

SCHOOL SEES 2ND ASSAULT ACCUSATION PROBE TO ASK WHETHER HUTCHINS OFFICIALS FAILED TO REPORT THIS ONE

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The Detroit Public Schools may have violated the law by failing to report a previous assault by one of the schoolmates accused of raping a 12-year-old girl last week inside Hutchins Middle School, prosecutors said Wednesday.

Michigan's 1999 school violence act requires that principals inform the school district of any assault against a student, starting in the sixth grade. The district then must report assaults to the school board.

Students who commit an assault must be suspended for up to 180 days.

Violating the law is a misdemeanor, and principals or other school officials could face up to 90 days in jail if convicted.

Hutchins school officials could not be reached for comment Wednesday.

The law may be about to get its first court test.

Wayne County Prosecutor Mike Duggan said Wednesday that the parents of the 12-year-old Hutchins student told investigators their daughter was assaulted by Dominique Brown, 15, several months before the alleged May 1 rape.

"Somebody is accusing her, but she didn't do nothing like that," said Ronnie Martin, Brown's grandfather.

Martin added that his granddaughter and the 12-year-old were "really good friends."

Brown is one of three students charged with luring the 12-year-old to a remote area of the school.

Duggan said his office was trying to confirm the earlier incident and determine if a report was filed as the law requires.

"There could be criminal responsibility on the part of the school district," Duggan said. "I am concerned at this point that the law is not being followed."

He added: "My deep concern is how many other assaults are out there that are not being reported."

Schools Chief Executive Officer Kenneth Burnley said he first heard about a possible earlier assault Wednesday morning and didn't know if a report had been filed.

However, Burnley said the district is cooperating fully with the prosecutor's office.

"Hutchins has a reputation for being a well-run building, but that doesn't matter," Burnley said. "It makes us all take a look at practices and procedures."

Burnley has made increased school security a priority, and last month announced plans to hire 76 additional guards and install cameras in every school.

District spokesman Stan Childress said prosecutors questioned officials at Hutchins this week, and the school agreed to turn over any reports they find on the incident.

But Childress said the district asked prosecutors to subpoena the reports to comply with family privacy laws. Prosecutors had not presented a subpoena by the time the two sides met Wednesday, he said.

Brown and **Audi Drew Dawson**, also 15, were arraigned as adults Monday in 36th District Court on charges of first-degree criminal sexual conduct involving a victim younger than 13.

If convicted, they could be sentenced to life in prison. Their preliminary examination is scheduled for May 21.

Brown has no criminal record. **Dawson**, who has juvenile convictions for felonious assault and probation violations for fighting at two other Detroit schools, was expelled in 1999 for bringing a knife to Winterhalter Middle School.

He later was allowed to enroll at Hutchins.

The district has declined to comment on his school record.

A 13-year-old girl also charged in the case faces a preliminary examination today in Wayne County Family Court.

The girl is being designated for adult treatment in juvenile court, meaning that she could be sentenced to adult prison or juvenile rehabilitation if convicted.

A 14-year-old boy, who allegedly helped lure the 12-year-old girl out of the classroom, also is expected to be charged.

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