

IN THE IOWA DISTRICT COURT FOR HANCOCK COUNTY

STATE OF IOWA,
Plaintiff,

vs.

Henry Vincent Rayhons
DOB: 05/08/1936
Defendant.

Before Magistrate Hollingshead

Case No. _____

COMPLAINT AND AFFIDAVIT

DEFENDANT is accused of the crime of "Sexual Abuse in the 3rd Degree," a(n) Class C Felony, in violation of Iowa Code §709.1(1), 709.1(2), 709.4(1), 709.4(2)(a), and 902.9(4), in that Defendant on or about May 23rd, 2014, in Hancock County, did commit sexual abuse upon D.R. by performing a sex act on D.R., a person suffering from a mental defect or incapacity which precludes giving consent, and with whom he was not cohabitating as husband and wife at the time, in violation of Section 709.1(2), 709.4(2)(a), 902.9(4) or against the will of D.R., whether or not they were spouses or cohabitating in violation of Section 709.1(1), 709.4(1), 902.9(4), to wit:

On 3/29/14, D.R. was moved out of her residence at 610 Fairway Circle in Garner, Iowa and admitted to the Concord Care Center, a long term care facility located at 409 W. Lyon Street in Garner, Iowa. The Defendant continued to reside at 610 Fairway Circle. On 5/15/14, during a care plan meeting with Concord staff and D.R.'s family, the Defendant was informed that D.R. did not have the cognitive ability to give consent to any sexual activity. On 5/23/14, a roommate of D.R. reported to Concord staff, that earlier in the evening, while she was in a shared room with D.R., the Defendant had entered the room and pulled the curtains closed. The roommate then heard noises indicating to her that the Defendant was having sex with D.R. The Garner Police Department was then contacted by Concord staff. Surveillance video showed that the Defendant entered D.R.'s room at approximately 7:43 p.m. and left her room at approximately 8:13 p.m. On his way out, the Defendant also discarded undergarments belonging to D.R., into a laundry bag located in the hallway. During an interview with a DCI Agent on June 12th, 2014, the Defendant admitted to having sexual contact with D.R. on May 23, 2014 and to having a copy of the documentation regarding D.R.'s inability to give consent due to her lack of cognitive ability.

THEREFORE, Complainant requests that Defendant, subject to bail or conditions of release where applicable:

- (1) be arrested or that other lawful steps be taken to obtain Defendant's appearance; or
- (2) be detained, if already in custody, pending further proceedings;

and that Defendant otherwise be dealt with according to law.


Special Agent Scott Reger I-168
Iowa Division of Criminal Investigation


AFFIDAVIT

State of Iowa, County of Hancock) ss:

Being duly sworn, I state that the facts listed above are known by me or told to me by other reliable persons, which forms the basis for my belief that Defendant committed this crime.



Subscribed and sworn to before me on August 14, 2014.


Notary Public

