

## Bristol Rape Case From 2000 Ends With Acquittal

By DON STACOM | The Hartford Courant

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NEW BRITAIN — - Derrick Jenkins and a young woman referred to only as "Miss L" both agree they had sex in a Bristol apartment only about an hour after meeting at a nearby fast-food shop, but beyond that they tell vastly different stories.

Jenkins, who was 32 at the time, says Miss L was not only a willing partner, but she also eagerly initiated vaginal and anal sex in the bathroom of the tiny Bristol apartment she shared with several young friends.

Miss L, who was 16 then, told a Superior Court jury that there was nothing consensual about the encounter: She described it as a clear-cut case of forcible rape.

After hearing extensive testimony last week from Jenkins and the young woman, the jury Wednesday morning acquitted Jenkins. The Rhode Island man, now 41, would have faced up to 20 years in prison if convicted.

The decision ended a criminal investigation that continued on and off for nearly nine years, an uncommonly long time. The reason: Miss L's complaint was among about two dozen that were apparently left to languish by then-Det. James Palmer, according to Bristol police records.

The case dates from March of 2000, when the young woman — estranged from her family, out of school and working part-time, low-level jobs — was sharing a run-down High Street apartment with a collection of young friends. She was at a nearby Subway with two of them about midnight when they met Jenkins and got into a conversation. Jenkins said he was from New York and in town for a funeral, and all four ended up walking back to the apartment.

The woman testified last week that a drunken teenage friend in the apartment immediately distrusted Jenkins, who eventually showed the group an ID card with his name. The woman testified that the mood became tense, and she went with Jenkins to the only available space — a bathroom — to talk about his offer to get her a job. He quickly became aggressive, fondling her, grabbing her by the shoulders and then forcibly raping her, she testified.

Jenkins offered a different account, testifying that the young woman was sexually aggressive from the start and identified herself as a college student — not a 16-year-old. He said she began and continued sex acts in the bathroom without any pressure.

Defense attorney Christopher Eddy suggested to the jury that the woman said she was

raped because she did not want her intoxicated friend to know she had just had sex with a virtual stranger.

"She never said Derrick threatened her or struck her, or that she tried to leave the bathroom or that he prevented her from leaving," Eddy told the jury.

Prosecutor Scott Murphy did not contradict that, but nevertheless argued that Jenkins was an adult forcing a frightened teenager into sex.

"The defendant was a large man. He was between her and the door. He used his size and intimidation," Murphy said.

Murphy argued that as a 16-year-old, the accuser would not have held to a lie that required the intrusive medical exams and police questioning she later went through. And she would not have pursued the case for nine years, based on a false accusation, he said.

During the case, a judge ruled that the jury could not hear testimony from Palmer, who said he believed from the start that there was not probable cause to arrest Jenkins.

Friends in the apartment provided Jenkins' name to police on the night of the incident, but Palmer testified that he did not try to find Jenkins in Rhode Island, and the detective's initial report showed no indication that he ordered a records check.

Palmer retired in 2005, and Det. Peter Dauphinais was assigned the case in 2007. Police matched DNA from Jenkins to evidence taken after the woman's complaint in 2000, and last year Dauphinais found an address for Jenkins in Providence and traveled to Rhode Island to question him.

In a signed statement, Jenkins told Dauphinais that he did not have sex with anyone in the Bristol apartment. Eddy discounted that statement, saying his client did not make that assertion — and did not read the statement before signing it.

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