

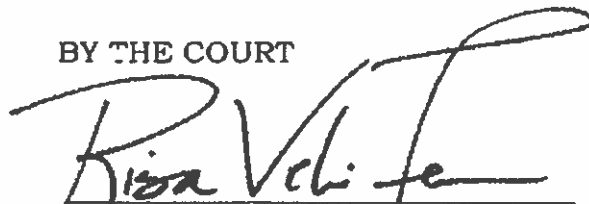
**IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY
PENNSYLVANIA - CRIMINAL DIVISION**

**IN RE: COUNTY INVESTIGATING : MD 3660-2024
GRAND JURY :
: INVESTIGATION # 626**

FINDINGS AND ORDER

AND NOW, this 14th day of July 2026, after having examined the Presentment of the Montgomery County Investigating Grand Jury of MD 3660-2024, Investigation Number 626, which recommends the arrest of Terence Tolbert, Darian "DJ" McFadden, Benjamin Johnson, Ralph Burnley, ^{Alleged Delinquent} ~~██████████~~ ^{Juveniles} ~~██████████~~ ^{#1, #2, #3} Isaiah Simpson, ~~██████████~~, ^{and #4} and Josiah Peeler, this Court finds that the said Presentment is within the authority of the Investigating Grand Jury and is otherwise in accordance with the provisions of Act 42 Pa. C.S. § 4541 et. seq. In view of these findings, the Court hereby accepts the Presentment and refers this matter to the Attorney for the Commonwealth for further action.

BY THE COURT


HON. Risa Vetri Ferman,
Supervising Judge

PRESENTMENT

TO THE HONORABLE RISA VETRI FERMAN, SUPERVISING JUDGE:

We, the Montgomery County Investigating Grand Jury, MD 3660-2024, having been duly charged by this Honorable Court to investigate allegations of assaults within said County, and having obtained knowledge of such matters from witnesses sworn by the Court and testifying before us, and finding thereon reasonable grounds to believe, and so believing, that violations of the criminal laws have occurred, upon our respective oaths not fewer than 12 concurring, do hereby make this Presentment to the Court.



Foreperson

Montgomery County Investigating Grand Jury

7-8-2026
Date

INTRODUCTION

On January 14, 2025, we the Montgomery County Investigating Grand Jury were sworn in pursuant to Act 42 Pa.C.S. § 4541 et. seq. We are duly charged by the Court to investigate allegations of crimes occurring within Montgomery County, Pennsylvania. Since December 2, 2025, we have received and reviewed evidence pertaining to violations of the Pennsylvania Crimes Code, pursuant to notice of Submission of Investigation No. 626. We do hereby outline the following testimony and make the following recommendations of charges:

The evidence presented to the Grand Jury concerned events involving members of the Cheltenham High School football program during the 2025 season. The Juvenile Victim was a 15-year-old sophomore and member of the football team. The information reviewed by the Grand Jury described ongoing issues between the Juvenile Victim and other players, including verbal and physical conduct directed toward him by teammates, as well as two incidents in the boys' locker room at Cheltenham High School on August 15, 2025, and September 3, 2025.

With respect to the August 15 incident, video evidence recovered during the investigation showed several football players restraining the Juvenile Victim while teammate Alleged Delinquent Juvenile #1 used a broomstick to poke the victim's buttocks. The evidence further indicated that Alleged Juvenile Delinquent #2 and other players assisted in restraining the Juvenile Victim. No

coaches were present in the locker room at the time. The video was later shared among students during the fall. The evidence and testimony presented also described a second locker room incident on September 3, 2025, involving Alleged Delinquent Juvenile #1, Alleged Juvenile Delinquent #2, Isaiah Simpson, and other unidentified players. Testimony presented to the Grand Jury described that incident as involving multiple players kicking or stomping the Juvenile Victim and again included the use or attempted use of a broomstick. Again, no coaches were present in the locker room during that incident.

After the September 3 incident, the Juvenile Victim was driven home by volunteer coach Ralph Burnley and reported to Burnley that he had been “jumped” by his teammates and injured in the genital area. Burnley contacted head coach Terence Tolbert to discuss what the Juvenile Victim reported to him. Cell phone evidence revealed subsequent communications among Tolbert, Burnley, Benjamin Johnson, and Darian “DJ” McFadden, including text messages and a group phone call with the Juvenile Victim. The evidence presented to the Grand Jury indicated that the coaches discussed the incident, the possibility that it could affect the football season, and the need to address it within the team. The Juvenile Victim did not immediately tell his mother what had occurred; she learned of the September incident on September 7, and the Victim was evaluated at urgent care on September 8. At that appointment, he was diagnosed with a contusion to his penis.

The evidence further showed that no report was made to school administration by members of the team or coaching staff immediately after the September 3 incident, and that the first ChildLine report was filed on September 18, 2025, after an anonymous Safe2Say report. On September 25, 2025, Solicitor #1 interviewed Tolbert, Johnson, and McFadden, who described the incident as “horseplay.” Cheltenham High School later cancelled the Senior Night football game on October 17 and the remainder of the football season on October 19, citing the ongoing investigation. The Grand Jury also received evidence concerning testimony by football players Alleged Delinquent Juvenile #3 and Josiah Peeler, as well as evidence that Alleged Delinquent Juvenile #4 filmed the August 15 incident and later deleted the video and related materials from his phone.

The testimony summarized in the sections that follow provides the factual basis for these matters.

Background for the Cheltenham High School Football Organization During the 2025 Football Season

The head coach of the Cheltenham High School football team for the 2025 season was Terence Tolbert. This was his first season as the head coach, although he had been a member of the previous coaching staff. The coaching staff consisted of 9 paid coaches and 2 volunteer coaches. Included in the coaching staff were:

Terence Tolbert – He is a paid employee of the school district

Darian “DJ” McFadden – He is a paid employee of the school district

Benjamin Johnson – He is a paid employee of the school district

Ralph Burnley – He is not a paid employee of the school district

Regardless of their stated requirement that all paid employees were required to complete Act 126 trainings, a review of the Act 126 clearances maintained on record at Cheltenham High School revealed that 5 of the paid coaches were *not* up to date with their Act 126 clearances during the 2025 football season, including Darian “DJ” McFadden.

There was a coach’s office located inside the locker room that was used for the boys’ football team for the 2025 season. However, under Coach Tolbert’s leadership, coaches did not use that office. Tolbert and other coaches used an office located down the hallway from the locker room. The coaches were not in the locker room consistently when the players were inside getting ready before and after practice or games. The locker room itself was divided into two “sides” or areas of lockers – the defensive players side and offensive players side.

Testimony from both football players and administrators yielded the information that the Cheltenham High School football season began in the summer, during the month of July, and continued through the start of the school year. Summer practices culminated in an intensive couple of weeks of all day practices that carried the team into the first game of the season. These intensive practice weeks were called “Panther Camp” and occurred, for the 2025 season, during the latter half of August.

Background on the Juvenile Victim's Relationship with the Cheltenham High School Football Team

Juvenile Victim's Statements about his Relationship with the Football Team

The Juvenile Victim was forensically interviewed on September 30, 2025. The interview was videotaped and presented to the Grand Jury on April 15, 2026. The Juvenile Victim was 15 years old at the time he was interviewed. During the interview, the Juvenile Victim said that he had been playing football for Cheltenham School District since eighth grade. He played on the freshman team during the 2024 season and moved up to the Junior Varsity and Varsity football team for his sophomore year. He said he was a defensive tackle for the team but that he had previously played offensive tackle.

Juvenile Witness #1 - Testimony about the Juvenile Victim's Relationship with Football Team

Juvenile Witness #1 testified before the Grand Jury on April 22, 2026. She attended Cheltenham High School. She is close friends with the Juvenile Victim and she refers to him as her "cousin." She said that he has had trouble fitting in since starting at Cheltenham High School. She said she feels that the football team laughs at him rather than with him. She said it seemed like some of the football players were friendly to him out of pity rather than genuine friendship.

Players' Testimony about the Juvenile Victim's Relationship with the Football Team

During this investigation, members of the football team testified before the grand jury. These witnesses provided background information about the Juvenile Victim and his relationship with the football team. Generally, the Juvenile Victim was viewed by teammates as someone who did not follow the rules during practices, including failing to wear his helmet, talking when he should have been listening, taking other players' equipment, and breaking team rules. On some occasions, his conduct caused the team to do extra conditioning, like running, which frustrated teammates and contributed to resentment toward him.

Some witnesses described the Juvenile Victim was also subjected to negative treatment by some teammates, particularly upperclassmen. These players called him names such as "fat ass" and "ass," made fun of him, slapped him on the back of the head, and plucked his neck rolls. Some characterized this as encouragement or criticism, but overall, the testimony reflected that the Juvenile Victim was picked on and bullied by members of the football team.

Witnesses connected with the football team described the team as a community or a family. Players described trying to "keep each other out of trouble," both outside and inside school, "handle things on their own," and "doing the right thing." Captains on the team expressed that it was their role to

hold teammates accountable. However, the described conduct toward the Juvenile Victim occurred without meaningful intervention, even though such behavior between teammates was recognized as unacceptable. During the testimony, some witnesses reported fights occurring regularly in the football locker room and in the high school.

Assault #1 – August 15, 2025

Description of the Assault as Seen in both Videos Recovered During the Grand Jury Investigation

During this investigation, two videos were recovered that depicted a physical assault of the Juvenile Victim by a group of players in the football locker room. One video was longer and provided a better view of the Juvenile Victim, the players who participated, and other players nearby who were encouraging the assault. The shorter video was taken from a closer view of the incident, focused on the Juvenile Victim.

Both videos show the Juvenile Victim on his back on the locker room floor. He is screaming and yelling with his hands protecting his groin. He is surrounded by a group of players who are pulling on his shorts and shirt, causing his body to lift off the floor at times. One player, identified by multiple witnesses as Alleged Delinquent Juvenile #1, is shown holding a piece of a broomstick and moving it toward the lower part of the Juvenile Victim's shorts. During the videos, players can be heard laughing and yelling. At least one

player is chanting: “Broomstick him” and “Broomstick N-----.” At times, players look back at each other and at the camera.

In the longer video, after the physical assault stopped, the Juvenile Victim sat up on the floor. One of the players who had been pulling on his shirt, identified by multiple witnesses as Alleged Juvenile Delinquent #2, then approached the Juvenile Victim and squatted near his head, with his groin area positioned close to the Juvenile Victim’s head, before walking off camera. Just before the video ended, another player’s hand is visible touching or rubbing the Juvenile Victim’s head.

The longer video was examined by Lieutenant William Mitchell from the Montgomery County Detective Bureau, and he concluded that it was created on August 15, 2025. Testimony revealed that this video was taken by Cheltenham football player Alleged Delinquent Juvenile #4. This longer video will hereafter be referred to as the “Alleged Delinquent Juvenile #4 video.” The shorter video was obtained through a search warrant executed on Cheltenham football player Alleged Delinquent Juvenile #3’s phone. Testimony, combined with what can be seen in the Alleged Delinquent Juvenile #4 video, confirmed that this video was taken by Alleged Delinquent Juvenile #3. This shorter video will hereafter be referred to as the “Alleged Delinquent Juvenile #3 video.”

The Juvenile Victim’s Statements about Assault #1 on August 15, 2025

When the Juvenile Victim was forensically interviewed on September 30, 2025, investigators were not yet aware of the August 15 incident. Thus, that interview addressed only the September 3 assault.

After later learning that a similar incident occurred on August 15, 2025, law enforcement interviewed the Juvenile Victim again on February 10, 2026. He initially stated that he had not been assaulted before September 3. After detectives showed him the Alleged Delinquent Juvenile #4 video, the Juvenile Victim acknowledged that the event depicted had occurred and agreed it may have taken place on August 15, but said he had not remembered the incident or the video before seeing it.

The Juvenile Victim described the August 15 incident as “not that serious,” and stated that he had been laughing and was not injured. Detectives who reviewed the video did not see any evidence of the Juvenile Victim laughing or joking around. The Juvenile Victim acknowledged similarities to the September 3 assault while maintaining that he did not consider the August 15 incident to be an assault because he did not view it as serious. When asked if the assault on September 3 was more serious and more violent, he said that it was. When referencing the August 15 assault, the Juvenile Victim said, “I don’t even remember. I don’t even remember that one, to be honest.” When comparing the August 15 assault to the September 3 assault, he said, “That’s not even the same as the actual, like, one where they got me. That’s not the same.”

Juvenile Witness #2 - Testimony about Assault #1 on August 15, 2025

Juvenile Witness #2 testified before the Grand Jury on April 1, 2026. He was a seventeen-year-old senior at Cheltenham High School. The 2025 football season was the first season that he played with Cheltenham School District; he played for other school districts for approximately 11 years.

When asked about what he saw happen to the Juvenile Victim in the locker room during one of the summer practices, Juvenile Witness #2 said it was just “playing around.” When asked to describe what he saw, Juvenile Witness #2 said he saw people yank the Juvenile Victim’s shirt off. Juvenile Witness #2 said this happened when he was at his locker getting dressed on the defensive side of the locker room. Juvenile Witness #2 said he did not get to see anything because there was a big crowd of people and he was just “getting dressed.” Juvenile Witness #2 further described the scene as “people were getting hype... yelling and all that type stuff, running over to the defensive side.” Juvenile Witness #2 insisted that he was minding his own business during the incident.

Juvenile Witness #2 was shown the Alleged Delinquent Juvenile #4 video of the August 15 assault on the Juvenile Victim. After watching it, he was asked, “So you think this is just playfulness?” and his response was “yes.” Juvenile Witness #2 agreed that the video showed someone trying to shove a broomstick up the Juvenile Victim’s “butt.” When asked if he would be fine with this happening to him, he said he wouldn’t be, but indicated that he’d

seen this kind of thing happen multiple times before during his 12-year tenure playing with different football teams.

Juvenile Witness #2 identified Alleged Delinquent Juvenile #1 as the player holding the broomstick. Juvenile Witness #2 said there were no coaches present in the locker room when this assault occurred. He said that coaches only started using the office inside the locker room halfway through the season. Juvenile Witness #2 said he did not tell anyone what happened to the Juvenile Victim in the locker room that day, saying he “thought it was just horseplay.”

Juvenile Witness #3 - Testimony about Assault #1 on August 15, 2025

Juvenile Witness #3 testified before the Grand Jury on March 11, 2026. He was a seventeen-year-old junior at Cheltenham High School and played an offensive position on the football team.

Juvenile Witness #3 testified that he knew he was there to discuss the “incident,” which he described as “rough housing.” He defined rough housing as “playing around, grabbing people... pushing each other, wrestling,” but agreed it does not involve grabbing someone who does not want to be grabbed or using broomsticks.

Juvenile Witness #3 said that he was at practice every day for Panther Camp during the summer of 2025. When asked if anything that he considers to be rough housing happened during Panther Camp, he said “yes.” Before he was

shown a video, or even told what the video was about, he said that he knew what he was about to be shown and that he had seen it before.

Juvenile Witness #3 stated that he was present and saw the August 15, 2025 assault. He said he walked over to the defensive side of the locker room after hearing people yelling and the locker room becoming loud. When he arrived, he saw a group of players gathered around the Juvenile Victim. He could not provide a specific number of players involved but estimated that there were at least five. According to Juvenile Witness #3, the Juvenile Victim was on the ground, kicking his feet upward and trying to get people away from him. He described the Juvenile Victim as appearing uncomfortable and said that players were “roughing him up,” including pulling on his shirt to the point that it ripped. Juvenile Witness #3 also stated that Alleged Delinquent Juvenile #1 had a broomstick and appeared to be poking the Juvenile Victim with it in the lower body area, near his legs. Juvenile Witness #3 said he did not know what Alleged Delinquent Juvenile #1 was trying to do with the broomstick.

Juvenile Witness #3 was shown the Alleged Delinquent Juvenile #4 video and testified that he obtained it in the school cafeteria while a crowd of football players watched it. He admitted that he had this video on his phone for only one day in November before he deleted it. Juvenile Witness #3 made the following identifications in the video: Alleged Juvenile Delinquent #2 as the person shown at the Juvenile Victim’s head, pulling and ripping his shirt; Alleged Delinquent Juvenile #1 as the person with the broomstick; Alleged Delinquent Juvenile #3 as the tall player, wearing dark clothing, and white

socks, holding what appeared to be a phone directed and focused on the Juvenile Victim while he was being assaulted.

Juvenile Witness #3 confirmed that this incident he saw live and on video occurred in the locker room during Panther Camp. He said he did not tell any adult about what he saw. When he was questioned by school investigators, he said he didn't tell them about the August 15 assault on the Juvenile Victim because "they didn't ask me about any situation." He admitted to lying to school investigators when they asked him if he'd ever witnessed anyone feeling unsafe. He said he didn't tell anyone about it because he didn't want to get in trouble and he didn't want the season to be cancelled.

Juvenile Witness #3 further described that there was a TikTok video going around where two boys were making fun of the Juvenile Victim with a Meek Mill video playing in the background.

Josiah Peeler's Testimony about Assault #1 on August 15, 2025

Josiah Peeler testified before the Grand Jury on March 11, 2026. Peeler was warned of the consequences for not giving complete, truthful, and honest answers to the questions asked during his testimony. In particular, he was warned that he could be charged with criminal offenses if he did not give truthful answers during his testimony.

Peeler was an 18-year-old senior at Cheltenham High School, and he was a captain for the Cheltenham High School football team during its 2025 season. He played the position of offensive lineman. His nickname is "Musa."

Peeler said he attended every day of practice at Panther Camp during the summer of the 2025 football season but that he had no knowledge of the Juvenile Victim being assaulted during that time. Peeler said he had seen a video of the Juvenile Victim being assaulted. He described the assault in a way that matched what can be seen in both videos of the August 15 assault. Peeler identified the player shoving the broomstick toward the lower part of the Juvenile Victim's body as Alleged Delinquent Juvenile #1. Peeler said a junior on the football team showed him the video.

Witness #1 - Testimony about Assault #1 on August 15, 2025

Witness #1 testified on January 28, 2026. Witness #1 was an eighteen-year-old senior at Cheltenham High School. He plays on the football team for the high school. Witness #1 is one of several captains on the football team. He testified that he is not social with the other players on the team and does not talk to them much outside of football. Witness #1 stated that fights were common at school, particularly in the locker room. He also acknowledged hearing from teammates and coaches, including Terence Tolbert, about fights involving the Juvenile Victim.

During his testimony, the Alleged Delinquent Juvenile #4 video was played for Witness #1. After viewing the video, Witness #1 stated this video did not depict the same assault he personally witnessed on September 3. He stated that he was not present for the assault depicted in the video, but that he had heard something happened.

When the video was replayed for Witness #1, he identified the individual with the broomstick as Alleged Delinquent Juvenile #1. When discussing the members of the team, Witness #1 stated that Alleged Delinquent Juvenile #1 was more involved in locker room fights and described him as more of an “agitator.” Witness #1 was then shown the video again and identified Alleged Delinquent Juvenile #1, an offensive player named Alleged Juvenile Delinquent #2, and Alleged Delinquent Juvenile #3 as appearing in the video.

Alleged Delinquent Juvenile #4’s Testimony about Assault #1 on August 15, 2025

Alleged Delinquent Juvenile #4 was a sixteen-year-old junior at Cheltenham High School. He testified before the Grand Jury on March 25, 2026. Alleged Delinquent Juvenile #4 said he participated in Panther Camp during the summer practices for the Cheltenham High School 2025 football season.

When initially asked about what happened to the Juvenile Victim during Panther Camp, Alleged Delinquent Juvenile #4 said, “he was kind of like – I wouldn’t really say, like, beat up but he was getting a little fussed around, like some horsing around...” When pressed further, he said, “I would say he was getting bullied. I think that’s a more reasonable term to describe it.”

Alleged Delinquent Juvenile #4 stated that the August 15 assault during Panther Camp occurred on the defensive side of the locker room. He described

the group as initially “messaging around” and having fun, but indicated the situation escalated when others “grouped him,” referring to the Juvenile Victim. He said “they” began tussling with the Juvenile Victim, pulling on his tank top, and carrying him. Alleged Delinquent Juvenile #4 also testified that the Juvenile Victim was laughing.

When confronted with the video, Alleged Delinquent Juvenile #4 acknowledged that the Juvenile Victim was yelling (not laughing) and stated that if he had been in the Juvenile Victim’s position, he “wouldn’t particularly be okay with it.” He acknowledged that the conduct shown in the video constituted bullying. Alleged Delinquent Juvenile #4 admitted participating by pulling on the Juvenile Victim’s shirt but denied noticing what occurred with the broomstick. He identified the player with the broomstick as Alleged Delinquent Juvenile #1.

Alleged Delinquent Juvenile #4’s cell phone was seized in the hours prior to his testimony and searched, pursuant to a search warrant. His phone was searched for the video he was alleged to have taken. After admitting to filming the assault video shown to him during his testimony, Alleged Delinquent Juvenile #4 was asked if he deleted it when everything about the assault came to light at school and he said, “Yes, I did delete it because I didn’t want that on my phone knowing that the season ended probably because of the incident...” Alleged Delinquent Juvenile #4 said he did not give the video to an adult or

coach before he deleted it from his phone. He did; however, share the video with other students.

Alleged Delinquent Juvenile #4 acknowledged that he knew there was a possibility that law enforcement was or would be investigating what happened to the Juvenile Victim once the school began investigating the September 3 incident *before* he deleted the video from his phone. He further admitted to deleting some messages associated with the video he took off his phone.

Alleged Delinquent Juvenile #4 did not tell a coach, school administrator, teacher, or any adult about what he witnessed on August 15, 2025.

Juvenile Witness #4 - Testimony about Assault #1 on August 15, 2025

Juvenile Witness #4 testified before the Grand Jury on March 11, 2026. He was a seventeen-year-old junior and played on the Cheltenham High School football team during their 2025 season. Juvenile Witness #4 said he attended the summer practices and Panther Camp leading up to the start of the 2025 football season.

When asked whether anything occurred in the locker room that would have made the Juvenile Victim uncomfortable, Juvenile Witness #4 described “a hazing incident.” He explained that he used the word “hazing” because “several athletes” were putting their hands on the Juvenile Victim and “there was a broomstick involved.” He stated that several people were “just fooling around” and putting their hands on him. His shirt was being pulled or ripped

off, and although Juvenile Witness #4 did not see any punches, there may have been slapping to the Juvenile Victim's body. Juvenile Witness #4 stated that the Juvenile Victim did not appear to be enjoying what was being done to him.

After the assault, he saw a video of the August 15 assault because it was going around the school and a lot of students were talking about it. Juvenile Witness #4 did not tell anyone because he "didn't know how serious the situation was."

Juvenile Witness #4 elaborated on the broomstick stating, "someone had a broomstick" and was "acting like he wanted to put the broomstick up his behind." In response to follow-up questions, he explained that he believed the person intended to put the broomstick in the Juvenile Victim's "behind" because "that's what it looked like" and the broomstick was "near his behind." He further explained that, at the time, a TikTok video was trending that featured a song by rapper Meek Mill with the lyrics, "Broomstick all in his butt, tell him take that." Witness #4 stated that he heard the person say "broomstick" and the N-word, which he understood as a reference to the TikTok video.

Juvenile Witness #5 - Testimony about Assault #1 on August 15, 2025

Juvenile Witness #5 testified before the Grand Jury on March 11, 2026. He was a sixteen-year-old sophomore at Cheltenham High School and played defensive line for the school's football team. He stated that he participated in

summer football practices leading up to the 2025 season and attended Panther Camp in August. According to Juvenile Witness #5, coaches were not usually present in the locker room while players changed before or after practices. Although coaches would occasionally come in, he said players were generally in the locker room by themselves.

Initially, Juvenile Witness #5 denied seeing anything happen to the Juvenile Victim at Panther Camp and only remembered and recounted the incident that occurred on September 3. However, after being shown the video, he acknowledged that there were two incidents - one during Panther Camp and one in September. He was asked, "So this is something else that happened to [the Juvenile Victim] in the summer prior to the September incident" to which he responded, "Yeah. I thought this was all together. Like I thought - I forgot about this. I thought this happened during the jumping... I thought - like, I thought it was all one incident. But now that I seen the video, like, now I know it was two incidents." Juvenile Witness #5 also acknowledged that these incidents were three weeks apart.

In addition, Juvenile Witness #5 stated that, during the August 15 assault captured on video, he stood in the back and did not participate. After being shown the video again, Juvenile Witness #5 admitted that he is captured on camera tugging on the Juvenile Victim's shorts during the assault. Juvenile Witness #5 said, "Yeah. Well, I wasn't pulling. I let go, because then he started screaming. Like, I let go right as soon as he started screaming." When asked

why he participated, Juvenile Witness #5 said, “Sorry. I don’t know. But then when he started screaming, I thought it was serious, so I let him go... I didn’t notice he was trying to put a broom into his butt until – I seen him screaming. Then, I looked over, and he was trying to put a broom in his butt, and then I let go.”

Juvenile Witness #5 testified that he had never heard the term “broomsticking” before. When shown the video in which Alleged Delinquent Juvenile #1 can be heard yelling, “broomstick him,” he stated, “I didn’t hear him when he said it there. But, yeah, now that I heard it, yeah, it sounds like [Alleged Delinquent Juvenile #1]” When asked what “broomstick” meant, he responded, “stick it in his butt.”

Alleged Delinquent Juvenile #3’s Testimony about Assault #1 on August 15, 2025

Alleged Delinquent Juvenile #3 was seventeen years old and played football at Cheltenham High School. On January 14, 2026, Alleged Delinquent Juvenile #3 testified before the Investigating Grand Jury. His testimony revealed for the first time that the Alleged Delinquent Juvenile #4 video did not show the September 3 assault but instead depicted a separate incident that occurred earlier during Panther Camp. When asked about the August 15 assault, Alleged Delinquent Juvenile #3 stated that he was present, but did not participate and was not paying attention because he was talking to someone while it was happening. Specifically, he testified:

Q: This was during Panther Camp?

A: Yes.

Q: This video?

A: Yes

Q: When was Panther Camp?

A: August. I thought you were talking about the other situation that happened in September. This is not the situation that happened in September, ma'am. This happened in August.

Q: Okay. Well, who was doing this to him? Who did you see in there doing this?

A: I don't remember this. I wasn't there for this part. This was -- this was --

He later testified as follows:

Q: Were you there?

A: Was I there during this?

Q: Did you see this in person?

A: Somewhat.

Q: So you were there in person?

A: This is not – there are two different –

Q: Stop. Did you see this one that we're watching the video of, the video you said –

A: These are two --

Q: Okay. Did you watch this?

A: Not really.

Q: You said somewhat you were there in person.

A: Somewhat.

Q: Did you participate?

A: No.

Q: But you watched it?

A: No, not like -- like I watched it somewhat. I was having a little side conversation with somebody else. I wasn't really paying attention to this one. I'm not going to lie.

Though he testified as outlined above, the Alleged Delinquent Juvenile #4 video shows that he is not having a conversation with anyone during the assault, he is paying very close attention to it, and he is filming it. Had the Grand Jury not heard testimony from other witnesses identifying Alleged Delinquent Juvenile #3 in the Alleged Delinquent Juvenile #4 video, the Alleged Delinquent Juvenile #3 video might not have been discovered.

Alleged Delinquent Juvenile #3 eventually admitted seeing the Alleged Delinquent Juvenile #4 video for the first time on Alleged Delinquent Juvenile #4's phone. Alleged Delinquent Juvenile #3 identified various people who appear in the video, including Alleged Delinquent Juvenile #1 wearing a yellow shirt and holding a broomstick. When asked what he was doing with the broomstick, Alleged Delinquent Juvenile #3 said "either like sticking it up or either under it, under" the Juvenile Victim's "butt." Alleged Delinquent Juvenile #3 stated the Juvenile Victim got up smiling after the August incident depicted in the Alleged Delinquent Juvenile #4 video. The Juvenile Victim is not depicted smiling, laughing, or joking around at any point in the video.

Alleged Delinquent Juvenile #3 identified the person in the video without a shirt on and wearing flip flops as Alleged Juvenile Delinquent #2. He identified the player in the other yellow shirt, wearing black shorts as Juvenile Witness #5. Although he identified others, Alleged Delinquent Juvenile #3 neglected to identify himself in the video.

Multiple witnesses identified Alleged Delinquent Juvenile #3 as the individual in the Alleged Delinquent Juvenile #4 video who appeared to be filming the assault. As a result, law enforcement obtained a search warrant to download relevant contents of his cell phone from the time period between August 15, 2025 and September 5, 2025. The search warrant was served on March 26, 2026.

Cheltenham police went to Cheltenham High School to serve the search warrant and seize Alleged Delinquent Juvenile #3's phone. Upon speaking to him at the school, Alleged Delinquent Juvenile #3 was evasive and uncooperative, saying his phone was broken and at home. He told detectives that his mother was in Germany when she clearly was not. Principal Hammond called Alleged Delinquent Juvenile #3's parents while police were at Cheltenham High School and Alleged Delinquent Juvenile #3's father, Ralph Burnley, began yelling and swearing at detectives over the phone; he indicated that he "did not care who issued the warrant."

Detectives went to Alleged Delinquent Juvenile #3's residence later that evening where they were greeted at the door by Alleged Delinquent Juvenile #3, who initially refused to open the exterior storm door. As the detectives were speaking to Alleged Delinquent Juvenile #3, they learned his father was on speaker phone and wanted to speak with detectives. Alleged Delinquent Juvenile #3 handed the phone to Cheltenham Detective David Schuettler. Upon getting confirmation from Alleged Delinquent Juvenile #3 that he had handed over his phone, Detective Schuettler said, "Thank you," and took the phone into custody. Alleged Delinquent Juvenile #3's phone was taken to the police department where it was subsequently downloaded.

A second video recovered from Alleged Delinquent Juvenile #3's phone showed the same incident depicted in the Alleged Delinquent Juvenile #4 video. This shorter video was taken from a closer view of the Juvenile Victim during

the assault. The angle of the video is consistent with the location where Alleged Delinquent Juvenile #3 is seen standing in the Alleged Delinquent Juvenile #4 video, confirming other witnesses' testimony that he was beside the Juvenile Victim and filming the assault on his phone.

Ralph Burnley's Testimony about Assault #1 on August 15, 2025

Ralph Burnley testified before the Grand Jury on January 14, 2026. Burnley was a part-time volunteer coach for the Cheltenham High School football team and had been for four years. Ralph Burnley watched the Alleged Delinquent Juvenile #4 video during his testimony. Burnley initially testified that he did not think the other players were physically harming the Juvenile Victim. But after asking to see the video a second time and watching it again, Burnley said, "I stand corrected," and indicated that the players' behavior during the assault was unacceptable.

While watching the video, Burnley said he was able to identify the player in the yellow shirt and gray shorts as Alleged Delinquent Juvenile #1. He said the player pulling an article of clothing around the Juvenile Victim and sitting on his head was Alleged Juvenile Delinquent #2. Burnley did not, however, identify Alleged Delinquent Juvenile #3.

Delayed Disclosure of Assault #1

Following this assault on August 15, 2025, neither the Juvenile Victim nor anyone on the football team told anyone about it. Testimony indicated the

Alleged Delinquent Juvenile #4 video was shared widely throughout the school and was viewed by and discussed by many football players; however, no one came forward to anyone in the school staff or administration. The date of this assault was not discovered until testimony on January 14, 2026, at which time it was first learned by investigators that there was more than one incident of the Juvenile Victim being assaulted by football players in the locker room. Prior to January 14, the school administration and Title IX investigators erroneously believed the Alleged Delinquent Juvenile #4 video to be video of the assault that occurred on September 3, 2025.

Assault #2 – September 3, 2025

The Juvenile Victim's Statements about Assault #2 on September 3, 2025

Regarding the September 3, 2025 assault, the Juvenile Victim said he took one of the captain's shoulder pads, who told the coaches. The whole team then had to run, and when he returned to the locker room, his teammates "jumped" him. The Juvenile Victim said he was assaulted in the locker room, in the middle of the floor. He described a big crowd a few feet away from the lockers.

The Juvenile Victim described being punched, kicked, and stomped in the head and groin with cleats, forcing him to curl up to protect himself and his head. He briefly got up and tried to run out the door, but they knocked him back down and continued to assault him. The Juvenile Victim

identified Isaiah Simpson, Alleged Delinquent Juvenile #1, and Alleged Juvenile Delinquent #2 as the main participants, but there were many others involved who he was unable to see and identify. He said it felt like the whole team was involved. The Juvenile Victim also disclosed that his teammates tried to “poke him in his butt with a broomstick.”

He described being on the ground, tucked up, when they tried to use the broomstick. At the time, he was wearing just shorts and football equipment, like cleats. The Juvenile Victim’s helmet was also on the floor with him. He said the broomstick did not go “in,” but made contact with his “butt cheek” over his clothing.

The Juvenile Victim said the assault stopped because the buses were coming and everyone had to catch their bus. There were no coaches in the locker room when it happened, as they were in the office down the hallway. He said that he feared for his life and did not want to go back to school or play football for the team anymore.

Juvenile Witness #2 - Testimony about Assault #2 on September 3, 2025

Juvenile Witness #2 said that, once school started, practice occurred after school. He said the players used the locker room at the end of practice to change their clothes.

When asked about the assault that happened to the Juvenile Victim in the locker room after practice, Juvenile Witness #2 said he probably saw

something but that he couldn't remember "what all happened." After taking a break during his testimony, Juvenile Witness #2 became more forthcoming with details about what he saw during the September 3rd assault of the Juvenile Victim.

Juvenile Witness #2 said he saw something similar to what he saw in the Alleged Delinquent Juvenile #4 video, which included players running in, grabbing the Juvenile Victim, and throwing him to the ground. He said multiple people said, "Let's jump him," and someone said, "grab him when he comes in" before the Juvenile Victim got to the locker room after practice. Juvenile Witness #2 said the Juvenile Victim had been the last person to enter the locker room and that is when the assault began. He said the Juvenile Victim did not have a chance to defend himself, as people immediately ran up and jumped him. He described "jumped him" as multiple people "attacking someone by surprise so they don't see it coming." Juvenile Witness #2 said he did not see a broomstick used during this assault but that it was possible one was used and he did not see it. Juvenile Witness #2 said there was nothing the Juvenile Victim could do. He said the players stomped on the Juvenile Victim's privates with their cleats.

Juvenile Witness #2 said the Juvenile Victim broke the rules again as he had done during the summer practices, specifying that he took shoulder pads and gloves from other players. He said the coaches made the team run extra

and that, later on that day, they found out that the Juvenile Victim had taken the missing equipment.

Juvenile Witness #2 said he did not see how the assault ended because he left two or three minutes into it. He said he went to the front of the school to catch the late bus. Juvenile Witness #2 said he did not tell anyone about the assault because he was just “minding [his] business.” Juvenile Witness #2 said the whole team was making jokes about it the next day.

Juvenile Witness #2 said he FaceTimed the Juvenile Victim in the days following this assault. On one of those occasions, he FaceTimed the Juvenile Victim while Isaiah Simpson was with him. During that call, Simpson asked the Juvenile Victim, “Why did you rat me out?” Juvenile Witness #2 said he did not ask Simpson what he meant by that question because he did not want to get into it.

In the days after the assault, Administrator #2 addressed the team about “stuff” and warned the players if there’s “another one” the season would be cancelled. Juvenile Witness #2 said no one on the football team spoke up about those assaults at that time.

Juvenile Witness #3 - Testimony about Assault #2 on September 3, 2025

Although he initially denied that anything happened after Panther Camp, Juvenile Witness #3 said he remembered a “big fight” involving the Juvenile Victim. He explained the incident occurred after practice on the defensive side

of the locker room while he was on the offensive side changing at his locker. He said a large group of people prevented him from seeing the details of what occurred.

Juvenile Witness #3 explained that, during that practice, the team had to run gassers and bear crawl backwards up a hill after the Juvenile Victim took another player's shoulder pads. He said the coaches did not blame the Juvenile Victim, but the players believed he was responsible and were irritated with him.

Juvenile Witness #3 said that, after the incident ended, he finished getting dressed and checked on the Juvenile Victim. He saw the Juvenile Victim sitting with a bag of ice on his groin area and crying. Juvenile Witness #3 said he believed the Juvenile Victim had been beaten up, although he did not see what happened. He said he did not report the incident because, "I didn't know what happened. I was in the back. I walked away."

After the second assault, Juvenile Witness #3 said Administrator #2 met with the team while the coaches were present. During this meeting, Administrator #2 told the players not to fight one another, reminded them that they were teammates, and warned that there would be consequences if anything else occurred. Juvenile Witness #3 said neither the coaches nor Administrator #2 encouraged anyone with information about the incident to come forward.

Josiah Peeler's Testimony about Assault #2 on September 3, 2025

In his March 11 testimony, Peeler said the only time the team had to run because of the Juvenile Victim was after the Juvenile Victim stole Peeler's shoulder pads. Peeler explained that, on the day prior, he asked the Juvenile Victim to return his shoulder pads, and the Juvenile Victim told Peeler he left the shoulder pads in front of Peeler's locker. When Peeler did not find them there, he told the Juvenile Victim to return them by the next practice. Peeler said the pads were not returned at the next practice, so he told the coaches who then made the team run. As a result, Peeler said the team was upset with the Juvenile Victim.

At the time of the assault, Peeler said he was not inside the locker room because he stayed back to talk to the coaches at the end of practice. When he returned to the locker room, he saw the Juvenile Victim on the floor crying and Alleged Delinquent Juvenile #3 told him what happened. Peeler testified that he did not recall Alleged Delinquent Juvenile #3's exact words, but remembered that Alleged Delinquent Juvenile #3 told him the Juvenile Victim "had a broomstick put in his ... butt." Peeler confirmed that it was on this particular day – the day that the Juvenile Victim did not return Peeler's shoulder pads and the team had to run extra as a result – that Alleged Delinquent Juvenile #3 told him that the Juvenile Victim was assaulted.

After he learned about the assault, Peeler said he told a school administrator (hereinafter referred to as "Administrator #5") that the Juvenile Victim was assaulted, specifically that "someone tried to stick a broomstick up

his butt.” Peeler said he was with Witness #1 at the time he told Administrator #5 this information. He was asked at least 5 times if he provided this information to Administrator #5; each time he stated that he did. However, a review of video evidence obtained from the school depicts Witness #1 walking to Administrator #5’s office alone.

When asked if the coaches addressed the team about what happened at any point in time, Peeler said Tolbert told them about the incident and he said, a player was assaulted. Peeler also testified that Tolbert said “how serious the matter was, and the fact that it is... being investigated, and how it could result in our season being ended, which it did.” Peeler could not remember if Tolbert said anything about a broomstick being involved. Peeler said that by this time, all the coaches already knew what happened. Peeler did not disclose anything he knew about the assault of the Juvenile Victim even after the coaches addressed it with the team.

Administrator #5 - Testimony about Assault #2 on September 3, 2025

Administrator #5 testified on March 18, 2026. Administrator #5 was assigned to the Cheltenham School District and he reported to the High School every day. Administrator #5 said that he is a mandatory reporter, explaining that he must report child abuse immediately upon hearing or seeing anything that would qualify as suspected child abuse. Administrator #5 defined child abuse as being “harm coming to a person underage.” When asked if being told that the Juvenile Victim had been “jumped in the locker room, that his genitals

had been stomped on, that there was video of it, and that the coaches told him not to tell,” would have required a mandated report per his mandatory reporter status, Administrator #5 replied, “Absolutely.”

Administrator #5 described the events of September 3, 2025, as follows:

He was in his office after football practice had ended for the day and Witness #1 came into the office saying a player was hurt and that he needed ice. Administrator #5 said that only Witness #1 came into his office at that time. Administrator #5 said Witness #1 did not give details about what happened to cause the injury to the player, just that he was hurt.

Administrator #5 said players routinely get hurt during sports activities and practices, so requesting ice for an injury was not unusual. Administrator #5 said he followed Witness #1 to the football locker room to check on the Juvenile Victim, the player who had been hurt. The Juvenile Victim told Administrator #5 that “somebody stepped on his balls.” Administrator #5 asked the Juvenile Victim if he was ok and if he needed medical attention and the Juvenile Victim said he was ok and did not need to go to the emergency room.

Administrator #5 said Witness #1 was the only player that went to his office to ask for ice for an injury. He said that Peeler did not come with Witness #1 to get ice. Administrator #5 said Peeler did not tell him that someone tried to put a broomstick up the Juvenile Victim’s “butt” at that time or any other time. In fact, Administrator #5 said that he did not have any verbal interaction with Peeler at the time when he was asked for ice and went to the locker room

to check on the Juvenile Victim. Administrator #5 said the only two people he spoke to were Witness #1 and the Juvenile Victim, and that neither one said anything about a broomstick. Administrator #5 said that if he had been told about someone trying to put a broomstick up the Juvenile Victim's "butt," he would have immediately called ChildLine, per his mandatory reporting requirements.

WITNESS #1 - Testimony about Assault #2 on September 3, 2025

Witness #1 was at practice on Wednesday, September 3, 2025. Witness #1 said that mid-practice that day, the team had to run because the Juvenile Victim took off his helmet and took one of the other player's shoulder pads. Witness #1 said the coaches told the team that these were the reasons that they had to run, and that coaches Terence Tolbert, Benjamin Johnson, and another coach were on the field when this was announced.

Witness #1 explained that they had to run "gassers," which were described as sprints up and back across the field. He admitted that this did not make people on the team happy and it was fair to say that the unhappiness was directed at the Juvenile Victim. He said there was negative energy towards the Juvenile Victim, and players were not being too friendly to him. He stated that the team just ignored the Juvenile Victim and gave him the cold shoulder.

Witness #1 said that at the end of practice, players go to the locker room and that some would put equipment away in the garage if any had been taken out for practice. This was done mainly by captains or lower classmen. Witness

#1 could not remember if he or the Juvenile Victim put equipment away first, but Witness #1 did see him in the locker room after practice.

Witness #1 testified that he returned to the locker room and began to change at his locker. Hearing a commotion that grew louder, he turned around and saw a large group of approximately ten players around the Juvenile Victim. About five to six players were actively punching, kicking, and stomping the Juvenile Victim, and he observed one person stomp on his genital area. Witness #1 did not recall whether they were wearing cleats. Others in the locker room were circling the Juvenile Victim, coming from other areas of the locker room, and encouraging the assault. When asked, Witness #1 did not identify any of the players he observed attacking the Juvenile Victim.

Witness #1 initially observed the Juvenile Victim standing, but eventually the Juvenile Victim ended up on the ground on his back. The Juvenile Victim was on the ground in a defensive position and wearing football equipment. Witness #1 did not recall seeing a broomstick or hearing the word broomstick during the portion of the incident he observed.

Witness #1 described that he verbally tried to stop the incident by telling people to stop and then he turned towards his locker once he believed the incident was ending on its own. He stated that he did not believe physically intervening would help. Afterward, the Juvenile Victim got up, walked around, and appeared aggravated and was crying. Witness #1 asked whether the Juvenile Victim was okay and needed anything, then went to the trainer and

reported that a player had been hurt in the locker room and needed ice.

Witness #1 then brought ice to the Juvenile Victim.

The Cheltenham Police Department obtained video surveillance of the hallway between the football locker room and Administrator #5's office. This video shows the following:

5:41:53 pm – Witness #1 left the locker room

5:41:59 pm – Witness #1 approached Administrator #5's office

5:43 pm – Witness #1 left Administrator #5's office with ice

5:43:05 pm – Witness #1 returned to locker room

5:43:09 pm – Witness #1 left the locker room (after delivering ice)

5:44:55 pm – Administrator #5 left his office

5:45:01 pm – Administrator #5 arrived at the locker room

5:46:48 pm – Administrator #5 left the locker room

5:46:55 pm – Administrator #5 returned to his office

Witness #1 said that he did not tell Administrator #5 the details of what happened to the Juvenile Victim in the locker room, just that a player got hurt. Witness #1 also said that he did not tell any of the coaches about what happened. Witness #1 agreed that if he had seen a woman on the street being attacked by five to six people in a similar assault, he would have involved the

police. Witness #1 said he did not talk to anyone about it until about a month later, when he was in a meeting with Administrator #2.

Witness #1 said the coaches held meetings with the team, about a week after the assault, to discuss overall behavior. These meetings were led by head coach Terence Tolbert, and other coaches were “around,” but not “specifically speaking to the team.” According to Witness #1, Tolbert never encouraged anyone to come forward to the coaches if they had any information about what had happened to the Juvenile Victim.

Witness #1 admitted that he did not tell anyone what he witnessed until after the meeting the team had with Administrator #2, which was a month after the assault. Administrator #2 pulled Witness #1 in for a one-on-one meeting, and that is when he finally told someone what he saw.

**Alleged Delinquent Juvenile #4's Testimony about Assault #2 on
September 3, 2025**

Alleged Delinquent Juvenile #4 said he was not at practice for the September 3 assault on the Juvenile Victim. He said he was told about what happened by other players afterward. He said he talked to other students about the assaults, though he did not remember their names.

**Juvenile Witness #4 - Testimony about Assault #2 on September 3,
2025**

Juvenile Witness #4 said he was at practice on September 3, 2025, but he did not participate due to an injury. He said that he heard the Juvenile Victim had taken someone's equipment because he lost his own and the team had to run extra that practice because of what he had done. Juvenile Witness #4 said everyone on the team complained that they had to run extra that day and blamed the Juvenile Victim.

Juvenile Witness #5 - Testimony about Assault #2 on September 3, 2025

Regarding the September 3 assault, Juvenile Witness #5 testified that the Juvenile Victim "got into a little fight with upperclassmen" in which he was targeted. He stated that at practice that day, the coaches said the team had to run for extra conditioning, although Juvenile Witness #5 did not hear them say it was a punishment.

After practice ended, he walked back into the locker room with other players and was standing at his locker getting changed on the defensive side of the locker room. He heard Alleged Delinquent Juvenile #1 say to Isaiah Simpson, "Yo, when he get in here, we all jumping him," which he understood to mean "multiple people all beating on one person." Seconds later, Alleged Delinquent Juvenile #1 grabbed the Juvenile Victim as he walked into the locker room. Juvenile Witness #5 said they started "tussling." Some players started joining in – including Isaiah Simpson – and others started "circling up," watching, and egging it on. Witness #5 said that there were about 7-8 other

people who participated, including Alleged Delinquent Juvenile #3, but he could not remember exactly who all 7-8 were.

While Alleged Delinquent Juvenile #1 was holding the Juvenile Victim, Isaiah Simpson tackled him from behind and dragged the Juvenile Victim to the ground. After the Juvenile Victim was on the ground, players were stomping on his lower body, around his groin and stomach. At least one of the players stomping on the victim still had his cleats on. Another, Juvenile Witness #5 recalled, was wearing socks. At some point, the Juvenile Victim got up and tried running into the corner to get away. Alleged Delinquent Juvenile #1 chased after him and started punching him with "all of his force." Alleged Delinquent Juvenile #3 also followed and kicked him a few times before backing up.

Towards the end of the incident, Alleged Delinquent Juvenile #1 got a broomstick from underneath the bench and "tried to shove it up his butt." Later in the questioning, Juvenile Witness #5 clarified that J.S didn't try to put the broomstick inside his pants, but that he tried to "put it in his butt" when his pants were on. He described what he saw as Alleged Delinquent Juvenile #1 poking at it [the Juvenile Victim's butt] and said he "wasn't going like full force, but he was definitely like trying to hurt him." Juvenile Witness #5 explained that Alleged Delinquent Juvenile #1 did not have the broom when Witness #1 walked in. Alleged Delinquent Juvenile #1 dropped the broom, prior to when Witness #1 walked in, and resumed punching the Juvenile Victim along with

other players. It was at this point that Witness #1 walked in, started yelling, and the assault ended.

Juvenile Witness #5 believed the Juvenile Victim still had his football gear on during this assault. He observed the Juvenile Victim tried to defend himself by blocking, punching and kicking back. After it ended, the Juvenile Victim was crying, holding his “private part,” and sitting on a bench in the locker room. Juvenile Witness #5 and several other players, including Witness #1, asked the Juvenile Victim if he was okay. Alleged Delinquent Juvenile #3 offered him a ride home, and Witness #1 went to get the trainer.

Witness #5 stated he did not tell any adult at school because Coach McFadden “told us not to tell anybody.” He went on to explain that the day after the September assault, he and the Juvenile Victim were walking in the hallway and saw coach DJ McFadden. When he saw them, McFadden told them, “Don’t tell anybody. We are going to handle this. Don’t tell anybody.” In addition, Juvenile Witness #5 said a couple days later, Isaiah Simpson also told him and a couple of other freshman not to tell anyone. Specifically, Simpson said, “Don’t be rats, don’t be rats.”

Alleged Delinquent Juvenile #3’s Testimony about Assault #2 on September 3, 2025

Regarding the September 3, 2025 assault, Alleged Delinquent Juvenile #3 said the Juvenile Victim had taken another player’s shoulder pads and the coach made the team run because of it. Alleged Delinquent Juvenile #3 said

that, at first, the team did not know they were running because of the Juvenile Victim, but then Coach Tolbert yelled that it was because the Juvenile Victim took shoulder pads. Alleged Delinquent Juvenile #3 said people were mad and there was a little grumbling, but he did not hear anyone talk about getting the Juvenile Victim in the locker room.

When asked about what happened to the Juvenile Victim in the locker room, Alleged Delinquent Juvenile #3 said he thought they were “horseplaying,” but he did not remember who it was. He testified that the Juvenile Victim talked to him about what happened afterward and that the Juvenile Victim was getting mad about it. When asked what the Juvenile Victim said, Alleged Delinquent Juvenile #3 originally said that the Juvenile Victim said the guys were grabbing him and pushing him around with playful punches. When pressed about the use of “playful punches,” he stated that he thinks they were playful punches, but he could not remember if the Juvenile Victim had used that term to describe them.

Alleged Delinquent Juvenile #3 claimed the assault was finished when he came into the locker room, but people were still laughing at the Juvenile Victim. He said the Juvenile Victim was either on the ground or on the bench, near Alleged Delinquent Juvenile #3’s locker. He said the people making fun of the Juvenile Victim were not on the offensive or defensive line; he explained that they were the “skilled position” players. He then named a few skill position players, but stated the people making fun of the Juvenile Victim were not any

of the people he named. Alleged Delinquent Juvenile #3 described the incident on September 3rd as when the Juvenile Victim “got his ass kicked.”

Alleged Delinquent Juvenile #3 said Coach Tolbert spoke to him about the September 3rd incident the day after it happened, asking what happened and if he was there. He said he could not remember if Tolbert ever told him not to tell anyone about what happened. Alleged Delinquent Juvenile #3 said they did not talk about the incident again.

Time Period Between Assault #2 and Disclosure to School Administration

The Juvenile Victim’s Statements about the Time Period Between Assault #2 and Disclosure to School Administration

Once the assault ended, the Juvenile Victim got ice for his privates because they had kicked him there. He then got into his “homie’s dad’s car” (Ralph Burnley) who is one of the coaches. He told Ralph Burnley what happened, and Burnley told the Juvenile Victim that he should tell his parents. However, the Juvenile Victim said that his offensive coordinator (McFadden) and head coach (Tolbert) told him not to tell his parents because they would handle it. The Juvenile Victim said this conversation with McFadden and Tolbert occurred on the phone while they were on the drive home and that Burnley had texted the coaches’ group chat that the Juvenile Victim got jumped. The Juvenile Victim knew this because Burnley used the talk-to-text to write the message.

The Juvenile Victim was asked to go through the conversation he had with Tolbert and McFadden. He said he gave a list of names of people that were involved. He said McFadden told him not to tell his parents. The offensive coach, Benjamin Johnson, was also on the call. The Juvenile Victim said he was traumatized by the situation. He said it was like “how could he call them teammates when they did that to him?”

The Juvenile Victim did not see a video of the assault himself, but he was told by others that they saw a video. Random people approached the Juvenile Victim about it in the cafeteria and hallway. He thinks that it was obviously shared with other people because a lot of people had seen it. The Juvenile Victim said that when he was on a FaceTime call with Juvenile Witness #2, Isaiah Simpson was in the background and asked the Juvenile Victim why he ratted on him.

The Juvenile Victim said he did not tell his mother right away about what happened because the coaches told him not to tell. He later talked to his mom about what happened because he wanted to get out of the school, as he did not feel safe there.

**Juvenile Witness #4 - Testimony about the Time Period Between
Assault #2 and Disclosure to School Administration**

Juvenile Witness #4 said he was in the car with Coach Tolbert on September 3 because Tolbert was giving him a ride home after practice. Juvenile Witness #4 said he had not been in the locker room when the Juvenile Victim was assaulted during the September assault. While Juvenile Witness #4 was in the car, another coach called Tolbert on speaker phone and told him that the Juvenile Victim was “whining and saying they stepped on his balls” and they jumped him. Juvenile Witness #4 said the Juvenile Victim also spoke on the call. Juvenile Witness #4 said the Juvenile Victim sounded like he was in pain. Juvenile Witness #4 heard him say he was kicked in the balls and that his balls were stepped on. Juvenile Witness #4 said he did not speak up about the August assault because he was afraid they might cancel the football season if he said anything.

Juvenile Witness #1 - Testimony about the Time Period Between Assault #2 and Disclosure to School Administration

Juvenile Witness #1 said the Juvenile Victim told her in the days after September 3 that he had been jumped by the football team. He sounded upset and unsure whether to tell his mother. Juvenile Witness #1 told her own mother, who told her grandfather, and he relayed the information to the Juvenile Victim’s grandfather. The Juvenile Victim later texted her on September 7 saying his mother had found out.

Juvenile Witness #1 said she saw a video of the assault on a student’s phone at school, showing the Juvenile Victim on the ground being kicked by

multiple people. She confirmed the Alleged Delinquent Juvenile #4 video shown to her was not the same one. Based on what she saw and what the Juvenile Victim told her, she gave an anonymous statement to Administrator #6 because she didn't want her name known to the football players.

Juvenile Victim's Mother's Testimony about the Time Period Between Assault #2 and Disclosure to School Administration

The Juvenile Victim's mother said that on Sunday, September 7, 2025, her father told her that he found out the Juvenile Victim had been assaulted at school. Specifically, her father told her that her son "got jumped by – the football team."

Upon learning of the assault on her son, the Juvenile Victim's Mother said she was very upset and texted Administrator #1 that same day. She said she talked to the Juvenile Victim before she contacted Administrator #1, and he confirmed to her that the incident had, in fact, happened. The Juvenile Victim told her he got jumped by the whole team and there was nothing he could do. He told her they hit him in the face, kicked him in his private area, and that he had to ball up to try to protect himself. The Juvenile Victim also told her that the coaches knew about it because they had called him on the day it happened and told him they would take care of it and not to tell his parents. The Juvenile Victim told his mother that was why he did not tell her about it, because the coaches told him not to and that they would take care of it. The

Juvenile Victim's Mother said he was angry and upset while he was telling her what happened to him.

The next day, Monday, she took her son to Patient First medical office in Abington, PA in Montgomery County on September 8, 2025, for complaints involving his groin area. The diagnosis included a contusion on his penis.

The Juvenile Victim's Mother said that none of the football coaches ever reached out to her about anything that happened to her son. She said the coach that drove him home from practice the day of the assault never said anything to her either.

The Juvenile Victim's Mother did not find out about the broomstick used in the September 3 assault until the detective contacted her about the information that was contained in a Safe2Say report filed on September 18. She said she was very upset about it and asked the Juvenile Victim about it. She said he told her that "it didn't penetrate in his butt, but they were trying to stick the broom in his butt... poking at his legs and poking at him with it." He told her he was embarrassed and that's why he did not tell her about the broomstick, and that he did not want anyone to find out about it.

The Juvenile Victim's Mother did not find out about the August 15, 2025 assault at Panther Camp until the detectives came to her house to talk to the Juvenile Victim about it. She said he downplayed what happened during the interview because he was embarrassed and did not want to be labeled to other kids as a snitch or a rat.

Coach Statements About the Assaults on the Juvenile Victim

Ralph Burnley's Statement About the Assaults on the Juvenile Victim

Burnley said he has been a father figure to the Juvenile Victim, has known him for several years, and regularly drove him home from practice. On September 3, 2025, Burnley was taking a work call in his car instead of going to the locker room. While still on the call, Alleged Delinquent Juvenile #3 and the Juvenile Victim came to the car, and the Juvenile Victim was crying. The Juvenile Victim told Burnley, "they jumped me," later explaining he was attacked for allegedly stealing another player's shoulder pads. He said one player kicked him in the groin and another stomped on his face but could not identify who because many were involved.

Burnley told him he needed to call his parents, but the Juvenile Victim begged him not to because his mother would pull him from football. Burnley said he called the head coach once he got home and may have called other coaches from the car. He also texted the coaches' group chat, telling them the Juvenile Victim said he was jumped and the situation needed to be addressed. Most coaches said they would call the Juvenile Victim, but Tolbert said he would handle it.

Burnley said he no longer has the messages because he deletes all texts daily except those from family.

Terence Tolbert's Statement About the Assaults on the Juvenile

Victim

On September 25, 2025, Head Coach Terence Tolbert was interviewed by Solicitor #1. Tolbert has taught in Cheltenham for over ten years and has coached football since 1998.

Tolbert said he understood the meeting was about “some kids” allegedly jumping the Juvenile Victim because the team had to run extra conditioning after the Juvenile Victim took another player’s shoulder pads. He said players often forget equipment, and he frequently locks and unlocks the locker room for them.

Tolbert said he didn’t recall anyone blaming the Juvenile Victim for the extra running, noting players routinely complain about conditioning. After practice, players change, clean the locker room, and leave within 10–15 minutes.

Regarding the day of the assault, Tolbert said he did not recall anything unusual and did not hear anything after practice. He said he was helping managers collect equipment and was in the hallway as players left. Tolbert stated that the Juvenile Victim attended practice the following day.

On the way home, Tolbert said that Ralph Burnley called him and said that “people jumped the Juvenile Victim and he still had equipment on him.” When asked for more specifics about what he was told happened on the call, Tolbert said, “I don’t know.” “Something about horseplay that went too far,” he said. Tolbert was adamant that no one would tell the Juvenile Victim not to tell his parents. When asked additional questions about what exactly was said on

the phone call, how it was initiated, and how the Juvenile Victim ended up on the call, Tolbert did not give clear answers. He said that while he receives phone calls often from coaches, he does not often receive them about student discipline issues. Yet, he could not give clear answers about the details of this call.

Tolbert said, "The Juvenile Victim said they were playing around... and it went too far." He also said the Juvenile Victim said he "got hit...but he didn't know who." He also said the Juvenile Victim said he "got hit in the nuts."

Tolbert said that DJ (another football coach, Darian "DJ" McFadden) said, "We are going to handle it with the team." He said on the day of the incident, he also talked to Administrator #5. Tolbert said he asked Administrator #5 if he "saw or heard anything" with the Juvenile Victim and that Administrator #5 said the Juvenile Victim got kicked in the nuts. Administrator #5 asked if he needed to go to the hospital, and the Juvenile Victim said that he did not.

Tolbert did not contact the Juvenile Victim's mother upon learning about the assault. He said, "I wasn't able to ascertain the who, what, when, where, and why," which is why he did not reach out. When Tolbert was asked about what he heard happened, he said, "they said horseplay, and the kids play around... all of the time... they just play around, they're kids." When asked what "horseplay" meant, he said "it means they are joking" or "play fighting." He also said, "pushing or nudging each other around."

Tolbert said that, after the incident, he talked to the team about the team being “family.” He said this wasn’t in response to the incident, though. “I said we are family... yes, family doesn’t get along, and sometimes someone from the family does something we don’t like.” He also told the players in that team meeting, that “we are only as strong as our weakest link.”

When asked if he believed whether it was possible the Juvenile Victim was assaulted with a broomstick, he said, “I think if something happened, he would’ve said something... I think it would be highly unlikely, you can’t just do things like that.” He said he believed that someone would have told a coach.

When asked whether he believed there was a culture problem on the team, he said his only concern was academics. He said he thinks that many students believe “sports are the answer” and neglect academics. He expressed concerns with eligibility. When asked if he suspected there was hazing or any interpersonal issues between the students, he said, “I haven’t seen it.” He said, “I see them joke around... it’s football... it gets chippy on the field.” He emphasized that there aren’t any “contentious relationships” between the students. He again emphasized that if people were engaging in hazing, or assaulting one another with a broomstick that “someone would’ve said something.” “They know that’s not right,” he said.

Towards the end of the interview, Tolbert said that he could not have foreseen something like this happening, especially with the Juvenile Victim participating the next day in practice. He said that if he was assaulted with a broomstick, the Juvenile Victim would not have come back, or someone would

have reported it. He said that he has “nothing to hide.” He also believes that there would be a video of this happening if it happened.

Records indicate that Tolbert did not make a ChildLine report concerning the September 3, 2025 assault on the Juvenile Victim, nor did he disclose all the details he knew about the assault to school investigators when asked.

Darian “DJ” McFadden’s Statement About the Assaults on the Juvenile Victim

On September 25, 2025, Darian “DJ” McFadden was interviewed by Solicitor #1 on behalf of the Cheltenham School District Solicitor’s Office.

McFadden worked as a safety officer for Cheltenham School District and was an assistant coach for the high school football team. Without being told the purpose of their meeting, McFadden said he suspected it was the “the Juvenile Victim situation in the locker room.” When asked what he was referring to, he said, “I don’t really know what happened. I wasn’t there.” “I wasn’t even on school grounds when it happened. I just got a call about it,” he said.

McFadden said that there was a 3-way phone call between Tolbert, Johnson (Benjamin Johnson, another assistant football coach), and himself. He said, “They were basically saying the kids were horseplaying around in the locker room with the Juvenile Victim.”

McFadden said he did not remember who initiated the call but said that the Juvenile Victim ended up on the call, although he does not recall how. He

said Johnson may have called the Juvenile Victim. When asked what the Juvenile Victim said on the call, McFadden said, "He said they were horseplaying." McFadden said the Juvenile Victim named the kids he was "horseplaying with" but he (McFadden) could not recall the names. McFadden said he could not recall most of the details about what was said on that 3-way call with the Juvenile Victim. He said that Tolbert was talking to him during the call, saying, "We had to take care of the horseplaying in the locker room because the Juvenile Victim and the kids were horseplaying."

McFadden said the 3-way phone call was the first time Tolbert learned about the incident. He also said on the call that the coaches were "going to take care of all of that stuff tomorrow during practice." McFadden said no one told the Juvenile Victim not to tell his mother. He said the only statement that was made to the Juvenile Victim during that call was that we "would handle it in practice tomorrow."

Like Tolbert, McFadden indicated this was an unusual type of phone call and that this was the first time he had ever been on a call like that about a student incident. He said that he's had calls with students wherein they discussed games, but never a "situation like that." Despite that, McFadden still provided very limited information about what he could recall about the details the Juvenile Victim offered about his injuries. He said he believes that the Juvenile Victim got hit, "the wrong way." McFadden did not recall what part of

the Juvenile Victim's body had been injured. He emphasized that students were "playing around."

McFadden said the team had a "conversation about horseplaying" in the weight room the day after the incident. When asked about who led the conversation, how it was initiated, and more details about what was said, McFadden said he did not recall the specifics.

McFadden said he does not believe there are hazing issues on the team and emphasized that he hadn't heard of any hazing issues or seen anything.

Records indicate that McFadden did not make a ChildLine report concerning the September 3, 2025 assault on the Juvenile Victim, nor did he disclose all he knew about the assault to school investigators when asked.

Benjamin Johnson's Statement About the Assaults on the Juvenile Victim

On September 25, 2025, Benjamin Johnson was interviewed by Solicitor #1 on behalf of the Cheltenham School District's Solicitor's Office. Johnson was the offensive line coach for the Cheltenham High School Football team. He had been a coach for 22 years, but this was his first year with the Cheltenham School District.

Johnson said he was made aware of an incident with the Juvenile Victim after practice on September 3, 2025, so he "immediately" spoke with Coach Tolbert. He said it was necessary because it appeared they were dealing with

potential “bullying or hazing.” He said such conduct is “unacceptable,” and it is the coaches’ job to protect students. He said he thought he found out about the incident from another coach but could not recall exactly. He said he also contacted the Juvenile Victim to get more information. When asked specifics about how the call was initiated, Johnson said he couldn’t recall specifics. He said the call was “only meant to get information.” He said that was necessary and that Tolbert was going to investigate. The Juvenile Victim admitted to taking a peer’s equipment and said “it was crazy” but that he was “ok.”

Johnson said the goal of this phone call was to “get as much information as possible,” to “look into it,” and “hold people accountable.” However, when asked for specific information about who was identified as committing the assault, Johnson said he did not recall. When asked for specifics on what the Juvenile Victim reported to them, Johnson said, “the Juvenile Victim’s words were ‘typical football, rough housing...we were horsing around.’” Johnson also said the coaches told the Juvenile Victim they would be addressing the situation. When asked about the physical contact, Johnson said that he believes the Juvenile Victim said that his “nuts were being hurt.” Johnson said he did not hear a coach tell the Juvenile Victim not to contact a parent, and if he did, he would have corrected it.

When asked what “horseplay meant,” Johnson said it means that students will “rough house, rassle, or roll on the floor.” He said, “it’s a rough form of playing.” He said it’s not malicious and that the Juvenile Victim is

playful. At the end of the interview, Johnson expressed the importance of maintaining student safety.

Records indicate that Johnson did not make a ChildLine report concerning the September 3, 2025 assault on the Juvenile Victim, nor did he disclose all the details he knew about the assault to school investigators when asked.

Coach #1 - Statement About the Assaults on the Juvenile Victim

Coach #1 was a quarterback coach for the Cheltenham High School football team. Coach #1 said he officially came on board to coach at the end of August 2025, right before the first game of the season. He said he was typically only at practice for varsity on Thursdays, which ran from approximately 2:45pm-5:00pm. He said he also coached the JV team and was at their games on Mondays.

When asked what happened to the Juvenile Victim, Coach #1 said that he did not know what happened to him and only became aware of the allegations of hazing when they were stated by Administrator #4 on October 17, 2025.

Coach #1 admitted to being in a group chat with his fellow coaches, but he claimed there was not any correspondence about the incident until after October 17, 2025. Coach #1 named some of the individuals included in the coach group chat as Ralph Burnley, Darian ("DJ") McFadden, Terence Tolbert, Coach #2, Coach #3, Coach #4, Coach #5, Coach #6, Ben Johnson, and Coach

#7. He confirmed that he still had the group chat on his phone and stated he did not delete any messages.

On January 21, 2026, Montgomery County Detective Michael Crescitelli took video while scrolling through the coaches' text chain. That video was later broken down into screenshots to reflect the individual text messages.

A review of this coaches' text chain revealed the following:

September 3 – Beginning at 5:49pm

- **Coach #8:** Locker room still unlocked
- **Ralph Burnley:** They just jumped the Juvenile Victim in the locker room. You'll have to handle it tomorrow or talk to his parents.
- **DJ:** "Who jumped him?" ... "Smh"
- **Terence Tolbert:** "Who"
- **Ralph Burnley:** "The whole team he's very upset. They stopped them in the face with cleats, kick them in the nuts....you need to be a coach in the locker room. I know you assigned coaches."
- **DJ:** "This is bad bro"
- **Ralph Burnley:** "This has to be handled and kept quiet. It's just like hazing.... i'm telling you if this gets out they could put the whole team in jeopardy"
- **DJ:** "If this gets out we are fucked! They will cancel the whole season"
- **Coach #9:** "Did they say why this happened?" ... "And exactly who did it? Bc they whole team wasn't in the locker room."

- **Coach #4:** “Is this the Juvenile Victim that does listen to anyone. In a fucked up way, they probably thought they were doing something good. But this isn’t good at all.”
- **Ralph Burnley:** “It’s all good the Juvenile Victim doesn’t want it to go any further..... it started out as horse play then it turned serious.... The team needs to be sat down and talked to.... i’m not saying anything to anybody.... They would definitely make an example of us and these kids will jeopardize their whole senior season.”

Coach #1 stated he had just stumbled upon these messages while going through what happened with his lawyer. He said he did not respond to the messages and maintains he never saw them up until the point he reviewed the chain with his lawyer. He said these messages he stumbled upon were from the day of the assault, September 3, 2025.

Phone Records between Ralph Burnley, Terence Tolbert, Benjamin Johnson, and Darian “DJ” McFadden on September 3, 2025, following the Juvenile Victim’s Disclosure to Ralph Burnley

Phone records between Burnley, Tolbert, Johnson, and McFadden show back and forth phone calls between the four coaches beginning on September 3, 2025 at 5:55pm through 6:06pm. At 6:06pm, a group call began that included the Juvenile Victim, Burnley, Tolbert, Johnson, and McFadden. Each participant entered the call at different times, but all five were on the line at the same time for portions of this call. This call lasted approximately 14 minutes, until 6:20pm.

After the group call ends, the coaches begin communicating with one another amongst various phone calls from approximately 6:21pm until approximately 6:36pm.

Administrative Response to the Juvenile Victim's Assault Disclosure

The Juvenile Victim's Mother's Testimony about Administrative Response to The Juvenile Victim's Assault Disclosure

The Juvenile Victim's Mother said the first in-person meeting she and her son had with anyone at the school was on September 15, 2025. Before that date, her son had not been interviewed by anyone at the school regarding the details of the assault, nor had he talked to any of the administrators to give any kind of statement about the incident. The Juvenile Victim's Mother said the meeting consisted of her, her son, Administrator #1, Administrator #2, and the head football coach, Terence Tolbert.

The Juvenile Victim's Mother said that, during the meeting, Coach Tolbert said "they did their investigation and no one was coming forward, so they did not think anything happened." He also told her that he did not think anything happened and that he "wouldn't have told the Juvenile Victim not to tell his parents anything."

October 17, 2025 - Senior Night is Cancelled and Football Season is Temporarily Suspended

The Cheltenham High School Football season was temporarily suspended on October 17, 2025 via an announcement made to the public in a letter issued by Administrator #4. The reason cited for the temporary suspension was the ongoing investigation into an assault in the locker room. Upon the surprise announcement, the coaches all discussed the suspension, probable cancellation, and the reasons for it in the coaches' text chain beginning on October 17, 2025:

October 17

- **DJ:** "They postponed the game!"
- **Ben Johnson:** "wtf"
- **Coach #7:** "GTFOH"
- **DJ:** "Scrivens is supposed to come over and talk to everybody at 5:00"
- **Coach #4:** "Fucking Truman!!! Postpone my ass, bum asses forfeit!"
- **DJ:** "It's crazy because someone told me last night that they were forfeiting the game and I didn't believe it"
- **Coach #4:** "They did all that for senior night"
- **Coach #7:** "Is this all confirmed?"
- **DJ:** "Bro. Everyone is pissed. My phone is blowing up" ... "Yes it's confirmed. I just text that"

- **Coach #4:** “Feel bad for the kids and parents”
- **Ben Johnson:** “Truman forfeited” ... “That’s fucking crazy work man...”
... “Crazy”
- **Coach #1:** “Where is everyone at???”
- **Coach #10:** “SMH!”
- **Coach #1:** “These kids is fucking pissed like shit”
- **DJ:** “That means there will be no senior night. That’s fucking wild”
- **Coach #4:** “I am sure they knew all fucking week they weren’t going to play” ... “That is why o said I feel bad for kids and parents”
- **Coach #10:** “Where ya’ll at”
- **Coach #6:** [Sending screenshot of letter dated 10/17/25 from CSD regarding allegations of hazing.]
- **DJ:** “Auditorium” ... “They want all of the coaches and players there”
- **Coach #9:** “So Truman forfeited and our program is put on suspension?”
- **DJ:** “No. It actually isn’t a forfeit. This is a Cheltenham thing”
- **Coach #9:** “Crazy they waited til senor night to do this.”
- **Ben Johnson:** [Sending screenshot of email addressed to “Truman families” regarding cancelled game.]
- **Terence Tolbert:** “Coaches we’re in the locker room.”
- **Ben Johnson:** “This shit is like a scene from a movie man! This shit is crazy crazy” ... “I hurt for our boys. We should have okayed tonight and the investigation e done tomorrow”

- **DJ:** “Shit hurt” ... “I hurt for kids like Kyle man. Seeing him like that today hurt man”
- **Coach #6:** “I got teary eyed” ... “I don’t say much but I been here for 5 seasons and I remember going to Chedarbrook to see them play as 8th graders. I joke a lot but this shit hurt.”
- **Terence Tolbert:** “This shit is crazy, they could have at least notified the coaches before sending it out to the community. All over allegations that will be unfounded.”
- **Coach #6 (referring to screenshot of Facebook comment by Lee Bunch on CSD Facebook page.):** “Two phones call saying they heard a kid was getting hazed and brooms sticks”
- **DJ:** “I seen this bull shit”
- **Ben Johnson:** “I hurt for our kids man! I will not stand around let them get fucked over! These kids deserve better!”
- **DJ:** “Tolbert can you find out if we are supposed to go to this meeting tomorrow at 8AM because Adrien sent an email. Diddy you get her email?” ... “*Did”
- **Ralph Burnley:** “A lot of parents are reaching out to me. They are not letting their kids come tomorrow. They think it’s interviews without them....I thought that 8 AM meeting tomorrow was to let us know if we had the game or not....Parents are not letting their kids come.”
- **Coach #6:** [Sending screenshot of letter from CSD dated 10/17/25 mentioning students finding an unspent shell casing on the floor of their classroom.]
- **Ralph Burnley:** “I think we need to reach out and just let them know. We’re willing to play the game on Monday. Parents are not gonna let the kids come if they think they’re being interviewed... The administration is putting all this on the coaches without giving us any guidance.... Then the parents look at us like we’re not letting them know anything.... I think the administration needs to call and open for a meeting to let the

parents voice their opinions before anything goes any further.”

- **Coach #1:** “Tolber do we attend tomorrow or what’s going on???”
- **Terence Tolbert:** “Meetings are on Sunday”
- **Ben Johnson:** “What about the kids meetings?”
- **Ralph Burnley:** “I don’t know how true it is... [Juvenile Victim] texted my son... he said the athletic Director found the video tonight of the incident in the locker room and turned it in.... I don’t think one kid would purposely try and harm anybody on this team ...this is why supposedly today’s game was suspended ..the boys removed him from the text group” ... “I don’t think he found the video. I think somebody anonymously send it to him.”
- **Coach #6:** “That’s more believable then him getting an anonymous email and canceling the game after that”
- **Coach #4:** “There is no fucking video!! Bunch of bullshit. If they had one, would be over 4 weeks ago!”
- **Coach #1:** “Is all of our interviews/meetings on Sunday or just coaches???”
- **Ben Johnson:** “Man fuck this shit! ... The fucking administration needs to do better and they need to be held accountable the next voting cycle! We have failed our boys period point blank!”

October 18

- **Ralph Burnley:** “I’m going to tell the truth... the kid was stealing out of everybody’s locker ... Instead of the Coach punishing him individually he tried to use it as a life-changing lesson and he made the whole team run.... of course kids were upset. Why should they have to run and he was doing all the stealing???? I wasn’t there, but he came outside and told me that they hit him and that’s when I told the rest of the coaches... what would you do if somebody keeps stealing from you??? This has nothing to do with hazing.... he got his fucking ass kicked cause he kept stealing people shit”

October 19, 2025 – Football Season is Permanently Cancelled

Another letter was sent to the public from the Administration announcing that the football season was permanently cancelled due to the facts surrounding the assault in the locker room. Two days after this permanent cancellation, Ralph Burnley posted the following text message to the coach text chain:

October 20

- **Ralph Burnley:** “I’m not showing up today with my son for any questioning... I was going to go if there was a game today.... Since they canceled our season, subpoena me.”

Conclusions

We find probable cause that the following individuals committed the following violations of the Pennsylvania Crimes Code and recommend the following charges:

Terence Tolbert, Darian "DJ" McFadden, Benjamin Johnson, Ralph

Burnley Factual Summary Supporting Criminal Charges:

At the time of the September 3 assault and in the months that followed, Tolbert was a teacher and head football coach at Cheltenham High School. McFadden and Johnson were assistant football coaches, and Burnley was a volunteer coach. All four routinely interacted with students and held supervisory roles over minors through their employment or volunteer positions.

The Juvenile Victim was a fifteen-year-old student and football player at Cheltenham High School when he was assaulted by members of the football team on August 15 and September 3. During this time, the Juvenile Victim was in the care and control of his football coaches. As coaches, Tolbert, McFadden, Johnson, and Burnley each owed a duty of care toward the Juvenile Victim and the other student athletes they supervised on the football team. They were responsible for taking reasonable steps to prevent foreseeable harm and ensure the present and future safety of not just the Juvenile Victim, but of all the student athletes they supervised.

The Juvenile Victim told Coach Ralph Burnley about the September 3 assault as soon as he got into Burnley's car after practice on September 3. A

conversation between the coaches, including Burnley, McFadden, and Tolbert, via the coach text chain, on September 3 followed the Juvenile Victim's disclosure to Burnley. These text messages show the beginnings of a conspiracy of silence and cover-up intended by the coaches which was later infused into the football team to save their season and avoid accountability at the expense of the Juvenile Victim's safety and well-being. This intentional effort to silence the Juvenile Victim not only put the Juvenile Victim's safety and well being at risk, but it also endangered the other student athletes on the team because it prevented the harmful culture of physical assaults and hazing from being identified and stopped.

The coaches' text chain included all of the coaches, not just Tolbert, McFadden, and Burnley. Included was Benjamin Johnson, another assistant coach. Phone records, as well as Johnson's statement to Solicitor #1 show that he knew about the assault and called the Juvenile Victim the evening of September 3 after the Juvenile Victim arrived home from practice.

During the Juvenile Victim's forensic interview and subsequent statement to authorities, he said the coaches – Tolbert and McFadden – told him not to tell his parents and that they would handle things. He said this conversation occurred during a phone call when he was on the phone with Johnson, and that Tolbert and McFadden joined in on the call. This group call is corroborated by the phone records of Burnley, Johnson, Tolbert, McFadden, and the Juvenile Victim.

Terence Tolbert Recommended Criminal Charges:

- 18 Pa.C.S.A § 903 - Criminal Conspiracy to Commit Endangering Welfare of a Child (a)(1) (M1)
 - o 1 Count
- 18 Pa.C.S.A § 4304(a)(1) (M1) - Endangering the Welfare of a Child
 - o 1 Count
- 18 Pa.C.S.A § 903 - Criminal Conspiracy to Commit Endangering Welfare of a Child (a)(2) (M1)
 - o 1 Count
- 18 Pa.C.S.A § 4304(a)(2) - Endangering the Welfare of a Child
 - o 1 Count (M1)

Darian “DJ” McFadden Recommended Criminal Charges:

- 18 Pa.C.S.A § 903 - Criminal Conspiracy to Commit Endangering Welfare of a Child (a)(1) (M1)
 - o 1 Count
- 18 Pa.C.S.A § 4304(a)(1) (M1) - Endangering the Welfare of a Child
 - o 1 Count
- 18 Pa.C.S.A § 903 - Criminal Conspiracy to Commit Endangering Welfare of a Child (a)(2) (M1)
 - o 1 Count
- 18 Pa.C.S.A § 4304(a)(2) (M1) - Endangering the Welfare of a Child
 - o 1 Count

Benjamin Johnson Recommended Criminal Charges:

- 18 Pa.C.S.A § 903 - Criminal Conspiracy to Commit Endangering Welfare of a Child (a)(1) (M1)
 - o 1 Count
- 18 Pa.C.S.A § 4304(a)(1) (M1) - Endangering the Welfare of a Child
 - o 1 Count
- 18 Pa.C.S.A § 903 - Criminal Conspiracy to Commit Endangering Welfare of a Child (a)(2) (M1)
 - o 1 Count
- 18 Pa.C.S.A § 4304(a)(2) (M1) - Endangering the Welfare of a Child
 - o 1 Count

Ralph Burnley Recommended Criminal Charges:

- 18 Pa.C.S.A § 903 - Criminal Conspiracy to Commit Endangering Welfare of a Child (a)(1) (M1)
 - o 1 Count
- 18 Pa.C.S.A § 4304(a)(1) (M1) - Endangering the Welfare of a Child
 - o 1 Count
- 18 Pa.C.S.A § 903 - Criminal Conspiracy to Commit Endangering Welfare of a Child (a)(2) (M1)
 - o 1 Count
- 18 Pa.C.S.A § 4304(a)(2) (M1) - Endangering the Welfare of a Child
 - o 1 Count

Alleged Delinquent Juvenile #1, Alleged Juvenile Delinquent #2, Isaiah Simpson, Alleged Delinquent Juvenile #3, and Alleged Delinquent Juvenile #4 Factual Summary Supporting Criminal Charges:

The Alleged Delinquent Juvenile #4 video shows many football players pulling on the Juvenile Victim's clothing so hard that he is suspended in the air and unable to escape at times while Alleged Delinquent Juvenile #1 attempts to stick a broomstick up his pant-leg. Alleged Delinquent Juvenile #1 and others are heard yelling what sounds like "Broomstick him!" or "Broomstick N-----!" as the assault goes on. No one is seen trying to stop the assault or help the Juvenile Victim in any way. He is seen screaming and crying in this video and it's obvious that he is not consenting to what is happening. The Juvenile Victim identified Alleged Delinquent Juvenile #1 and Alleged Juvenile Delinquent #2 among those players who assaulted him on August 15, 2025.

Alleged Delinquent Juvenile #1 was identified by multiple witnesses as the player in the yellow shirt with the broomstick in the Alleged Delinquent Juvenile #4 video of the August 15 assault. Alleged Juvenile Delinquent #2 was identified by multiple players in the video as the player stretching to the point of ripping the Juvenile Victim's shirt as he yanks on it from a position near the Juvenile Victim's head, helping to restrain him with the other players. Alleged Juvenile Delinquent #2 is also identified as the player who squats above the Juvenile Victim's head as he is sitting on the ground after the assault.

Other players are seen in the video holding onto the Juvenile Victim's pant legs and other parts of his clothing and body, pulling on him and restraining him as Alleged Delinquent Juvenile #1 is yelling, and trying to stick the broomstick up his pant leg. Alleged Delinquent Juvenile #3 was identified as being next to Alleged Delinquent Juvenile #1 and the Juvenile Victim, filming the assault with his phone. Alleged Delinquent Juvenile #3 never disclosed his identity when asked to identify people in the video, where he is clearly visible and was identified by multiple other witnesses. When asked if he watched the August 15 assault, he said, "Not really." When asked again if he watched it, Alleged Delinquent Juvenile #3 said, "No, not like – like I watched it somewhat. I was having a little side conversation with somebody else. I wasn't really paying attention."

During his testimony, Alleged Delinquent Juvenile #4 identified himself as having been the one to take the longer August 15 video that he was shown during his testimony. He further admitted to putting his hand on the Juvenile Victim's head at the end of the video. Alleged Delinquent Juvenile #4 admitted to deleting the video and materials related to his sending the video to others from his phone even though he knew a criminal investigation was likely.

Witnesses described that Alleged Delinquent Juvenile #1 said "let's jump him" when he gets here, referring to the Juvenile Victim. Witnesses said Alleged Delinquent Juvenile #1 grabbed the Juvenile Victim as soon as he entered the

locker room. The Juvenile Victim said that Alleged Juvenile Delinquent #2 stepped on his shoulder and whooped him in his face. The Juvenile Victim and other witnesses said Simpson charged and tackled the Juvenile Victim, taking him down to the ground where a multitude of players began kicking and stomping on him with their cleated feet. The Juvenile Victim and others said there was no way for him to escape, that he was trapped as the beating continued. The Juvenile Victim and other witnesses said Alleged Delinquent Juvenile #1 tried, again, to stick a broomstick up the Juvenile Victim's "butt" during this assault as well.

The conduct by the players, combined with Alleged Delinquent Juvenile #1's actions with the broomstick during each of the assaults on the Juvenile Victim exposed the Juvenile Victim to the risk of serious bodily injury.

Alleged Delinquent Juvenile #1 Recommended Criminal Charges:

- 18 Pa.C.S.A § 903 (F1) – Criminal Conspiracy to Commit Aggravated Assault
 - o 1 Count
- 18 Pa.C.S.A § 2702(a)(1) (F1) – Aggravated Assault
 - o 1 Count
- 18 Pa.C.S.A § 903 (M2) - Criminal Conspiracy to Commit Simple Assault
 - o 2 Counts
- 18 Pa.C.S.A § 2701(a)(1) (M2) - Simple Assault
 - o 2 Counts

- 18 Pa.C.S.A § 903 (M2) - Criminal Conspiracy to Commit Simple Assault
by Physical Menace
 - o 2 Counts
- 18 Pa.C.S.A § 2701(a)(3) (M2) - Simple Assault by Physical Menace
 - o 2 Counts
- 18 Pa.C.S.A § 903 (M2) - Criminal Conspiracy to Commit Recklessly
Endangering Another Person
 - o 2 Counts
- 18 Pa.C.S.A § 2705 (M2) - Recklessly Endangering Another Person
 - o 2 Counts
- 18 Pa.C.S.A § 903 (M1) - Criminal Conspiracy to Commit Unlawful
Restraint
 - o 2 Counts
- 18 Pa.C.S.A § 2902(a)(1) (M1) - Unlawful Restraint
 - o 2 Counts
- 18 Pa.C.S.A § 903 (M2) - Criminal Conspiracy to Commit False
Imprisonment
 - o 2 Counts
- 18 Pa.C.S.A § 2903 (M2) – False Imprisonment
 - o 2 Counts
- 18 Pa.C.S.A § 903 (M3) - Criminal Conspiracy to Commit Hazing
 - o 2 Counts
- 18 Pa.C.S.A § 2802(a)(3) (M3) - Hazing

- 2 Counts

Alleged Juvenile Delinquent #2 Recommended Criminal Charges:

- 18 Pa.C.S.A § 903 (F1) – Criminal Conspiracy to Commit Aggravated Assault
 - 1 Count
- 18 Pa.C.S.A § 903 (M2) - Criminal Conspiracy to Commit Simple Assault
 - 2 Counts
- 18 Pa.C.S.A § 2701(a)(1) (M2) - Simple Assault
 - 2 Counts
- 18 Pa.C.S.A § 903 (M2) - Criminal Conspiracy to Commit Simple Assault by Physical Menace
 - 2 Counts
- 18 Pa.C.S.A § 2701(a)(3) (M2) - Simple Assault by Physical Menace
 - 2 Counts
- 18 Pa.C.S.A § 903 (M2) - Criminal Conspiracy to Commit Recklessly Endangering Another Person
 - 2 Counts
- 18 Pa.C.S.A § 2705 (M2) - Recklessly Endangering Another Person
 - 2 Counts
- 18 Pa.C.S.A § 903 (M1) - Criminal Conspiracy to Commit Unlawful Restraint
 - 2 Counts

- 18 Pa.C.S.A § 2902(a)(1) (M1) - Unlawful Restraint
 - o 2 Counts
- 18 Pa.C.S.A § 903 (M2) - Criminal Conspiracy to Commit False Imprisonment
 - o 2 Counts
- 18 Pa.C.S.A § 2903 (M2) – False Imprisonment
 - o 2 Counts
- 18 Pa.C.S.A § 903 (M3) - Criminal Conspiracy to Commit Hazing
 - o 2 Counts

Isaiah Simpson Recommended Criminal Charges:

- 18 Pa.C.S.A § 903 (F1) – Criminal Conspiracy to Commit Aggravated Assault
 - o 1 Count
- 18 Pa.C.S.A § 903 (M2) - Criminal Conspiracy to Commit Simple Assault
 - o 1 Count
- 18 Pa.C.S.A § 2701(a)(1) (M2) - Simple Assault
 - o 1 Count
- 18 Pa.C.S.A § 903 (M2) - Criminal Conspiracy to Commit Simple Assault by Physical Menace
 - o 1 Count
- 18 Pa.C.S.A § 2701(a)(3) (M2) - Simple Assault by Physical Menace
 - o 1 Count

- 18 Pa.C.S.A § 903 (M2) - Criminal Conspiracy to Commit Recklessly Endangering Another Person
 - o 1 Count
- 18 Pa.C.S.A § 2705 (M2) - Recklessly Endangering Another Person
 - o 1 Count
- 18 Pa.C.S.A § 903 (M1) - Criminal Conspiracy to Commit Unlawful Restraint
 - o 1 Count
- 18 Pa.C.S.A § 2902(a)(1) (M1) - Unlawful Restraint
 - o 1 Count
- 18 Pa.C.S.A § 903 (M2) - Criminal Conspiracy to Commit False Imprisonment
 - o 1 Count
- 18 Pa.C.S.A § 2903 (M2) – False Imprisonment
 - o 1 Count
- 18 Pa.C.S.A § 903 (M3) - Criminal Conspiracy to Commit Hazing
 - o 1 Count

Alleged Delinquent Juvenile #3 Recommended Criminal Charges:

- 18 Pa.C.S.A § 903 (M3) - Criminal Conspiracy to Commit Hazing
 - o 1 Count
- 18 Pa.C.S.A § 2802(a)(3) (M3) - Hazing

- 1 Count
- 18 Pa.C.S.A § 4902 (F3) - Perjury
 - 1 Count
- 18 Pa.C.S.A § 4903(a)(1) (M2) False Swearing
 - 1 Count

Alleged Delinquent Juvenile #4 Recommended Criminal Charges:

- 18 Pa.C.S.A § 903 (M3) - Criminal Conspiracy to Commit Hazing
 - 1 Count
- 18 Pa.C.S.A § 4910(a)(1) (M2) Tampering with or Fabricating Physical Evidence
 - 1 Count

Josiah Peeler Factual Summary Supporting Criminal Charges:

Josiah Peeler was sworn in by the Honorable Risa Vettri Ferman on March 11, 2026. He then gave sworn testimony on that same day, where he testified at least 5 times that he told Administrator #5 that someone tried to or did stick a broomstick up the Juvenile Victim's anus. Those instances include him describing that he went to Administrator #5's office after the assault with Witness #1 to get ice for the Juvenile Victim. Each of these statements is untrue.

Despite multiple opportunities to take back his false statements during his testimony, Peeler continued to repeat his false testimony under oath. He

continued even after being warned of the consequences for lying to the grand jury.

Josiah Peeler Recommended Criminal Charges:

- 18 Pa.C.S.A § 4903(a)(1) (M2) – False Swearing
 - o 1 count