AGO mum on fabricated rape cases

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By Andrew O. De Guzman - Reporter

THE Attorney General’s Office has no comment on the status of the investigation regarding two individuals who earlier claimed that they were raped only to later retract their statements.

“It is our policy not to comment on pending, possible, or ongoing investigations unless and until charges are filed,” Chief Prosecutor Michael Ernest told this reporter in an e-mail interview.

Two girls — a minor and an 18-year-old — told police that they were raped in May and last month.

Later, in the company of their parents, they told police they fabricated their rape stories.

The 15-year-old girl claimed she was kidnapped and raped in Chalan Kanoa while the 18-year-old girl told police she was raped on Capital Hill by a sex offender.

There was no arrest made in the Chalan Kanoa incident while Benson John D. Dela Cruz, a sex offender who was paroled in 2009, was charged, arrested, and detained for the Capital Hill incident.

Dela Cruz was later released after the government said it would no longer prosecute the case following the girl’s admission that she fabricated the rape story.

“Benson Dela Cruz did possibly violate his parole in the evening in question: (possible curfew violation, possible entry into a nightclub, possible violation of requirement not to violate any other laws are all merit further investigation),” Ernest said.

“That is why the Attorney General’s Office worked fast to relate our findings to the Board of Parole, which initiated prompt action, thereby ensuring public safety. What follows next in his situation depends on the Board of Parole, and I would request that you seek further comment from them,” the chief prosecutor said.

Parole Chief Joseph Guerrero said in an email to the Variety: “At this time I will have to defer making any statement with parolee Benson Dela Cruz for reason(s) that he will have to answer to the parole violation on his preliminary hearing.”
Guerrero said Dela Cruz, a registered sex offender, is scheduled to appear before the Board of Parole tomorrow.

The Department of Public Safety has yet to reply to the inquiries of this reporter.

In the Chalan Kanoa incident, DPS said the girl was confirmed to be a victim of sexual assault after she was examined at the Commonwealth Health Center. The victim also suffered injuries to her head and groin area, police added.

DPS now considers this rape case closed.

After the girl recanted her statement, DPS said the Criminal Investigation Bureau would be meeting the Attorney General’s Office to discuss other matters discovered during the initial investigation, such as filing a false report.

In the Capital Hill incident, the victim claimed she was raped by Dela Cruz after she was forced to drink liquor.

The girl later told police she “lied” because she wanted Dela Cruz to go to jail “so that he would stop bothering her.”

The girl said Dela Cruz never forced her into having sex.