

Community police department fails to search past history before hiring sexually violent predator

Police officer used access to gated community to prey on its residents

The early childhood of Jane Doe (not her real name) was never a “picnic in the park.” But Jane survived her difficulties and reached adulthood with determination and confidence. At the age of three, Jane was diagnosed with an adrenal tumor. It was surgically removed and she resumed a fairly typical childhood. At the age of nine, Jane began losing her vision; doctors diagnosed a brain tumor. The tumor and the surgery to remove the tumor left Jane legally blind with almost no sight. Shortly after the surgery, she suffered two seizures. Her condition was eventually managed and she suffered no further seizures from age ten to age 21.

With the support of her parents and sister, Jane adapted to her loss of sight. She attended school, played outside with her friends, and enjoyed many activities. She attended a high school for the blind and vision-impaired, and after graduation returned to her home in Florida. She later met and became engaged to a young man named John (not his real name). In 2010, the couple moved to a pleasant, gated community in south Florida near John’s place of employment. The small community was a place where they could walk along the streets with Jane’s guide dog, Spot. On frequent walks, the couple interacted with other residents and with the community’s patrolling police officers. A few years later, in October 2013, John and Jane were chatting with a community officer they knew. Another on-duty officer, Sam Jones (not his real name), approached and entered the conversation. In the months following, they continued to engage with residents and police officers, including Officer Jones, on their walks through the community.

In January 2014, while on a walk the couple lost Spot’s jacket. After searching for it and not finding it, they reported the loss to the local police department and left their phone numbers in hopes that someone would find it and search for the owner. That same day Officer Jones called and said that Spot’s jacket had been found, and he insisted on personally delivering it to Jane’s home. Jane was reluctant to have any person come to her home when she was alone. However, relying upon the trust and authority of a police officer, she agreed to his offer. Later in the day, Officer Jones appeared at Jane’s door, having easily accessed her community through the gate entrance because he had been a patrol officer of that same community in previous employment.

The second time Officer Jones called was in March 2014. John had left for work and Jane took a shower and began dressing

for the day. Unexpectedly, the phone rang; it was Officer Jones stating that he was in her neighborhood conducting an investigation and he asked if he could stop by. Upon mentioning that she had just gotten out of a shower, the officer asked about the length of her showers and whether or not she had masturbated while showering. The officer then apologized for his remarks and continued talking about his duties as a police officer in the community. The conversation ended. But shortly thereafter Officer Jones called again asking to stop by. Immediately after his request, Jane heard a knock at her door and it was Officer Jones. He came in, sat down, then stood up and approached her trying to kiss her on the lips. Appalled and offended, Jane pushed him away and demanded that he stop. Officer Jones then pulled his penis from his pants and demanded that Jane perform oral sex on him. Jane screamed “stop,” but the police officer raped her. Officer Jones then left but called back in a few minutes to apologize and ask if she was okay. Following the assault, Jane suffered two separate seizures and was treated at a local hospital.

In April 2014, Officer Jones again entered the community through the security gate and headed for Jane’s home. He called her phone and she sounded upset when she answered. Officer Jones said he wanted to come over to comfort her, but she refused. Jane was afraid of letting him inside and afraid of saying no. This man had a gun, had the trust and authority of the police in the community, and had a determination to see her. When Officer Jones knocked on her door, she opened it. He raped her again, this time becoming physically aggressive.

Following the second assault, Jane suffered more seizures requiring hospitalization and intensive care. Jane told her mother about the assaults and became terrified of being alone. Struggling with fear, she suffered through months of major medical care, counseling, and extremely limited outside activities. She eventually contacted SDSBS attorney **Michael Kugler** to ask for help in finding accountability to answer for the pain and injuries she had endured.

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