

UNIVERSITY OF MISSOURI POLICE DEPARTMENT

WARRANT REQUEST

DATE: 11/05/08

CASE NUMBER: 2008-33866

LAST NAME: Washington FIRST NAME: Derrick MIDDLE NAME: Gerome

AKA: D-Wash

ADDRESS: [REDACTED]

HOME PHONE: unknown WORK PHONE unknown

RACE: AFRICAN AMERICAN SEX: MALE AGE: 20 DOB: 10/03/88

HEIGHT: 601 WEIGHT: 200 HAIR: BLACK EYES: BROWN

MO. OLN: [REDACTED] SOCIAL SECURITY NUMBER: [REDACTED]

MO. SID#: FBI#:

EMPLOYER NAME: PHONE:

EMPLOYER ADDRESS:

CHARGE: Forcible Rape, RSMO 566.030

COMMENTS FOR CONSIDERATION AS TO FILING OF CHARGES: On 10/12/08, At approximately 0215 hours, [REDACTED] stated she was forcibly raped by Derrick Washington at Johnston Hall [REDACTED] on the University of Missouri campus. [REDACTED] stated Washington forcibly held her down on her bed while sexual intercourse occurred. [REDACTED] stated after the incident Washington told her he was sorry for what happened and he stated what he did was wrong. Washington also sent [REDACTED] text messages shortly after the incident telling her he was sorry for what happened and stated "I fucked up." In an interview with Washington he admitted to having sexual intercourse with [REDACTED] and admitted the sexual intercourse should have never happened. Washington stated he did not think he did anything wrong.

ALL WARRANT REQUESTS SHOULD HAVE THE FOLLOWING INFORMATION ATTACHED:

- DOR DRIVING RECORD
- MSHP CRIMINAL HISTORY
- FBI/NCIC CRIMINAL HISTORY
- PROBATION AND PAROLE
- COPY OF CPD ARREST JACKET
- PREVIOUS UMPD REPORTS
- OUTSTANDING WARRANTS

[Signature]
REQUESTING OFFICER

[Signature]
APPROVAL (SUPERVISOR)

2.23 PROBABLE CAUSE STATEMENT FORM

Date:

I, Detective Samuel Easley, with the University of Missouri Police Department

[Name and identify law enforcement officer, or person having information as to probable cause.]

knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

1. I have probable cause to believe that on 10/12/08, at approximately 0215 hours, in Johnston Hall [redacted] Derrick Washington, African American male, DOB 10/03/88, SSN [redacted] committed one or more criminal offense(s). Forcible Rape, RSMO 566.030

Horizontal lines for additional information in section 1.

2. The facts supporting this belief are as follows: On 10/12/08, the victim [redacted], reported that Derrick Washington had sexual intercourse with her against her will, by holding her down on her bed with his chest, shoulders, and forearms. [redacted] stated she attempted to resist by yelling, hitting, and pushing, but was unable to get Washington off of her due to his strength and size. In an interview with Washington he admitted to having sexual intercourse with [redacted] and stated the sexual intercourse should not have happened. Washington did say however, that he thought what he did was not wrong.

Horizontal lines for additional information in section 2.

[Insert facts, including time, if known.]

3. [For the issuance of a warrant in a misdemeanor case, also complete the following, if appropriate. Omit brackets and letter.]

(a) I believe that the defendant will not appear in court in response to a criminal summons because _____

[Insert facts to show that defendant will not appear, e.g. there is an outstanding warrant for failure to appear.]

(b) I believe that defendant poses [Insert one or all of the following.]

(1) a danger to a crime victim because _____

[Insert facts showing that defendant is a danger to the crime victim, e.g. "he is cursing the victim, has hit the victim, and is threatening the victim."]

(2) a danger to the community or to any other person because _____

[Insert facts showing that defendant poses a danger to the community or others, e.g. he has threatened the witnesses, "he threatened to kill all the witnesses."]

[Print Name] Samuel Eastley [Signature] Samuel Eastley

Date: 11/6/08

Notes on Use

1. This probable cause statement will be made by the individual with the knowledge that false statements contained therein are punishable by law. It is not required that the probable cause statement be notarized. Rule 21.04. For a discussion of the necessary factual support for the issuance of an arrest warrant, see Kalina v. Fletcher, 522 U.S. 118, 118 S.Ct. 502, 139 L.Ed.2d 471 (1997) and State v. Adams, 791 S.W. 2d 873 (Mo.App. 1990).
2. See Form No. 22 of the Missouri Supreme Court Rules for a general form for a summons in a criminal case. Rule 21.08 specifies service for misdemeanors and Rule 22.06 specifies service for felonies. For discussion of charging requirements, see Supplemental Notes on Use under MACH-CR 2.00.
3. If the Court finds that probable cause exists to believe that a crime has been committed and, in misdemeanor cases, that the issuance of a summons is not sufficient, then a warrant may be issued by a judge.



Office of the Boone County Prosecuting Attorney

DANIEL K. KNIGHT, Prosecutor

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Columbia, Missouri 65201-4485

573-886-4100
FAX: 573-886-4148

Def 137

2008 33866

Warrant Refusal

Additional Information

Charge Merged

Suspect Name: Washington, Derrick Gerome

Agency: University Of Missouri Police **Officer:** Samuel Easley
Report # 2008-033866


Charges: FORCIBLE RAPE

Warrant Refusal Reason: DEFERRED PROSECUTION AGREEMENT

Comments/Remarks: After meeting with the victim and informing her that this case is one we should not file on, I contacted the defense attorney and entered into an agreement whereby the defendant agrees to have no contact with the victim and complete rape awareness classes within the year.

There are too many inconsistencies in the victim's story to ensure a reasonable probability that a jury would convict on a charge of forcible rape or sexual assault.

If you disagree with our findings or wish to have further explanation, please do not hesitate to contact the undersigned attorney or Daniel K. Knight, Prosecuting Attorney.



Andrew Scholz 386-4108 11.14.08