

College Station
Police Department
Offense/Incident Report

Offense/Incident * <i>Sexual Assault</i>	Service No. * <i>04-015391</i>
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Location of Offense [Redacted]		Complainant's Name (L, F, M) * <i>Doe, Jane</i>		Race/Sex/DOB * <i>-</i>
Type Premise * <i>-</i>		Current Address * [Redacted]		Phone No. <i>727</i>
Beginning Time of Occurrence * <i>5:11/11/28/04</i>	Day Date Time * <i>5:11/11/28/04 0510</i>	Permanent Address * <i>-</i>		Phone No. <i>-</i>
Ending Time of Occurrence * <i>5:11/11/28/04 0510</i>	Day Date Time	Place of Emp. & Add. * <i>-</i>		Phone No. <i>-</i>
Shift * <i>3</i>	Dst. * <i>40</i>	Date/Time Reported * <i>11/28/04 0607</i>	D.L. No. & State * <i>-</i>	Student (School) () Y () N CID Notified (Name) <i>BY () N Norris</i>
Related Reports * <i>-</i>		Weather/Light Conditions <i>Clear Mark - Artificial</i>		

Comp. Injured () Y () N () N/A	Conditions () Good () Fair () Poor () Deceased () Unk.	Victim Taken To By	Describe Injuries <i>-</i>
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<input type="checkbox"/> Stolen <input type="checkbox"/> Recovered <input type="checkbox"/> Towed <input type="checkbox"/> Burglarized <input type="checkbox"/> Criminal Mischief <input type="checkbox"/> Accessories Removed							
Year	Make	Model	Body Style	LP Yr/St	LP No.	Color(s)	
VIN			Owner Notified (Date & Time) () Y () N () N/A		Inven. Attached () Y () N () N/A	Checked for Stolen () Y () N () N/A	
Registered Owner (Name & Add.)					Towed By		NCIC/TCIC () E () R () N/A
Lien Holder (Name & Add.)					Location		Value (Stolen Only)

Codes: S - Stolen D - Damaged L - Lost F - Found R - Recovered					
Code	Qty.	Description (Size, Color, Make, Model, Material, Condition)	Serial or Applied No.	Value	NCIC TCIC
/					
Disposition of Property			Total Damaged Prop.	Total Rec. Prop.	Total Stolen Prop.

On 11/28/04 at 0645 hrs, I responded to a location in College Station and spoke with Jane Doe. She advised she was sexually assaulted by a male known to her.

Solvability Factors	
Suspect Info	<i>10</i>
Vehicle Info	
Phys Evid	
Stolen Prop	
M.O.	
Officer Dis	
Exceptional	
Comp Req	
Total	<i>10</i>

Rep 57	Officer & ID No. (Print name & initial) <i>John M. [Signature] 381</i>	Supv. <i>[Signature]</i>	Status <input checked="" type="checkbox"/> Active <input type="checkbox"/> Inactive () unfounded () cleared/arrest () exceptionally cleared	Div. Assigned: <i>CD</i> Date: <i>11-28-04</i> Officer:	Page <i>1</i> of <i>4</i>
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On 11/28/04 at 0643 hours I was dispatched to [redacted] in reference to a sexual assault. I arrived on scene at 0646 hours and made contact with the Jane Doe at apartment [redacted]. Doe advised the following

Doe met the suspect (later identified as Elton Stepphan Yarbrough B/M 03/18/83) through an online chat room called "Face Book" It is specifically for university students. Doe advised that Yarbrough was a Texas A&M student in the Corps approximately 21 years of age. Doe met him online about a week and a half ago. Doe went out with Yarbrough Friday evening on 11/26/04 to Poets. They played pool and then returned to her apartment complex where he walked her upstairs to her apartment. Doe kept hinting that she was tired and he really ought to leave. Yarbrough kept trying to talk to her. Doe explained to him that at the very least he should move his car otherwise it would be towed from the resident parking area. While Yarbrough was gone moving his green Ford truck, Doe called a friend of hers and explained that she was having a hard time getting Yarbrough to get the hint and go home. The friend expressed concern according to Doe. Yarbrough came back upstairs and they talked for a little bit more before Doe finally got Yarbrough to leave. They hugged and Yarbrough left. He did not make any advances towards Doe and Doe did not make any advances towards him according to Doe.

Saturday night (11/27/04), Yarbrough came over. Yarbrough, Doe, her roommate [redacted], [redacted] boyfriend [redacted] and another male, [redacted] all went up to Northgate. Doe said they were at Gatsby's until it closed. They all then returned back to the apartments. [redacted] dropped everyone off at the apartment and then went over to [redacted] apartment (in the same complex to sleep). Yarbrough again followed Doe and [redacted] upstairs to their apartment. [redacted] went to [redacted] room and crashed on her bed. Doe, [redacted] and Yarbrough stayed up talking in the living room for a while. [redacted] made a pizza which they ate. Doe finally started falling asleep while they were sitting on the couch. Both [redacted] and Doe had been hinting to Yarbrough that they were tired and wanted to go to sleep. Doe was practically asleep when Yarbrough carried her into her bedroom and put her on the bed. [redacted] made Yarbrough leave the room so she could change Doe out of the skirt she was wearing to pajama bottoms. When [redacted] came back out to the living room, Yarbrough was sitting on the couch again. [redacted] wanted to go to sleep too and went into her room. She saw her boyfriend, [redacted] sprawled out across the bed taking up all the space on the bed. [redacted] came back out to the living room and told Doe she would just sleep on the couch. By this time, Yarbrough was in bed with Doe. Yarbrough said he just wanted to make sure that she fell asleep alright. Doe insisted that [redacted] shouldn't sleep out on the couch but should instead come sleep with her. [redacted] joined her in her bedroom in the bed. I got the impression that [redacted] did this more so that Doe would not be alone with Yarbrough.

According to both Doe and [redacted] Yarbrough was on the bed closest to the wall (north side of room, bed was pushed against the wall). Doe was in the middle and [redacted] was on the outside nearest the door. Doe fell asleep fairly quickly. [redacted] said she looked over towards Yarbrough and said his eyes seemed to be half open. [redacted] said that at one point, Yarbrough seemed to move closer to Doe, but that Doe shifted away from him and closer to [redacted]. When Doe did that, Yarbrough rolled towards the wall away from Doe. Finally [redacted] thought he was asleep. She was unable to fall asleep in the bed because she said she was cold and too crowded. [redacted] got up and left Doe's bedroom and went to her own bedroom after about 30 minutes. Doe was laying on her right side facing away from Yarbrough when [redacted] left. Just before she fell asleep she heard Doe's bedroom door close. [redacted] assumed that it was Doe closing her door since she always sleeps with the door closed. Shortly after she heard rustling noises but thought nothing of it. [redacted] fell asleep.

Doe woke up because she felt something was wrong. She was flat on her stomach (Doe says she never sleeps this way). Doe says she felt Yarbrough "inside her". I had Doe clarify that Yarbrough had his penis inside her vagina. Doe did not know how long he had been inside her. Doe's shorts were still on but they were very short shorts. She said she froze at first when she woke up because she did not know what was going on. Doe then started pushing away at Yarbrough and asking him what he was doing. Yarbrough backed off and said he "was just cuddling". Doe started screaming at him and tried to leave the room. Doe found that her bedroom door was closed and locked. Doe had not closed or locked her bedroom door. Doe also stated she has never locked that door the entire time she has lived there.

[redacted] was woken up at about 5 am by Doe screaming and crying. Doe rushed into [redacted] room trying to tell her what happened. Yarbrough followed Doe into [redacted] room saying that it didn't happen and trying to make it sound like Doe was making the story up. [redacted] supposedly slept (passed out) through the entire incident. Yarbrough quickly left the apartment. He then called within a couple of minutes to Doe's cell phone and left a message saying that what Doe was claiming didn't happen. I did not listen to the voice mail at this time. I did tell Detective Norris when she arrived about the voice mail.

After Yarbrough left, Doe did not know what to do. She called her mother in Europe (Doe is a foreign exchange student) and told her what happened. Doe's mother advised her not to change clothes and not to take a shower. Doe's mother and [redacted] both advised her to

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call the police and report it Doe finally called CSPD at 0627 hours on 11/28/04 to report the sexual assault. I arrived on scene to take the initial report and had Detective B. Norris called out to the scene
After Det Norris arrived, I briefed her on what I had been told and then gave her a pseudonym form and a crime victim's compensation pamphlet for Doe.

At no point did Doe make any advances or insinuations to Yarbrough that she interested in him as anything more than a friend Doe did not consent to having sex with Yarbrough. Doe was not even awake to give consent.

Rep57cCG 10/00	Officer & ID No. (Print name & initials) <i>Anthony M. Kester 381</i>	Supv. <i>[Signature]</i>	Status: <input type="checkbox"/> active <input type="checkbox"/> cleared arrest <input type="checkbox"/> inactive <input type="checkbox"/> exceptionally cleared	Page <u>3</u> of <u>4</u>
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