

# Former Harvard University fencing coach heads to trial for bribery

By [Shelley Murphy](#) Globe Staff, Updated December 2, 2022, 6:40 p.m.



Former Harvard fencing coach Peter Brand at the Division I Women's Fencing Championship in 2019. Brand is slated to go to trial in federal court in Boston on bribery charges. JASON MILLER/PHOTOGRAPHER: JASON MILLER/NCAA

Harvard University fencing coach Peter Brand and his wife were struggling to pay their bills in 2012 when she sent a flurry of e-mails warning him to stop using his debit card because they had “almost no money” in their bank account, according to court filings.

By the end of that year, prosecutors allege, Brand struck a secret deal with a wealthy Maryland businessman that could help him with his debts: He would help the businessman's two sons get admitted to Harvard as fencing recruits, in exchange for hundreds of thousands of dollars in personal benefits.

As part of the scheme, prosecutors allege, Jie "Jack" Zhao bought Brand's modest Needham home at a grossly inflated price so Brand could afford to buy a luxury condo in Cambridge, then paid \$200,000 toward the purchase and renovation of the condo. He also allegedly funneled \$100,000 to a charity created by Brand and paid his car loan, mortgage, and utility bills, and his son's college tuition.

On Monday, a federal jury in Boston will hear opening statements in the bribery trial of Brand, 69, of Cambridge, and Zhao, 63, a telecommunications executive. They were indicted two years ago on the heels of the [Varsity Blues bribery scandal](#) that led to the [convictions of more than 50 parents](#), coaches, and administrators and cast a spotlight on the corrupt influence of wealth on college admissions decisions nationwide.

Brand and Zhao each face one count of bribery and one count of conspiracy to commit bribery concerning programs receiving federal funds and honest services wire fraud — essentially an allegation that Harvard was defrauded and deprived of Brand's honest services. The investigation that led to their arrests followed a 2019 [Globe report that raised questions](#) about Zhao's purchase of Brand's home at the same time his son was being recruited by the coach. Brand coached Harvard's men's and women's fencing teams for 20 years before he was fired in 2019 for violating the school's conflict of interest policy.

Boston attorney David Schumacher, a former federal prosecutor who represented a couple of parents who pleaded guilty in the Varsity Blues case, said that the defendants will face the challenge of convincing the jury that the payments were not intended to influence the coach, "because the payments were over the top."

"Jurors are not going to like the payments," he said.

However, Schumacher said the defense will argue that the payments were not bribes, because Zhao's sons "were eminently well qualified to get into Harvard on their own" and successfully competed on the fencing team after getting admitted to the school in 2014 and 2017.

"Which narrative is the jury going to find more compelling — the wealthy parent trying to buy his way into college or the competing narrative of 'Harvard wasn't harmed?'" Schumacher said.

Robert Fisher, a former federal prosecutor who represented a coach charged in the Varsity Blues scandal, said the government will have to show that Harvard was a victim, defrauded by the loss of Brand's honest services.

"How many people come along and pay off your bills, your mortgage, and student loans?" said Fisher, adding that jurors will have to decide, "what's the motive behind it? Did that quid pro quo break the law?"

The trial before US District Judge George O'Toole Jr. is expected to last two weeks, and 65 witnesses could take the stand, according to court filings. The defense has included Zhao's two sons on its witness list.

Brand's attorney, Douglas Brooks, and Zhao's attorney, William Weinreb, declined to comment on the case but have argued in court filings that Zhao's sons "were internationally competitive fencers with stellar grades and test scores who plainly met Harvard's requirements for admission" and were accepted to the Ivy League school on their own merit.

"Harvard recruited and admitted them based on their past achievements and future promise, and they more than lived up to that promise," defense lawyers wrote in a motion seeking to have the case dismissed. The motion was denied by O'Toole.

Zhao's older son, Eric, who graduated from Harvard in 2018, captained the fencing team his junior and senior seasons, earning All-Ivy accolades, and Edward Zhao was named an NCAA Fencing All-Academic Scholar of Distinction his senior year. He graduated magna cum laude last year, according to the defense.

"The Zhao children did not deprive Harvard of admission slots reserved for genuine scholar-athletes because they were genuine scholar-athletes," the defense wrote. "And Coach Brand did not act faithlessly or dishonestly in recommending them as recruits for the same reason."

But prosecutors allege that Brand had been facing financial difficulties for several years when he agreed in 2012 to secure spots on the fencing team for Zhao's sons in exchange for "financial support." The indictment alleges that Brand and Zhao devised the bribery scheme along with Alexandre Ryjik, who ran a Virginia fencing academy and coached Zhao's sons when they were in high school. Ryjik has been granted immunity from prosecution by the government in exchange for his cooperation and is expected to testify at trial about the alleged bribery scheme.

"Jack doesn't need to take me anywhere and his boys don't have to be great fencers," Brand texted Ryjik in May 2012, according to the indictment. "All I need is a good incentive to recruit them. You can tell him that."

The indictment alleges that Zhao donated \$1 million to a fencing charity founded by Ryjik, who funneled \$100,000 to a charity created by Brand as part of the bribery scheme.

Prosecutors allege Zhao in 2015 paid the \$119,000 outstanding mortgage on Brand's house, \$8,400 for his son's tuition at Penn State University, \$32,340 for his son's student loans, \$2,500 for his water and sewer bill, and more than \$34,000 for his car loan.

The following year, Zhao purchased Brand's Needham home for \$989,500, which was more than \$440,000 above its assessed value. Seventeen months later, he sold it for a \$324,500 loss, according to property records. Brand used the proceeds to purchase a Cambridge condominium and Zhao paid him \$50,000 toward the purchase and an additional \$154,600 for renovations, prosecutors allege.

Prosecutors allege that Harvard was unaware that Brand accepted money from Zhao while urging admissions officials to designate his sons as recruits on the fencing team.

In a series of interviews with the Globe in 2019, Zhao acknowledged that his purchase of Brand's house may look suspect, but said it wasn't meant to help get his son into Harvard. He called the purchase an investment and favor for Brand, who had become a close friend.

"I want to help Peter Brand because I feel so sorry he has to travel so much to go to fencing practice," Zhao said of the coach's 12-mile commute.

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