the mission of the University's Code of Conduct to foster "safe and inclusive communities both on and off campus." The term "cotton picker," which Kozak used in his message, has a deep-rooted place in our nation's racist history and should not be taken lightly. Similarly, the homophobic slur he used has a horrible history and has no place in anyone's vocabulary. Ethan Kozak committed hate speech, and had he acted on his beliefs, he would be a domestic terrorist. His threat to shoot D.J. Matthews with a legally obtained firearm should be taken very seriously not only because it is a direct threat against someone's life, but also because firearms have been banned from our campus for several years. His threats towards D.J. Matthews are a clear "offense related to persons" as defined by the University Student Code of Conduct as he threatened to use physical force against Matthews on the basis of his skin color, endangering the health AND safety of Matthews, those who work downtown and Black Pitt community members. Allowing Ethan Kozak to return to campus would be a glaring mistake as he would remain an ongoing threat to Black students. Despite what the University says about his beliefs and how they impact other students, Ethan Kozak's sentiments about Black and LGBTQIA + students likely will not change as it is evident he has felt this way for a long time.

Ultimately, the fate of Ethan Kozak depends on the judgment of University administration and the procedures defined by Pitt's Student Code of Conduct. Nonetheless, the Student Code of Conduct does not address hate speech and how to properly discipline students who incite

¹ <http://online.fliphtml5.com/qsbj/owng/#p=30>

violence against other students on the basis of race, ethnicity, gender, national origin, sexual orientation, etc. This is not the first time something of this nature has happened at Pitt as hate speech is prominent in on-campus residential buildings and are usually undisclosed to the larger Pitt community. Additionally, it is evident that losses from sporting events often result in inappropriate behavior from some of our enrolled fans who end up making racially-charged offensive comments about our student-athletes.

Said policy should extend to instances in which hate speech is used on social media, such as Facebook, Twitter, Snapchat and Instagram, and directed towards student-athletes. If such comments are discovered on social media, it is the responsibility of the University to protect it's student-athletes, as they are valued members of our student body and they work hard to represent the University nationwide. If an athlete is mentioned or tagged on social media as a part of a hate speech post, and the individual making these comments is actively enrolled at Pitt, the student-athlete should rest assured that a policy is in place to protect their well-being and that the student behind the hate-speech would immediately undergo procedural hearings.

A strict policy, clearly outlining the qualifications of hate speech, how it differs from free speech, the steps the University would then take to address the incident and the repercussions a student or faculty member may face, would make clear to students that their health and safety is being prioritized by the University, and may prevent future incidents from happening on campus. It is imperative that the difference between hate speech and free speech be clearly defined, as the first amendment does not protect speech that incites "actions that would harm others" as determined in *Schenck v. United States*.² Such a policy would be extended to all of Pitt's branch campuses as they share the same mission and are a part of the larger Pitt community.

Moving forward, we would like to see a different response from the University when incidents like this happen. It seems as though there is an automated statement released to let students know that the University is aware of an issue and is working to solve it. When a Pitt student makes hateful comments and threatens the life of another student on the basis of their skin color, we would prefer that the University provide a response that directly addresses the incident, and in this case, acknowledges that what was said constitutes hate speech. While we recognize the importance of privacy, and understand that the University cannot always make comments about ongoing investigations, at the bare minimum we would like the statement released by Pitt to "call a spade a spade" and acknowledge the issue at hand. The lack of transparency over the past week is also concerning as students are unaware of Ethan Kozak's whereabouts and whether or not he still poses a direct threat to campus.

² *Schenck v. United States*, 249 U.S. 47 (1919)

To recap, we demand that the University of Pittsburgh:

- Expel rising junior Ethan Kozak and ban him from the University system
- Develop a hate speech policy that includes disciplinary procedures for all five (5) campuses
- Provide students with incident-specific responses that are straightforward and transparent

Now is an appropriate time for the University to recognize its challenges, and set a zero-tolerance standard for racism, homophobia and all other forms of hate. If Pittsburgh is truly “Stronger Than Hate,” University administrators are obligated to put policies in action to punish students that exhibit hateful, violent behavior. It is unacceptable to “preach” what we do not practice, as students come to Pitt with the expectation that their safety is a priority to the institution. By not having a procedure in place to address hate on campus, you are ultimately allowing hate to exist unchecked and threaten the lives of students. We hope that our needs and concerns are truly being considered and we strongly urge the University to develop a hate speech policy that will incorporate student involvement in the disciplinary process.

Sincerely,

Jordan Fields - Student Leader

Edenis Augustin - National Panhellenic Council (NPHC) President

Jenea Lyles - Black Action Society (BAS) President

Diamond Buadu - Black Action Society (BAS), Vice President

Black Action Society (BAS)

Mabel Amara - African Students Organization (ASO) President

Inioluwa Ogunsemowo - Anointed Steps of Faith President

Nia Henry - Anointed Steps of Faith VP

Theresa Lim - Asian Student Alliance Vice President of External Affairs

Robby Holiday - Black Men's Collective (BMC)

Dakota Arnold - BRIDGES

Abigail Coombs - Caribbean and Latin American Student Association (CLASA), President

Dara Broadnax - Ignite: InterVarsity's Black Campus Movement

Janet Canady - National Society of Black Engineers

Jessica Sprouse - Nursing Students Association

Liam Ruby - Pitt Inter-Fraternity Council (IFC) President

Lexi Gihorski - Pitt Panhellenic President

**Evelyn Okorie - Pre Medical Organization
for Minority Students (POMS) President**

Ruby Barone - Rainbow Alliance President

**Cassie Paterson - Rainbow Alliance Vice
President**

**Daniel Rudy - Resident Student Association
President**

Daphny Milord - RISE President

Nneoma Uzoukwu - RISE VP

**Leah Johnson - Some of God's Children
Gospel Choir**

**Zechariah Brown - Student Government
Board (President)**

Jahari Mercer - Student Government Board

**Morgan Ottley - Student Government
Board, BRIDGES**

**Mica House - Student Government Board,
Pathfinders**

**Cedric Humphrey - Student Government
Board**