

Manslaughter charges stand for St Johns County house party mom

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A judge refused to dismiss [manslaughter charges](#) Nov. 12 against a St. Johns woman who will be going to trial for hosting an open house party attended by two minors who later died in a car crash.

According to prosecutors, Diane Katz Santarelli, 51, "set in motion a chain of events" that ended the night of Jan. 11 with the [deaths of Jessy Calvin Pitts and his friend, Taylor Rae Brennan](#), St. Johns Circuit Judge Wendy W. Berger wrote.

Those events, prosecutors charge, included "allowing," "providing" or "encouraging" Pitts, Brennan and other minors at the party to drink alcohol and smoke marijuana.

Santarelli is the first person in Florida to be charged with manslaughter for hosting a house party that resulted in the death of a minor.

In March, two months after the crash, Sheriff David Shoar and St. Johns County School District Superintendent Joseph Joyner unveiled "The Party's Over," a campaign to discourage similar house parties and underage drinking, setting up a tip line for students to call about parties.

Counts upheld

As Pitts, 18, and Brennan, 17, were leaving the party at Santarelli's home, several friends reportedly told Pitts he was too intoxicated to drive. He drove away in a 1991 Ford Thunderbird.

The car ran off State Road 13 near Orangedale and burst into flames after striking some trees.

Police said Pitts' blood alcohol content was .18.

Brennan was a senior at Bartram Trail High School. Pitts had been a student at Bartram Trail before his family moved to Georgia about a year before the accident.

Defense attorney Gerald S. Bettman had argued during an October hearing that the manslaughter charges should be dropped because Pitts, not Santarelli, committed the felony.

"The allegation that you allow somebody to drink does not constitute manslaughter," he argued. "The allegation that you allow someone to leave her house after drinking does not rise ... to the degree of manslaughter."

Citing the decision in a Pennsylvania case, Berger wrote, "(S)o long as the defendant's conduct started the chain of causation which led to the victim's death, criminal responsibility for the crime of homicide may properly be found."

The State Attorney's Office had charged Santarelli with two manslaughter counts, four counts of hosting an open house party and one count of contributing to the delinquency of a minor.

Berger transferred three house party counts to county court, where they will be prosecuted as misdemeanors.

The defense

The state had intended to show that open house parties were frequently held at the Santarelli home and are "direct evidence of the Defendant's ongoing course of conduct that show a reckless disregard for human safety and the potential consequences of her reckless acts," Berger wrote in transferring the three counts.

However, she wrote, those charges did not take place on the same day as the felony offenses.

The defense intends to show that Pitts' alcohol consumption was part of his ongoing conduct.

Bettman also intends to present evidence at trial that shows the minors who attended the party didn't need Santarelli to buy them alcohol.

"Every single person that was drinking alcohol got it from somewhere other than Mrs. Santarelli's house," he told the judge.

The next step

The attorney all but said the state knows of witnesses who would exonerate Santarelli but hasn't shared that information with the defense.

"It's clear the minors were getting liquor and marijuana from somewhere else," said Bettman."

Assistant State Attorneys Robert K. Mathis and Chris Ferebee repeatedly denied that they were holding back any information.

The next pre-trial date is scheduled for Dec. 1.

Bettman said Nov. 12 that going to trial at that date is "impossible," considering all the potential witnesses he has to talk to.