



PRESS RELEASE

CONTACT: Elizabeth M. Martinez
Executive Assistant U.S. Attorney
Public Affairs Officer
elizabeth.martinez@usdoj.gov
505.224.1469

For Immediate Release

May 16, 2012

**NAVAJO MAN FROM ARIZONA RECEIVES THIRTY YEAR
PRISON SENTENCE FOR FEDERAL RAPE CONVICTION**

ALBUQUERQUE – This afternoon, a federal judge sentenced **Derrick Ivan Jim**, 29, an enrolled member of the Navajo Nation who resides in Red Valley, Ariz., to a 30-year term of imprisonment for his rape conviction, U.S. Attorney Kenneth J. Gonzales announced. Jim will be on supervised release for five years after he completes his prison sentence. He also required to register as a sex offender.

Jim was arrested on Aug. 30, 2010 on a criminal complaint charging him with aggravated sexual abuse. On Dec. 1, 2011, a federal grand jury returned a superseding indictment charging Jim with two counts of aggravated sexual abuse. According to the superseding indictment, the offenses occurred in a residence located within the Navajo Indian Reservation.

On Jan. 17, 2012, a federal jury convicted Jim of the two rape offenses after a five-day trial. The evidence at trial established that, on the evening of August 12, 2010, the victim, a Navajo woman 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 the 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 case was investigated by the Federal Bureau of Investigation, the Bureau of Indian Affairs, Office of Justice Services, and the Shiprock Division of the Navajo Nation Department of Public Safety. It was prosecuted by Assistant U.S. Attorneys Jack E. Burkhead and Mark T. Baker.

#

12-127