

RAPE SUSPECT IS HIV CARRIER ALLEGED VICTIM TESTS POSITIVE

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Author: JIM SCHAEFER ROGER CHESLEY, AND , ET WILSON Free Press Staff Writers , ff Writers CECIL ANGEL and JOE SWICKARD , tributed to this report.

A man being held as a suspect in nine or 10 rapes in Detroit has tested positive for the AIDS virus and so has one of his alleged victims, police said.

Detectives won a court order to test the blood of **Dwayne Lamont Peterson** , 26, after a 25-year-old woman told them she had tested HIV-positive last Thursday. She said she had not had sexual contact with anyone other than the man who allegedly raped her.

"I think he should die now," the woman said Thursday. "He took my life away from me for no reason. I'll probably die within a year, and I'll never get married, and I'll never be able to have children, and I'll never be a doctor."

An AIDS legal expert said there was no other case on record in Michigan in which a rape suspect was tested for the AIDS virus by court order.

Police officials Thursday said they know of only one or two cases in which Detroit rapists had the AIDS virus. But they had never heard of a serial rapist passing it along to victims.

Peterson has not been charged with raping the woman who tested HIV-positive, nor has he been charged with passing on the virus intentionally.

The woman told police Sunday she had tested HIV-positive. On Tuesday, 36th District Court Magistrate Irma Chenevert signed a search warrant allowing doctors to test **Peterson** 's blood, which was drawn Wednesday in jail where he awaits a preliminary hearing on robbery, attempted rape and other charges.

"We have been informed that he tested positive for HIV," Cmdr. Robert Hislop of Detroit's major crimes division said Thursday evening.

This means police will pursue more charges, including the possibility of attempted murder if investigators can prove **Peterson** knew he had the virus, police said.

Suspect's partners sought

Police also are trying to locate any of **Peterson** 's consensual sex partners. It is a felony under Michigan law to knowingly fail to disclose an HIV infection to a partner.

Peterson 's mother, Mattie **Peterson** , 65, said Thursday her son told her in August he had tested HIV-positive. But she said she didn't believe him because "he told tales."

Mattie **Peterson** said she talked to her son Monday night when he called her from jail.

"I said, 'Look **Dwayne**, please tell me the truth, did you rape anyone? And he said, 'Yes, Mom, I did.' I said, 'You pray, because that's all I can do for you,' and I hung up the phone on him. I was so horrified."

The 25-year-old woman allegedly was raped the morning of Sept. 6 in her home near Greenlawn and West 7 Mile Road. The AIDS virus usually is detectable by a test within six weeks of exposure, medical experts say.

The woman's grandmother told the Free Press her granddaughter was asleep in her room when she woke up with a gun pointed at her. She gave her attacker \$300 she had received as a college graduation present, but he said it wasn't enough.

The woman's grandmother said the victim walked out a second- floor balcony, jumped to the ground, and climbed a seven- foot fence to a neighbor's house. The phone wires had been cut, she said.

On Jan. 16, **Peterson** turned himself in to authorities in Alabama, where he fled after allegedly shooting and robbing a 38-year-old woman on Detroit's northwest side. Investigators believe he hit that area hard, committing about 100 burglaries and raping nine or 10 women.

He was flown back to Detroit and arraigned Monday on charges of breaking and entering, attempted rape, attempted murder and armed robbery. None of these charges stems from the alleged attack on the woman who tested HIV-positive.

New charges are likely

Police today will meet with prosecutors to discuss the possibility of additional charges.

Peterson is being held on \$1-million bond. In February 1985, he was sentenced to 1 1/2-10 years in prison for assault with intent to commit armed robbery. He was later paroled.

Peterson's mother said he had been arrested several times for "breaking and entering," but never for sexual assault.

Police said he has cooperated with them, giving statements detailing several crimes. In a statement given to police about the alleged September assault, **Peterson** said he used to cut the grass in front of the woman's home, which is in his mother's neighborhood.

Before the alleged attack around 11 a.m., **Peterson** said, he cut the telephone wire and entered her home through a window. After searching the home, "I went back to the bedroom. She was laying in the bed crying, I told her to take her panties off. Then I raped her. Then I got what she had gave me and I left."

Police said they believe **Peterson** used similar tactics in the other cases. They would not release a photograph of him Thursday, saying they want other victims to see if they can pick him out of a lineup.

The manner in which police found out **Peterson** had the virus caused concern for one legal expert on AIDS.

David Piontkowsky, who teaches a course on AIDS legal issues at the University of Michigan Law School, said there's been no Michigan case in which a rape suspect was tested for the AIDS virus by court order.

He said Michigan law requires AIDS tests in criminal sexual assault cases only after conviction . He said legislators drafting that law rejected proposals to test suspects and defendants in order to protect the defendant's constitutional rights to privacy.

"I think it's outrageous that they got the blood test without charges filed," he said.

Richard Padzieski, chief of operations for the Wayne County Prosecutor's office, said blood can be taken from a criminal suspect without a warrant, but usually one is obtained.

Once the blood is taken, generally to match for type against a blood or semen sample from a crime scene or victim, "I see no problem if you then run other tests on the blood," Padzieski said.

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