



Penn State pledge's family plans to file lawsuit, claims 'planned and orchestrated' fraternity drinking

By Katie Kindelan Emily Shapiro

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The family of Timothy Piazza, the 19-year-old Penn State University fraternity pledge who died after a night of alleged drinking and hazing, plans to file a wrongful death lawsuit against the university as well as fraternity members and the fraternity, Beta Theta Pi.

"I think the individuals involved clearly bear the most responsibility," his father, Jim Piazza, said today on "Good Morning America." "If you read the timeline of what happened, they set out to feed these guys lethal amounts of alcohol from the outset. There was intent there right from the beginning.

Penn State frat's 'grotesque actions' were 'beyond human decency,' Piazza family attorney says

More details emerge in horrific Penn State fraternity death

"They intended to bring these gentlemen to alcohol-poisoning levels right from the outset," he said. "At the end of the day, this was planned and orchestrated, and I think they all need to be held accountable."

Timothy Piazza, a sophomore and pledge at Penn State's Beta Theta Pi chapter, died on Feb. 4 after a fall on the night of Feb. 2. Fraternity members did not call 911 until the morning of Feb. 3, about 12 hours after his fall, according to a report on the grand jury's investigation.

His death "was the direct result of traumatic brain injuries," according to the forensic pathologist, and 18 Penn State students are facing charges: eight for involuntary manslaughter, aggravated assault, reckless endangerment and hazing, among other charges; four for reckless endangerment and hazing, among other charges; and six for evidence tampering.

"I don't know where their conscience was, where the voice in the back of their head was saying, 'He's hurt. I gotta do the right thing,'" said his mother, Evelyn Piazza. "I don't understand how they could be so heartless and inhumane."

All the defendants in the case have been preliminarily arraigned, but none have entered pleas.

Defense attorney William Brennan, whose client is facing one count of reckless endangerment, told ABC News last week, "I take this as seriously as if it were first-degree felony."

"The facts of this case are troubling and tragic, and we'll do everything we can to defend this charge," he said. "I empathize with the family of the deceased. I empathize with the family of those who are charged."

"My client has — and this is not to be misinterpreted as acceptance of responsibility or admitting culpability — my client has tremendous human compassion and empathy for the family of the deceased, for the deceased himself. This was an unspeakable tragedy. Having said that, it is my position that there is no criminality on the part of my client."

"It's heartbreaking. If this case doesn't draw emotion and tug on your heartstrings or bring a tear to your eye, you're inhuman. I commend the [district attorney's] office in the pragmatic way that they handled the charging process here, because hundreds of people were at the frat house."

"I would encourage people to remember that our system of jurisprudence provides a scenario where you're innocent until you're proven guilty. My client, while presumed innocent and proclaiming innocence, has tremendous compassion for the deceased and his family."

The Piazzas plan to sue "all of those responsible for the death of Tim, including the fraternity members, the fraternity, as well as Penn State," the family's attorney, Tom Kline, told ABC News.

"This was occurring right underneath the noses of Penn State officials," he said. "There was a task force that was empaneled a few years earlier that did nothing to stop this. The problem was widespread. The problem was endemic at Penn State. They looked away."

Penn State officials have acknowledged that alcohol on campus is a "serious challenge" and that fraternity houses are especially hard to control because they are privately owned.

After Timothy Piazza's death, the university added restrictions for all Greek organizations and put a hold on the graduation of students charged in his death. It published a new frequently asked questions web page last week, launched alcohol-education programs and promised, "We will not rest until we solve this problem."

Jim Piazza said Penn State needs to "step up" to make "significant changes," saying "the rest of the country is watching."

"We've received cards and letters from hundreds of people that we don't know asking us to stick with this, hold people accountable and to be the advocate to change, and that's what we're here to do," he said. "I don't have all the answers right now, but I'm certainly willing to work with Penn State. We've offered to do that."

He added, "They need to put in a lot of policies and procedures that will eliminate alcohol in the fraternities. They should not be hazing at all. It's a crime. They should not be providing alcohol to minors. It's a crime. They've turned a blind eye to it, but that time is over."

Penn State said in a statement today that university administrators have "communicated frequently" with the family since Timothy Piazza's death.

"Our hearts go out to the family. This is heartwrenching for the family and our entire community," the statement read. "Penn State has initiated aggressive enforcement, education and monitoring measures to address these issues and will continue. Some were taken in consultation with the family, which is appropriate."

The statement continued, "Our actions will continue and represent our ongoing commitment to drive change in tackling binge drinking at universities. The university has extensive education and enforcement policies. Please visit Penn State Update. Of note, while Penn State has one of the most aggressive student misconduct policies in the country and its off-campus policy pertaining to misconduct remains the most vigorous in the Big Ten, it is complicated by the fact that fraternities at Penn State and other universities are independent from the university, which is why we must work together. All parents and families and Penn State want students to have a safe college experience, and we will not rest in our efforts until this problem is curbed."

"Senior Penn State administrators have communicated frequently with the Piazzas since Tim's tragic death and have given careful consideration to the family's needs and wishes throughout this deeply troubling time as the search for answers to this national problem continues."

Beta Theta Pi — which has since been barred from Penn State — is facing charges including involuntary manslaughter and hazing.

Timothy Piazza's brother, Mike Piazza, said he warned his younger brother to "keep his wits about him" if he decided to pledge with a fraternity.

"I had advised him to just be cautious," Mike Piazza said on "GMA." "I knew that it was something that I necessarily didn't feel that I fit in with, so I was concerned that maybe he wouldn't really find his place there, so I just advised him to keep his wits about him but ultimately do whatever he felt comfortable with."

Asked the best way to serve her son's memory, Evelyn Piazza replied, "To save other people's lives.

"That's all we have at this point," said Jim Piazza.

He added that the family plans to be "the advocate" for other families with children preparing to enter college.

"Tim Piazza is not just our son anymore," he said. "He represents everyone's son and daughter that is looking to go to college and potentially get involved in Greek life."

The family has started the Timothy J. Piazza Memorial Foundation in his honor. Money raised by the foundation will provide scholarships to his high school, where he played football.

The foundation will also "help those who are in need of prosthetic devices," a reflection of his career ambition to attend graduate school and develop "state-of-the-art prosthetic devices" for people in need, according to the foundation's website.