OJ and the Fresno Frat

Government classes often discuss the differences between criminal law and civil law. Criminal law involves the government putting you in jail, when you are guilty of a crime beyond a reasonable doubt. Civil law involves someone suing you for damages, where the jury finds who has the most evidence in their favor (a “preponderance”).

Occasionally, a case can have both criminal and civil aspects. Heisman winner OJ Simpson is perhaps the most famous case—he was found not guilty in the criminal case involving the murder of his ex-wife (reasonable doubt), but a civil jury awarded damages (finding it more likely he did it).

A 2013 fraternity death at Fresno State also illustrates the intersection of criminal and civil law. Reports are that 15 pledges were ordered to finish 8 bottles of hard liquor before joining a party. The deceased pledge later passed out at the party, was placed in a “drunk room” for several hours, and died before anyone called 911. This case has both criminal and civil aspects:

• **Criminal Charges.** Three members have been criminally charged for hazing and providing alcohol to a minor.

• **Civil Lawsuit.** Also, the family has sued the fraternity and 6 members for hazing, providing alcohol to a minor, and for abandoning the pledge to the “drunk room” without calling 911.

This illustrates two sides of the sword. Some things—like hazing and underage drinking—can lead to both lawsuits and jail. Other things may not be in violation of the criminal law—like not calling 911 quickly enough—but can still be the subject of a lawsuit against a group and its members. Protect yourself from jail and the courtroom.

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For more info on this tragedy, see the following:
