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Corrected version

## Tragic falls a concern at UW

By Nick Perry

Seattle Times higher education reporter

After 21-year-old Kevin MacDonald tumbled from his third-floor fraternity bedroom last month and sustained fatal head injuries, Seattle police looked inside his room.

They found a rickety bunk-bed ladder that was held in place on the hardwood floor with a sneaker under each ladder foot. The ladder stood within inches of a large window that was kept open in warm weather.

Although there were no witnesses, an officer concluded that MacDonald, a junior at the University of Washington, had been out drinking and could easily have slipped and fallen while climbing the ladder to his top bunk at Alpha Sigma Phi just before 4:30 a.m. June 14.

Such stories have become uncomfortably common at the UW. Since the mid-1980s, at least six male students between 18 and 21 have died after falling from fraternity houses or dorms.

At least five more have broken their backs, their necks or suffered other severe injuries. Countless others have fallen but escaped serious injury — and, in many cases, detection.

Ray Wittmier, interim chief of the UW Police, says there is, on average, a life-threatening fall every year: "Too many." It's always young men, he says, and alcohol is usually involved.

Now Wittmier and Eric Godfrey, the UW's vice provost for student life, say they want to take another look at the safety of the multistory fraternity houses, many of which were built in the 1920s and 1930s. They hope to bring together police, UW environmental-safety experts and alumni leaders.

"It's a conversation we would like to get started," Godfrey said. "I hope some specific steps come out of it, and that we could have the houses put the measures in place for next year."

Godfrey emphasized that the UW has limited authority over the privately run fraternity organizations. He said any changes would



ALAN BERNER / THE SEATTLE TIMES

University of Washington junior Kevin MacDonald fell to his death from the top right window of the Alpha Sigma Phi fraternity June 14. At least six students have died after falling from UW fraternity houses or dorms, and at least five more have survived falls with severe injuries.



Kevin MacDonald, 21, died after a June 14 fall.

### Falls at UW

**June 2008:** Kevin MacDonald, 21, a junior, died after falling from a third-floor window at the Alpha Sigma Phi fraternity. A fraternity brother told police MacDonald had returned home about 3 a.m. and appeared to be intoxicated. The King County Medical Examiner's Office has not yet completed a toxicology report.

**May 2008:** A 20-year-old student was hospitalized after falling from the roof of the Phi Kappa Psi fraternity. He said he'd gone up there to see the sunrise. Police found an empty whiskey bottle and beer cans nearby. After talking to fraternity brothers, police determined the man was intoxicated.

**April 2005:** Erik Anderson, 19, a freshman, fractured his wrists, arms, pelvis and spine after falling 45 feet out a window from his bunk bed in the Delta Upsilon fraternity. A pending lawsuit claims he'd been drinking at an unauthorized fraternity party before the fall.

**May 2002:** Brett Jensen, 19, a sophomore, died after falling 30 feet from the deck of the Pi Kappa Phi fraternity. He'd been drinking at a fraternity party, in which the goal was to down a shot of beer every minute for 100 minutes.

**March 2001:** Gary "David" Gilbert, 18, a freshman, died after falling from the balcony of the UW's McMahan Hall dormitory.

need to be mutually agreed upon.

Wittmier said keeping beds a safe distance from windows and making sure windows can only open a certain distance or height would be a start. Window bars could be another option, he said, although students would need to be able to escape in the event of a fire.

The conversation can't come quickly enough for Don Jensen, whose son Brett, 19, fell 30 feet to his death from a deck at the Pi Kappa Phi fraternity in 2002. Jensen said his previous offers to sit down with the UW to discuss safety issues and alcohol use have been ignored.

"We strongly feel that the UW and the Seattle Police Department need to take more of a responsibility in owning up to this problem," Jensen and his wife, Jan, wrote in a recent letter to The Seattle Times. "Their investigation into Brett's death was almost nonexistent and, at best, insulting to our family. The UW promotes Greek living, but when a tragedy occurs, they want to wash their hands of the situation and just hope it goes away."

### Alcohol's influence

Three weeks ago — a couple of days after MacDonald died — another student and his parents filed a lawsuit against Delta Upsilon and a window installer over a 2005 fall with striking similarities to MacDonald's accident. But this student, Erik Anderson, survived. He graduated last month.

The lawsuit says that after midnight, Anderson was lying in his bunk bed next to a "free-swinging window" after drinking at an unauthorized Delta Upsilon "Trashed Tuesday" party. The lawsuit contends he rolled, "fell through the nearly five-foot opening, and plunged from his fourth-story bed to the concrete pavement 45 feet below, suffering massive injuries."

After the fall, Anderson spent 15 days at Harborview Medical Center with fractures to his wrists, arms, pelvis and lower spine. He has permanent brain and nerve damage, according to the suit. Anderson's medical expenses have reached \$279,000, and his parents have spent an additional \$20,000 caring for their son, the family says. They are seeking triple damages and costs.

The lawsuit offers a glimpse into the drinking culture at some fraternities.

It claims Delta Upsilon managed to circumvent the UW's requirement to register parties by setting up a secret bar in the attic, where underage partygoers would play "beer pong" and other games on "Trashed Tuesdays."

The fraternity even wrote up an "emergency procedures" directive to stall any police or liquor authorities who might show up at the house.

"During attic parties guests will be ushered into the back storage area where they will be informed to stay and be quiet. Both attic door and attic storage door will be locked," the directive states, according to the lawsuit.

Delta Upsilon said in the suit that Anderson had been drinking illegally at an informal fraternity party before falling. But, the fraternity says, he'd been drinking voluntarily and had even organized the party. Delta Upsilon has asked for the

Resident advisers at the time described the death as alcohol-related.

**October 1996:** Billy Price, 19, a freshman, broke his neck after apparently falling from a third-floor window at the Alpha Delta Phi fraternity. Price can't remember the fall. He said at the time he'd been drinking at a fraternity-sorority party but wasn't drunk.

**December 1987:** Bryan Foisy, 19, a sophomore, fell to his death from a 10th-floor balcony at the McMahon Hall dorm after midnight. Police at the time said several students witnessed Foisy jump — some even taunted him to do it — and said that they had reason to believe drugs were involved. Foisy reportedly tried to grab a railing as he fell.

**September 1987:** Brian Lopez, 18, a freshman, died after just three days as a new pledge at the Beta Theta Pi fraternity after falling from the roof. At the time, he lived on the "pledge porch," which opened out to the rooftop. Excessive drinking was not the cause of the accident, police said at the time.

**May 1986:** Thomas White Jr., 19, fell to his death from a large, third-floor bedroom window at the Alpha Delta Phi fraternity after attending a fraternity party. An autopsy found he had a blood-alcohol level of 0.06, less than the level to be considered legally drunk. Police said White was known to sleepwalk.

**January 1986:** Erik Heimbigner, 20, fell 20 feet from a fire escape at the Sigma Alpha Epsilon fraternity and suffered multiple injuries. He had been drinking at the fraternity, attorneys agreed in a subsequent lawsuit.

**December 1985:** Chad Houck, 18, suffered critical neck, head and back injuries after falling 57 feet down an elevator shaft at the Haggett Hall dorm. The elevator, which had stopped midfloor, was filled with partying students who pried open the door and were jumping to the building lobby.

*Source: Seattle Police Department reports; Seattle Times news archives*

lawsuit to be dismissed.

The suit claims the fraternity windows were also unsuitable and unsafe. All the windows had been replaced four months before the accident after the alumni adviser had brokered a "good deal" from Caledonia Bay Builders, one of the adviser's law-firm clients, according to the suit.

Caledonia rejects the claims. Ryan Campbell, a company spokesman, said all the windows it installed at the fraternity conformed to Seattle building codes.

Alcohol was also a factor in Jensen's 2002 fatal fall.

He was, by all accounts, a standout student from a close, loving family. He graduated valedictorian from Everett's Cascade High School and had been class president every year since the seventh grade. One teacher even thought he might one day become governor.

But the night of his death, Jensen, a freshman, had been drinking at a fraternity party in which the goal was to down a shot of beer every minute for 100 minutes. Nobody saw him stumble from the deck. The Jensens sued the fraternity and settled for an undisclosed amount in 2004.

### "They didn't lose a son"

Eliab Sisay, the Alpha Sigma Phi chapter president, said he thinks the building conditions are safe in his house, and that the fraternity abides by alcohol rules. He said fraternities offer a unique way for young men to form lifelong bonds.

"We are not blood brothers, but we may as well be," he said. "You literally have 50 brothers willing to do absolutely anything for you."

Sisay said that in the hours MacDonald lay at Harborview before his death, 30 fraternity brothers showed up from as far afield as Oregon and the East Coast. And the chapter is now setting up a scholarship in MacDonald's name.

But Don Jensen said it is easy to overlook how much peer pressure there is for students to drink and act recklessly in the Greek system. He questions the wisdom of allowing teenagers the run of a large house and, often, ready access to alcohol.

"So many legislators, doctors, judges and lawyers were all part of [the Greek system]. They had a good time, they really did, and they remember that," Jensen said. "They might even go back and party with the current members. Maybe nothing happens. But they didn't lose a son."

Megan Jensen, Brett's younger sister, is now a research coordinator at the UW. She works in a lab that focuses on the risks and consequences of heavy drinking among college students. She's trying to raise awareness about the issue, but, like her dad, worries that the Greek system is conducive to binge drinking and lacks adequate regulations to protect its members.

Don Jensen, meanwhile, said the pain of losing his son will never fade.

"Our lives are changed forever. We will never be as happy as we once were," he said. "We have moved on. But life is different. It's not the way it's supposed to be."

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