

December 4th, 2020

To: Caleb D. Moore  
Chief Justice  
Undergraduate Student Government

Mr. Chief Justice,

Pursuant to the Internal Bias Response Protocol Bylaw at the conclusion of the investigation, the Chief Diversity Officer shall provide a report to the President, the Chief Justice, and the Speaker of the Senate, laying out the facts of the case and recommending a sanction, if appropriate. This letter is intended to fulfill this obligation.

**Allegations:**

On Wednesday November 11<sup>th</sup>, 2020 at 9:39 I received an incident report. The incident report named Ben Gladstone and alleged the following: "Ben clearly offended [Student], as he attempted to tokenize a black man by referencing 'all lives matter'. That statement had no place in the discussion that was being had and was only harmful to bring up." The report goes on to say that those actions "made others feel uncomfortable and unwelcome and created hostile environments."

**Evidence:**

*Video 1:* Gladstone speaks on the Statement Regarding the Reconstruction of Student Societal/Cultural Awareness General Education Requirements. Gladstone says that the legislations calls the phrase "All Lives Matter" racist. Gladstone challenges this assertion saying that "it is a slogan supported by the black U.S. Senator Tim Scott and the black cabinet Secretary Ben Carson."

*Doc 1:* Statement Regarding the Reconstruction of Student Societal/Cultural Awareness General Education Requirements

*Doc 2:* Response to a Student Services poll by Gladstone received during his suspension "This committee is in potential violation of the 2019 FOI Act Sec. 1-225(a) and (e)."

*Doc 3:* Response to a Student Services poll by Gladstone received during his suspension "Stop suspending senators for a phrase that 43% of black American support."

*Doc 4:* Chat comments submitted by Gladstone during his suspension. "I am looking forward to protecting the Constitution."

*Appendix:* A list of all sources provided to Gladstone by me as well as resources I provided bac to him over the course of out 2.5-hour meeting.



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### Investigation Process:

The allegations and presented evidence constituted clear and convincing evidence that Gladstone was responsible for a bias incident and severity of his conduct would significantly damage the constituents' faith in the organization and was therefore issued an interim suspension per Executive Order 07.

I met with the student who referred the conduct to discuss the details and understand their intent. I also reached out to authors of the legislation in question to discuss their feelings. I met with the leadership of Student Services to discuss Gladstone's violation of his suspension. I reviewed all of the documents and a recording of the meeting.

Finally, I spoke with Gladstone, we reviewed each of the clips and discussed the impact and intent of his words. In that meeting Gladstone provided me with some of the bases of his claims. I provided him with reliable and reputable information sources that disputed those claims. (All of which are included in the Appendix in the order of they were sent.) We also spoke about his violation of the suspension.

### Findings:

Ben Gladstone made a statement in Video 1. The implication of his statement was that "All Lives Matter" was not a racist phrase. That is not only false as that phrase is undoubtedly racially charged and clearly racist. Gladstone seemed to be under the impression that this phrase was not racist due to its support from several prominent black people. He also believed that 43% of the black community supported this phrase (Doc 3), which although false would not have made the phrase not racist. In our conversation we discussed and determined that there is no context in which "All Lives Matter" was not used in a way to dismiss or harm the black community.

After being suspended Gladstone violated his suspension by attempting to participate in a Student Services meeting. (Doc 2, 3, 4) The manner and content of his participation in this meeting made the members of the meeting uncomfortable.

### Conclusions:

The investigation found full support of all events and actions alleged in the referral. This resulted in harm to members of the Senate and others in attendance. This is a clear violation of the Student Bill of Rights and by extension the Code of Conduct found in the Bylaws.



**Recommendation:**

**At this time the following sanctions are being recommended.**

- Senator Gladstone must complete the Diversity Awareness Training offered by the Office of Institutional Equity offered at: [Equity.uconn.edu/education-and-training](https://equity.uconn.edu/education-and-training). The Chief Diversity Officer will reach out to coordinate this training.
  - This training may be substituted for a different training at the discretion of the Chief Diversity Officer.
- Senator Gladstone will remain suspended until such a time as this training is completed or the Judiciary finds it appropriate to lift this suspension.
- Senator Gladstone must pick a new committee assignment and should communicate this to the Office of the Speaker.

Sincerely,

Damani R. Douglas  
Chief Diversity Officer

c: Michael Hernández, Student Body President  
Luis Toscano, Speaker of the Senate  
Referring Party, Undergraduate Student  
Respondent, Undergraduate Student



**Appendix**

Article 01: This is the basis for Gladstone's comments in Doc 3.

[RasmussenReports.com/public\\_content/politics/current\\_events/social\\_issues/30\\_say\\_black\\_lives\\_matter\\_more\\_than\\_all\\_lives](https://RasmussenReports.com/public_content/politics/current_events/social_issues/30_say_black_lives_matter_more_than_all_lives)

Article 02: Wikipedia's evaluation of Rasmussen Reports.

[Wikiwand.com/en/Rasmussen\\_Reports](https://Wikiwand.com/en/Rasmussen_Reports)

Article 03: National opinion poll evaluating the same questions raised in Doc 3.

[Civiqs.com/results/black\\_lives\\_matter](https://Civiqs.com/results/black_lives_matter)

Article 04: Article discussing the harm of the phrase "All lives matter".

[CNN.com/2020/06/23/opinions/all-lives-matter-misses-the-big-picture-baker/index.html](https://CNN.com/2020/06/23/opinions/all-lives-matter-misses-the-big-picture-baker/index.html)

Article 05: Article discussing the harm of the phrase "All lives matter".

[CBSnews.com/news/all-lives-matter-black-lives-matter](https://CBSnews.com/news/all-lives-matter-black-lives-matter)

Article 06: An Empirical Analysis of Racial Differences in Police Use of Force.

[Law.yale.edu/sites/default/files/area/workshop/leo/leo16\\_fryer.pdf](https://Law.yale.edu/sites/default/files/area/workshop/leo/leo16_fryer.pdf)

Article 07: The use of the phrases "All Lives Matter" and "Black Lives Matter".

[Trends.google.com/trends/explore?date=2014-09-01%202020-12-04&geo=US&q=%2Fm%2F012hdhkj,%2Fg%2F11c53nfp9c](https://Trends.google.com/trends/explore?date=2014-09-01%202020-12-04&geo=US&q=%2Fm%2F012hdhkj,%2Fg%2F11c53nfp9c)

Article 08: Article discussing the potential religious uses of the phrase "All lives matter".

[Blog.timesunion.com/joy/its-all-lives-matter/2215/](https://Blog.timesunion.com/joy/its-all-lives-matter/2215/)

Article 09: Article discussing the potential religious uses of the phrase "All lives matter".

[UCG.org/beyond-today/blogs/all-lives-matter](https://UCG.org/beyond-today/blogs/all-lives-matter)

Article 10: Article discussing the potential religious uses of the phrase "Black lives matter".

[Sojo.net/about-us/news/some-evangelicals-struggle-black-lives-matter-movement](https://Sojo.net/about-us/news/some-evangelicals-struggle-black-lives-matter-movement)

Article 11: Article discussing the potential religious uses of the phrase "Black lives matter".

[UCC.org/justice\\_racism\\_black\\_lives\\_matter](https://UCC.org/justice_racism_black_lives_matter)

Article 12: Article discussing the "All Lives Matter" position of performer XXXTENTACION.

[Hotnewhiphop.com/xxxtentacion-says-look-at-me-video-is-all-lives-matter-news.37311.html](https://Hotnewhiphop.com/xxxtentacion-says-look-at-me-video-is-all-lives-matter-news.37311.html)



