

University of Georgia  
Police Department  
*Original Report Narrative*

**Case Number:** 08-1068  
**Incident Type(s):** Agency Assist  
**Date Reported:** 04/21/08  
**Date Assigned:** 04/21/08  
**Date Cleared:** 05/01/08  
**Status:** Cleared for Information

**Summary:**

On 04/21/08 at 0800 hours Major Sizemore of the Athens Clarke County Police Department contacted Lieutenant Dellinger and requested assistance in an investigation of a sexual assault that occurred at the Phi Gamma Delta Fraternity house. I was assigned to assist the ACCPD Investigator with this case. Throughout the course of this investigation several possible violations of the Student Code of Conduct were brought to my attention.

The victim in this incident stated that she obtained the alcohol that she drank both from a residence and at the Phi Gamma Delta fraternity house. She stated that the majority of the alcohol that she consumed was at the Phi Gamma Delta fraternity house. She stated that when she arrived the alcohol was contained at a bar outside of the house. She stated that she did not go up to the bar to order a drink; however, she would ask a brother to make her a drink and they would comply. The victim in this incident is under the age of twenty-one. These violations occurred at a party that was held at the Phi Gamma Delta fraternity house on 04/19/08.

On 04/19/08 the Phi Gamma Delta fraternity hosted a party that took place in both the basement of the Officer's building and the outside of the fraternity house. Through speaking with various fraternity brothers I was able to ascertain that the party was open to a wide variety of individuals and those who attended did not have to be a member of Phi Gamma Delta. The President of the fraternity, Kyle Meloney, stated that Phi Gamma Delta placed a black tarp around the house with a gate at the eastern parking lot entrance in order to control who entered the party. He stated that there were brothers stationed at the gate for the sole purpose of checking the identification of those individuals entering the party. He stated that they would mark those individuals who were under the age of twenty-one by placing black "x" on their hand with a marker. Meloney stated that there was a bar located between the residential building and the Officer's building of Phi Gamma Delta. He stated that the fraternity did not provide alcohol for the bar; however, brothers were allowed to bring their own alcohol and place it behind the bar so that they could drink it throughout the night. He stated that in order to obtain alcohol from the bar you had to be accompanied by a brother and had to be at least twenty-one years of age.

On 04/29/08 I spoke with Meloney as well as Danny Geopp, Jack McKay, Banks Forester, Robert "Bobby" Gibbons, Micah Pherson, Ben Thomson, Tyler Stephens, Drew

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Stelling, Chip Carnes, Chad Piccolo, Clay Sellars, and Michael Turcker, who are all members of the Phi Gamma Delta fraternity in reference to the above mentioned party. The majority of the brothers stated that there was some sort of gate or controlled access to the party and that there was supposed to be someone at that gate checking identification. They all stated that there was a bar located between the two fraternity buildings and that the alcohol was brought to the bar by various fraternity members. They all stated that in order to obtain alcohol from the bar you had to be accompanied by a brother, however; you did not have to show identification. The majority of the brothers stated that during a typical Phi Gamma Delta party those individuals who are under the age of twenty-one are required to wear a wrist band or a black "x" is placed on their hand. No one was able to confirm that this actually took place at the party on 04/19/08. Bobby Gibbons, a fraternity brother, stated that he did not see anyone with wrist bands nor did he see anyone with a black "x" on their hand at the party. He stated that he was under the age of twenty-one and he was not required to wear either marking. Micah Pherson and Clay Sellars are also Phi Gamma Delta brothers who are under the age of twenty-one. They stated that they were also not required to wear either marking. Micah Pherson stated that he assumed that he was not required to wear the marking because he lived at the fraternity house. Tyler Stephens, a brother at the Phi Gamma Delta fraternity house who is over the age of twenty-one, stated that he drank alcohol from the bar during the party. He stated that he brought his alcohol to the party and left it at the bar to drink throughout the night. He stated that he "may have" provided the victim and her under-aged friend with alcohol from the bar during the party on 04/19/08. Stephens also stated that he arrived at the party through the Alpha Chi Omega sorority house's backyard. He stated that the victim and her friend also gained entry to the party through this path. Stephens stated that the only entry location where the fraternity was checking identification was the gate set up on the eastern side of their parking lot in front of the Officer's building.

I also spoke with Blake Davenport and Jaclyn Viglotti who are not members of the Phi Gamma Delta fraternity but attended the party on 04/19/08. Davenport stated that he was not a member of Phi Gamma Delta but was good friends with a couple of the members. He stated that he entered the party through the eastern parking lot at around 1500 hours on 04/19/08. He stated that he did not see any type of divider set up to control access to the party during the time of his arrival. He stated that there was someone standing in the area of the entrance that he assumed was present to check identification; however, his identification was not checked at that time. He stated that he was carrying in alcohol when he walked by that individual. Davenport stated that he thought the individual assumed that he was twenty-one because he was with fraternity brother Michael Tuckcr when he entered the party. Davenport stated that he saw a bar at the party but he did not drink from the bar. Davenport stated that he never saw anyone handing out wrist bands or marking the hands of individuals who entered the party. He stated that he did not see anyone at the party with an "x" on their hand.

I spoke with Viglotti on 04/29/08. Viglotti attended the party with her date, Ben Thomson, who is also a fraternity brother. Viglotti stated that she arrived at the party at approximately 2100 hours. She stated that she entered the party from the eastern parking lot and that there was no one at the entrance to check identification. She stated that no one asked her to show them any identification when she entered the party. Viglotti is under the age of twenty-

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one. Viglotti also stated that her brother, Mark, attended the party with some of his friends. She stated that her brother Mark is in high school. Viglotti stated that she hangs out with members of Phi Gamma Delta on a regular basis and knows most of the people who attend their parties. She stated that there were a lot of individuals who attended the party that she had never seen before and she was aware that a lot of the girls were in high school.

The information provided by the brothers of Phi Gamma Delta differed greatly from information obtained by non members. The brothers of Phi Gamma Delta maintained that there was a gate controlling the public's access to this party. They also maintained that there were people at the gate checking the identification of each individual entering the party and marking those who were under the age of twenty-one. These statements could not be confirmed by individuals that attended the party who were not members of the fraternity. In fact, each individual that I spoke with who was not a member of Phi Gamma Delta stated that their identification was not checked prior to their entry to the party and that there were no markings to identify who was under the age of twenty-one. Three of these individuals were under the age of twenty-one and two of them confirmed that they obtained alcohol at the party that was provided by brothers of Phi Gamma Delta.

This case is cleared for information.