

For Immediate Release
January 17, 2012

FEDERAL JURY CONVICTS NAVAJO MAN
FROM ARIZONA ON RAPE CHARGES

ALBUQUERQUE – In the early evening of January 13, 2012, a federal jury convicted **Derrick Ivan Jim**, 29, a member of the Navajo Nation from Red Valley, Az., of two rape offenses after a five-day trial, announced U.S. Attorney Kenneth J. Gonzales. At sentencing, Jim faces a maximum penalty of life imprisonment. Jim is in federal custody and remains detained pending his sentencing hearing, which has yet to be scheduled.

Jim was arrested on August 30, 2010 and charged with aggravated sexual abuse in a criminal complaint. On September 16, 2010, he was indicted and charged with two counts of aggravated sexual abuse. According to the indictment, the offenses occurred in a residence located within the Navajo Indian Reservation.

The evidence at trial established that, on the evening of August 12, 2010, the victim, an enrolled member of the Navajo Nation who was then a college student, had three friends over to her home in Fruitland, N.M. Jim, a person previously unknown to the victim, arrived with one of his friends. The victim's friends observed that Jim seemed to be following the victim in and out of the residence during the course of the evening and into the night. At one point in the early morning hours of August 13, 2010, when the victim went into the residence, Jim followed her into the house and locked the door. He then dragged the victim into a back bedroom where he forcibly raped her. During the assault, the victim attempted to fight Jim off while yelling out to her friends. After Jim escaped out the back door, the victim alerted her friends. The victim and her friends reported the sexual assault to the Navajo Nation Department of Public Safety, and thereafter identified Jim as the rapist from a photo lineup.

In addition to hearing testimony from the victim, the jury also heard about the events surrounding the rape from two of the victim's friends. A Sexual Assault Nurse Examiner who examined the victim after the rape testified about the injuries sustained by the victim as a result of the rape, and crime scene investigators testified about evidence recovered at the victim's residence. The jury also learned that Jim admitted raping the victim during a court proceeding and then later retracted that admission.

During the defense case, Jim took the stand and denied raping the victim. Instead, Jim claimed that he and the victim had consensual sex.

The jury deliberated for approximately two hours before returning a verdict of guilty on both counts of the indictment.

The case was investigated by the FBI with assistance from the BIA's Office of Justice Services and the Shiprock Division of the Navajo Nation Department of Public Safety. It is being prosecuted by Assistant U.S. Attorney Mark T. Baker and Jack E. Burkhead.

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