

Indictments handed up in high school locker room rape case in Damascus, Md.

[Donna St. George](#)



Four Maryland teenagers accused of sexually assaulting football teammates in a locker room were indicted Thursday by a grand jury, with additional conspiracy charges that line up with prosecutors' contention that the suspects acted together during the alleged broomstick attacks at Damascus High School.

The suspects, all 15, had earlier been charged with five counts each: one

count of first-degree rape, three counts of attempted first-degree rape and one count of conspiracy to commit first-degree rape. The indictments added three more conspiracy charges for each suspect, according to the Montgomery County State's Attorney's Office.

Maryland prosecutors present cases to grand juries — panels of residents who meet in sessions closed to the public — as part of a regular process of moving cases from the state's district courts to circuit courts, where felony cases are handled.

The four suspects — Jean Claude Abedi, Kristian Jamal Lee, Will Smith and Caleb Thorpe — have been charged as adults. They played on the junior varsity squad at Damascus, as did the four alleged victims in the case.

The additional expanded conspiracy charges reflect [the way prosecutors described the case at a recent hearing](#).

"Each defendant played a significant role in carrying out their plan to sexually assault the victims in this case," Montgomery County Deputy State's Attorney Peter Feeney said at the time, "whether it was pushing, punching, stomping, holding down, tackling or wielding the broom. The crimes could only have been committed with the active participation of each defendant."

The allegations have left school officials scrambling to explain why the locker room was not better supervised, and they prompted an examination of how widespread incidents of hazing or bullying may be in the high-performing Montgomery school system, the state's largest.

At the earlier court hearing, Feeney called the defendants' conduct "astonishingly cruel" and said they "intended to inflict pain, degrade and humiliate the weaker members of the football team."

[\[Four teens charged as adults in alleged high school locker room assaults, police say\]](#)

David Felsen, an attorney for Smith, said he will seek to have the case moved to Maryland's juvenile court system, which focuses more on rehabilitation than punishment. Felsen said the narrative of the case, as presented in court Monday by prosecutors, appeared to have been assembled through "selective" use of the information and allegations collected so far.

"Despite the narrative provided by prosecutors, the case fits squarely within the types of cases that are resolved in juvenile court," Felsen said. "At the end of the day, Will is still a kid, and a kid who had never been involved in any trouble."

Jason Downs, an attorney for Lee, described his client as a "scholar-athlete" freshman and also said he will seek to have the case transferred to juvenile court.

"This is the type of case the juvenile system was designed to handle," Downs said. "We will ask the court to transfer these allegations of juvenile hazing to juvenile court."

Daniel Wright, an attorney for Abedi, said the same.

"The filing of adult charges in this case was cruel and unnecessary," he said.

In Maryland, the concept of criminal conspiracy generally requires prosecutors to show a deliberate plan to commit a crime, said Adam Harris, a veteran defense lawyer in Montgomery. But the plan doesn't have to be elaborate and can be made quickly, he said. Attorneys for several of the

teenagers described them as high achievers in school. The attorneys have yet to detail their sides of the case in court.

Speaking in general, Harris said prosecutors often assemble their cases with leverage and possible plea deals in mind. In this case, he added, by expanding the number of counts in the case — from five to eight — prosecutors have potentially expanded their options as it relates to the differing roles each defendant may have played.

But Wright noted in court Monday that 15-year-olds will follow others. “Peer pressure and group psychology will take over,” he said, “to have young people do things they wouldn’t otherwise do.”

“This is a hazing incident that went to extremes,” Wright added. “It was out of control because of the group nature of the offenses and the utter lack of adult presence in the locker room.”

At least two of the suspects and two of the alleged victims told authorities that the purported incidents are part of a known hazing practice among JV football players at Damascus High, according to charging documents.

When one victim asked three attackers to stop, police said in the charging papers, the assailants replied that it was a “tradition.” It is unclear whether that is true or if the students were mistaken or repeating rumors.

School system officials said Friday that they did not have comment beyond what they have previously said regarding the case.

They have said they are cooperating with police, are committed to student safety and were not told of any tradition of assaults in the Damascus football program. They said students must be supervised during school-sponsored activities, and that they will look into issues of supervision at

Damascus High as soon as police complete their work.

School system officials have asked coaches, athletic directors and student-activity sponsors across the district's 25 high schools to start discussions with students to learn more about the nature and extent of any problems elsewhere with hazing or bullying.