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asked [Ortiz] straight out, if the semen found could in any way be his. [Ortiz's] response was to look at the floor between us and say that this was very embarrassing, and that, while still looking at the floor, replied 'no.'

In the deposition Herbst added, "I asked him to help me, tell me something that [would] guide me to someone else other than him. His response was 'gee, I wish I could tell you something ...'" Ortiz then asked what he could provide. Herbst responded by telling Ortiz that he "would have to contact the serologist [a person who analyzes semen, saliva and other bodily fluids] to understand what he could provide for them and let him know."

On March 23, Herbst wrote in the incident report, "Due to the lack of any criminal violation noted related to this case, this case will be referred to the Human Resources Office for their review."

After missing several days of work, Ortiz submitted his letter of resignation March 24.

Now that the case is officially closed, and Ortiz has resigned, employees involved in the case have come forward to discuss the incident. Out of fear of retribution, the employees have asked to remain anonymous and will be referred to as Employee A, Employee B and friend.

"When we found the shirt we assumed that the stain was semen and wanted to see if that was the case," Employee A said. "So we talked to the police officers and they sent it to the lab. Once it was found to be semen, that is when we were told not to go to HR. It was hard to be told that we could not talk to colleagues at the university. That definitely makes it harder when you don't have outlets to talk and when you feel like you are omitting the truth or lying specifically to people when they ask how things are going and what's going on. As an ethical, moral person that was very hard."

Employee B said that she felt the initial contact with the police did not seem like it was taken seriously and verified that they were told by the chief of police not to talk to anybody or go to Human Resources because it would jeopardize the case.

"The reason we did not go to Human Resources is because we did not want to jeopardize the case," Employee A agreed.

The friend pointed out that even she was not aware of what her friend was going through. It was not until March that she was informed of the situation, after the case went to Human Resources.

The employees said an important point was not made clear in the official documents and that suspicious stains were also found on various office carpets and furniture when the employees took it upon themselves to examine the offices with a black light. When the employees asked about having these additional areas collected for evidence, they were told that it was not necessary and the offices were cleaned before further testing could be performed.

"We brought Human Resources in at that point because the police were no longer, quote end quote, investigating, so there was no reason, at that point, to tell the police," Employee B said. "Human Resources was asked, 'do we need to keep any evidence?' and the answer was 'no, we're going to proceed forward with the cleaning.'"

"I think that this has caused a lot of stress for us," Employee A said. "You hear how stress can effect your health and how it can really affect your body. Also, it has affected our personal life, affected everything; it's not something you can walk away from and just leave at work."

The friend pointed out the seriousness of these events, and how they created an uncomfortable work environment for the employees involved.

"Not only was my friend affected by this incident, but so were all of her co-workers," the employee's friend said. "The amount of stress that they had to go through because of a lack of action is appalling. No one should have to go to work and wonder every day if the person responsible for the sexual act is going to return. No one should have to live in fear that maybe the next time the person would become more aggressive. No one should have to deal with a general lack of regard for their well-being. How can people feel valued in their jobs when they feel like no one cares about their safety."

While the employees stated that they would have liked to have seen more support from the university, they also appreciate the general feeling of support from various people at UH-Clear Lake.

Asked to comment, Herbst said he had been advised by the legal counsel for the UH System only to reply to questions submitted in writing. Publication deadline for this issue made this request impossible to meet.

"As a matter of policy, the University of Houston System does not discuss details of personnel issues," said Eric Gerber, director of university communication at the University of Houston and the spokesperson for the UH System.

Ortiz declined to comment when approached by the UHCLIDIAN for this article. However, in his letter of resignation he wrote that "emotional stress" had left him in a state of mind that made it impossible for him to complete the responsibilities assigned to the position of dean of students.

"The emotional stress that I am currently under has caused me to step back and re-evaluate many things in my life," Ortiz said in his letter of resignation. "With the help of family, friends and health professionals, I look forward to managing the stress and returning to gainful employment."

No criminal or civil charges have been filed in this case.

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hol limit for drunken driving is .08 percent. TABC reports that most people arrested under Operation Last Call, who have taken the breath test, had a blood alcohol level of .17 or higher.

Operation Last Call was launched this past September after funding was approved for 120 new members including 59 new TABC agents.

TABC Administrator Alan Steen has called for the suspension, allowing the agency time to conduct an internal investigation of the program and evaluate criticism of the program. The commission has not set a date to reinstate the program.

"I still feel strongly that this is a sound program with positive implications," Steen wrote in a public statement to the House Licensing and Administrative Procedures Committee. "However I have asked our Enforcement Division to delay these operations until the hearing before your committee next week."

Mothers Against Drunk Driving petitioned for the sting program in hope of stopping the over-service of drunken people by servers and bartenders. According to MADD, in 2004 there were 1,264 people killed in alcohol-related crashes in Texas. Texas has the highest amount of alcohol-related fatalities in the nation.

"The fact is, cracking down on drunkenness in bars will keep more drunk drivers off the road," said B.J. Hassell, manager of victims' services with MADD Texas State.

Bar owners and staff are opposed to Operation Last Call. They claim the program to be ineffective and a form of entrapment.



PHOTO BY J. T. GARRET: UHCLIDIAN

**INTOXICATION STING:** Bar patrons must monitor how much they drink in order to avoid being subject to an arrest.

"Of course people are going to be drunk in a bar," said bartender Charlie Rightly, "that's like looking for fish in an aquarium."

"I want my customers to enjoy themselves while at my bar, not worrying if they are being too loud or if they can pass a breath test," said bar owner Jimmy Stewart.

There is a mixed opinion among UH-Clear Lake students and bar patrons.

"Sometimes I like going to a bar and maybe act loud, just having fun, but I always have a designated driver with me. I don't think that I should be able to get arrested for that," said humanities major Melissa Spell.

"I just question the criteria the TABC uses when making these arrests," said bar patron. "Being loud and stumbling, but not planning to drive doesn't seem to warrant an arrest or citation. I understand if the person is making people uncomfortable or so drunk that can't stay awake, but not others just enjoying some drinks with friends."

Some forms of public intoxication stings have been in place for some time. TABC has a responsibility to seek out questionable bar establishments. Anytime there was evidence or suspicion of over-serving by bar staff or under-age drinking, crack downs were made.

"This is really nothing new, TABC's main focus is to ensure responsible bar activity," said Texas City Police Dispatcher Randi Smith.

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my life."

The American Institute on Domestic Violence reports that 5.3 million women are abused each year. One out of three women will be sexually assaulted in their lifetime.

If you are a victim of physical and sexual abuse, the first step is to call the police and get medical attention. UH-Clear Lake offers free counseling services for women in need of recovery. They also try to give several workshops throughout the year for women.

"Child abuse has interfered with my academics, my home life, and even my sleeping," the one participant said. "I could not have finished my degree without counseling."

There are other facilities and shelters that offer assistance to women such as: Bay Area Turning Point, Houston Area Women's Center, and the Bridge.

"I'm speaking out to let other women know to go ahead and trust someone to talk to, it is so crucial to going forward," the participant said.

The Counseling Center is located on the third floor of the Students Services and Classroom Building.

All T-shirts and supplies are provided by UH-Clear Lake. Participants can work on their shirts in a safe, undisclosed location. For more information about the Clothesline Project contact Betty Brown at (281) 283-2600 or brownb@uhcl.edu.



ROGER ROBERTS: UHCLIDIAN

**SOCIETY'S LAUNDRY:** The Clothesline Project provides victims of violence against women a creative outlet to express their feelings and pent-up emotions that words alone cannot capture.