



**THE THIRD DAUPHIN COUNTY
INVESTIGATING GRAND JURY**

IN RE: : IN THE COURT OF COMMON PLEAS OF
: DAUPHIN COUNTY, PENNSYLVANIA
THE THIRD DAUPHIN COUNTY :
INVESTIGATING GRAND JURY : NO. 487 M.D. 2004
:
: **NOTICE NUMBER: 03-2004-12**
TO THE HONORABLE LAWRENCE F. CLARK, JR., SUPERVISING JUDGE:

PRESENTMENT NO. 2

We, the Third Dauphin County Investigating Grand Jury, duly charged to inquire into offenses against the criminal laws of the Commonwealth, have obtained knowledge of such matters from witnesses sworn by the Court and testifying before us. We find reasonable grounds to believe that a violation of the criminal laws has occurred. So finding with not fewer than twelve concurring, we do hereby make this presentment to the Court.

James S. Clancy
Foreperson - Third Dauphin
County Investigating Grand Jury

DATED: JUNE 2, 2005

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INTRODUCTION

We, the members of the Third Dauphin County Investigating Grand Jury, having received evidence pertaining to a possible violation of the Pennsylvania Crimes Code, pursuant to Notice of Submission of Investigation 02-2003-30, do hereby make the following findings of fact and recommendation of charge.

FINDINGS OF FACT

Elizabeth Berthoud was acting as a math teacher on a one year contract during the 2004-2005 school year. Berthoud had inappropriate relationships with several students. Berthoud played strip poker with J.G., a 15 year old boy at the residence at 560 Eshelman Street, Highspire. During the game, Berthoud removed her clothing down to her brassiere and panties in the presence of J.G. and another boy.

Around Christmas, 2004, J.H., age 14, observed Berthoud completely disrobed and covered only by a bed sheet in the presence of 17 year old A.A. Prior to J.H. entering the room, A.A. and Berthoud were alone in the room. J.H. observed Berthoud's brassiere, panties, and clothing on the floor. When initially interviewed, A.A. denied that he and Berthoud had had sexual relations. In testimony before the grand jury, A.A. admitted that he had lied and that he and Berthoud had sexual intercourse on a regular basis in the period after A.A. turned 18 years old. Berthoud would regularly have minor male students as guests in her apartment.

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On May 12, 2005, J.G. participated in an interception of a telephone conversation with Berthoud pursuant to 18 Pa. C.S. §5704(2). J.G. said to Berthoud that he had told the grand jury that they had played strip poker together and that he was afraid that he would get in trouble. Berthoud responded that he had told the truth and would not get in trouble. Berthoud did not deny that they had played strip poker together.

RECOMMENDATION OF CHARGES

Based upon the evidence we have obtained and considered, which establishes a prima facie case, we, the members of the Third Dauphin County Investigating Grand Jury, recommend that the District Attorney or his designee, institute criminal proceedings against Elizabeth Berthoud with corruption of minors, 18 Pa. C.S. 6301(a)(1)