



POLICE CRIMINAL COMPLAINT

Docket Number: <i>CR 332-2023</i>	Date Filed: 10/20/2023	OTN/LiveScan Number <i>A1000329-1</i>	Complaint Number	Incident Number 23UP03534
Defendant Name	First: XINYU	Middle:	Last: LI	

AFFIDAVIT of PROBABLE CAUSE

On Saturday, 10/7/23 at approximately 2026 hours, PSUPD Officers responded to the 3rd floor of Hamilton Hall, University Park Campus and met with victim, whose identity is known to your affiant but withheld from this document (hereinafter Victim 1). Victim 1 stated she was showering in bathroom "C" on the 3rd floor of Hamilton Hall, University Park Campus on this date. The victim noticed a person standing outside the shower stall for about a minute. The victim then noticed a cell phone above the top of the shower stall. The phone then went away and came back up. The unknown person started to run away. The victim stated the suspect ran out of the bathroom and down the hallway. The victim described the cell phone as black in color with a yellow stripe and clear cell phone case. The victim advised this incident occurred at approximately 2000-2005 hours.

A review of video surveillance footage from Hamilton for the time frames related to these incidents showed the following:

-On 10/07/2023 at 1959 hours, the suspect is observed entering Hamilton Hall at the south loading dock lobby (interior/exterior). The male is wearing an argyle sweater, black shorts, and white shoes. He has glasses black/wire rimmed and is stocky. The male enters the secure building without swiping or utilizing identification, and follows or "piggybacks" others through the door.

Video of the suspect was saved from several cameras as he moves and exits within Hamilton Hall. A positive identification of the suspect was not possible at this time, but several clear still shots of the suspect were analyzed.

On Saturday 10/14/23 at approximately 2212 hours PSUPD Officers responded again to a new report of Invasion of Privacy on the 3rd floor of Hamilton Hall. Dispatch advised the caller reported someone took a photographs of her while she was showering.

I, DET. R.RUGGIERO, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

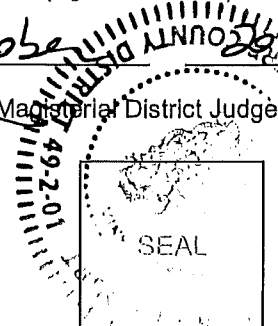
I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

[Handwritten Signature]

(Signature of Affiant)

Sworn to me and subscribed before me this 20 day of October 2023
 _____ Date Cass M. Mc Magisterial District Judge

My commission expires first Monday of January, 2024





POLICE CRIMINAL COMPLAINT

AFFIDAVIT CONTINUATION PAGE

Docket Number: <i>CR 332-2023</i>	Date Filed: <i>10/18/2023</i>	OTN/LiveScan Number <i>A1000329-1</i>	Complaint Number	Incident Number <i>23UP03534</i>
Defendant Name:	First: <i>XINYU</i>	Middle:	Last: <i>LI</i>	

AFFIDAVIT of PROBABLE CAUSE CONTINUATION

PSUPD Officers identified and interviewed the female student, whose identity is known to your affiant but withheld from this document (hereinafter Victim 2).

Around 2140 hours, Victim 2 went to the women's bathroom to take a shower. While Victim 2 was in the shower, she saw the camera portion (top back) of an iPhone come into her shower stall from under the stall wall between her stall and the stall next to hers. Victim 2 could not see the hand of the person holding the phone, nor could she see the legs or feet of the suspect. Victim 2 presumes the suspect then left. Victim 2 described the iPhone as being black in color with a clear protective case. Victim 2 estimated the phone was under the stall wall for a few seconds.

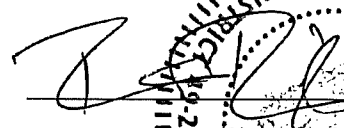
A review of video surveillance footage from Hamilton Hall for the time frames related to these incidents showed the following:

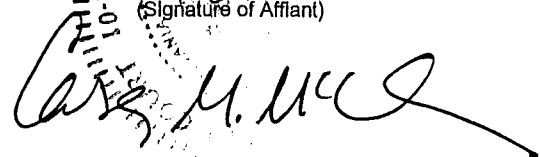
On October 14, 2023, at approximately 2136 hours, the Suspect is observed descending the stairs on the Hamilton north interior camera. Detectives observe that the suspect is the same in both cases. Suspect is wearing a black adidas jacket, khaki shorts, with black slides. The Defendant has glasses black/wire rimmed and is stocky. The Suspect appeared to be placing his phone into his right shorts pocket. Of note, the stairwell terminates on the 3rd floor hallway, directly adjacent to the "3D" bathroom. The Defendant descends past the north exit and continues onto the 1st floor. the Defendant passes the camera, the male pulls the hood of his windbreaker up over his head (i.e., abnormal as he is in a climate-controlled building). At 2138 hours, the Defendant is observed exiting via the south loading dock lobby (interior/exterior). It was observed the Defendant had removed his jacket and stashed the coat under his argyle sweater. The Defendant exits Hamilton Hall via the loading dock entrance and accesses a two-tone (Maroon/Gray) Ford F-150 pickup truck.

Detectives take note of the specific vehicle, a Maroon/Gray 2009-2014 Ford F-150 pickup truck which includes a front tag, rust/bodywork over the rear wheel wells and chrome side steps.

On 10-18-2023 PSUPD Detectives conducted a canvass of the Toftrees area. At approximately 0810 hours, they observed the aforementioned Ford F-150 truck parked in the lot of 521 Toftrees Ave. (Squirrel Run apartments), matching in every way the suspect vehicle from 10/14/2023.

The truck exhibited PA registration ZWF6359, registered to Comet Tech, Inc. based out of Camp Hill, PA. A Google search (www.comettech.org) shows the "Founder and President" as Xinyu LI. This company is a delivery/moving/storage service for college students.



 (Signature of Affiant)




**POLICE CRIMINAL COMPLAINT
AFFIDAVIT CONTINUATION PAGE**

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Defendant Name:	First: XINYU	Middle:	Last: LI	

AFFIDAVIT of PROBABLE CAUSE CONTINUATION

Detectives positively identified LI as the suspect in both cases.

On 10/20/2023 your affiant Detective Robert Ruggiero was conducting surveillance of the F-150 truck driven by LI at 521 Toftrees Ave. At 1258 hours LI exited 521 Toftrees Ave and entered the F-150 truck. Your affiant followed LI to the 1900 block of East College Avenue where he pulled off to the shoulder of the road and activated his hazard lights. I contacted PSUPD Officer D.Miller who conducted a traffic stop on the vehicle and took LI into custody. LI's identity was confirmed at this time.

LI had in his possession a black in color Apple Iphone 14 with a clear/translucent case with a yellow gold card/sticker on the back side. The phone, when held in ones hand gives the impression that the yellow gold card is a yellow gold stripe.

LI was transported to PSUPD where he read/acknowledged by signature form Miranda warnings and agreed to speak with your affiant.

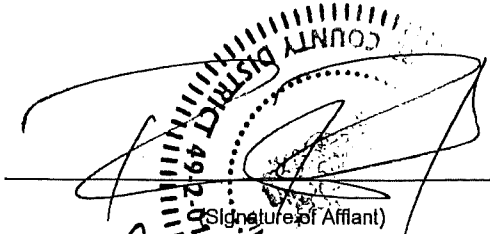
LI admitted to taking videos of both victims on the separate occasions, noting that in one incident he took the video over the shower stall, and in the other he placed the phone under the shower stall which is consistent with victim statements. LI states that on the evenings in question he heard a shower running and entered the bathroom to take video of the victims. LI initially stated he felt guilty for doing so and deleted the videos.

LI signed form Search and Seizure consent, and your affiant manually investigated the Iphone with negative results for the picture/video evidence. Your affiant observed a picture of LI in the same argyle type sweater he wore at the time of the crime.

Through further investigation of LI's phone Detectives discovered five (5) videos taken of nude showering victims within the Hamilton Hall shower. The videos were hidden in an application designed to prevent detection of videos, disguised as a calculator.

Your affiant, along with other members of the Penn State University Police Department Patrol and Criminal Investigations Unit interviewed witnesses, obtained security video, conducted surveillance and obtained evidence concluding that Xinyu LI committed the aforementioned crimes.

All events occurred in Centre County Pennsylvania


 (Signature of Affiant)
