

**STATEMENT AS PREPARED
OHIO ATTORNEY GENERAL MIKE DEWINE
STEUBENVILLE SPECIAL GRAND JURY
STEUBENVILLE, OH
NOVEMBER 25, 2013**

Good Morning.

A special grand jury made up of citizens of Jefferson County was empaneled on April 15, 2013.

This grand jury met on 18 separate days and heard from 123 individual witnesses. Some of those witnesses testified more than once. Further, the grand jury received other evidence gathered by BCI investigators.

As you know, the special grand jury handed down indictments on October 7, 2013, against William Rhinaman on four counts: tampering with evidence (third degree felony), obstructing justice (fifth degree felony), obstructing official business (second degree misdemeanor), and perjury (third degree felony). On October 23, 2013, the grand jury also indicted Hannah Rhinaman on two counts of receiving stolen property (fifth degree felony) and one count of grand theft (fifth degree felony).

Last Friday, the special grand jury handed down the following indictments, which were filed this morning. Each of these individuals has been summoned to appear at the Common Pleas Court of Jefferson County on December 6, 2013.

Seth Fluharty:

Failure to Report Child Abuse or Neglect -- "On or about August 13, 2012, at Jefferson County, Ohio, Seth Fluharty, as a person described in division (A)(1)(b) of Section 2151.421 of the Revised Code, to wit a school teacher; school employee; school authority, who was acting in an official or professional capacity and knew, or had reasonable cause to suspect based on facts that would cause a reasonable person in a similar position to suspect, that a child under eighteen years of age had suffered or faced a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicated abuse or neglect of the child, failed to immediately report that knowledge or reasonable cause to suspect to the entity or persons specified in Section 2151.421 of the Revised Code, in violation of Section 2151.421(A)(1) of the Revised Code, and against the peace and dignity of the State of Ohio, a Misdemeanor of the Fourth Degree."

Lynnett Gorman:

Failure to Report Child Abuse or Neglect -- "On or about April 12, 2012, at Jefferson County, Ohio, Lynnett Gorman, as a person described in division (A)(1)(b) of Section 2151.421 of the Revised Code, to wit a school teacher; school employee; school authority, who was acting in an official or professional capacity and knew, or had reasonable cause to suspect based on facts that

would cause a reasonable person in a similar position to suspect, that a child under eighteen years of age had suffered or faced a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicated abuse or neglect of the child, failed to immediately report that knowledge or reasonable cause to suspect to the entity or persons specified in Section 2151.421 of the Revised Code, in violation of Section 2151.421(A)(1) of the Revised Code, and against the peace and dignity of the State of Ohio, a Misdemeanor of the Fourth Degree.”

Matthew Belardine:

Count One (Allowing Underage Drinking): “On or about August 11-12, 2012, at Jefferson County, Ohio, Matthew Belardine who is the owner or occupant of a public or private place did knowingly allow an underage person to remain in or on the place while possessing or consuming beer or intoxicating liquor. . .in violation of Section 4301.69B of the Revised Code, and against the peace and dignity of the state of Ohio, a misdemeanor of the first degree.”

Count Two (Obstructing Official Business): “On or about January 1, 2013 to May 2, 2013, at Jefferson County, Ohio, Matthew Belardine did without privilege to do so and with purpose to prevent, obstruct, or delay the performance by a public official of any authorized act within the public official’s official capacity, did commit an act that hampered or impeded a public official in the performance of the public official’s lawful duties, in violation of Section 2921.31(A) of the Revised Code, and against the peace and dignity of the State of Ohio, a Misdemeanor of the Second Degree.”

County Three (Falsification): “On or about August 11-12, 2012, at Jefferson County, Ohio, Matthew Belardine did, knowingly make a false statement and the statement was made with purpose to mislead a public official in performing the public official's official function, in violation of Section 2921.13 (A)(3) of the Revised Code, and against the peace and dignity of the State of Ohio, a Misdemeanor of the First Degree.”

Count Four (Contributing to Unruliness or Delinquency of a Child): “On or about August 11-12, 2012, at Jefferson County, Ohio, Matthew Belardine did, aid, abet, induce, cause, encourage, or contribute to a child becoming an unruly child, as defined in section 2151.022 of the Revised Code, or a delinquent child, as defined in section 2152.02 of the Revised Code, and/or act in a way tending to cause a child to become an unruly child, as defined in section 2151.022 of the Revised Code, or a delinquent child, as defined in section 2152.02 of the Revised Code; in violation of Section 2919.24(A)(1)(2) of the Revised Code, and against the peace and dignity of the State of Ohio, a Misdemeanor of the First Degree.”

Michael McVey:

Count One (Tampering with Evidence): “On or about April 5, 2012 to November 19, 2013, at Jefferson County, Ohio, Michael McVey did, knowing that an official proceeding or investigation was in progress, or was about to be or likely to be instituted, did alter, destroy, conceal, or remove any record, document, or thing, with purpose to impair its value or availability as evidence in such proceeding or investigation and/or did make, present, or use any

record, document, or thing, knowing it to be false and with purpose to mislead a public official who was or may have been engaged in such proceeding or investigation, or with purpose to corrupt the outcome of any such proceeding or investigation, in violation of Section 2921.12(A)(1) & (2) of the Revised Code, and against the peace and dignity of the State of Ohio, a Felony of the Third Degree.”

Count Two (Obstructing Justice): “On or about April 5, 2012 to November 19, 2013, at Jefferson County, Ohio, Michael McVey did with purpose to hinder the discovery, apprehension, prosecution, conviction, or punishment of another for crime or to assist another to benefit from the commission of a crime, did destroy or conceal physical evidence of the crime or act, or did induce a person to withhold testimony or information or to elude legal process summoning the person to testify or supply evidence, in violation of Section 2921.32(A)(4) of the Revised Code, and against the peace and dignity of the State of Ohio, a Felony of the Fifth Degree.”

Count Three (Obstructing Justice): “On or about April 5, 2012 to November 19, 2013, at Jefferson County, Ohio, Michael McVey did with purpose to hinder the discovery, apprehension, prosecution, conviction, or punishment of another for crime or to assist another to benefit from the commission of a crime, did communicate false information to a person, in violation of Section 2921.32(A)(5) of the Revised Code, and against the peace and dignity of the State of Ohio, a Felony of the Fifth Degree.”

Count Four (Falsification): “On or about April 5, 2012, at Jefferson County, Ohio, Michael McVey did knowingly make a false statement and the statement was made with purpose to mislead a public official in performing the public official's official function, in violation of Section 2921.13 (A)(3) of the Revised Code, and against the peace and dignity of the State of Ohio, a Misdemeanor of the First Degree.”

Count Five (Obstructing Official Business): “On or about April 5, 2012 to November 19, 2013, at Jefferson County, Ohio, Michael McVey without privilege to do so and with purpose to prevent, obstruct, or delay the performance by a public official of any authorized act within the public official's official capacity, did commit an act that hampered or impeded a public official in the performance of the public official's lawful duties, in violation of Section 2921.31(A) of the Revised Code, and against the peace and dignity of the State of Ohio, a Misdemeanor of the Second Degree.”

Some may ask why others were not indicted. Under our system of justice, the grand jury must have probable cause to believe that all of the elements of a criminal offense are present before the members can return an indictment. It is simply not sufficient that a person's behavior was reprehensible, disgusting, mean-spirited, or just plain stupid. Rather, it is necessary that the grand jury find that a specific enumerated crime, as provided by the Ohio Revised Code, has been committed.

The special grand jury is comprised of citizens of Jefferson County. As peers, the members are a reflection of Steubenville and represent the people of this community -- their values, their work ethics, their dedication to family, and their sense of civic responsibility. They have worked exceedingly hard and have sacrificed a great deal to take on this important task.

This was very tough work. None of it was easy. And, it took a long time to get all of the information they needed to make their decisions. Barring any newly discovered evidence, I believe their work is done.

I thank the grand jury members for their commitment. I thank them for their patience. I thank them for their hard work and the care and the pride that they put into serving.

The grand jury has made its decisions.

And, the grand jury has demanded accountability.

This community has been torn apart by the actions and the bad decisions not of the many -- but of the few. There are a lot of fine young people who participate in athletics and other activities in the Steubenville schools. None of them did anything wrong. They don't deserve to be lumped in with those few. Yet, these kids have been maligned and disrespected. It is unfair. And, it needs to stop.

As one grand juror described to me, Steubenville was "built on the strong backs of generations of hard working people." These are good people with good schools and good kids and good teachers and good coaches. What happened here can -- and does sadly -- happen anywhere in this nation. Teenagers and alcohol-fueled parties. Absent adults. Bad decisions. Acts of violence.

And cell phones to capture and record all of it.

Let me be clear -- what happened here is not unique to Steubenville. We have a societal problem. This began as a rape of a 16 year-old girl -- a horrible crime of violence. But it also represents blurred, stretched, and distorted boundaries of right and wrong.

While this started out being about the kids, it is also just as much about the parents -- about the grown-ups, the adults. How do you hold the kids accountable if you don't hold the adults accountable?

In this age of social media and instant communication, there seems to be this culture of "anything goes." Act now, think later. As we all know, technology makes it possible to disseminate images, words, and information -- either true or false -- at the push of a button.

Because this can be done so quickly and often anonymously, it removes, in essence, a layer of accountability. We don't have to look each other in the eye because we can use our devices to communicate -- leaving an electronic barrier that divorces us from shame or seeing the hurt felt by others. This also avoids directly taking any sort of responsibility for actions or how those actions affect others.

But, candidly, this mentality extends far beyond text messages and Facebook or Twitter posts. It's also about the underage drinking and the sex and the lying and the disrespect.

All too often, parents have put on blinders. They give their kids phones and cars and let them have these parties and all the while the lines of appropriate behavior get blurred. It is up to the adults to intervene. It is up to the adults to set boundaries. It is up to the adults to teach the kids right from wrong.

The message from the grand jury is this: This community is rectifying the problems. They are fixing things. They are holding people accountable.

Several investigators, who played a prominent role in this case, live here in Jefferson County. The grand jury, itself, is comprised of citizens of Jefferson County. No one knows more about this case than this grand jury. They heard the evidence. They heard the witnesses.

People made bad choices, and the grand jury said there are repercussions.

There are consequences.

And, there has to be accountability.

This community has suffered so much. I personally feel for the citizens and what they have endured. And, I know that they desperately need to be able to put this matter behind them.

What we must take away from these incidents is this: All of us -- no matter where we live -- owe it to each other to be better neighbors, classmates, friends, parents, and citizens. We must treat rape and sexual assault as the serious crime of violence that it is. And when it is investigated, everyone has an obligation to help find the truth -- not hide the truth, not tamper with the truth, not obstruct the truth, and not destroy the truth.

I have always known this to be a great community -- a resilient community. And though our investigation uncovered some very bad things, it has also reaffirmed some very good things about this community -- about the people, about the kids, and about their determination to move forward.

It's time to let Steubenville to move on.