

INDICTMENT

1904CR00617

Manslaughter
c. 265, §13

#001

Commonwealth of Massachusetts

SUFFOLK, SS

At the SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT FOR CRIMINAL BUSINESS, begun and holden at the CITY OF BOSTON, within and for the County of Suffolk, on the first Monday of October in the year of our

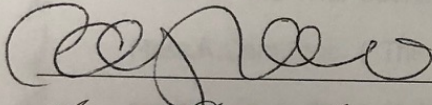
Lord two thousand nineteen

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath present that

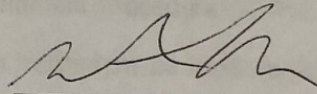
IN YOUNG YOU

on May 20, 2019, did assault and beat Alexander Urtula, and by such assault and beating did kill Alexander Urtula.

A TRUE BILL



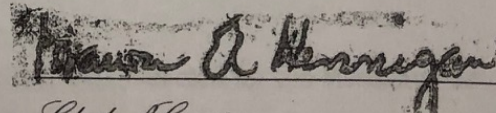
Assistant District Attorney



Foreperson of the Grand Jury

Superior Court Department — Criminal Business **OCT 18 2019** *October Sitting, 2019*

Returned into said Superior Court by the Grand Jurors and ordered to be filed.



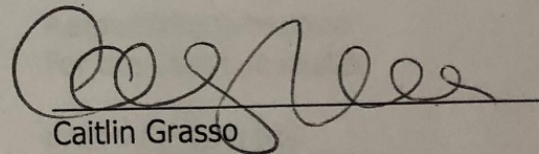
Clerk of Court

3. Members of the family of Inyoung You reside locally. A public indictment would allow the family members to communicate the information to the Defendant.
4. A Sealed Indictment and Warrant are necessary to ensure that the Defendant does not learn of the charges before arrest, thereby causing her to remain out of the country or leave the country if she has returned. If made public, this information could also prevent police from ascertaining her exact whereabouts in South Korea.
5. The District Attorney's Office along with the Boston Police Department will investigate the proper process to secure the arrest of the Defendant and is prepared to effectuate an arrest in a manner that will minimize the risk of any further flight and danger to officers and the public, but these plans would be jeopardized by the arrest warrant going into the warrant management system.

Respectfully submitted
For the Commonwealth,

RACHAEL ROLLINS
DISTRICT ATTORNEY

by:



Caitlin Grasso
Assistant District Attorney
Suffolk County District Atty.'s Office
One Bulfinch Place
Boston, MA 02114
(617) 619-4000

Dated: October 18, 2019

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

SUPERIOR COURT DEPARTMENT
TRIAL COURT DIVISION

GRAND JURY MATTER

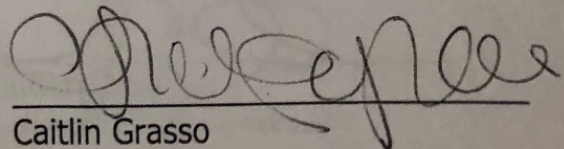
AFFIDAVIT OF COMMONWEALTH

- (1) I am the Assistant District Attorney assigned to this investigation.
- (2) After reviewing all of the evidence, charges, and any records of the suspect, I believe that there would be a further risk of flight or concealment if the indictment is made public prior to the arrest of the suspect.
- (3) I have discussed a plan to execute the arrest warrant with members of the Boston Police Department. I believe that this execution, which may include Extradition, is only possible with secret/ impounded warrants, and will be the safest and most effective way to procure the suspect's presence before the Court to answer on these indictments.


Respectfully submitted
For the Commonwealth,

RACHAEL ROLLINS
DISTRICT ATTORNEY

by:




Caitlin Grasso
Assistant District Attorney
Suffolk County District Atty.'s Office
One Bulfinch Place
Boston, MA 02114
(617) 619-4000

SUMMONS TO DEFENDANT ORIGINAL		DOCKET NUMBER 1984CR00617		Trial Court of Massachusetts The Superior Court 	
IN THE MATTER OF: Commonwealth v. Inyoung You		DOB 09/16/1998	NO. COUNTS 1	Maura A. Hennigan, Clerk of Court	
NAME & ADDRESS OF DEFENDANT Inyoung You 99 Tremont Street Brighton, MA 02135				COURT NAME & ADDRESS Suffolk County Superior Court - Criminal Suffolk County Courthouse, 14th Floor Three Pemberton Square Boston, MA 02108	
POLICE DEPARTMENT OF OFFENSE MBTA POLICE				DATE & TIME 11/22/2019 09:00 AM	YOU MUST APPEAR AT ABOVE COURT ON THIS DATE & TIME
SCHEDULED EVENT Arraignment				COURTROOM/SESSION Magistrate's Session	
FIRST FIVE OFFENSE COUNTS					
COUNT 1	CODE 265/13/A	OFFENSE DESCRIPTION MANSLAUGHTER c265 §13			DATE OF OFFENSE 05/20/2019
<p>TO THE ABOVE-NAMED DEFENDANT:</p> <p>You are hereby ordered to appear in this court on the date and time indicated above to answer to the charge(s) against you. You are also ordered to appear in person at the Superior Court probation office at the courthouse listed above, one 1/2 hr before the scheduled event.</p>					
CHIEF JUSTICE OF THE SUPERIOR COURT		DATE ISSUED	SIGNATURE (OR FACSIMILE) OF CLERK-MAGISTRATE / ASST. CLERK		
WITNESS: Hon. Judith Fabricant		10/29/19	X		

INSTRUCTIONS TO DEFENDANT

If you fail to appear in person at the scheduled time as ordered, a warrant may issue and you can be arrested. Your willful failure to appear is a contempt of court and a crime for which you may be punished by fine or imprisonment. Expenses incurred as a result of your default may be assessed against you as costs.

FURTHER ORDERS OF THE COURT

MITTIMUS IN LIEU OF BAIL	DOCKET NUMBER 1984CR00617	Trial Court of Massachusetts The Superior Court 7 
COURT FILE COPY		

DEFENDANT NAME: Inyoung You

DEFENDANT DOB 09/16/1998	GENDER Female	PCF NO. 5514265	Maura A. Hennigan, Clerk of Court
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NAME & ADDRESS OF INSTITUTION/FACILITY Suffolk House of Correction (South Bay) 20 Bradston Street Boston, MA 02118	COURT NAME & ADDRESS Suffolk County Superior Court - Criminal Suffolk County Courthouse, 14th Floor Three Pemberton Square Boston, MA 02108
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FIRST FIVE OFFENSE COUNTS			
COUNT	CODE	OFFENSE DESCRIPTION	DATE OF OFFENSE
1	265/13/A	MANSLAUGHTER c265 §13	05/20/2019

BAIL SET BY COURT \$5,000.00 CASH	\$50,000.00 SURETY
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TO THE SHERIFF OF THE SEVERAL COUNTIES:
The defendant named above has failed to recognize for his or her next court appearance in the amount ordered by the Court. The Court has therefore ORDERED that the defendant be committed to the above institution in lieu of posting the bail indicated above, and there await his or her next court appearance at the court location of next event.

Any duly authorized officer is hereby ORDERED to convey and deliver the defendant safely to such institution, and to make return thereon. The official in charge of such institution is hereby ORDERED to receive the defendant into custody, to keep the defendant safely, unless the defendant posts bail as ordered, or is otherwise legally discharged before such date.

FURTHER ORDERS OF THE COURT:
COB:
1. Surrender Passport prior to release

CHIEF JUSTICE WITNESS: Hon. Judith Fabricant	DATE ISSUED 11/22/2019	SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK X
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RETURN OF SERVICE		
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The conveying officer hereby certifies that he or she has conveyed the defendant to the institution named above, along with the original of this mittimus. The receiving officer hereby certifies that he or she has received the defendant on behalf of the official in charge of such institution, along with the original of this mittimus.

DATE & TIME OF ARRIVAL AT INSTITUTION	SIGNATURE OF CONVEYING OFFICER X	SIGNATURE OF RECEIVING OFFICIAL X
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FINDINGS AND ORDER
REGARDING BAIL

DOCKET NUMBER

1984200617

Trial Court of Massachusetts
The Superior Court

CASE NAME:

Commonwealth v. Inyang You

COURT NAME AND ADDRESS

- ☒ Bail Set at Arraignment ☐ Petition for Review of Bail ☐ Review of Bail Set by Magistrate ☐ Changed Circumstances

- After hearing, ☐ The defendant is released on personal recognizance.
☒ Bail is set at \$ 5,000 cash, or \$ _____ surety ☒ and with the conditions stated.
☐ The petition for review of bail is denied.

- ☒ This decision is without prejudice to reconsideration on further showing of: _____

Dangerousness

- ☐ **58A Motion Filed.** The Commonwealth has moved to detain the defendant as dangerous under G.L. c. 276, § 58A, and after a hearing, I find there are conditions of release, including considerations of bail, that will reasonably assure the safety of other individuals and the community and that will reasonably assure the defendant's appearance at future court proceedings.
☒ **No 58A Motion Filed.** Because the Commonwealth has not moved to detain the defendant as dangerous under G.L. c. 276, § 58A, in setting the amount of bail I have not considered whether release of the defendant will endanger the safety of any other person or the community.

Ability to Pay (check all that apply)

- ☐ The defendant has been found indigent.
☒ The defendant has the ability to post bail of \$ 5,000 cash. This finding is based upon:
☐ Probation intake ☒ Representation of: arrest ☐ Other: _____
☐ I have not been presented with sufficient credible information to determine the defendant's ability to post bail.

Reasons for Setting Bail. I find that:

- ☒ The amount of bail that the defendant is able to post is sufficient reasonably to assure the defendant's appearance at future court proceedings on the conditions stated, if any.
☐ An amount of bail greater than the defendant is able to post is necessary reasonably to assure the defendant's appearance at future court proceedings and no alternative, less restrictive financial or nonfinancial conditions will suffice to assure the defendant's presence at future court proceedings.

In setting bail, I have considered the following factors:

- ☒ The charged offense (strength of case/nature and circumstances/potential penalty).
Explain: manslaughter charge
☒ The defendant's background (family ties/residence status/employment/history in community/mental illness/substance abuse). Explain: _____
☒ The defendant's criminal history (convictions/crimes while on bail or court supervision/probation violations).
Explain: no prior criminal history
☐ Restraining orders (alleged conduct is "abuse" or violates a restraining order/history of restraining orders).
Explain: _____
☒ The defendant's flight risk (use of an alias/false identification/failure to appear at court proceedings/flight to avoid prosecution). Explain: Defendant resides out of the country
☐ Duration of pretrial incarceration to date. Explain: _____
☒ Other. Explain: Defendant voluntarily came to arraignment

Additional Conditions

- ☐ No additional conditions are required.
☒ If the defendant posts bail, the defendant shall abide by the conditions set forth in the Order of Pretrial Conditions of Release which are necessary and sufficient reasonably to assure the safety of any other person and the community and the defendant's appearance at future court proceedings.

Date:

11/22/19

Superior Court Justice MAGISTRATE

(Form 10/31/20)

By March of 2019, the defendant succeeded in isolating Urtula from all of his friends from Boston College, individuals whom the defendant viewed as a threat to their relationship. She required Urtula to block their telephone numbers and on social media and to send her screenshots and screen recordings of both his blocked caller list and text messaging history to prove he was not communicating with them.

Within the text messages themselves, the defendant was the one constantly driving the talk of suicide (both her desire to harm herself and for Urtula to kill himself). Starting in mid to late March 2019 until the time of Urtula's death, the defendant repeatedly texted him to "go kill yourself," "go die," and told him that her life, his family's life, and the world would be better off without him in it. For example the defendant wrote:

"do everyone a favor and go fucking kill yourself, you're such a fucking stupid ass worthless shit...dude just fucking do everybody a favor and go fucking kill yourself honestly. Fucking WORTHLESS ASS FUCKING PIECE OF SHIT U DESERVE NOTHING IN THE FUCKING WORLD" (5/5/2019, 10:49 am)

In particular, much of this talk stemmed from the defendant's fixation with Urtula's upcoming graduation ceremony and the fact that he may interact with friends, including his ex-girlfriend, writing:

"YOU'RE GONNA LITERALLY FUCKING SEE ALL OF THEM....A MAIN CEREMONY...FUCK YOU...YOU FUCKING PIECE OF SHIT GO FUCKING DIE IN HELL YOU DESERVE TO GO FUCKING KILL YOURSELF...THERE'S A MAIN CEREMONY WITH ALL OF YOU AND YOU LIE AND SAY YOU WON'T SEE THEM AT ALL...CAN YOU FUCKING GO KILL YOURSELF LEAVE ME THE FUCK ALONE AND IF YOU DON'T DIE I'M GONNA FUCKING KILL MYSELF...AND YOU STILL DIDN'T TELL ME ABOUT THE MAIN CEREMONY EVEN AFTER THE SCREENSHOT???????? I LITERALLY FUCKING POINTED IT OUT OH MY GOD YOU LITERALLY I WANT TO BASH YOUR HEAD AGAINST THE WALL CAN YOU GO FUCKING HIT YOUR FUCKING HEAD ON THE SINK REPEATEDLY...YOU'RE LITERALLY A PIECE OF FUCKING SHIT YOU LITERALLY SHOULD GO FUCKING DIE BC OR ELSE I'M LITERALLY GONNA FUCKING SLIT MY WRISTS AGAIN HOW FUCKING IDIOTIC YOU ARE LIKE IT Baffles me I HAVE NEVER MET SOMEBODY AS FUCKING EMOTIONALLY IDIOTIC AS YOU SO LEAVE ME THE FUCK ALONE BC IM FUCKING BLOCKING YOU AND GOING TO GO KILL MYSELF" (4/15/2019, 9:29 pm)

And again, in a text to Urtula four days before his suicide, the defendant wrote:

"All it is gonna take at graduation is for someone to come up to you and pull you aside or come running to you and hugging you and you will just fucking do everything again to disrespect me and break your promise FUCK YOU GO FUCKING KILL YOURSELF AND EVERYONE IN THAT TOXIC GROUP THEY ALL DESERVE TO FUCKING DIE" (5/16/2019, 1:28 PM).

The defendant also repeatedly used of threats of self-harm and suicide to get Urtula to do something; i.e. she would threaten that if Urtula did not do "X", she would harm and/or kill herself, often going into great detail about the manner and means in which she intended to commit suicide. The defendant would make these threats when Urtula wasn't responding fast enough to her phone calls or texts, when he was asking for space during an argument or for permission to go to sleep, or when Urtula was expressing reluctance to agree to certain unreasonable demands such as cutting off communications with all of his friends from Boston College. While making these threats, the defendant would tell Urtula that *he* was the sole reason or cause. For example, two days before Urtula's death, the defendant wrote:

"u can't figure it out? u wanna make me livid again? u want me to slash my throat? Is that what u want? like why do I have to threaten my own fucking life for u to finally do something? did I NOT FUCKING TELL U TO READ [MY TEXT] NOW IF YOU DO NOT FUCKING READ IT RIGHT NOW I'M LITERALLY GOING TO FUCKING SLASH MY THROAT AND TAKE A VIDEO SAYING IT WAS BECAUSE OF YOU AND THAT I WANT YOU TO SEE IT IS THAT WHAT YOU FUCKING WANT YOU IDIOTIC WORTHLESS FUCKING SHITHEAD is that what you want? I have to fucking threaten my life for u to listen to me?...you literally end up doing what I fucking want at the end of the day so why try to fight me?", (5/18/2019, 1:25 pm)

The evidence also establishes that the defendant was aware that her conduct was both reprehensible and criminally punishable. For example, in one text message, the defendant told Urtula that she was going to leave a suicide note behind, blaming Urtula, and expressed her hope that her family would sue him. The defendant also told Urtula that she would make sure her everyone would know he was to blame for her death by publically "outing" him in a written or

videotaped suicide note or social media post, and that he would be banned from attending her funeral. In response to these text messages, Urtula repeatedly told the defendant that he would do anything she told him to do in order to make her happy and to get her to stop harming herself and/or prevent her from committing suicide, even if it was taking his own life. For example, Urtula told her:

"Inyoung please I'll give you whatever you want...I'll leave this fucking earth just please don't do anything don't hurt yourself anymore....so please I'll get out of your life I'll go die like you want... I'll erase myself from this world...It'll probably be better off and I don't have anything anymore anyways if I don't have you...I'll go die...please I'll do whatever you want...you own me...I'll literally do whatever you want....please just don't fucking hurt yourself anymore....Please....I'll go die for you....whatever will make you happy" (4/11/19, 11:39 pm).

Medical records revealed that prior to his relationship with the defendant, Urtula had no documented mental health issues nor did he exhibit or express any signs of depression or suicidal thoughts. Family and friends of Urtula would also testify that to their knowledge, Urtula had never been treated for any mental health disorder and had never exhibited any suicidal ideations or suicidal behaviors. His handwritten journal entries prior to January 2018 contain no references to depression or thoughts of self-harm/suicide. In stark contrast, Urtula's journal entries from March of 2019 demonstrate the profound effect the defendant had on Urtula's mental health:

"She attacks my self-worth...whenever we argue it always reverts back to the past and how I lied and hurt her before and how she doesn't believe that it won't happen again. Then I when I agree to end it because she says she's done with me because I'm a 'horrible retarded fuck up that is just a burden on everyone's life,' she in turn threatens to kill herself because of me." (3/26/2019)

Text messages between the two demonstrate the defendant's knowledge of Urtula's mental state during this time period and the vulnerability he expressed whenever she would she would attack him or tell him he didn't deserve to live. On those few occasions that Urtula asked the defendant to stop "abusing" him, the defendant would go on the offensive and tell him how

he "wasn't the victim" and to "stop making himself seem like a victim". For example, the defendant told Urtula:

"ABUSE U THINK I ABUSE U U WANNA SAY I ABUSE U...UR THAT FUCKING IDIOTIC AND STUPID REALLY ABUSE...OF COURSE YOU'RE A FUCKING VICTIM OF ABUSE...U FUCKING SHITTING ME what's wrong with you you're actually that fucking worthless you wanna act like a victim and call it abuse is that what u tell your brother? ur friends? Or is that what they've told u please I'm curious I'm so intrigued....please tell me how you're the victim here please enlighten me FUCKING ANSWER U WORTHLESS FUCKING PIECE OF SHIT" (4/29/2019, 11:42 AM)

The defendant continued to pursue talk of self-harm and/or suicide, even when Urtula would repeatedly ask her to stop and told her that this behavior was causing him to experience panic-attacks and damaging his self-worth, and, in turn, develop his own thoughts of suicide. For example, Urtula told her:

"I asked you to stop so many times...you don't even know what's going on in my head m....I really can't talk to you...I'm breaking down and I'm scared...but if you want to keep shitting on me you have every right to...I'm having the worst anxiety attack of my life...I'm shaking on the couch...huddled up into a ball...biting a pillow so Brian and the kids don't wake up from my sobs...all the voices are so fucking loud and they all have your voice...the person I love most in the world...they're all telling me to die...and so did you...I want you and the voices to stop...to stop telling me how worthless and pathetic I am...and how much I deserve to die." (3/31/2019, 11:07 pm).

The defendant was present on the roof of the Renaissance Parking Garage when Urtula committed suicide, and that location had significance within the context of their relationship, as the defendant had previously threatened to harm herself at that very location in late 2018. Despite being aware of both Urtula's intentions and the significance of that location, the defendant told investigators that she had "no idea" why Urtula would have gone to that garage. Indeed, many of the defendant's documented threatened suicide attempts that occurred between December of 2018 and May of 2019 revolved around her jumping off the roof of a parking structure or a building. Throughout her interview with police, the defendant denied that Urtula had ever previously express suicidal thoughts, despite the multitude of text messages to the contrary.

Finally, the Commonwealth will establish causation through the testimony of an expert in the field of mental disorders and Suicidology who reviewed all the evidence in the case, including but not limited to Urtula's medical and academic records, his journal entries, and his and the defendant's text messages, and conducted a psychological autopsy of Urtula. The expert opined that Urtula had virtually no risk factors for suicide, other than being a young male, prior to his relationship with the defendant nor did he have common risk factors seen in completed suicides such as a major psychiatric illness, substance abuse, personality disorder, family history of suicide, nor prior evidence of suicidal thinking or behavior. The expert further opined that the abusive nature of relationship between the defendant and Urtula, and the abuse that the defendant inflicted on Urtula, overbore Urtula's will to live and was the cause of his suicide.

(2) Failure to Act

In the context of their personal relationship, the defendant's abuse of Urtula created a life-threatening condition that gave rise to a duty to take reasonable steps to alleviate the risk created, and her failure to do so rises to the level of recklessness necessary for involuntary manslaughter. The defendant had urged Urtula to kill himself on numerous occasions and on the morning of Urtula's death, she knew *exactly* where to find him—she had his GPS location approximately 55 minutes before his death—what his intentions were, and the significance of the Renaissance Parking Garage in the context of threatened suicide, but the evidence establishes that she did nothing to alleviate the risk she created.

Records establish that the defendant viewed Urtula's location on her "Find My Friends" App on or before 7:49 am after he expressed his intentions via text message, which provided her with sufficient time to travel from 2000 Commonwealth Avenue in Brighton to the Renaissance Parking Garage in the South End. Despite the defendant's knowledge of where