Teenagers cleared of all charges in rape case

April 11, 2009

Two Greeley teenage boys have been cleared of all charges of rape and sexual assault stemming from an accusation against them five months ago.

The boys, Alex Diaz and Damen Cantrell, both 18, were arrested last November after a 16-year-old girl accused them of raping her. She told police the boys took her to one of their homes after she’d been drinking at a party. She claimed they raped her, and someone may have taken a video tape of the incident. No tape has been found.

The names of sexual assault victims are not released to the media.

Weld District Attorney Ken Buck said Friday “Physical evidence that came back in the case did not match the statements that were originally received. We dismissed the bonds in the cases and dismissed the case against both teens.”

Defense attorney Todd Taylor, representing Diaz, praised Buck and his office for dropping the charges. “We’re very relieved and thankful that the right decision was made in this case,” Taylor said. “I have a lot of respect for Ken Buck for making this decision.”

Despite the dropping of charges, Buck also said they were not contemplating filing any false reporting or any other charges against the victim.

Neither Cantrell nor his attorney, Pamela Mackey of Denver, were available for comment Friday.

In the past few months, both teens had been out of jail on $50,000 bond.

In the initial police report, the girl said she had a fight with a boyfriend earlier in the evening, then ran into the two suspects, whom she’d previously known.

The boys took her to one of their homes, and they sneaked in through a basement window. She told police she was raped in a basement bedroom, and afterward they took her back to the party.

At the party, the girl said she told her boyfriend about the attack, and he took her home to her father, who reported the incident to police.