

San Antonio Express-News
Metro / South Texas Page 3B
Former jail guard cleared of sex assault

Ihosvani Rodriguez EXPRESS-NEWS STAFF WRITER

Publication Date : November 6, 2001

A jury on Monday cleared a former state jail guard on charges he sexually molested his 9-year-old stepdaughter, who at one point recanted her story.

The girl told her mother that the alleged attack occurred while she and her stepfather were watching a football playoff game Jan. 23, 2000, at their home. The mother, who is a guard at the Dominguez State Jail, called police and separated from her husband.

Weeks later, the girl recanted, telling her mother and a caseworker that she lied because she didn't want the couple to stay together. Authorities still pursued the case.

To protect the girl's identity, the San Antonio Express-News is not publishing the names of those involved in the case.

The man said he has lost his job and has been under house arrest for almost two years.

"It's scary. Look how much damage a false allegation has caused," he said.

During the trial, the girl tearfully described details of the alleged attack.

But defense attorney Pat Hancock said the child lifted those details from a Lifetime Channel movie she watched two nights before the alleged attack.

After the child recanted her story, the mother reunited with her husband. The couple now has a 10-month-old child. The girl, now 11, lives with her grandparents, who stormed out of the courtroom Monday after the verdict was read.

Prosecutor Jamissa Jarmon admitted that the case was hurt when the mother testified she believed her husband is innocent. Jarmon had argued that the girl recanted only because her mother became extremely upset over the couple's breakup.

"There's a saying that goes that you can show your love by putting their needs above yours," said Jarmon during closing arguments.

irodrig@express-news.net