

# Fred Glass trusts Archie Miller's decision making off the court



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New IU Coach Archie Miller's résumé showed he could win. It showed Miller could inspire his players, become the face of Indiana basketball and lead the program toward its sixth national championship banner.

But there was one variable Fred Glass considered that received less fanfare. Miller could handle significant legal situations involving his student-athletes.

Two separate players, one in 2012 and the other in 2015, were investigated for allegedly committing sexual assaults while Miller coached at the University of Dayton. With the help of a search firm based in Atlanta, Glass decided Miller handled both cases appropriately.

“Nobody can guarantee that a young person on their team is not going to get in trouble,” Glass told the Indiana Daily Student. “All they can do is guarantee that they’ll handle those situations appropriately.”

University of Dayton took the lead. The allegations weren’t hidden within the team. They weren’t hidden within the athletic department.

This wasn’t Baylor University, where the law firm Pepper Hamilton found numerous instances of institutional failure in regards to how Baylor University handled sexual assault cases, leading to the university’s president demotion and later resignation, in addition to the athletic director’s resignation and the football coach’s firing. This wasn’t Penn State University, where the mishandling of child sex abuse cases saw the football coach fired and the university’s president and athletic director both depart.

Glass wouldn’t consider a candidate’s coaching abilities if the coach couldn’t prove he cared about honoring the sensitivity of sexual assault investigations.

“I wanted to hear ... from his lips to my ears that he understood the importance of those being handled by the institution through the Title IX process as opposed to within the athletic department or the basketball program,” Glass said.

Neither case during Miller’s tenure resulted in criminal charges against the then-Dayton Flyers players, but both Matt Kavanaugh and Dyshawn Pierre received suspensions because they violated University of Dayton’s code of conduct.

Kavanaugh was suspended in October 2012 for the remainder of the 2012-13 academic year. He returned for the 2013-14 season. Pierre was suspended for the fall 2015 semester before returning to the team in late December of the same year.

Peter Ginsberg, a New York City attorney, represented Pierre when he sued University of Dayton to have his suspension reversed.

Ginsberg said he couldn't speak to Pierre's communications with Miller but knows Miller did what he could.

"Archie understood his responsibilities to the university and 100 percent abided by those responsibilities and at the same time acted in a very humane, caring way toward Dyshawn," Ginsberg said. "That's consistent with the reputation Archie has, and it's consistent with the experience I had with him."

After a federal judge decided against a motion Pierre made during the legal battle, Ginsberg said Pierre decided to serve out the remainder of his suspension.

Glass said he discussed the two cases with Miller when the two met to discuss the IU job, and after addressing them, Glass didn't have any concerns moving forward.

Any coach Glass said he would consider had to have a track record of caring about the wellness of all students, not just his players, and a commitment to academics. They also had to be absolutely willing to follow the rules, especially regarding Title IX.

Glass said he spoke to about two dozen former IU players, Indiana high school coaches, Indiana AAU coaches and knowledgeable basketball people from around the state and nation to gauge interest and gather advice. They all had their own views, but Glass said the vast majority told

him to find someone who could come in and “win, win the right way and bring the family back together again.”

Glass indicated his three-part threshold helped cull the list.

“We did disqualify candidates from consideration because they didn’t meet one or more of those issues — following the rules, being committed to the wellness of students, and being committed to the academic success of students,” Glass said.

Although he declined to comment on any specific individual candidate, of those rumored to be in consideration for the job was UCLA coach and former Hoosier basketball player Steve Alford. Alford’s journey as a college coach to UCLA included a head coaching stop at Iowa from 1999 to 2007.

In 2002, one of his student athletes, Pierre Pierce, was charged with sexual assault and later pleaded guilty to a reduced charge of assault causing injury. Alford publicly declared Pierce innocent numerous times. A report released in 2003 by a University of Iowa committee that investigated how the school handled the case criticized Alford’s actions.

According to the report, Alford’s statements “implied that he disbelieved and discredited the claims of the student victim, and his words were perceived as reflecting insensitivity to issues of sexual assault and sexual violence.”

Anne Lahey, a prosecutor assigned to the 2002 Pierce case, said she understood how a coach would have certain loyalties to a player.

“But his seemed to be beyond that,” Lahey said.

Pierce remained on the team until 2005, although the aforementioned case caused him to miss the 2002-03 season, before Alford dismissed him from the team after another arrest. Pierce plead guilty to third-degree burglary, false imprisonment, fourth-degree criminal mischief and assault with intent to commit sexual abuse.

Alford apologized for his handling of the 2002 case through a statement in 2013 in his introductory press conference as the head coach at UCLA. He said he handled the case as he was told to, but in a later statement he said he would have handled it differently.

Glass declined to confirm whether Alford was a candidate or not but acknowledged timing dictated to some degree who he could and couldn't interview.

"This wouldn't be limited to Steve Alford, but there were people who could potentially have been candidates who were still playing in the tournament, and those people in my view wouldn't have been available for me to interview," Glass said.

Glass said it's an absolute must for a coach to have a proven track record of following any and all obligations in sexual assault cases, especially with regard to Title IX. The same goes for the wellness of students.

"That's another one where we look and see, are there any compliance issues where the person fell short and could be a predictor of future challenges?" Glass said.

In a statement provided to the IDS, Miller said his team followed the university's rules.

"In cases of discipline at the University of Dayton, our program followed the proper protocol the University had established regarding student conduct," Miller said.

Glass doesn't think Miller will have any trouble holding his players accountable.

“I think Archie has demonstrated that he’ll handle those appropriately and has committed to being able to handle those appropriately,” he said. “I have a high degree of confidence in that regard.”