

County of Centre



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE DISTRICT ATTORNEY

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May 5, 2017

FOR IMMEDIATE RELEASE

BETA THETA PI FRATERNITY AND 18 **BROTHERS CHARGED IN DEATH OF** **TIMOTHY PIAZZA; 8 FACING** **MANSLAUGHTER CHARGES**

Centre County District Attorney Stacy Parks Miller announces criminal charges as a result of the Centre County Grand Jury's months-long investigation into the death of Timothy J. Piazza while pledging at the Beta Theta Pi fraternity house on February 2, 2017.

The following defendants are scheduled to surrender to law enforcement and be preliminarily arraigned before the Court of Common Pleas at 2 p.m. today in Courtroom 1:

Beta Theta Pi

- | | |
|--|-------------|
| 1. Involuntary Manslaughter, 18 Pa.C.S. 2504 | (1 count) |
| 2. Hazing, 23 P.S. 5353 | (50 counts) |
| 3. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 | (48 counts) |
| 4. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 | (48 counts) |

Brendan Young

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count)
2. Aggravated Assault, 18 Pa.C.S. 2702(a)(1) (1 count)
3. Simple Assault, 18 Pa.C.S. 2701(a)(1) (1 count)
4. Tampering with Evidence, 18 Pa.C.S. 4910 (1 count)
5. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (50 counts)
6. Hazing, 23 P.S. 5353 (50 counts)
7. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (48 counts)
8. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (48 counts)

Daniel Casey

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count)
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3. Simple Assault, 18 Pa.C.S. 2701(a)(1) (1 count)
4. Tampering with Evidence, 18 Pa.C.S. 4910 (1 count)
5. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (50 counts)
6. Hazing, 23 P.S. 5353 (50 counts)
7. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (48 counts)
8. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (48 counts)
9. Consumption of Alcohol by a Minor, 18 Pa.C.S. 6308 (1 count)

Jonah Neuman

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count)
2. Aggravated Assault, 18 Pa.C.S. 2702(a)(1) (1 count)
3. Simple Assault, 18 Pa.C.S. 2701(a)(1) (1 count)
4. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts)
5. Hazing, 23 P.S. 5353 (14 counts)
6. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (12 counts)
7. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (12 counts)
8. Disorderly Conduct, 18 Pa.C.S.A. §5503(a)(1) (1 count)
9. Consumption of Alcohol by a Minor, 18 Pa.C.S. 6308 (1 count)

Nick Kubera

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count)
2. Aggravated Assault, 18 Pa.C.S. 2702(a)(1) (1 count)
3. Simple Assault, 18 Pa.C.S. 2701(a)(1) (1 count)
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7. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (12 counts)
8. Consumption of Alcohol by a Minor, 18 Pa.C.S. 6308 (1 count)

Michael Bonatucci

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count)
2. Aggravated Assault, 18 Pa.C.S. 2702(a)(1) (1 count)
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Gary Dibileo

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Luke Visser

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count)
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Joe Sala

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count)
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| 7. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 | (12 counts) |

The remaining defendants will surrender and face arraignment at a time to be determined early next week. The attached Grand Jury presentment summarizes the investigation's evidence.

County of Centre



RECOMMENDATION OF CHARGES

Based upon the investigation conducted by the First Centre County Investigating Grand Jury, the District Attorney instituted the following criminal charges today against these individuals. The first wave of defendants will surrender to police and be preliminarily arraigned at 2:00 p.m. in Courtroom 1 of the Centre County Courthouse.

Beta Theta Pi

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| 1. Involuntary Manslaughter, 18 Pa.C.S. 2504 | (1 count) |
| 2. Hazing, 23 P.S. 5353 | (50 counts) |
| • 14 counts for Spring 2017 Rush | |
| • 29 counts for Fall 2016 Rush | |
| • 7 counts for Spring 2016 Rush | |
| 3. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 | (48 counts) |
| • 12 counts for Spring 2017 Rush | |
| • 29 counts for Fall 2016 Rush | |
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| 5. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 | (50 counts) |
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- 29 counts for Fall 2016 Rush
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Daniel Casey

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9. Consumption of Alcohol by a Minor, 18 Pa.C.S. 6308 (1 count)

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Luke Visser

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Michael Angelo Schiavone

1. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts)
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Craig Heimer

1. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts)
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Lars Kenyon

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Parker Jax Yochim

1. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts)
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Ed Gilmartin

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|---|-----------|
| 1. Tampering with Evidence, 18 Pa.C.S. 4910 | (1 count) |
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Ryan McCann

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| 1. Tampering with Evidence, 18 Pa.C.S. 4910 | (1 count) |
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Lucas Rockwell

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| 1. Tampering with Evidence, 18 Pa.C.S. 4910 | (1 count) |
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Braxton Becker

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Ryan Foster

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| 1. Tampering with Evidence, 18 Pa.C.S. 4910 | (1 count) |
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Joseph Ems

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|---|-----------|
| 1. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 | (1 count) |
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INTRODUCTION

The members of the First Centre County Investigating Grand Jury, having received evidence pertaining to possible violations of the Pennsylvania Crimes Code occurring in State College Borough, Centre County, Pennsylvania, pursuant to Notice of Submission of Investigation No. 11, do hereby render the following findings of fact, and recommend to the District Attorney of Centre County that the following persons be charged as indicated.

BACKGROUND

The Grand Jury considered the facts and circumstances surrounding the death of Timothy John Piazza, a nineteen (19) year-old man, on February 4, 2017, and specifically the fraternity “pledging” activities which preceded his death at the Beta Theta Pi fraternity house on February 2, 2017 in State College, Centre County, Pennsylvania.

FINDINGS OF FACT

The Alpha Upsilon Chapter of Beta Theta Pi at Pennsylvania State University:

Brendan Young, the president of Beta Theta Pi (hereinafter “Beta”), testified before the Grand Jury; Young authenticated several Beta documents among them, a “pledge manual” referred to by the Grand Jury as Exhibit 8.

1. Young testified he is twenty-one (21) years old and a junior at The Pennsylvania State University (hereinafter “Penn State”).
2. Young pledged (joined) Beta in fall 2014.
3. Young became president of Beta in November 2016.

4. Young stated the Beta rush (or “recruitment”) committee as of February 2, 2017 was (and is) comprised of the following Beta members (“brothers”): Ryan Burke (vice president in charge of recruitment); Matt Reinmund; Lucas Rockwell; Jax Yochim, and Lars Kenyon.
5. Young then identified the following Beta brothers as serving on the “pledge education committee:” Daniel Casey (administrative vice president in charge of pledge education); Joe Sala (assistant pledge educator); and Don Prior (chorister).
6. Young relinquished to the Grand Jury a Beta ritual book (hereinafter “Beta book”) used during fraternity ceremonies such as initiation.
7. In addition to the Beta book, Young produced a series of documents, including but not limited to, three “pledge manuals.”
8. The “Beta Theta Pi Fraternity Spring 2017 New Member Manual,” referred to as Exhibit 8, is the most recent Beta pledge manual.
9. Young explained Beta’s Administrative Vice President is responsible for creating Beta’s pledge manuals which “outline the pledging process for the semester.”
10. Young testified Beta is required, through the Administrative Vice President, to electronically submit the Beta pledge manual to the Office of Greek Life at Penn State University for their approval; this process occurs during the first week of each academic semester.
11. An employee at the Office of Greek Life then is supposed to notify Beta if/when they approve the pledge manual.
12. Upon review of Exhibit 8, the Grand Jury gleaned following additional information about Beta:
 - a. The “Executive Board” of the Alpha Upsilon Chapter of Beta Theta Pi (as of Spring 2017) is comprised of president, Brendan Young; executive vice president,

Edward Gilmartin; administrative vice president, Daniel Casey, vice president of finance, Adam Mengden; vice president of recruitment, Ryan Burke; vice president of risk management, Michaelangelo Schiavone; vice president of programming, Matthew Reinmund; vice president of communications, Johnathan Martines; and house manager Braxton Becker.

- b. Among Beta's goals for their "new member" program, Beta' pledge manual unambiguously prohibits alcohol on its premises: "[t]here is absolutely no alcohol allowed on the premises of 220 N. Burrowes Street. Any New Member found to have consumed alcohol on the property will be expelled."
- c. Beta's "risk management policy" is also discussed, wherein it states, among other things: (a) "[t]he possession, use and/or consumption of alcoholic beverages by any fraternity member or guest while on chapter premises, during an official fraternity event, or in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity, must be in compliance with all applicable laws of the state, province, county, city, institution or other controlling entity and must be either BYOB or adhere to a Third Party Vendor system;" (b) "[a]buse of the consumption of alcoholic beverages by any fraternity member or guest while on chapter premises, during an official fraternity event, or in any situation sponsored or endorsed by the chapter shall be prohibited. No member shall permit, tolerate, encourage or participate in "drinking games" or other activities that encourage excessive consumption of alcohol;" (c) "[n]o fraternity members, individually or collectively, shall purchase for, serve, or sell alcoholic beverages to minors (i.e., those under legal "drinking age");" (d) "[n]o

alcoholic beverages may be purchased through the chapter treasury, nor may the purchase of alcoholic beverages for members or guests be undertaken or coordinated by any member in the name of, or on behalf of the chapter. Pooling of funds is not permitted;" (e) "[n]o alcohol shall be present at any recruitment activity, [n]ew [m]ember activity or induction, pre-initiation and initiation ceremonies;" and (f) "[a] sufficient number of mature party monitors must be adequately training and instructed not to consume alcoholic beverages prior to, or while fulfilling, the role of party monitor."

- d. Finally, within Exhibit 8, Beta delineates its "Hazing" policy; "[n]o chapter...shall engage in hazing activities. Permission or approval by a person being hazed is not a defense. Hazing activities are defined as: [a]ny action taken or situation created intentionally or through gross negligence, whether on or off fraternity premises, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities may include, but are not limited to, the following: use of alcohol; paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside the confines of the chapter house; wearing of public apparel which is conspicuous and not normally in good taste; engaging in public stunts; morally degrading or humiliating games and activities; and any other activities which are not consistent with state law, fraternal law, ritual or policy or the regulations and policies of the educational institution."

Beta's Representation as a "Dry" Fraternity:

Adam Mengden testified before the Grand Jury. Mengden discussed the coordinated efforts of Beta members to purchase alcohol for fraternity events, even though Beta claims to be a "dry" fraternity.

13. Mengden is twenty (20) years old and Beta's vice president of finance.
14. Mengden testified that approximately forty (40) brothers live in the Beta Theta Pi fraternity house ranging in age from eighteen (18) to twenty-two (22) years old.
15. According to Mengden, Beta hosts alcoholic functions at its fraternity house which can be broken down into two categories: a social and a party.
16. Per Mengden, a social occurs between Beta and one or two sororities while a party transpires between Beta and multiple Greek fraternities and/or sororities.
17. Socials and parties at Beta generally take place in the basement where alcohol is served.
18. According to Mengden, the risk manager (who also the head of the "social committee") historically shoulders the responsibility of obtaining alcohol for Beta events.
19. As of spring 2017, Michaelangelo Schiavone held the position of risk manager within Beta and lived in the Beta fraternity house.
20. Mengden testified at the start of the spring 2017 semester, Schiavone discussed the purchase of alcohol with the Beta Brothers, specifically the arrangement that if an individual brother contributed \$250 to the "social fund" (also referred to by Schiavone as the "slush fund") that brother was entitled to drink alcohol purchased by Schiavone for Beta events.
21. Mengden also stated if brothers did not pay into the slush fund at the start of the semester, the contributing amount later increased to \$300 per brother.

22. Mengden acknowledged Beta claimed to be a “dry” fraternity to multiple agencies, including Penn State, Beta’s National Headquarters, Beta’s Housing Board, and the community at large.
23. Regardless of Beta’s representations as a “dry” fraternity, Mengden testified that the purpose of the Beta “slush fund” was specifically to purchase alcohol for fraternity events such as socials, recruitment events, and pledge events.
24. With respect to Beta recruitment events in spring 2017, Mengden confirmed the existence of three (3) alcoholic events: a “crate race” night, a Four Loko night, and a cigar and beer night.
25. Mengden admitted recruitment events are supposed to be “dry” events. However, he conceded to the presence and service of alcohol at the spring 2017 “bid acceptance” party attended by Tim Piazza and his fellow pledges.
26. Mengden testified that Craig Heimer, another Beta brother, purchased alcohol for bid acceptance night at the direction of Michaelangelo Schiavone.
27. Upon purchase, Heimer brought the alcohol back to the Beta house and placed it a location accessible to Schiavone.

Detective David Scicchitano of the State College Police Department was called to testify before the Grand Jury. Detective Scicchitano is assigned to investigate the instant case. With respect to **the brother’s purchase of alcohol to supply Beta’s recruitment events and bid acceptance night**, Detective Scicchitano testified to the following:

28. Detective Scicchitano obtained a series of purchasing receipts from Liquor Control Enforcement (“LCE”) agents who assisted with the instant case.

29. LCE obtained these receipts from vendors within the State College region, specifically, Hamilton Square bottle shop, W.R. Hickey's beer distributor, and the state liquor store located on North Atherton Street.
30. Detective Scicchitano testified that these receipts show that Craig Heimer, a Beta brother, purchased a mass quantity of alcohol over an eight (8) day span (January 25, 2017 through February 2, 2017).
31. The total amount spent on alcohol, from all the collected receipts, amounted to \$1,179.30.
32. Upon inspection of the receipt, Detective Scicchitano testified the items purchased consisted of: numerous cases of Crown Rouse vodka and Natural Light beer, 15 cases of Four Loko (a potent malt liquor), and multiple boxes of wine.
33. Detective Scicchitano also reported to the Grand Jury the results of an interview he conducted with Craig Heimer.
34. Detective Scicchitano testified that Heimer admitted the following: Michaelangelo Schiavone served as the current risk manager; Schiavone is responsible for obtaining Beta's alcohol; prior to the bid acceptance party, Schiavone requested that Heimer purchase alcohol for that event; Schiavone specifically ordered six (6) "handles" (a "handle" is usually 1.75 liters as opposed to a regular bottle of liquor that is 750 ml) of Crown Rouse vodka which Heimer purchased at the North Atherton state store for approximately \$80 dollars; Heimer delivered the handles to Schiavone's bedroom at the Beta house.
35. Detective Scicchitano testified that Heimer admitted: purchasing 15 cases of Natural Light beer two (2) days before the bid acceptance party from Beer Belly's on Hamilton Avenue; Schiavone accompanied Heimer to the beer distributor and placed the beer behind the

basement bar area in the Beta “cold closet” shortly thereafter; during this same trip, Heimer and Schiavone went to the state liquor store and further purchased fifteen (15) boxes of wine.

36. Detective Scicchitano also testified that Heimer admitted to him: the alcohol purchased was for the social after bid acceptance night, specifically, and it was made available to everyone in attendance; Heimer stated he knew that some of the alcohol purchased would also be used for pledge events which were scheduled to take place later in the semester.

37. During the course of this investigation, Detective Scicchitano testified that law enforcement also uncovered forensic evidence from a number of fraternity member cellular telephones which revealed conversations concerning the purchase of alcohol for Beta fraternity events.

38. Specifically, Detective Scicchitano discovered a conversation between Heimer and Schiavone on January 25, 2017:

- a. Schiavone: can you please make a booze run for me today, 150 Lokos, seven cases Natty, one crate of Rouse? Money is in my room.
- b. Schiavone: 175 Lokos, seven cases of Natty, one crate of Rouse.
- c. Heimer: how much is a crate of Rouse, like handles-wise, and where do you get that many Lokos from? Ha, ha, ha.
- d. Schiavone: \$800 cash, six handles, Lokos are from WR Hickey’s
- e. On February 2, 2017, Heimer and Schiavone engaged in the following conversation:
- f. Schiavone: can you buy six Rouse today, please?
- g. Heimer: yeah
- h. Schiavone: Thank you. Will pay you back.

i. Heimer: Wait. I paid you 250, but 21 plus is 100 for social dues. Could I get that 150 back pls...Deal?

j. Heimer: Handles are in your room

39. Detective Scicchitano also discussed a conversation recovered from Schiavone's phone from a chatgroup entitled "we fuck moms," which included messages from Jax Yochim, Schiavone, and Lars Kenyon; it stated:

a. Yochim: Danny wants 2 handles a box of wine and a case for the pledges

b. Schiavone: WE ARE THE SLUSH FUND...social dues is the slush fund...We are literally a fund that collects money for booze...What do we need to buy booze wise today"

c. Lars: depends on how many cases are in Hinton's car

d. Yochim: 2 handles of russe a box of wine and case for the new guys. We need to figure out this furnishing shit. I'm worried about it

e. Lars: We have 6 wine boxes next to the sink behind the granite bar

The "Dry" Recruitment Process and Beta's Violation Thereof:

Evan Rooney, a Beta pledge, was called before this Grand Jury. Rooney discussed his "rush" (also known as recruitment) experience in general, specifically with Beta, as well as his bid acceptance night which took place on February 2, 2017—the same night as Timothy Piazza's. "Bid Acceptance" is the formal term for when an invited individual "accepts" the invitation to join the fraternity.

40. Rooney attends Penn State University as a freshman.

41. "Rush" at Penn State University encompasses an approximate two (2) week process wherein interested male students meet with Greek Fraternity brothers at their fraternity residences and attempt to determine where they "best fit" within this Greek community.
42. Rooney stated the Interfraternity Council ("IFC") coordinates rush, which is deemed a non-alcoholic process.
43. IFC is the governing body of all Greek organizations at Penn State University.
44. Rooney also explained the difference between a "rush" and a "pledge" stating, "a rush is someone that's going to each fraternity and seeing what fits for them and going to these events and meeting guys, and a pledge is someone that gets picked by the fraternity to pledge at the house, and you have to get a bid, a formal invitation, to be a pledge."
45. In spring 2017, rush started on January 16, 2017. The opening four days consisted of "zone" days wherein potential new members toured the fraternity houses and met the brothers from 4:30 to 8:30 PM.
46. Rooney explained if the brothers "liked" an individual, they would invite that person back, often via text message, for additional fraternity recruitment events as they unfolded. As the process wore on, brothers invited fewer and fewer individuals back to each fraternity, essentially weaning down the rush pool.
47. Prior to beginning the rush process, the IFC required all potential new members, including Rooney, to electronically submit their basic demographic information such as age, phone number, address, etc.
48. Rooney stated that each time he entered a fraternity during rush, he was required to sign into a computer.

49. Rooney explained Penn State University fraternities extended “bids” of acceptance (an invitation to join the brotherhood) on January 31, 2017.
50. With respect to Beta’s particular rush events, Rooney personally attended three recruitment events wherein Beta Brothers provided alcohol to potential new members.
51. Specifically, Beta hosted, and Rooney attended, a “beer and cigar” night, a “Four Loko” night, and a “crate race” night.
52. Prior to these events, Rooney believes that a Beta brother listed as “Joe Beta”—identified as Joseph Ems—invited Rooney via text message.
53. On January 22, 2017, the recruitment message stated, “What’s good, guys? It’s Joe, one of Beta’s rush chairs. We’re having a rush event tonight at 8 p.m. We’re going to have some cigars and beers out. Wear a watch over your rush band. See boys there tonight.”
54. Rooney explained a “rush band” is a yellow band given to potential new members by the IFC at the previously mentioned meeting. The wrist band signifies that the person wearing it is “a rush” and since recruitment is a dry process, a potential new member (individuals wearing yellow wrist bands) should not be in the possession of alcohol during a recruitment event.
55. When asked why Beta brothers would instruct potential new members to cover their wrist bands, Rooney stated, “So if IFC does come to a house and see that, oh, at this fraternity I – they saw a rush drinking at whatever house it was, they can, I guess, go after and sanction the house, basically get them in trouble for it.”
56. Rooney stated he consumed alcohol at the “beer and cigar” recruitment event; the event took place on the first floor in the “great hall” at the Beta house.
57. On January 24, 2017, the recruitment message read, “What’s good, guys? It’s Joe, one of Beta’s rush chairs. Tomorrow night we’re having our next closed rush event. It’s a Four

Loko party. We'll be picking up about 200 Four Lokos. Come by at 9:30 and wear a watch over your rush band. I'm looking forward to seeing you guys there."

58. Rooney stated the "Four Loko" night took place in Beta's basement where Beta brothers brought cases of Four Loko down to the basement and made them available to anyone who wanted one in what he described as a "just go get them if you want them sort of thing."

59. Rooney stated the next Beta recruitment event occurred on Friday when Beta hosted a "crate race."

60. Rooney explained "bids" came out on the following Tuesday, were "accepted" on Wednesday, followed by Beta's "bid acceptance night" on Thursday, February 2, 2017.

Beta's Bid Acceptance Night & The Gauntlet:

61. On Thursday afternoon, Rooney received a text message from a Beta brother requiring him to be at the house at 9:07 PM that night wearing a jacket, a buttoned-down shirt, and khakis and warning him not to be late.

62. When Rooney arrived at the Beta house on February 2, 2017, brothers escorted him to the basement with thirteen (13) other hopeful pledges.

63. Once everyone arrived, Beta brothers told them to "line up in height order and put your right hand on the shoulder in front of you and...don't break off from them, so you make a single-file line."

64. Rooney explained the Beta brothers led the pledges upstairs to the great hall where they performed a ritual during which brothers read from a book and sung songs.

65. After the ritual, brothers instructed Rooney and the other pledges to line up in the same position so they could be led back down to the basement.

66. Rooney testified that after lining up in the basement, the pledge master produced a bottle of vodka and told them they had to drink—specifically instructing the pledges to finish the bottle before it reached the end of the line or the pledge at the end would be required to drink all that remained.
67. Once the bottle reached the end of the line, however, the bottle still contained so much vodka (at least half the bottle) that the pledge master told the pledges to keep passing it until they finished it.
68. After finishing the “handle” of vodka as a pledge class, Beta brothers directed them to line up again before leading the pledges outside to wait near a side door entrance.
69. As the pledges stood in line, someone on the other side of the door would knock and each pledge would enter, one at a time.
70. When it was Rooney’s turn to enter the Beta house, the pledge master (Daniel Casey) stood on the other side, holding a bottle of vodka.
71. Casey handed Rooney the bottle of vodka to drink and Rooney complied.
72. Casey then told Rooney to run down the hallway; at the end of the hallway Rooney encountered another drinking station where he was required to “shotgun” a beer.
73. Rooney explained that “shot-gunning” a beer occurs when “you put a hole in the side of the can. So if this is like a normal can, you put it on its side. You put a hole in it, and then you drink from the hole and you open the top of it...it creates airflow...so it’s easier to drink fast.”
74. Upon finishing his beer, brothers directed Rooney to run to the next station which consisted of a Beta brother holding a wine bag from which Rooney drank.
75. Rooney stated that during this process, Beta brothers poured beer on the pledges.

76. After completing the wine station, brothers instructed Rooney to return to the basement where they erected a “beer pong” station.
77. When he arrived, Rooney said a brother told him that if he shot and “made the cup” he would not have to drink; however, if he missed, he had to drink the contents of the cup.
78. Rooney stated he missed the shot and consequently drank a green solo cup of beer.
79. Rooney testified that the Beta brothers referred to this series of drinking stations as “the gauntlet.”
80. As Rooney waited for his fellow pledges to finish the gauntlet, Beta brothers told him to stay in their line; when everyone arrived, the Beta brothers handed each pledge another beer to “shotgun.”
81. Rooney stated that after the pledges completed the gauntlet, Beta hosted a social with a female student organization.
82. During the social, Rooney testified that brothers walked around the house carrying wine bags and encouraging pledges to drink; on the bar, brothers left full cans of beer, vodka, and additional wine available for anyone who wanted them.
83. Rooney admitted to drinking during the social.

Additional brothers and pledges were called to testify before this Grand Jury. Some were interviewed, and those interviews were then relayed to the Grand Jury by either Detective David Scicchitano or Lieutenant Keith Robb of the State College Police Department. With respect to the historical existence of the gauntlet, as well as its use on February 2, 2017, the Grand Jury received the following additional information during this phase of its investigation.

84. Adam Mengden, a Beta brother, testified he was present at the Beta house when the fourteen (14) spring 2017 pledges, including Timothy Piazza, were forced to run the gauntlet.
85. Mengden described the gauntlet as a series of drinking stations at which the pledges consumed alcoholic beverages at a fast pace.
86. On Timothy Piazza's bid acceptance night, Mengden witnessed two of the gauntlet stations—the shotgun station and the wine station.
87. Mengden saw Joseph Ems, Ryan Burke, Kordel Davis, and Jerry Coyne standing in the general vicinity of the shotgun station.
88. Mengden saw Gary DeBilio holding/running the wine bag station.
89. Mengden testified that he is aware of the dangers associated with consuming alcohol. Specifically, that the consumption of alcohol at a fast pace can result in rapid intoxication, vomiting, loss of motor skills and/or coordination which may result in a fall and subsequent injury.
90. Mengden stated that on February 2, 2017, Beta did not assign designated, sober brothers to care for any of the fourteen (14) pledges who ran their gauntlet.
91. When Mengden testified, he acknowledged forced drinking is a form of hazing and that hazing is a crime.
92. During his time as a Beta brother, Mengden testified that he has observed numerous pledges become sick after drinking an excessive amount of alcoholic beverages.
93. While testifying before the Grand Jury, Mengden also recalled his time as a Beta pledge.
94. Mengden pledged Beta in spring 2016 during which Beta brothers also forced him to run the gauntlet on his bid acceptance night.

95. Mengden testified that his gauntlet consisted of the following: the pledge master passed the class a bottle of Crown Rouse (vodka) to take “pulls” from for approximately ten (10) seconds each; brothers handed them beers to “shotgun;” at another station he was handed a whiffle bat filled with beer to “spin around a certain number of times” and then drink it; finally, they required him to make a “beer pong” cup filled with beer, however, when he “shot” the ball another brother smacked the ball away from the cup precluding him from making his “shot,” thus, he was required to drink.
96. Upon the conclusion of Mengden’s gauntlet, Beta hosted a social where additional alcohol was provided.
97. Mengden further testified he was present when Beta brothers demanded that the fall 2016 pledge class run the gauntlet on their bid acceptance night.
98. Luke Visser, a Beta brother, was interviewed by Detective Scicchitano:
99. Detective Scicchitano testified that Visser admitted as follows: he was present during the February 2, 2017 gauntlet; Visser stated he ran the beer pong station in the basement; Visser acknowledged that all fourteen (14) pledges went through his station and that of the fourteen (14), twelve (12) were required to drink because they missed their cup.
100. Craig Heimer was interviewed with respect to the existence of the gauntlet.
101. Detective Scicchitano testified that during the interview, Heimer admitted: he was present during the February 2, 2017 obstacle course; the purpose of the gauntlet is to get the pledges drunk in a very short amount of time; on February 2, 2017, the pledges consumed approximately four (4) to five (5) alcoholic beverages varying from beer, wine, and liquor – all within a two (2) minute time span.
102. Ryan Foster, a Beta brother, testified that he is a senior at Penn State University.

103. Foster pledged Beta during his freshman year of college.
104. When asked, Foster stated that over the last three and one-half (3 ½) years as a Beta brother, bid acceptance night always reaches a point where people “need to take care of each other” due to their alcohol consumption.
105. Kordel Davis, a Beta brother, testified and gave a subsequent interview to Detective Scicchitano.
106. Davis testified that he pledged Beta during his first semester at college in the fall of 2016.
107. Detective Scicchitano testified that Davis also described his bid acceptance night, during which: brothers instituted the gauntlet on his pledge class; afterwards a social took place; Davis missed the ritual and gauntlet on his bid acceptance night because he had an exam, however, upon arriving at the house after his class, brothers instructed Davis to “catch up” to his pledge class.
108. Detective Scicchitano testified Davis reported that during the social, Beta made alcohol available to anyone who wanted it; no one checked identification; later, after consuming an excessive amount of alcohol, Davis fell and hit his head, resulting in profuse bleeding.
109. Detective Scicchitano relayed that Davis said after his fall, the brothers circled around him, got him up, and then took him to Urgent Care but no one ever called 911.
110. Detective Scicchitano explained that when he interviewed Davis, he could see a scar located on Davis’ forehead situated directly above Davis’ left eye.
111. Detective Scicchitano interviewed Gary Dibileo (the Beta brother who ran the wine station on February 2, 2017).
112. Detective Scicchitano testified Dibileo reported that he pledged in fall 2016 (with Kordel Davis). On his bid acceptance night, brothers required his pledge class to run the gauntlet

using the same alcohol provided to Timothy Piazza a semester later— beer, wine, and vodka. He reported that the brothers required them to run the gauntlet at a fast pace. Brendan Young, Dibileo's pledge master, handed him the bottle of vodka to drink from and his later gauntlet stations consisted of a wine bag, beer pong, beer shotgun, and a social afterward. Dibileo stated that during the social, Beta made alcoholic drinks available to anyone who wanted any, never checking anyone's IDs.

113. Gregory Rizzo, a Beta brother, testified before the Grand Jury and was subsequently interviewed by Detective Scicchitano.

114. Detective Scicchitano testified that Rizzo stated he pledged Beta in fall 2016 (with Davis and Dibileo). Twenty-nine (29) male students comprised his pledge class and he was the oldest at 20 years of age; thereby making every one of those 29 pledges under the legal drinking age. On their bid acceptance night, Beta instructed Rizzo's class to line up by birth date which placed Rizzo first in line at only twenty (20) years old. He further described a similar bid acceptance night as Dibileo's account.

115. Detective Scicchitano testified that he also interviewed Nick Kubera and Jax Yochim.

116. Detective Scicchitano relayed to this Grand Jury that during both interviews, Kubera and Yochim admitted to the existence of the gauntlet, and described enduring a similar experience.

117. Detective Scicchitano also testified to obtaining and executing search warrants on cellular telephones belonging to Daniel Casey and Brendan Young.

118. Detective Scicchitano explained that after a forensic examination of Casey and Young's phones, he uncovered additional evidence detailing the planning and organization of Beta's bid acceptance night and gauntlet. Specifically, on February 4, 2016 (exactly one year before

Timothy Piazza's bid acceptance night) and on March 20, 2016 through March 31, 2016, Young and Casey engaged in the following text message conversations:

a. February 3-4, 2016: (When Young was pledge master and Casey his assistant)

- i. Casey: My pledge class loved the obstacle course we thought it was dope
- ii. Young: We'll do that. Once we figure where we will have to social, we can figure out the order of the obstacle course.
- iii. Casey: Nice sounds good it'll get them fucked up and then they'll go down and have girls there and head to TDX it'll seem lit'
- iv. Young: What did you guys do for the obstacle course? Floor by floor
- v. Casey: Pull of rouse in PD then run down the hall shotgun go down side steps dizzy bat run to library BP shot then down kitchen steps to basement steps and did wine bag
- vi. Young: what was the deal with the be[e]r pong shot?
- vii. Casey: Like if you missed a shot you take a shot of rouse?...I'm not sure I hit it...They just made us drink the cup it was filled with beer...I say we don't do wine...And just give them a beer to walk into the social with
- viii. Young: We're doing wine
- ix. Casey: Okay...Is it the same set up?
- x. Young: Pretty much plus flip cut at the bottom...Then it'll transition into the social

b. March 30-31, 2016:

- i. Casey: My roommate told me that pike does this. During a lineup they introduce everyone from the pledge class the semester before and they run the lineup and that's when the pledge class can start hazing. Thought for next semester since a lot of my pledge class is already involved.
 - ii. Young: Yeah we can do that next fall with your class and the spring class
 - iii. Casey: Dope
 - iv. Young: Hopefully they aren't soft like this class...They are really drunk and I want to fuck with them.
 - v. Casey: I got you.
- c. Less than one month prior to Timothy Piazza's bid acceptance party—before rush week even started at Penn State—Young texted Casey a message on January 7, 2017, wherein he stated, "I know you know this. If anything goes wrong with the pledges this semester then both of us are fucked."

Additional brothers, pledges, and individuals were called to testify before the Grand Jury. Some chose to be interviewed by police; those interviews were then relayed to the Grand Jury by either Detective David Scicchitano or Lieutenant Keith Robb of the State College Police Department. With respect to the historical existence of a social taking place after the completing the gauntlet, the Grand Jury received the following additional information as part of this investigation.

119. Adam Mengden, a Beta brother, testified that after the spring 2017 pledge class completed the gauntlet, a social between Beta and a female student organization known as “Trilogy” took place in the basement of Beta’s residence.
120. Paige Haney and Teresa Vieira, both members of Trilogy, testified that they arrived at the Beta house prior to the ritual ceremony commencing on February 2, 2017.
121. Beta brothers required the women to wait upstairs on the third floor so they did not see the spring 2017 pledges go through the Beta gauntlet.
122. Both women testified that eventually they entered Beta’s basement area where the social began.
123. Haney and Vieira stated Beta provided alcohol during this social event and it was free to anyone present who wanted it.
124. Both women stated that no one checked their identifications to determine whether they were of legal age to consume alcoholic drinks.
125. Detective Scicchitano interviewed Caroline Marino, another member of Trilogy.
126. Detective Scicchitano testified that Marino admitted she is the biological sister of a Beta brother as well as roommates with Teresa Vieira. Marino attended the Beta social on February 2, 2017 where alcohol in the form of Natty Light beer, Crown Rouse vodka, and wine were available to anyone who wanted some. No one checked her identification though Marino is underage.

A History of Hazing:

During the course of this investigation, the Grand Jury uncovered additional information concerning **Beta's historical engagement in hazing activities**. Beta brothers Kordel Davis, Craig Heimer, and Gregory Rizzo were interviewed by Detective Scicchitano.

127. Detective Scicchitano testified that Davis reported Joseph Ems, a Beta brother, would walk up to pledges and give them handles of vodka, which he required the pledges to finish. During "hell week" (which Davis identified as the week prior to initiation into the Beta brotherhood), Davis' class endured a series of events.
128. Detective Scicchitano testified that Davis described the hell week trials as follows: in the first event, Beta brothers lined up the pledges wearing a jacket and a tie, directed them to run to their dorm rooms and return within twenty (20) minutes. The second event required the pledges to perform a "crate race" in the basement among themselves, which Davis explained as the pledges dividing into teams and racing to jointly finish the three to four different types of alcohol (such as a case of beer, a box of wine and a handle of vodka) contained in a crate with the goal to finish first. The third event entailed drinking something called "mush," described by Davis as a mixture of all kinds of different old food and drink left over in the refrigerator in the Beta kitchen mixed together in a blender and served to the pledges. The fourth event involved a paddling ceremony where brothers blindfolded all twenty-nine pledges, lined them up, and then paddled them. Davis stated he was hit twice on the buttocks with a paddle, which proved painful but did not require medical attention.
129. Detective Scicchitano testified that Davis stated his pledge master, Brendan Young, planned and/or organized these events; sometimes with the help of Young's assistant, Daniel Casey.

130. Detective Scicchitano testified that he asked Davis what would happen if a pledge did not participate in these hazing events. Davis stated that failing to participate could affect a pledge's "pledge ranking" which determined whether or not they were able to live in the Beta house.
131. Craig Heimer was interviewed by Detective Scicchitano; during the interview, Heimer stated he pledged in spring 2016 when Brendan Young served as pledge master and Daniel Casey was Young's assistant. Heimer disclosed that none of the pledges in his pledge class were of legal drinking age. During "hell week" brothers required he and his fellow pledges to bring sleeping bags and pillows to sleep on basement floor at the Beta house where periodically throughout the night, Beta brothers would wake them up and play loud music.
132. Detective Scicchitano testified that Heimer further described hell week by describing one point where brothers required his class to drink a case of warm beer. Like Davis, Heimer also endured the "mush" event, which caused Heimer to become sick and vomit. Beta additionally required Heimer's pledge class to run errands for the Beta brothers during hell week. Heimer also confirmed brothers paddled him, striking him two (2) to three (3) times which he said hurt. Detective Scicchitano testified that the Spring 2016 pledge class consisted of 7 individuals, all under the age of 21.
133. Lt. Robb interviewed Gregory Rizzo concerning his experience as a pledge and inquired about any incidents involving hazing.
134. Lt. Robb testified that Rizzo stated: during hell week, brothers forced his pledge class to consume large quantities of alcoholic beverages in the basement on "crate race" night; afterward, several pledges became sick and vomited which the Beta brothers made the pledges clean. Rizzo recalled the brothers requiring the pledges to perform physical agility

tests such as planks, push-ups, and wall squats for various amounts of time. Furthermore, the brothers subjected Rizzo to paddling too.

135. Lt. Robb testified that Rizzo detailed his “paddling ceremony” as beginning with the pledges walking into a room with a pillow case over their heads. Brothers first asked if the pledges were willing to walk over glass for their fraternity, the pledges then walked over potato chips; next brothers asked if they were willing to drink the blood of their fraternity, before being given tomato juice with tabasco sauce; third, brothers inquired if the pledges were willing to drink their brother’s urine before making them drink Gatorade; finally, brothers asked the pledges if they were willing to take a hit for their brother, after which a brother struck Rizzo twice with a wooden object which hurt significantly but did not require medical attention. Rizzo described this pledging activity as a mind game between the brothers and the pledges.

136. Detective Scicchitano testified to forensic evidence harvested from cellular telephones belonging to both Brendan Young and Daniel Casey which reveal the planning behind previous “Hell Week” events in 2016.

137. Regarding the Spring 2016 Rush, police located the following conversations on Young’s phone:

a. April 19, 2016 (between Young and Casey)

Young (to Casey): They arrive at 10 and do all the tasks I told them to do. Then they go back to their dorms to get a bag for the week. When they come back they do a case race and then a lineup. I’ll tell you week long plan when you get here tonight.

b. April 20, 2016 (between Young and Casey)

Young: I took it easy on them this morning

Casey: Was there pledge fitness? And did you play any music...And yeah last night was shitty

Young: No pledge fitness. I played music though. Fitness would've been too much...I've never seen anything as bad as last night at this house

Casey: I know it was insane.

Young: We gotta grab a couple dozen eggs for gladiator tonight

c. April 22, 2016 (between Young and another individual)

Contact Name: Is there anything for the pledges tn?

Young: Beta brew

Contact Name: Hell yeah haha

d. April 22, 2016 (between Young and Casey)

Casey: How'd it go last night

Young: Not great. It took them a while to drink it. So I lined them up half way through and then gave them the chance to drink the rest or go through a lineup.

Casey: So they actually did do it

Young: Yea eventually

Casey: Pussies

e. April 22, 2016 (between Young and another individual)

Young: Where did you get the goldfish for hell week last semester?

Contact Name: Petco or wherever by target can you send a pledge to the 6 it's the last day we would Need them

f. April 23, 2016 (deleted message between Young and another individual)

Contact Name: Have you smacked the pledges yet

Young: Yeah.....

g. **April 23, 2016 (deleted message between Young and Casey)**

Casey: Me and Matt are making blood and piss right now...I'm disappointed in this pledge class

h. **April 25, 2016 (between Young and another individual)**

Young: "I initiated the pledges on Saturday. They all made it through hell week. Got a lot of positive feedback from the brothers."

138. Regarding the Fall 2016 bid acceptance, police located the following conversations on

Young's phone:

a. **September 14, 2016**

Young (to Schiavone): "We need to get booze for bid acceptance tomorrow"

Schiavone: "How much do we need"

Young: "A lot. When are you free tomorrow?...A pallet and a bunch of handles"

Schiavone: "I have to leave for home at like 2pm"

Young: "Can you get there in the morning?"

Schiavone: "Absolutely".

b. **September 15, 2016**

Young (to the following pledges: Bohan Song, Matthew Fenton, Brian Gelb, Lars Kenyon, Luke Visser, Stephen Disko, Buzz Busby, Casey Funk, Willie Bernlohr, Josh Monckton, CJ Maron, Kyle Pecci, Ned Day, Aidan O'Brian, John Scheldrup, Jax Yochim, Joe Sala, Josh K., Mikey Kresovich, Nick Kubera, Brendan Crowe, Aaron Kravitz, Mike Bonatucci, Greg Rizzo, Gary Dibileo, Shaun McAndrew, Matt Suchanec, Daniel Jerrhian, Derek Bannister)): "Good afternoon. This is

your pledge master from beta. Please be at the alley in the back of the house by the kitchen doors at 9:17 tonight. Attire is jacket and tie. See you then."

c. September 15, 2016

DeStefano (to Young): "Need any help setting up?"

Young: "I have the obstacle course set up. I just needs guys to read and to be involved in the drinking tonight

DeStefano: "Alright".

d. September 15, 2016

Casey (to Young): "A kid has a test from 10-11 so what should I tell him"

Young: "To come at 11...Right after his test"

Casey: "Ight"

Young: "Would Delie have a bat?"

Casey: "I thought I saw one in his room otherwise I'll go get one"

Young: "It's not here can you grab one?"

Casey: "Yeah you think Walmart will have one"

Young: "We got it...Found it".

e. September 16, 2016

Young (to Maddie Miller): "Bid acceptance is wild"

f. September 16, 2016

Collins (to Young): "Shit someone I just met is the sister of your new pledge"

Young: "Ooh what's the last name?"

Collins: "Pecci. He's a good guy"

Young: "He's passed out. Yacked a lot"

Collins: "Sounds about par for the course"..

g. September 16, 2016

Suchanec (to Casey): "I'm not gonna paddle but you can hit disko"

Casey: "Ok"

h. December 1, 2016

Nugget (to Young): "yo this kid is in our room"

Young: "Is he passed out?"

Nugget: "naw pucking"

Young: "You need help?"

Nugget: "I need to go to bed. I think hes fine but he has a bad cut and hes puking"

Young: "It's Cordell?"

Nugget: "ya...he wants to get up at 7"

Young: "That's impossible"

Nugget: "I could drive him back"

Young: "Not worth it...Let him sleep."

i. September 16, 2016

Becker (to Young): "MedExpress Urgent Care, TJ Maxx Plaza, 1613 North Atherton Street, State College, PA 16803...Tell them last night when it happened it was too late to do anything about, you stopped the bleeding and bandaged it. This morning cleaned it out with hydrogen peroxide and put a small amount of antiseptic and a bandaid on it."

j. September 16, 2016

Young (to Casey): "1613 North Atherton Street, State College, PA 16803...Tell them last night when it happened it was too late to do anything about, you stopped the bleeding and bandaged it. This morning cleaned it out with hydrogen peroxide and put a small amount of antiseptic and a bandaid on it."

k. September 16, 2016

Miller (to Young): "How was bid acceptance?"

Young: "insane...Never seen anything like it".

l. September 17, 2016

Dibileo (to Young): "I'm dropping...I'm sorry I'm never going to be talked to like that"

Young: "Bad idea...Talk to me in the morning...Alcohol creates blurry lines"

Dibileo: "I promise you I am not drunk enough to make a bad decision. I've been through pledging before and I will never accept being talked to like I was tonight"

Young: "Don't let one brother's words rattle you...It's your choice at the end of day. If you can't get over a few words then I can't help you. Good luck."

Dibileo: "Sorry about last night. As a junior who already went through pledging I wasn't ok with the way he was talking to me since I never met him before and had no idea he was a brother, especially since all the other brothers I have talked to have been good ass guys to me. Alcohol definitely had a factor and I over reacted."

139. Regarding Fall 2016 Hell week, police located the following conversations on Young's phone:

a. November 28, 2016

Schiavone (to Young): "Can I flip handles/cases to pledges for a premium to get some more social money?"

Young: "Yes".

b. November 28, 2016

Young (to Miller): "Beta brew tonight for the pledges"

Miller: "Sounds spooky...But oh right I forgot it's hell week nvm"

Young: "Lineup SZN"

c. November 30, 2016

Fernandez (to Young): "Can we move the line up back so guys can come from the bars?"

Young: "Yea"

Fernandez: "When will it be pushed back until"

Young: "1230"

Fernandez: "Word...I'm on my way I got this line up no worries".

d. November 30, 2016

Young (to Schiavone): "Can you buy booze for initiation tomorrow?"

Schiavone: "Absolutely. What do you need"

Young: "Champagne, beer, liquor...Like 15 bottles of champagne"

Schiavone: "The usual?...And champagne obv? Are we not getting 29 bottles of champagne? Why 15?"

Young: "All of those fucks don't deserve a bottle to themselves...Save up for formal"

Schiavone: "Okay...How many cases and handles"

Young: "Up to you".

e. November 30, 2016

Young (to Miller): "Paddling tonight!...I've got pledges to paddle"

Miller: "Sounds lit"

f. December 1, 2016

Miller (to Young): "Take it out on the pledges"

Young: "Whip the dick out?"

Miller: "If ever there was a time for an elephant walk it would be tn"

Young: "My least favorite part of pledging"

Miller: "Really? Sounds great to me"

Young: "You want in?"

Miller: "Yeah def count me in".

g. December 1, 2016

Young (to Miller): "I'm burnt out from hazing".

140. Regarding the Fall 2016 Rush, police located the following conversations on Casey's phone:

a. November 25, 2016

Young (to Casey): I'm making a hell week schedule right now. Can I give you a call?

b. November 27, 2016

Young (to Casey): "Did you find a puzzle at your house?"

Casey: "I'll find one now... Two 500 piece puzzles"

Young: "Bring those".

c. November 28, 2016

Casey (to Torrye): "They're starting the puzzle"

Torrye: "Yay".

d. November 29, 2016

Casey (to Torrye): "Beta brew at 10... Beta brew is over by the way... We sent the pledges out on a scavenger hunt and they have to be back at midnight"

Torrye: "Oh wo... What did they have to get"

Casey: "Pictures with buildings at Penn state named after betas"

e. November 29, 2016

Casey (to Ems): "I'm in class what's up"

Ems: "Do we have any hazing events going on tonight"

Casey: "Pretty sure there's a lineup"

Ems: "Worddd"

f. November 30, 2016

Torrye (to Casey): "When is the line up"

Casey: "11:30"

Torrye: "Wait how was beta brew"

Casey: "They actually killed it"

Torrye: "Really"

Casey: "Yesss"

Torrye: "That's good"

Casey: "Yes yes...Lineup is pushed back to 12:30 but we have to go down there at 11 for a meeting"

Torrye: "What's the meeting about"

Casey: "They're playing crab soccer for like an hour"

Casey: "We're starting the line up now"

Torrye: "How was your line up"

Casey: "It was ok...Just messy"

Torrye: "No one was crazy?"

Casey: "Fede some pussy senior"

Torrye: "He was?"

Casey: "Yesss"

Torrye: "Ohh I'm sorry...What was he doing"

Casey: "Just being a dick...Like doing too much...We were setting up"

Torrye: "Setting what up?"

Casey: "Like the shep test and the fake branding"

Torrye: "Ohh"

Casey: "I in charge of administering the shep test"

Torrye: "What happens first"

Casey: "Fake branding"

g. December 1, 2016

Casey (to Torrye): "It starting...We having them wait in the boiler room after the shep test until we set up paddling"

Torrye: "Did you do the branding already"

Casey: "Nooo"

Torrye: "Ohhhh okay"

Torrye: "How many questions is it"

Casey: "Only 25...Not at all paddling is about to start".

h. December 1, 2016

Suchanec (to Casey): "I'm not gonna paddle but you can hit disko"

Casey: "Ok"

i. December 1, 2016

Unknown (to Casey): "Considering I broke will Peters' skin the last time I paddled someone, I'm gunna sit this one out for Rizzo's sake. I'm also completely swamped and was just in a two hour long meeting so you can smack his fat ass for me since no one else is in my family line".

j. December 1, 2016

Casey (to Torrye): "Paddling is over by the way".

Revelations from Beta Theta Pi's Video Surveillance:

Detective Scicchitano testified to how the Beta house video surveillance evidence surfaced during the police investigation.

141. He explained that on February 3, 2017, after Timothy Piazza was taken to the hospital, he learned that Timothy would likely die from his injuries.

142. Detective Scicchitano said he consequently notified Lieutenant Keith Robb of the State College Police Department of Timothy's condition, at which time they determined officers should respond to the Beta house and initiate a formal investigation.
143. Upon arrival at the house, Lt. Robb and Detective Craig Ripka observed multiple surveillance cameras throughout the common areas of the house. As a result, they inquired about the surveillance system with the Beta brothers and obtained written consent to remove the surveillance machines and recording devices. The devices were then transported to the State College Police Department while Detective Scicchitano obtained a search warrant in order to view the surveillance footage.
144. During his review of the footage, Detective Scicchitano testified that he discovered Beta utilized a complex system which included numerous cameras that recorded simultaneously throughout the house. However, the individual cameras located in the basement did not record on the night in question.
145. Additionally, Detective Scicchitano realized a difference existed between the documented "camera time" as opposed to the "real time" wherein camera time was approximately thirty-seven minutes behind real time.¹
146. Detective Scicchitano showed the Grand Jury viewed relevant portions from the surveillance taken by consent and later view pursuant to a search warrant beginning with the ritual on February 2, 2017 through the discovery of Timothy's unconscious body the following morning. The Grand Jury determined the following from the surveillance footage:
147. The first video portion depicted the ritual scene. At 20:56:22 on February 2, 2017, surveillance revealed Beta brothers gathered in the great hall with the lights turned off as the

¹ When he testified about the surveillance videos, he notated the "camera time" as a point of reference and orientation for this Grand Jury.

pledges file in. Three brothers are illuminated by a light source at the front of the room—

Daniel Casey, Brendan Young, and Ryan Burke.

148. In video portion two, the ritual concludes, and by 21:06:33, Ryan Burke leads the pledges out of the great hall.

149. The pledges are easily identified on camera due to their similar dress (khakis, button down shirts, and sport jackets)—which the Grand Jury concludes from previous testimony was established as a requirement by their pledge master. The other men viewed on surveillance wore clothes adorned with either Greek letters or simply informal clothing.

150. At 21:06:45, Grand Jurors saw Timothy Piazza in the footage seized from the Beta fraternity house; he is dressed similarly to his fellow pledges and is in line with his hand on the right shoulder of the person in front of him.

151. Once the pledges have exited the area, the Grand Jury saw on the video footage brothers lingering around the foyer area near one of the gauntlet stations.

152. The Grand Jurors saw a third portion of the video, at 21:15, and observed brothers congregate in the lobby area near the stairwell. The Grand Jurors saw a man identified to them as Michael Bonatucci carrying in a case of Natural Lite beer. Grand Jurors further saw another brother, identified to them as Nicholas Kubera, is also present.

153. By 21:16:11, the brothers have prepared the second station seen at #148 above. Grand Jurors saw Daniel Casey at the first station holding a bottle of vodka as Brendan Young watches nearby. Another brother, Joseph Sala (Casey's assistant pledge master), Grand Jurors saw standing on the other side of the door from Daniel Casey. When Daniel Casey knocked, Jurors could see Sala opening the door and sending the first pledge in line through the door to commence the gauntlet.

154. The first pledge through the door the Grand Jurors saw was Kegan Rallis who Jurors found to be under 21 years of age according to law enforcement. Jurors observed that Casey handed Rallis the bottle of vodka from which Rallis drinks from heavily. By 21:17:24, Rallis arrived at the second station according to what Grand Jurors saw on the video, and the Jurors then saw Nick Kubera hand him a beer to "shotgun" and drink quickly in the manner described to Jurors above..
155. Grand Jurors next saw in the video the second pledge through the door identified to Jurors as Anthony Fleri, who is older than 21 years. Casey hands him the vodka bottle to drink from on the tape. Then the recording shows Fleri reaching the beer station and Bonatucci handing him his beer..
156. Grand Jurors saw on tape a third pledge identified as under 21 years old Matthew Saluga who. Jurors saw on the recording Casey hand him the bottle of vodka to drink heavily from. Kubera, jurors saw, then handed Saluga a beer at the next station to "shotgun."
157. Grand Jurors observed on the tape a fourth pledge identified as Thaddeus Lorenz, who is under 21. Jurors saw again Casey hand him the bottle of vodka to drink from. As Lorenz ran to the next station, Grand Jurors could see on the recording Nicholas Crane (a fifth pledge), who is older than 21, entering through the door at 21:18:01 and begin drinking the vodka Casey furnished to him. As Crane runs to the next station, Jurors could see Beta Brother Joe Sala allowing the next pledge through the door.
158. The sixth pledge identified to Grand Jurors was Stephen Morreale who the detective advised Jurors was under 21 years old.. Morreale drinks from the vodka bottle handed to him by Casey at 21:20:01. By this point, Jurors could see on the recording numerous brothers gathered around the "shotgun" station, Jurors concluded were there to cheer pledges on and

encourage them to drink alcoholic beverages quickly. One brother Jurors could see on tape swinging his arm around as if he is a third-base coach directing a player to home base, although in this case, Grand Jurors concluded his arm motion is charting a course to the next station for a pledge to drink yet more alcohol. Jurors observe as Bonatucci handed Morreale a beer to "shotgun" at 21:20:12.

159. At 21:22:44, the Grand Jury observed a seventh pledge, Qobi Quainoo, come through the door; the recording shows Casey handing him the bottle of vodka to drink from. Law enforcement officials informed the Grand Jury that Quainoo was less than 21 years old. When finished Quainoo, Jurors saw him take off running to the shotgun station where Kubera handed him a beer, while Ryan Burke pushed Quainoo toward the basement stairs and the wine station.

160. At 21:20:45, the Grand Jury observed on the recording the eighth pledge, Evan Rooney, who is under 21, enter before drinking from the bottle of vodka handed to him by Casey. By 21:20:56, Nick Kubera handed Rooney a beer at the shot gun station where Bonatucci handed him a beer to shotgun, which he also drinks from, according to the video.

161. At 21:21:15, the Grand Jury observed on the recording the ninth pledge, Timothy Piazza, enters the camera view at Casey's station. Casey hands him the bottle of vodka from which Piazza drinks. Piazza is only 19 years old, according to testimony. At 21:21:23, Kubera hands Piazza a beer to shotgun as observed on the video.

162. At 21:21:31, the Grand Jury observed on the recording the tenth pledge, Zak Pavlovich, also under 21 years old according to testimony entered through the door. Casey handed him the bottle of vodka and from which Pavlovich drinks. Pavlovich then runs on to the next station, as seen on the video.

163. The Grand Jury observed on the recording the next through the door was John Andrews, also a minor according to the testimony. At 21:21:49, Casey hands him the bottle of vodka from which Andrews drinks in view of the camera. Bonatucci handed Andrews a beer to shotgun at the next station at 21:21:55 also observable on the video.
164. At 21:22:01, the Grand Jury observed on the recording the twelfth pledge, Daniel Erickson, enter through the door, Casey handed him, a minor Grand Jurors were told, the bottle of vodka and Erickson drinks from the bottle. At 21:22:19, Erickson finishes his beer at the shotgun station that was given to him by Jonah Neuman on the recording.
165. The Grand Jury observed on the recording Griffin Busby, also a minor according to testimony, enter through the door next as the thirteenth pledge. Casey handed Busby the bottle at 21:22:12, from which Busby drinks in view of the camera. At 21:22:21, the tape shows Jonah Newman hand Busby a beer to shotgun. While Busby drinks his beer obviously as fast as he can upon viewing it on tape, at 21:22:26, Joseph Ems poured a beer on him, again in full view of the camera. At 21:22:27, Jerry Coyne also poured a beer on Busby as shown on the tape.
166. The Grand Jury observed on the recording at 21:22:26, the last pledge, Samuel Black, also a minor jurors were told, entered through the door where Casey handed him a vodka bottle. Black ran to the shotgun station and drank a shotgun beer from Neuman. By 21:22:40, Nick Kubera poured a beer on Black as well, as revealed on the tape.
167. Grand Jurors saw no further gauntlet stations captured on camera; however, by 22:31 camera time (approximately one hour and ten minutes after Black concludes at the shotgun station), the tape shows pledges starting to return from the basement showing visible signs of intoxication.

168. Grand Jury observed on the recording the members of the female social group Trilogy, also shown on camera system throughout the first floor of the house.
169. The Grand Jury observed on the recording at 22:40:45, Beta brother Lars Kenyon assisting Timothy Piazza to walk from the area near the basement stairs to a couch in the great hall. Jurors saw Piazza staggering, while hunched over, evidently in the “care” at that moment of Beta Brother Kenyon
170. The Grand Jury observed on the recording at 22:43:45, Kubera appearing to encourage Tim Piazza to stand up, and assists in walking him through the dining room, to the kitchen, and then returning to the living room. During this trek, a visibly intoxicated Timothy Piaxxa obviously staggering with great difficulty walking is shown on the recording. Kubera physically returned Tim to the couch by 22:44:45, according to the video.
171. The Grand Jury observed on the recording at 22:45:31, Timothy stand back up and, with no one in the frame to assist him, stagger toward the lobby in the direction of the front door. The video shows Tim unsuccessfully attempting to open the front door. He is shown then turning around, severely staggering drunkenly toward the basement steps at 22:45:38. While trying to negotiate his way to the the stairs, Tim is seen by Jurors passing brothers Jerry Coyne and Luke Visser.
172. The Grand Jury also observed on the recording at 22:46 Luke Visser pointing agitatedly in the direction of the basement stairs.

The Fall:

Although outside the view of the video surveillance camera, Detective Scicchitano outlined for the Grand Jury the evidence he collected detailing Timothy's falling down the basement steps of the Beta Theta Pi fraternity house.

173. Grand Jurors were told that in an interview with police, Greg Rizzo explained that he heard someone fall. When he made his way to the top of the basement stairwell, he saw Timothy lying on his stomach, "face-down at the bottom of the steps."

174. In a group message to his fellow fraternity brothers at 2353 hours on February 2, 2017, Rizzo wrote, "Also Tim Piazza might actually be a problem. He fell 15 feet down a flight of stairs, hair-first, going to need help."

175. Detective Scicchitano also testified that Jonah Neuman informed police that he noticed Timothy Piazza lying unconscious on the steps and the landing at the foot of the stairs, with his legs along the staircase.

176. Neuman personally testified before the Grand Jury that he saw Timothy lying "torso face down, legs were on the stairs that go down before the turn."

177. Rooney stated that although he was present when Timothy Piazza fell, he did not hear it or see it.

178. Instead, Rooney stated he later saw Tim on the couch surrounded by Beta brothers.

179. According to Rooney, he observed Tim shirtless while the brothers were "back-packing" him so he would not aspirate on his own vomit.

180. Rooney testified that while he was present, "someone" said Tim might have "slipped."

181. Rooney said he did not think much of it because "when people are drinking, they slip, they fall."

182. Rooney claimed he did not have any idea that a flight of stairs was involved with Tim's fall.

183. Resuming our review of the surveillance cameras, at 22:47:42, Timothy Piazza returns to the camera frame when carried upstairs by four Beta brothers—Ryan Burke, Luke Visser, Greg Rizzo, and Jonah Neuman.

184. In the video, Timothy's body appears limp, his eyes closed, and his demeanor unconscious based on his lack of movement. On the left side of his abdomen, a bruise has visibly bloomed, captured by a camera much farther away than any of the human beings carrying his body.

185. The Beta brothers place Timothy on a couch and proceed to sit near him.

186. While Timothy lies there, in the background, another pledge can be seen falling down a flight of 3 stairs from the lobby into the great hall area.

187. While Timothy lies on the couch, still unconscious, Gregory Rizzo removes Timothy's shirt and attempts to administer what appears to be a sternum rub. Timothy does not appear to respond.

188. At 22:49:44, Rizzo dumps some sort of liquid on Timothy's face. Timothy does not respond.

189. Immediately thereafter, Ryan Burke lifts up Timothy's left arm which allows viewers to see that it appears limp. When Burke drops Timothy's arm, it falls immediately back to Timothy's chest area.

190. Don Prior, another Beta brother, approaches next. He too pours liquid on Timothy's face. Timothy still fails to respond.
191. Ryan Foster, a Beta brother, appears next. He removes Timothy's shoes and turns Timothy onto his side. Tim nearly falls off the couch; however, his body and reflexes do not seem to respond to the probability of an imminent fall. The brothers around Tim secure him back to the couch and sit at his feet.
192. At 22:53:47, Jonah Neuman brings in a bucket and a mop.
193. At 22:55:27, Neuman retrieves a backpack that he attaches to Timothy's back at 22:56:30.
194. By 23:00 camera time, Foster has seated himself at Timothy's legs in an attempt to prevent Timothy from rolling over.
195. At 23:12:37, Neuman crawls over Timothy, from his head to his legs, to join Foster in sitting on Tim's legs in order to prevent him from moving.
196. Then, at 23:14:38, approximately 28 minutes after Timothy's fall, Kordel Davis, a newly initiated brother as of December 1, 2016, appears in the great hall. He approaches where Timothy lies on the couch and leans over Timothy's head. Davis then turns to the Beta brothers near Timothy and becomes very animated, again pointing to his head and then at Tim.
197. When Kordel Davis was called to testify before the Grand Jury, he explained what occurred in this moment. When he appeared in the great hall and saw Timothy lying on the couch, Davis recalled that Timothy looked horrible. He observed a bruise on his chest and his eyes were shut. He recalled Tim thrashing and making weird movements on the couch. When the brothers informed Davis that Timothy fell down the stairs, Davis became even

more concerned – now for Timothy’s life. He stressed to them that Timothy needed to go to the hospital since he could have a concussion. Davis told them if Tim was sleeping they needed to wake him up and call 911 immediately. He screamed at them to get help. In response, at 23:15, Jonah Neuman rose from the couch and shoved Davis into the opposite wall. Neuman instructed Davis to leave and that they had it under control.

198. When Davis’ attempts with Neuman and the surrounding brothers failed, Davis sought out Ed Gilmartin, the vice president, who at 23:15:38 walked through to the great hall on camera. Davis again conveyed his concern for Tim to Ed. The camera captures Davis gesturing once more, referring repeatedly to his head and pointing at Timothy. Davis testified he told Gilmartin the other brothers ignored his concerns. He elaborated to Gilmartin that he believed something was really wrong, and that if Tim fell down the stairs he could have a concussion. Davis argued once more that they should wake Tim up, call 911, and take Tim to the hospital. Gilmartin responded in similar fashion by telling Davis he was crazy. Gilmartin claimed the other brothers were kinesiology and biology majors so Davis’ word meant nothing to him when compared to theirs. Meanwhile, Davis possessed life experience in the realm of head injuries and being a witness to alcohol poisoning.

199. Detective Scicchitano interviewed Gilmartin during the course of this investigation. When asked whether Davis approached him, Gilmartin admitted Davis warned him that Tim should not go to sleep because he could lapse into a coma. However, Gilmartin admitted he responded, “that is a myth.”

200. At 23:25, pledge master Daniel Casey enters the great hall to check on Timothy. He proceeds to slap Timothy three times in the face.

201. Around 23:37, Matt Reinmund, a brother, tackles John Kanzler, another brother, into couch, physically landing on top of a prone and unconscious Timothy.
202. By 01:00, brothers who remained in the room observed Timothy vomit and twitch on the couch. The video documents that Tim does not appear able to “pass out” and fall asleep.
203. Beta brothers Ryan Foster, Jerry Coyne, and Joseph Ems surround Timothy at this point. They eventually “backpack” the victim, meaning, they fill a backpack with text books and place it on the victim’s back so that he theoretically it will prevent him from rolling onto his back if he passes out.
204. At 1:48:54, Timothy rolls off the couch and onto the floor. Joseph Ems, Ryan Foster, and Matt Reinmund picked Timothy up off of the floor and slammed him onto the couch.
205. At 1:50:45, what appears to be a frustrated Ems strikes Timothy hard one time in the abdomen with his open right hand.
206. At 02:35, Timothy continues to move around on the couch. By 02:38, he eventually rolls to the floor.
207. At 03:16, Timothy remains prone on the floor, rolling around with his head facing the lobby area. The backpack remains attached to his back, he is bare-chested, and his legs are moving.
208. At 03:22, Timothy attempts to regain his feet while Jerry Coyne can be seen nearby. The backpack comes off, but Timothy falls backwards and strikes his head off the hardwood floor. Coyne attempts to shake him for a moment, but leaves the room.
209. At 3:46 Timothy is curled up on the floor in a fetal position with his knees up toward his chest.

210. At 3:49:22, Timothy positions himself on his knees, bent over with his elbows on the floor and his head in his hands. He continues to grab his abdomen.
211. At 3:54, Timothy attempts to stand once more, but falls face down onto the hardwood floor.
212. At 04:59:27 Timothy Piazza stands and staggers toward the lobby area.
213. Seconds later, at 04:59:38, he falls head first into an iron railing leading up to the second floor of the Beta house, and lands on a stone floor.
214. He gets up again and attempts to go to the front door but before he reaches it, he falls head first into the door.
215. Between 05:08:10 and 5:14:55, Timothy rests on his knees with his head buried in his hands. Then he rolls to his side, clutching his abdomen.
216. At 5:15, Beta brother Jonathan Martines walks downstairs for a drink of water. He steps over to the victim, looks at him, then leaves for the kitchen before returning upstairs.
217. At 5:26:30, Frederick Steimling also comes downstairs for a drink of water. He observes Timothy on the floor. He walked Timothy to the Great Hall, but Timothy fell down three (3) steps. Steimling stepped over Timothy on the floor and left him there.
218. Eventually Timothy makes his way back to the great hall.
219. At 6:44:03 camera time, fellow pledge Qobi Quainoo enters the great hall and sits on the couch while Timothy was on the floor.
220. At 06:57:49, Qobi begins to video Timothy on the floor using the "snapchat" application.
221. When called to testify, Quainoo stated he awoke at the Beta house on February 3, 2017 at approximately 7 AM. He went into the great hall/living room area to charge his cell phone and observed Timothy lying on the opposite couch. He heard Timothy groaning. Eventually,

Quainoo saw Timothy roll off the couch and onto the floor. As he continued to groan, Timothy brought himself to his knees, leaned down onto his elbows and placed his head in his hands as if he had “a really bad headache.” While Timothy was in this position, he continued to rock back and forth. Surveillance revealed Quainoo leaving the Beta house at 07:12.

222. At 7:18, Timothy stands once more and staggers toward the basement steps.

223. He is not seen on video again until brothers discover his body on the basement floor and a number of Beta brothers and fellow pledge Daniel Erickson carry him upstairs into the camera’s view once again.

The Discovery of Timothy Piazza’s Unconscious Body:

224. Daniel Erickson testified before this Grand Jury. He stated he remained at the Beta house the night of his bid acceptance party.

225. At approximately 10 AM, Erickson began to search for his shirt. During this time, Kyle Pecci arrived and inquired whether Erickson knew about the pledge that fell down the stairs last night.

226. When they saw Timothy’s shoes in the great hall, they realized Tim must still be somewhere in the house, so they began looking for him.

227. Their search led them to the basement where Erickson found Tim behind the “away bar.”

228. Timothy was lying on his back with his arms clenched tight at his sides and his hands in the air. His chest was bare, his breathing heavy, and he had blood on his face. Erickson further observed that Timothy felt cold to the touch, his skin appeared pale, and his eyes remained half-open.

229. At this point, Erickson, Pecci, and a brother whom Erickson did not know carried Timothy's unconscious body upstairs to the great hall where they placed back him on the couch.
230. However, no one immediately called 911.
231. Instead, over the course of forty-two minutes, this Grand Jury watched as surveillance footage depicted Timothy lying in an unconscious state while Beta brothers shook him; attempted to prop his limp body up on the couch; covered him with a blanket; wiped his face; and attempted to dress him.
232. Although numerous brothers were in the possession of cell phones, no one made an effort to dial 911.
233. Upon a forensic analysis of Beta brother Ryan McCann's cell phone, a series of internet searches were discovered on his phone's internet browser. At 10:35, he searched for the phrase "falling asleep after head injury;" at 10:36, "true or false, a person with a serious head injury or concussion should be kept awake;" at 10:41, "cold extremities in drunk person;" and finally at 10:41, "binge drinking, alcohol, bruising or discoloration, cold feet and cold hands."
234. At 10:48 AM, McCann finally used his telephone to dial 911. On the 911 call, McCann never told the dispatcher that Timothy fell down the stairs and that it occurred the previous night.
235. When Erickson testified before the grand jury, he was asked about what the brothers were discussing while they stood around Timothy. Erickson recalled a discussion about whether to go upstairs and notify the chapter advisor, Tim Bream, but this course of action was never

pursued. Instead, he claimed that everyone kept waiting and deferring to the Beta president, who had not yet arrived, to determine what they should do.

236. While they waited, Erickson recalled someone suggested dressing Timothy because they claimed Timothy might look better if he was dressed before medical treatment was rendered.

237. Although they tried to dress him, they were not successful due to the stiffness of Timothy's body.

238. Eventually, Daniel Casey and Brendan Young arrived in the great hall.

239. Brendan Young immediately put his head in his hands and sat down on the adjacent couch.

The Cover Up:

Over the course of this investigation, Detective Scicchitano discovered a wealth of information the Grand Jury concludes shows an active attempt to conceal and/or destroy evidence after first responders transported Timothy via ambulance to Mount Nittany Medical Center.

240. The detective relayed to Grand Jurors that the Beta brothers and pledges utilized an application called "GroupMe" to facilitate communication.

241. GroupMe enabled brothers and pledges to create multiple groups on their individual cellphones through which every brother could send the same messages to other brothers in a group, according to Det. Scicchitano.

242. In addition to traditional text messages, the Grand Jury learned that the fraternity brothers often ferried messages to each other through the GroupMe application as well as through the Facebook messaging system.

243. Detective Scicchitano testified that the brothers had numerous different group chats established through GroupMe—pledges and brothers, pledges only, and small social groups and/or committee groups from within the fraternity.

244. The Grand Jury concludes that many of these exchanged messages demonstrated a concerted effort by some of the Beta brothers to destroy or withhold evidence of both the alleged hazing as well as the underage consumption of alcohol.

Detective David Scicchitano testified to harvesting the following information from various cellular telephones and provided to the Grand Jury:

Brendan Young

245. In a February 3, 2017 text message sent at 1709 hours, Fraternity President Brendan Young instructed Daniel Casey, the active pledge master, to “[m]ake sure the pledges clean the basement and get rid of any evidence of alcohol.”

246. Detective Scicchitano described a text message conversation between Young and another individual on February 4, 2017 in which Young is asked “Hey, did anyone get in touch with you that told you to delete the group?” Young answered “Yes.”

247. Brendan Young also exchanged a series of texts with another fraternity brother, Jeff Stillwell, on February 5, 2017 at 12:02 am regarding the potential consequences of Timothy’s death:

Stillwell: “It could have happened to anyone. Between you and me, what are the chances the house gets shut down?”

Young: “I think very high. I just hope none of us get into any lawsuits.”

Stillwell: “You think they are going to sue?”

Young: "It depends if they want to go through with it or just distance themselves from us altogether.

Stillwell: "What do you think they would sue for, that he passed away, or the way we handled it?"

Young: "Probably both. They could get us for giving him alcohol that contributed to his death. Also the guys taking care of him didn't call an ambulance right away, so they could get in trouble for negligence. I just don't know what I'm liable for as president."

248. Adam Mengden testified to the existence of numerous "GroupMe" chat groups amongst the Beta brothers. Such groups included, but were not limited to, groups and committees within the Beta fraternity such as "brothers," "executive board," and "social committee."

249. Mengden testified Brendan Young created the "Executive GroupMe" chat group and participated as a member of the group.

250. Per Mengden, Young created the Executive GroupMe after his election as president in November 2016.

251. Mengden said that after Timothy's fall, Young gave the directive to delete the GroupMe.

252. Mengden identified Joseph Ems as the person who Young instructed to delete one of the GroupMe accounts.

253. Brendan Young deleted this GroupMe conversation.

Ed Gilmartin

254. In a taped interview with State College Police Department, Ed Gilmartin admitted deleting a GroupMe message thread entitled "Actives" because he was concerned that

national fraternity organization and housing board would learn the brothers hosted a party despite being a “dry” fraternity.

255. Per Detective Scicchitano’s testimony, text messages were uncovered between Gilmartin and Braxton Becker from February 9, 2017 during which Becker wrote “You made the current GroupMe, right? Guys are retarded posting some of that shit in there. Would it be worth deleting it and starting fresh again?” Gilmartin responded “Yeah, I did. I’ll delete it.”

256. Text messages recovered between Gilmartin and another individual on February 4, 2017 ask Gilmartin, “Should we delete FB history?” Gilmartin responds, “I don’t think there’s anything in the FB that could hurt us, though.”

257. Detective Scicchitano also testified to the following series of texts between Gilmartin and fraternity brother Lars Kenyon regarding deletion of a GroupMe thread:

Gilmartin: “Get rid of the social exec GM”

Kenyon: “Just so you know, I think they still get archived.”

Gilmartin: “Right. But it’s just so people don’t get screen shots or anything that could leak to the media. Tim’s idea, as a precaution.”

Kenyon: “They actually don’t get archived when the leader deletes them. I just checked.”

Gilmartin: “Okay. Good.”

258. Gilmartin admitted in his interview with Detective Scicchitano that he discussed erasing the video surveillance after learning that Timothy had passed away.

259. Moreover, Detective Scicchitano testified that in an interview with police, Gilmartin admitted brothers were concerned about summoning an ambulance or calling 911 after Timothy’s fall because they were fearful the police would discover indicia of hazing as well as minors under the influence of alcohol in their house.

Daniel Casey

260. In a February 3, 2017 text message exchange with Brendan Young, Daniel Casey is instructed by Young to “[m]ake sure the pledges clean the basement and get rid of any evidence of alcohol.” Casey’s phone reveals that he responded “Okay. They’re taking care of the basement.”
261. In a text exchange between Ed Gilmartin and Casey on February 3, 2017, Gilmartin orders Casey to “make sure the pledges keep quiet about last night and this situation.” Casey acknowledges, “They know,” which prompts Gilmartin to reply “Ok. Good.”
262. Also on February 3, 2017, Casey instructed fellow brother Lars Kenyon: “End that groupme so there’s no evidence on tims phone.” Detective David Scicchitano testified that once a particular thread or series of messages were deleted on a user’s GroupMe application, they could not be recovered.
263. On the day of Timothy Piazza’s death, February 4, 2017, Detective David Scicchitano testified that a search of Daniel Casey’s cellular telephone revealed that Casey used the internet application to search online for the phrase “How to delete a group on Facebook.”
264. Per Detective David Scicchitano, additional searches performed on Casey’s phone February 6, 2017 include:
- “how many drinks are in a handle”
 - “how would 9 drinks in an hour affect a 200 pound guy”
 - “BAC per drink tables guide”
 - “Alcohol can leave the body in 3 ways. They are”
 - “how much liquid is in a shot”
 - “how much liquid is in a handle of Crown Royal Rouse”
 - “Crown Royal products, Crown wine and spirits”
 - “A handle of vodka holds how many drinks”
 - “Urban dictionary, Crown Rouse vodka”

- “Crown Rouse, vodka, USA, prices wine searcher”
- “Crown Rouse vodka, 1.75 liter, by Crown Rouse vodka”
- “What proof is Crown Rouse vodka”
- “How many drinks are in a 1.75 liter bottle”
- “How to calculate BAC, blood alcohol content”
- “Natural Lite beer alcohol content”
- “Franzia box wine alcohol content”
- “How does a person act when their BAC is 1.6”
- “Hazing deaths”
- “The 10 most gruesome college hazing rituals”
- “Alcohol and hazing”

Beta brothers in general

265. Detective Schicchitano also testified that some interviews revealed fraternity brothers deleting message threads.

266. For instance, he testified that brother Nick Kubera informed police that through a message group, Kubera’s pledge class was invited to assist with the obstacle course. According to Kubera’s statement, Gary Dibileo initiated the GroupMe text thread in which the obstacle course assignments were handed out to the volunteering brothers.

267. However, after Timothy’s death, Kubera noted that Dibileo deleted this particular string of messages.

Beta Pledges

268. A group text from February 4, 2017 among the pledges located on Keagan Rallis’ phone was presented to the Grand Jury, it included the following conversation:

Tony Fleri: “So what are we deleting then?...Just all the other group mes”

Matt Saluga: “Keep this one so we can communicate”

Daniel Erickson: “The thing that freaked me out was when I heard Bojan deleted their PC group chat...Why would he do that”

Rooney: “I’m assuming they were probably joking about hazing us”

269. In a deleted text recovered from Daniel Erickson’s phone, it appears he is communicating with his pledge brothers wherein he states, “If need be, just tell them what I told you guys, found him behind an away bar the next morning at around 10 a.m., and he was freezing-cold, but we decided to call 911 instantly, because the kid’s health was paramount.”

270. Upon review of the pledges’ conversations in a “GroupMe” messenger application which took place after the death of Timothy Piazza, Detective Scicchitano discovered acknowledgements by the pledges that they were hazed through the use of the gauntlet, specifically:

Evan Rooney: they are attacking the wrong aspects of Greek life...[i]t should be more focused on health concerns and warning signs of situations like this.

Matt Saluga: It should be focused on hazing.

John Andrews: Hazing and sober people. There should be like sober people posted around at different plces. It would not be that hard. It should be so worth it.

Matt Saluga: I agree.

Stephen Morreale: I hear some fucked up stories about hazing. That’s what they should turn the attention to.

Evan Rooney: The gauntlet, dude. It’s like technically hazing.

Matt Saluga: Like, if you think about it, it never would have happened if they didn’t forcefully get us hammered. That’s just how people will look at it.

John Andrews: I know. We actually drank so much, and it has truth to it. The footage shows us doing that gauntlet.

John Andrews: How are you guys going to describe the gauntlet to the police?

Stephen Morreale: I'm just hoping we don't have to.

The Physical Condition of Timothy Piazza:

During testimony provided throughout the Grand Jury's investigation, the Grand Jury concluded that the severity of Timothy Piazza's condition was obvious and noticed by the fraternity brothers and pledges around him that evening.

271. Brothers Ed Gilmartin, Greg Rizzo, and Jonah Neuman all described observing a bruise to Timothy's side or abdomen.

272. Ed Gilmartin, the vice president, indicated to Detective Scicchitano that during the evening hours, Timothy was mumbling, groaning, pushing the brothers away and kicking them. In an interview with Detective Scicchitano, Greg Rizzo described Timothy as unconscious and limp immediately after his fall.

273. Although initially denying it, according to Detective Scicchitano's testimony, Ed Gilmartin admitted that during the evening, fraternity brother Kordel Davis warned him that Timothy might have a concussion and that they should not allow Timothy to fall asleep in such a condition as it could lead to a coma. Gilmartin admitted that he brushed off Kordel Davis' warning by claiming such a belief was a "myth."

274. Rizzo also claimed during an interview with Detective Scicchitano that he and his roommate, fellow brother Gary Dibilio, both advocated for calling an ambulance, but Ryan

Foster expressed that Timothy would be fine as this typically occurs on bid acceptance night.

Jonah Neuman corroborated this account to police.

275. Rizzo claimed to Detective Scicchitano that he sent a GroupMe message around 0219 hours warning that Timothy should be taken to a hospital, but the only response he received came from Ryan Foster who personally told Rizzo he was being “overdramatic.”

276. The following morning, on February 3, 2017, Gilmartin described to Detective Scicchitano that Timothy bore a bleeding gash on his face, remained unconscious, pale, and breathed differently. He also depicted Timothy’s body and hands as very stiff and clenched.

277. Ryan McCann similarly described Timothy as being unconscious, with cuts and bruises to his lips and face, and stiff, tight hands.

278. Lucas Rockwell told Detective Scicchitano that he encountered an unresponsive Timothy Piazza on the couch that morning around 1030 hours; he described a slow pulse, pale complexion, irregular breathing, and limp, cold extremities.

279. Text messages recovered from Brendan Young’s phone describe Timothy on February 3, 2017 as “...completely limp. He is in shock and was on the verge of death.” In a text exchange with another individual also on February 3, 2017, Young admits:

Contact Name: “...Like, what did most of the damage?”

Young: “He fell down a flight of stairs because he was too drunk.”

Contact Name: “You can’t blame yourself.”

Young: “How can I not? I don’t think you fully comprehend the situation. He looked fucking dead....”

Hershey Medical Center:

Lt. Keith Robb testified that he reviewed medical records from the Hershey Medical Center in addition to interviewing the treating neurosurgeon and radiologist. Lt. Robb's testimony before the Grand Jury revealed:

280. Timothy Piazza was transported to Hershey Medical Center from Mount Nittany Medical Center and was almost immediately routed into surgery to address his abdominal injuries, which were graded as a Class 4 splenic laceration along with Class 4 hemorrhagic shock.
281. The operating surgeon, upon opening Timothy's abdominal cavity, discovered four liters (80% of a human body's total blood supply) of dark, old blood in his abdomen.²
282. According to medical records, the abdominal bleeding was so extensive that a second surgeon was summoned.
283. During surgery, Timothy's spleen was determined to be shattered and was removed.
284. Pathology examinations later reported the spleen sustained multiple lacerations, ranging from 1.5 cm to 8.5 cm in length, and was covered in blood clots.
285. Medical records further indicate that Timothy performed poorly on the neurological tests—he exhibited no corneal reflex; no gag reflex; no response to painful stimuli; and his pupils were both unreactive and dilated. Moreover, he was bradycardic and hypotensive.
286. Timothy's preoperative diagnosis included a right holohemispheric subdural hematoma causing brain compression and significant midline shift and neurlogic decline.
287. Neurosurgeons performed a craniotomy during which almost half of his right skull had to be removed to alleviate compression. A temporal lobectomy was also performed to accommodate the swollen size of the brain and to close the surgical site.

² Lt. Keith Robb testified that the treating neurosurgeon, Dr. Park indicated that the human body generally holds 5 liters of blood at any given time.

288. After surgery, the neurosurgeon's findings included significant severe diffuse cerebral edema; acute subdural hematoma on the right under significant pressure; and hyperemic brain—injuries they did not believe would be survivable.

289. Timothy was ultimately pronounced dead at 0123 on February 4, 2017 in the surgical Intensive Care Unit.

Scientific Opinions of Forensic Pathologist Dr. Harry Kamerow:

Dr. Harry Kamerow testified that he is a forensic pathologist with twenty-five years of experience who serves Centre and its surrounding counties by performing hundreds of autopsies each calendar year.

290. Dr. Kamerow reviewed multiple documents regarding Timothy Piazza's death including but not limited to: a synoptic report regarding the events at Beta Theta Pi between the evening of February 2nd and February 3rd of 2017; medical records; autopsy report performed by Dr. Wayne Ross; and multiple video clips from the surveillance video captured inside the Beta Theta Pi fraternity house between the night of February 2nd and the morning of February 3rd, 2017.

291. Dr. Kamerow detailed that, significantly, upon presenting at Mouny Nittany Medical Center, Timothy was hypotensive (low blood pressure) with a markedly elevated lactate level and considerably decreased hemoglobin.

292. Timothy also suffered from respiratory failure attributable to his severe head trauma as well as compromised brain function that struggled to control his rate and depth of respiration.

293. In outlining the multiple traumatic brain injuries that Timothy suffered, Dr. Kamerow noted a subdural hematoma approximately 150 cc's in size; severe edema which included herniation through the craniotomy site; a resultant shifting of the brain from one direction to

another due to severe brain swelling; smaller areas of intraparenchymal hemorrhage; cerebellar tonsil grooves; blood in his ventricular spaces; and ultimately, decorticate posturing (rigidity of the arms over the chest denoting severe damage to the cerebral hemispheres of the brain) which is visible at the end of the surveillance video while various fraternity brothers wait an additional 42 minutes to summon an ambulance after finding his body in the basement that morning.

294. Further, Dr. Kamerow testified that Timothy suffered from a base of skull fracture, which is often associated with severe trauma and would have required significant force to produce.

295. Dr. Kamerow explained that while a fracture at the base of the skull reflects the severity of the trauma inflicted, its location does not correspond with where the impact actually occurred. Skull base fractures are rarely associated with trauma at the back of the head and usually occur around the cranium itself.

296. According to Dr. Kamerow's testimony, Timothy's skull fracture could have been the result of an impact elsewhere, including the top of his head.

297. Dr. Kamerow also described that Timothy presented at the Emergency Department with a contusion on the left side of his abdomen that corresponded to his splenic laceration.

298. Dr. Kamerow testified that his high grade splenic laceration, especially when combined with hemoperitoneum (blood in the peritoneal cavity), in and of itself represented a life-threatening injury for Timothy.

299. Dr. Kamerow further opined that jostling Timothy, frequently moving him around, and sitting on his abdominal area could intensify his splenic laceration. Certainly, slapping him in the abdomen, as the video surveillance depicted fraternity brother Joseph Ems doing, could further exacerbate the severity of the injury as well.

300. Dr. Kamerow indicated that both the head injury and the abdominal injuries would generally have been very painful injuries to suffer and endure.
301. A blood draw performed by Mount Nittany Medical Center at 1225 hours on February 3, 2017 measured Timothy Piazza's Blood Alcohol Content ("BAC") between .086 and .102, approximately 15½ hours after he reported to Beta Theta Pi and first began consuming alcohol.
302. Using a relation-back calculation method, Dr. Kamerow was able to determine Timothy's corresponding BAC at noteworthy intervals depicted in the surveillance video.
303. At 2322 hours, when Timothy is seen stumbling unattended to the top of the stairs before falling, Dr. Kamerow calculated his BAC between .28 and .36 percent.
304. At 0536 hours on February 3rd, when the video shows Timothy falling head first into a railing, his BAC measured between .19 and .24 percent.
305. Finally, as late as 0755 hours on February 3rd, as Timothy made his way back toward the basement steps, his BAC still lingered between .15 and .19 percent.
306. Dr. Kamerow testified that at a .36 BAC, Timothy Piazza consumed a life-threatening amount of alcohol. He explained that this stage of ethanol inebriation would be considered "stuporous," which includes symptoms such as inertia (slow movement); a markedly decreased response to both verbal and physical stimuli; vomiting; urinary and fecal incontinence; impaired consciousness; and severe muscular incoordination.
307. Notably, Dr. Kamerow observed that at a "stuporous" level of alcohol intoxication, Timothy may not have perceived the risk posed by the stairs or, even if he had noted the risk, that he could not have prevented himself from falling because, at that level of intoxication, the alcohol would have stripped away all power to protect himself.

308. Specifically, Dr. Kamerow testified, “So what we tend to talk about is: does the patient have the ability to outstretch his hands, cover his face, curl up into a fetal position? I mean, does he have any of the instinctive mechanisms that would protect you from severe head trauma? And the answer is, at that level, you have none of them.”

309. Ultimately, Dr. Kamerow opined that, “Timothy J. Piazza’s death was the direct result of traumatic brain injuries, of which the most severe were head injuries. This fall down the basement steps and multiple falls following his fall down the basement steps are a direct consequence of his ethanol inebriation (drunkenness). [H]is high level of inebriation led to his behavior.”

310. Dr. Kamerow summarized that Timothy’s extremely high level of intoxication led to his physical fall down the steps, which led to the injuries he sustained which ultimately resulted in his death.

The Fraternity Culture at Penn State and Its Impact on Timothy Piazza’s Death:

The Grand Jury further considered the issue of whether the individual fraternity brothers’ conduct on that particular evening was the product of an isolated incident and the product of a mistake or, alternatively, whether it was supported by the criminal *mens rea* of recklessness for involuntary manslaughter as defined by our counsel.

In making this determination, the Grand Jury summoned certain executive members of the Pennsylvania State University Interfraternity Council (hereinafter “the IFC”), including President Dean Vetere, Administrative Vice President Alexander Myers, and Executive Vice President Blake Friedman; employees of St. Moritz Security, a private security company hired by the IFC to ostensibly patrol fraternity infractions related to excessive alcohol consumption; and Kathleen Shupenko, Associate Director of the Office of Student Conduct.

The Grand Jury finds that the sum and substance of their collective testimony reveals the Penn State Greek community nurtured an environment so permissive of excessive drinking and hazing that it emboldened its members to repeatedly act with reckless disregard to human life. Thus the Grand Jury concludes that the death of Timothy Piazza was not a result of isolated conduct or simple mistake (i.e. negligence). Rather, the Grand Jury concludes that Timothy Piazza died as a direct result of the extremely reckless conduct of members of the Beta Fraternity who operated within the permissive atmosphere fostered by the Pennsylvania State University Interfraternity Council.

The Grand Jury has chosen to develop a full Report concerning the conduct of the Pennsylvania State University Interfraternity Council and, perhaps, the conduct of the university itself. We hereby direct our counsel, Centre County District Attorney Stacy Parks Miller and her office, to draft a report for the Grand Jury's consideration outlining the evidence upon which the Grand Jury has reached the conclusion that the university, and/or a sub-unit of the university, fostered a permissive atmosphere which contributed to the death of Timothy Piazza.

CONCLUSIONS

We, the members of the First Centre County Investigating Grand Jury, as a result of the foregoing, find the evidence presented establishes probable cause to believe that Beta Theta Pi fraternity brothers engaged in hazing activities not just for Timothy Piazza's Spring 2017 pledge class, but also the previous two semesters in the Spring and Fall of 2016. In the fall 2016 pledge class, Beta Theta Pi brothers subjected 29 total fellow students to forced physical calisthenics, sleep deprivation, and, excessive and severe alcohol consumption. Every single pledge hazed was under the age of 21. Of the 14 students constructing Timothy Piazza's spring 2017 pledge

class, 12 had not yet achieved the legal drinking age and all were subjected to hazing by participation in the gauntlet.

These previous episodes exposed the Beta brothers to the potential life threatening dangers of such perilous activity—they witnessed multiple pledges, later brothers, fall ill and vomit from forced intoxication; they recognized and admitted that the purpose of their practices, such as “back packing” and maintaining an inebriated person on his side, served to combat life-threatening circumstances such as aspiration. Nearly every brother who offered testimony or interviews with police conceded they knew the dangers of excessive alcohol intoxication. These brothers also experienced firsthand other dangers attendant with severe alcohol intoxication, including the lack of physical coordination. In fact, these same Beta brothers recently even coped with another pledge’s bleeding head injury— directly caused by alcohol intoxication—during the exact same social event just one semester earlier. Moreover, despite many of the brothers’ claim to the contrary, searches of their cell phones and reported discussions among them make clear the brothers suspected Timothy’s injuries eclipsed mere intoxication. However, as their text conversations and messages illustrate, the brothers also understood that their actions constituted hazing and what the likely consequences would be if discovered. Therefore, over 40 minutes elapsed before they even summoned an ambulance when they discovered Timothy looking deathly ill the following morning, and a campaign ensued in the following days to destroy any evidence that would reveal exactly what had been happening behind the doors of Beta Theta Pi.

Finally, with regard to the recklessness demonstrated by the brothers of Beta Theta Pi, we, the First Centre County Investigating Grand Jury find *prima facie* evidence that the IFC and its members, including brothers at Beta Theta Pi, cultivated such a permissive atmosphere regarding excessive alcohol consumption, that Timothy Piazza’s death was not simply an

unfortunate accident, but was the direct result of encouraged reckless conduct that demonstrated a reckless disregard for human life, or a reckless indifference to the possible consequences of such conduct.

Foreman

Secretary









RECOMMENDATION OF CHARGES

Based upon the evidence we have obtained and considered, which establishes a prima facie case, we, the members of the First Centre County Investigating Grand Jury, recommend that the District Attorney or her designee, institute criminal proceedings against the following individuals:

Beta Theta Pi




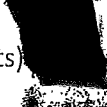
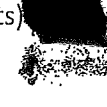



1. Hazing, 23 P.S. 5353 (50 counts) 
 - 14 counts for Spring 2017 Rush
 - 29 counts for Fall 2016 Rush
 - 7 counts for Spring 2016 Rush
2. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (48 counts) 
 - 12 counts for Spring 2017 Rush
 - 29 counts for Fall 2016 Rush
 - 7 counts for Spring 2016 Rush
3. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (48 counts) 
 - 12 counts for Spring 2017 Rush
 - 29 counts for Fall 2016 Rush
 - 7 counts for Spring 2016 Rush

Brendan Young



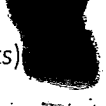
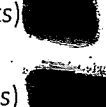




1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count) 
2. Aggravated Assault, 18 Pa.C.S. 2702(a)(1) (1 count) 
3. Simple Assault, 18 Pa.C.S. 2701(a)(1) (1 count) 
4. Tampering with Evidence, 18 Pa.C.S. 4910 (1 count) 
5. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (50 counts) 
 - 14 counts for excessive alcohol hazing Spring 2017 Rush
 - 29 counts for excessive alcohol hazing Fall 2016 Rush
 - 7 counts for excessive alcohol hazing Spring 2016 Rush
6. Hazing, 23 P.S. 5353 (50 counts) 
 - 14 counts for Spring 2017 Rush
 - 29 counts for Fall 2016 Rush
 - 7 counts for Spring 2016 Rush
7. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (48 counts) 
 - 12 counts for Spring 2017 Rush
 - 29 counts for Fall 2016 Rush
 - 7 counts for Spring 2016 Rush
8. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (48 counts) 
 - 12 counts for Spring 2017 Rush
 - 29 counts for Fall 2016 Rush

- 7 counts for Spring 2016 Rush

Daniel Casey

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count) 
2. Aggravated Assault, 18 Pa.C.S. 2702(a)(1) (1 count) 
3. Simple Assault, 18 Pa.C.S. 2701(a)(1) (1 count) 
4. Tampering with Evidence, 18 Pa.C.S. 4910 (1 count) 
5. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (50 counts) 
 - 14 counts for excessive alcohol hazing Spring 2017 Rush
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6. Hazing, 23 P.S. 5353 (50 counts) 
 - 14 counts for Spring 2017 Rush
 - 29 counts for Fall 2016 Rush
 - 7 counts for Spring 2016 Rush
7. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (48 counts) 
 - 12 counts for Spring 2017 Rush
 - 29 counts for Fall 2016 Rush
 - 7 counts for Spring 2016 Rush
1. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (48 counts) 
 - 12 counts for Spring 2017 Rush
 - 29 counts for Fall 2016 Rush
 - 7 counts for Spring 2016 Rush

Jonah Neuman

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count) 
2. Aggravated Assault, 18 Pa.C.S. 2702(a)(1) (1 count) 
3. Simple Assault, 18 Pa.C.S. 2701(a)(1) (1 count) 
4. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts) 
 - 14 counts for excessive alcohol hazing Spring 2017 Rush
5. Hazing, 23 P.S. 5353 (14 counts) 
 - 14 counts for Spring 2017 Rush
6. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (12 counts) 
 - 12 counts for Spring 2017 Rush
2. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (12 counts) 
3. Disorderly Conduct, 18 Pa.C.S.A. §5503(a)(1) (1 count) 

Nick Kubera

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count) [REDACTED]
2. Aggravated Assault, 18 Pa.C.S. 2702(a)(1) (1 count) [REDACTED]
3. Simple Assault, 18 Pa.C.S. 2701(a)(1) (1 count) [REDACTED]
4. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts) [REDACTED]
 - 14 counts for excessive alcohol hazing Spring 2017 Rush
5. Hazing, 23 P.S. 5353 (14 counts) [REDACTED]
 - 14 counts for Spring 2017 Rush
6. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush
4. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush

Michael Bonatucci

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count) [REDACTED]
2. Aggravated Assault, 18 Pa.C.S. 2702(a)(1) (1 count) [REDACTED]
3. Simple Assault, 18 Pa.C.S. 2701(a)(1) (1 count) [REDACTED]
4. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts) [REDACTED]
 - 14 counts for excessive alcohol hazing Spring 2017 Rush
5. Hazing, 23 P.S. 5353 (14 counts) [REDACTED]
 - 14 counts for Spring 2017 Rush
6. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush
7. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush

Gary Dibileo

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count) [REDACTED]
2. Aggravated Assault, 18 Pa.C.S. 2702(a)(1) (1 count) [REDACTED]
3. Simple Assault, 18 Pa.C.S. 2701(a)(1) (1 count) [REDACTED]
4. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts) [REDACTED]
 - 14 counts for excessive alcohol hazing Spring 2017 Rush
5. Hazing, 23 P.S. 5353 (14 counts) [REDACTED]
 - 14 counts for Spring 2017 Rush
6. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush
7. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (12 counts) [REDACTED]

- 12 counts for Spring 2017 Rush

Luke Visser

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count) [REDACTED]
2. Aggravated Assault, 18 Pa.C.S. 2702(a)(1) (1 count) [REDACTED]
3. Simple Assault, 18 Pa.C.S. 2701(a)(1) (1 count) [REDACTED]
4. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts) [REDACTED]
 - 14 counts for excessive alcohol hazing Spring 2017 Rush
5. Hazing, 23 P.S. 5353 (14 counts) [REDACTED]
 - 14 counts for Spring 2017 Rush
6. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush
7. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush

Joe Sala

1. Involuntary Manslaughter, 18 Pa.C.S. 2504 (1 count) [REDACTED]
2. Aggravated Assault, 18 Pa.C.S. 2702(a)(1) (1 count) [REDACTED]
3. Simple Assault, 18 Pa.C.S. 2701(a)(1) (1 count) [REDACTED]
4. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts) [REDACTED]
 - 14 counts for excessive alcohol hazing Spring 2017 Rush
5. Hazing, 23 P.S. 5353 (14 counts) [REDACTED]
 - 14 counts for Spring 2017 Rush
6. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush
7. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush

Michael Angelo Schiavone

1. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts) [REDACTED]
 - 14 counts for excessive alcohol hazing Spring 2017 Rush
2. Hazing, 23 P.S. 5353 (14 counts) [REDACTED]
 - 14 counts for Spring 2017 Rush
3. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (12 counts) [REDACTED]
4. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (12 counts) [REDACTED]

- 12 counts for Spring 2017 Rush

Craig Heimer

1. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts) [REDACTED]
 - 14 counts for excessive alcohol hazing Spring 2017 Rush
2. Hazing, 23 P.S. 5353 (14 counts) [REDACTED]
 - 14 counts for Spring 2017 Rush
3. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush
4. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush

Lars Kenyon

1. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts) [REDACTED]
 - 14 counts for excessive alcohol hazing Spring 2017 Rush
2. Hazing, 23 P.S. 5353 (14 counts) [REDACTED]
 - 14 counts for Spring 2017 Rush
3. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush
4. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush

Parker Jax Yochim

1. Recklessly Endangering Another Person, 18 Pa.C.S. 2705 (14 counts) [REDACTED]
 - 14 counts for excessive alcohol hazing Spring 2017 Rush
2. Hazing, 23 P.S. 5353 (14 counts) [REDACTED]
 - 14 counts for Spring 2017 Rush
3. Furnishing Alcohol to Minors, 18 Pa.C.S. 6310.1 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush
4. Unlawful Acts Relative to Liquor, 47 P.S. 4-493 (12 counts) [REDACTED]
 - 12 counts for Spring 2017 Rush

Ed Gilmartin

1. Tampering with Evidence, 18 Pa.C.S. 4910

(1 count)

Ryan McCann

1. Tampering with Evidence, 18 Pa.C.S. 4910

(1 count)

Lucas Rockwell

1. Tampering with Evidence, 18 Pa.C.S. 4910

(1 count)

Braxton Becker

1. Tampering with Evidence, 18 Pa.C.S. 4910

(1 count)

Ryan Foster

1. Tampering with Evidence, 18 Pa.C.S. 4910

(1 count)

Joseph Ems

1. Recklessly Endangering Another Person, 18 Pa.C.S. 2705

(1 count)

Foreman:

Secretary: