

## **DETROIT SCHOOLS CHIEF DENIES FAULT IN RAPE CASE REPORT NO REPORT NEEDED ON EARLIER INCIDENT, HE SAYS**

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Written reports of an alleged earlier confrontation between the 12-year-old girl who said she was raped last week at a Detroit middle school and a schoolmate charged in the incident don't exist, school officials said Thursday.

But officials said they are not required to report a verbal confrontation.

"There was not a physical attack of any kind between the girls, who at times had been friends. It was just a normal argument," schools Chief Executive Officer Kenneth Burnley said.

Wayne County Prosecutor Michael Duggan said Wednesday that the district may have violated the law by not filing a report on the alleged earlier incident at Hutchins Middle School.

Duggan could not be reached for comment Thursday.

However, the 12-year-old girl's father said that about two weeks before the alleged sexual assault on May 1, he, his wife and daughter were called to the school to discuss problems between Dominique Brown, 15, and his daughter. He said he believed Brown and her parents were supposed to be there but weren't. Brown has been charged with criminal sexual conduct.

The father said his daughter was treated as if she had done something wrong and was told she should take a conflict-resolution course. He described the confrontation between his daughter and Brown as a fight and that his daughter had been "jumped."

Neither Brown nor her lawyer could be reached for comment.

Also Thursday, a preliminary examination for a 13-year-old girl charged with two counts of first-degree criminal sexual conduct in the May 1 incident was postponed until at least Wednesday.

Prosecutors said they would seek to consolidate the hearing for that girl, another for a 14-year-old boy who has not yet been arrested, and the preliminary examination for Brown and **Audi Drew Dawson**, also 15, who are charged with first-degree criminal sexual conduct as adults.

"We'd like her to only have to testify once," Wayne County Assistant Prosecutor Daniel Less told Wayne County Family Court Judge Frances Pitts, referring to the 12-year-old.

The 13-year-old's attorney, Richard Morgan, agreed to the delay, but criticized Duggan and the news media for sensationalizing a case that Morgan said involved "consensual sex."

"Based on what happened, it appears someone was promiscuous," Morgan told reporters after the case was postponed. Morgan said any portrayals that suggest the teenage defendants are "some marauding band of savages" are wrong.

The 12-year-old's father, whose name is being withheld to protect his daughter's identity, said months ago a teacher brought to his attention rumors that were circulating at school about his daughter.

"There is no way possible, no way possible, that she could ever be promiscuous," he said.

"My daughter would not respond to those accusations. She wasn't brought up that way," the father said.

He also said his daughter began a home-tutoring program on Thursday.

The father's lawyer, Michael Cutler, filed a lawsuit Thursday in Wayne County Circuit Court against the school district, Hutchins Principal Virginia Clay and the girl's Spanish teacher, alleging that they failed to protect the girl.

School district officials have called Hutchins, near New Center, one of Detroit's better-run schools.

"For people who think the Detroit Public Schools are not safe, I don't find that the case when I am in them," Burnley said. "When you have a situation like this, people want to examine everything that we do."

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