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UT FRAT CITED IN HAZING THAT TURNED FATAL / School suspends group for 6 years; inquiries continue into Houstonian's alcohol poisoning

By JANET ELLIOTT, HOUSTON CHRONICLE AUSTIN BUREAU

AUSTIN - University of Texas officials Tuesday cited a fraternity for hazing in the alcohol-related death of a freshman member from Houston.

Phanta "Jack" Phoummarath, 18, and other new members were expected to consume large amounts of liquor at a party for new fraternity members, said Teresa Graham Brett, UT's dean of students.

Phoummarath was found dead Dec. 10 at the Lambda Phi Epsilon house west of campus. Family members said he attended a party for new members at the fraternity the night before.

Travis County Chief Medical Examiner Dr. Roberto Bayardo ruled last week that the young man died of acute alcohol poisoning.

"We didn't find out what he drank or how much," said Brett. "What we did find was when the fraternity was presenting its new members - they were becoming active (members) - there was an expectation that they consume large amounts of liquor.

"It was an expectation versus forced. We don't have any indication they were forced to (drink)," Brett added.

UT revoked the fraternity's status as a registered student organization for six years. The group had been temporarily suspended shortly after Phoummarath's death.

"The cancellation of a group's registration is the most severe penalty that can be levied against a registered organization," Brett said.

Brett said the university is continuing to review facts surrounding the case to determine whether disciplinary action should be taken against individual students. Disciplinary action could range from probation to expulsion.

Austin homicide investigators are conducting a separate investigation into the student's death to determine if any state laws were violated. The university's action Tuesday involves violations of the school's anti-hazing regulations.

Texas law defines hazing as any activity involving consumption of alcoholic beverages which subjects a student to an unreasonable risk of harm or which adversely affects the mental or physical health of a student. Hazing that causes death is a state jail felony punishable by confinement in a state jail for up to two years and a fine not to exceed \$10,000.

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UT probe's findings

Brett said members of Lambda Phi Epsilon told university investigators that new members were expected to consume large amounts of liquor and were required to shave their heads when they were installed as active members.

New members also received paddle swats, were subject to individual interrogations, were told to wear specific kinds of clothing, and had to clean the laundry and rooms of active members, Brett said.

Those actions are prohibited under the university's hazing rules.

"We don't tolerate this kind of activity," said Brett.

Marion Phoummarath, Jack's sister, said the university had informed the family about the findings of its investigation. She said the family would have no comment at this time.

Benny Chan, president of the Asian-American fraternity, did not return a phone call seeking comment Tuesday. The fraternity can appeal Brett's decision to the vice president for student affairs or a university hearing officer.

Although Brett said the UT investigation did not determine how much or what what type of liquor Jack consumed, the Texas Alcoholic Beverage Commission is trying to find the source of the alcohol.

Ted Phoummarath, Jack's oldest brother, told the Houston Chronicle that Jack had shaved his head as part of the initiation. He also said his brother's body had markings that apparently were drawn on him at the fraternity after he passed out at the party.

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The punishment

During the suspension of Lambda Phi Epsilon, returning and new members of the fraternity must sign a non-hazing statement. Each member must participate in five hours of community service and three hours of educational programming per semester.

The fraternity also must hold and attend a risk management workshop that will include information on hazing and alcohol.

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A culture change

"We can work with them to change the culture of the organization to be a healthy organization," Brett said.

There are more than 1,000 registered student organizations. They are allowed to use UT facilities, hold campus fundraisers and participate in intramural sports.

Brett said she doesn't know how many members Lambda Phi Epsilon has at UT. Jack Phoummarath was one of seven new members selected by active members this year.

His dormitory suitemate and family said he was excited about joining the fraternity.

Jack was the youngest of five children whose parents settled in Houston after emigrating from Laos in 1979.

EXCESSIVE DRINKING TURNS DEADLY

Phanta Phoummarath was the third UT student in the last 10 years to die in incidents related to excessive drinking:

1995: Gabe Higgins, 19, died after a night of drinking at a Bastrop County property, south of Austin. UT ruled that the Texas Cowboys spirit organization violated anti-hazing regulations with its initiation party, during which Higgins, a pledge, drowned.

1998: Jack Ivey Jr., 23, died of alcohol poisoning after he participated in a drinking contest with Phi Kappa Sigma fraternity pledges. After a three-month investigation, the university concluded that no hazing occurred in Ivey's death, but it put the fraternity on probation for improper activities.

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