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Sep 11, 2012

# FAMU faults drum major, not school, in his hazing death

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CAPTION

By Joseph Brown III, The Tampa Tribune, via AP

Florida A&M University says [drum major Robert Champion's own "imprudent, avoidable" actions are responsible for his hazing death](#) and that the school should not be held responsible, the *Orlando Sentinel* reports.

Champion, 26, died in November during a brutal hazing incident aboard a band bus in Orlando.

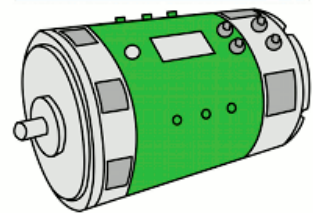
The university's legal opinion in the case comes in a 23-page motion seeking dismissal of a wrongful death lawsuit filed by Champion's family, the newspaper says.

The document, filed Monday night, says Champion, a member of the famed Marching 100 band, died doing something that he knew violated state law and university policy.

by Doug Stanglin

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### About Doug Stanglin


Doug is an unrepentant news junkie who loves breaking news and has been known to watch C-SPAN even on vacation. He has covered a wide range of domestic and international news stories, from prison riots in Oklahoma to the Moscow coup against Mikhail Gorbachev. Doug previously served as foreign editor at USA TODAY. [More about Doug](#)



### About Michael Winter

Michael Winter has been a daily contributor to On Deadline since its debut in January 2006. His journalism career began in the prehistoric Ink Era, and he was an early adapter at the dawn of the Digital Age. His varied experience includes editing at the *San Jose Mercury News* and *The Philadelphia Inquirer*.

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"Respectfully, as a 26-year-old adult and leader in FAMU's band, Mr. Champion should have refused to participate in the planned hazing event and reported it to law enforcement or University administrators." the document says, according to the *Sentinel*. "Under these circumstances, Florida's taxpayers should not be held financially liable to Mr. Champion's Estate for the ultimate result of his own imprudent, avoidable and tragic decision and death."

Champion's parents have charged that the school is at least partly to blame for their son's death for not stopping a culture of hazing within the school's Marching 100 band.

Twelve former members of the band have been charged with felony hazing in Champion's death. All have pleaded not guilty to the third-degree felony, which is punishable by up to five years in prison, the newspaper says.

**Update at 9:43 a.m. ET:** Champion family attorney Christopher Chestnut tells USA TODAY that the "culture of hazing" has been tolerated by the university for decades "and it continues and we see the result."

He says he does not know whether Champion signed a pledge not to participate in any hazing activities, but that most students were forced to pledge, with a "nod and a wink."

"Anyone who wanted a seat in that band knew what they had to do." Chestnut says.

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