



**NEWS GUIDE**

News - October 30, 2004

**UNH evicts student for fat frosh joke**

By **BRIAN DEKONING**

Union Leader Correspondent

**DURHAM** — A University of New Hampshire student banned from his dorm for posting fliers that urged freshmen women to lose weight by taking stairs instead of an elevator says he won't accept a watered down UNH judicial finding that might let him move back in to campus housing.

"Definitely not," said UNH sophomore Timothy Garneau, 20. "I'm appealing it. I firmly believe that if I did accept the situation that I got today, that I would not be placed back in housing."

Garneau was kicked out of his Stoke Hall dormitory on Sunday after UNH's Judicial and Mediation Programs Office found him responsible Oct. 8 for lying to school officials, violating an affirmative action policy, harassment, and disorderly conduct.

The Berlin native drew the punishment after posting what he intended to be joking fliers in Stoke on Sept. 3 that showed a fit woman in a 1980s-style workout leotard. The fliers read "9 out of 10 freshman girls gain 10 to 15 pounds. But there is something you can do about it. If u live below the 6th floor takes the stairs Not only will u fell better about yourself but you will also be saving us time and wont be sore on the eyes."(sic)

Garneau lived on Stoke's seventh floor and said he made the fliers on a computer to draw attention to frustrating waits for an elevator that he said are caused by residents taking the lift one or two floors instead of walking up or down stairs.

"I thought it would be funny to poke humor at the situation," the political science major said. "I made a poster in like two seconds."

The severity of Garneau's punishment was also affected by an unrelated prior incident when he gave a false name to a UNH staff member looking into an alleged drinking situation in a dorm, according to UNH documents. Garneau was placed on probation for that.

It's been nearly a week that Garneau has been sleeping in his 1995 Ford Contour and showering at UNH's exercise facility. He said he studies in the Dimond Library and eats his meals in campus dining halls and that he and his family

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LOCAL COLUMNS

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<b>Granite Status</b>	cannot afford to pay for an off-campus apartment that can run from \$400 to \$800 per month.
<b>John Clayton</b>	"I even looked for a bed and breakfast place that would be reasonable but I couldn't find any place for less than \$400 a week and I couldn't afford that," said Garneau's mother, Mona Garneau.
<b>Our Gourmet</b>	
<b>Publisher's notes</b>	
<b>State House Dome</b>	Citing federal privacy law, UNH officials declined to comment on the case. Documents show Brad Williams, Stoke's residential hall director, said some Stoke residents — both men and women — found the posters offensive. Stoke employees removed the fliers within two hours after they were posted.
<b>SPORTS COLUMNS</b>	
<b>Jim Fennell</b>	Garneau said he initially lied when Williams first confronted him about the fliers but that he told Williams he had made the posters "about two minutes later" and that he posted written apologies as well as a bulletin board on harassment in Stoke the week after the incident.
<b>Joe Sullivan</b>	After Garneau's appeal to UNH's judicial office was denied last week, he sought help from the Foundation for Individual Rights in Education, a non-profit group that works for freedom of expression.
<b>Vin Sylvia</b>	
<b>OUTDOORS</b>	
<b>John Harrigan</b>	FIRE blasted UNH's handling of the case.
<b>Stacey Cole</b>	"Forcing a student into homelessness for posting a satirical flier is not just unlawful — it's cruel," said FIRE President David French in a statement released Thursday.
<b>LISTINGS</b>	
<b>NH businesses</b>	Garneau said he believed FIRE's press release prompted UNH to give him a document yesterday that sets aside all charges against him except lying.
<b>NH events</b>	"They handed it to me while I was walking to one of my classes," Garneau said yesterday. "It was kind of weird. I think they're basically doing it to block the attention they're receiving from the media."
<b>NH links</b>	While FIRE began attracting media attention to Garneau's case Thursday, UNH's decision to set aside the original charges against Garneau is dated Oct. 27, Wednesday. One UNH official indicated media pressure was not a factor in the reduced charges.
<b>NH nightlife</b>	
<b>NH sex offenders</b>	
<b>Support groups</b>	Under the new decision, Garneau will be on disciplinary probation through May 30, 2006, must have an ethics meeting with UNH judicial officer Jason Whitney by Nov. 15, and is eligible for "relocation to another residence hall on campus if space is available."
<b>ADVERTISING</b>	
<b>Auctions</b>	However Greg Lukianoff, FIRE's director of legal and public advocacy called UNH's new decision "thoroughly inadequate" and suggested it was likely prompted by media inquiries.
<b>Personals</b>	"It was only after they started getting calls from the press that they issued the new decision," Lukianoff said.
<b>Public notices</b>	

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Lukianoff said if Garneau appeals the new decision, his relocation to another dorm will be put off. He also said Garneau could consider a lawsuit against UNH.

Garneau, who hopes to become a lawyer, said he does not want to go to court and will try to get UNH to reverse even its most recent decision finding him responsible only for lying.

"The thing is, I know I was lying, but I confessed within two minutes," he said. "The point is that I just think UNH is being unfair. Them backing down after they know they're wrong sort of proves that."

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