Missouri Lt. Gov. Peter Kinder Calls For Review Of Maryville Rape Case
News
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(CNN) -- Missouri Lt. Gov. Peter Kinder on Tuesday called for a grand jury review of a controversial case of alleged rape in Maryville.

"The appalling facts in the public record shock the conscience and cry out that responsible authorities must take another look," he said, referring to the case of Daisy Coleman in Nodaway County.

"I hope that responsible officials will join me in this call for a grand jury to make the final call on whether criminal charges should or should not be filed," Kinder said.

The case dates to January 8, 2012. But after The Kansas City Star featured the story over the weekend, it gained traction on social media and spread to a wider audience.

It began when Daisy, then 14 and a high school freshman, was hosting a sleepover with a girlfriend at the Colemans' home.

The girls were drinking alcohol, according to a report from the Nodaway County Sheriff's Office. Daisy had been texting with a football player, a senior who was 17. They decided to meet.

"I remember going out of my window after drinking with my friend, who was 13 at the time, we were watching scary movies and just having a fun time," Daisy told CNN's "Erin Burnett OutFront" on Monday. "And after we snuck out, we got into this car where Matt picked us up."

The boy, Matthew Barnett, drove them to his house, which they entered through a basement window, she said. "And I went to go and sit on his couch, and he gave me a big glass of a clear liquid. And then that's all I remember."
Her friend, Paige, who says she was raped by a different boy that same night, recalled more of what happened. Her case was settled in juvenile court.

"After he was done and we went out to the living room, we sat and waited for Matt to come out with Daisy. And he opened the door and I saw Daisy and she was incoherent -- couldn't talk, couldn't walk, couldn't do anything," Paige told CNN on Tuesday night.

Melinda Coleman, Daisy's mother, said she did not know anything was amiss until shortly before 5 a.m., when she heard something outside.
"I thought it maybe was the dogs," she said. "I got up, went out, and my youngest son and I found Daisy in the yard. She -- her hair was wet and frozen." And her hands and feet were bare.
"At that point, I couldn't figure out what had happened. It was not until I undressed her to put her in a warm tub that I realized that maybe she had been sexually assaulted. So I asked her if she was hurting, and she said yes, and started to cry."

CNN does not typically identify alleged victims of sexual assault but has done so in this case because Paige, Daisy and her mother have chosen to go public. CNN agreed to identify Paige by just her first name.

Barnett was arrested and charged with sexual assault; his friend was charged with recording at least a part of the incident on an iPhone. But, two months after the alleged attack, the charges were dropped.

'Insufficient evidence'In a statement issued Tuesday, a lawyer for the Barnett family noted that a felony charge of sexual assault was filed January 9, 2012, against Matthew Barnett alleging sexual intercourse with someone who was incapacitated.

"Mr. Barnett cooperated with the investigation and freely admitted to the sexual encounter," said the statement from lawyer Robert Sundell. "While many find Matt Barnett's behavior reprehensible, the legal issue was whether a crime was committed.

"Subsequent investigation and interviews raised substantial doubt about the felony charge, specifically including whether the young lady was incapacitated during the encounter."
It said that, while charges were pending in May 2012, Barnett's lawyer tried to take sworn statements from the alleged victims and their relatives, but they "refused to answer any questions citing their Fifth Amendment right to not incriminate themselves. Accordingly, without competent evidence and with witnesses unwilling to testify, the State was under a duty to dismiss any prosecution when it became apparent that a conviction was not possible."

That left Barnett facing one remaining claim, a misdemeanor charge of child endangerment related to the allegation that the high school senior left the 14-year-old girl "in an incapacitated condition outside of her home in freezing weather."

During a deposition in July 2012, Daisy testified "with numerous inconsistencies and changes to previous statements," the statement from Barnett's lawyer says. "When the alleged victim's mother was questioned about these changes, she freely admitted that her daughter does not always tell the truth, particularly when she is in a stressful situation. Thereafter, the misdemeanor charge was dismissed."

That account was corroborated by Nodaway County Prosecuting Attorney Robert L. Rice. "There was insufficient evidence to prove a criminal charge beyond a reasonable doubt," he said in a statement. "The State's witnesses refused to cooperate and invoked their Fifth Amendment privilege to not testify."

Nodaway County Sheriff Darren White told CNN that his office and the prosecuting attorney had been ready to prosecute but did not move forward because the victim and her family refused to cooperate.

"The only people's stories that have been inconsistent throughout this whole thing are the Colemans' -- are the victims' in this case -- and I don't know why that is," White said.
Reacting to the lieutenant governor's call for a grand jury review, the sheriff said that his office handled the case "flawlessly."

"My initial reaction would be that apparently the lieutenant governor has chosen to simply also get involved in the hype and the social media because at no point in time has the lieutenant governor's office made any request to see any actual reports," he said Tuesday night on CNN's "Erin Burnett OutFront."

"That being said, I would welcome someone from the outside coming in and taking a look at this case because there's no doubt in my mind that everyone would be vindicated from all of these absolutely outrageous accusations," White added.
The story has been picking up steam on social media since the Star's weekend report.

Twitter updates rules after backlash over rape threats A Facebook page called "Justice for Daisy" is

calling for a protest at the Nodaway County courthouse next week.

Anonymous also appears to be involved. The loosely organized hacker group released a statement calling for an investigation into the handling of the case.

It made similar calls around a separate teenage rape case in Steubenville, Ohio, recently.
Two teenage boys were convicted in that case, which gained worldwide attention because of -- and through -- the use of social media.
Melinda Coleman denied that she had not cooperated with investigators. "I told them everything," she told CNN on Tuesday. "That's absolutely not true, and it still kind of shocks me that they're lying about it."

She said she was simply seeking justice and peace for her family. "I don't want to be threatened and fearful any more," she said.

Retaliation from town? Daisy said that she was targeted by cyberbullying after she leveled the accusations and that took a toll on her. "I really did start to hate myself."

She said the fact that Barnett comes from a prominent political family -- his grandfather Rex Barnett is a former state representative -- might explain why the charges were dropped. "Yes, I do believe that it did play a role," she said.

In an interview with CNN, White described the elder Barnett as someone he had known for more than 30 years. "He's a man that I do consider to be a friend," the sheriff said. But he described as "absolutely shameful" any suggestion that Barnett would have tried to influence the investigation into his grandson.

Melinda Coleman said White had initially told her that other girls had come forward to accuse the same group of boys of similar conduct but changed his story. "He said that they were all liars. I digitally recorded him saying they were all liars and that they just wanted to crucify those poor, innocent boys.

"So my concern is what is it going to take for them to do something here? Is one of these girls going to have to die? Are they going to end up freezing in their frontyard before they will do something?"

Melinda Coleman said she would like the case to be reopened. "I would like to see some justice," she said. "And I would like the other girls to be able to come forward without fear."

On Tuesday, a spokeswoman for Missouri's attorney general said her office cannot reopen the case. "Charging decisions in criminal cases are placed within the discretion of elected county prosecutors in Missouri. State law provides the Attorney General's Office with no authority to review or overrule a prosecutor's charging decisions," said Nanci Gonder.

In the weeks that followed her daughter's alleged assault, Melinda Coleman said her children received threats and she was fired from her job as a veterinarian at a clinic.

The Colemans have since picked up and moved from the town in northwest Missouri, about 100 miles north of Kansas City.

In April, their house in Maryville -- which had been vacant and for sale -- burned. The state fire marshal said that, "due to the unsafe nature of the structure, a detailed examination could not be conducted and this fire loss is being listed as undetermined."