

Man accused in kidnap, rape is cleared

By MARTIN ROMJUE

DAYTONA BEACH — LeRoy LaRoche tried for several months to prove he didn't do it.

He sat in jail, hired an attorney, lost money, his reputation and his fiancée, and endured the humiliation of false accusations.

His four-month ordeal ended last week when prosecutors cleared LaRoche, 21, of charges he kidnapped and repeatedly raped a 19-year-old fellow employee in June.

"The guy really is very innocent," said Steve Cotter, spokesman for State Attorney Steve Alexander. "There is no proof that she had sex."

Serology tests analyzed by the

Florida Department of Law Enforcement did not link LaRoche to the alleged crime and did not show that a rape occurred, Cotter said. The tests prompted prosecutors to drop charges.

"From the get go, I knew nothing was going to happen with this," said LaRoche, who now lives in Rock Hill, S.C. "I had to show I was innocent."

His attorney, Gregory Wagner of Daytona Beach, said authorities reversed the concept of innocent until proven guilty.

"It's definitely a man falsely accused," Wagner said. "This was a bogus case to begin with."

LaRoche was accused June 20 of

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kidnapping and then orchestrating the gang rape of the woman, an employee at the Adam's Mark Resort, where the two worked.

The woman told police she was grabbed from behind about 11:10

p.m. June 19 at Ora Street Park and then forced into a van. She said LaRoche and three men took turns raping her as they drove around town for five hours.

The woman identified LaRoche

in a police lineup and signed sworn statements against him. She also accused him of harassing her at work. A judge issued warrants for his arrest. He surrendered to authorities a few days later in Rock Hill, S.C.

Friends, family members and neighbors of LaRoche immediately wrote statements to investigators claiming LaRoche left Daytona Beach on June 7. They explained in detail where LaRoche was seen in South Carolina every hour during the time of the alleged attack.

Still, LaRoche was jailed until July 12, when a judge allowed him out on pretrial release. On Aug. 1, LaRoche was allowed to return to

South Carolina, as long as he checked in weekly with his pretrial release officer.

The charges disrupted LaRoche's life, preventing him from working in Daytona Beach and costing him money to hire an attorney. LaRoche said his fiancée, whom he had planned to marry Sept. 30, abandoned him during the summer.

"I found out she was seeing somebody else," LaRoche said. "If I'd been there, it probably would never have happened."

Meanwhile, investigators re-interviewed the alleged victim and found her account seemed less

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plausible, Cotter said. For example, she claimed the men drove the van around for five hours without stopping—a situation prosecutors found hard to believe, Cotter said.

"There are just too many things that should have been there, but weren't," Cotter said. "There are a lot of holes in her story." But, "we can't prove that she is lying," he said.

The lab tests, which did not require any samples from LaRoche, showed that no sexual act occurred. No evidence was found on the woman's clothes.

But Cotter said the woman showered and doused before being treated at the Volusia County Rape Crisis Center. That would have eliminated any physical evidence.

Daytona Beach police say they followed standard procedures in determining probable cause for an arrest.

The woman suffered two black eyes, identified LaRoche in a police lineup and signed sworn statements describing the act in detail, police spokesman Al Tolley said.

Police then presented the evidence to the State Attorney's Office and to Circuit Judge S. James Foxman. Foxman signed two warrants charging LaRoche with sexual battery and kidnapping.

"What comes out afterward . . . is up to the state attorney on how to proceed or if to choose not to,"

Tolley said. "We still believe a sexual battery and kidnapping occurred." The woman has not recanted or changed her statement, he said.

Police so far have no leads, clues or evidence regarding the three other alleged attackers, Tolley said.

Wagner said LaRoche plans to ask the State Attorney's Office to file criminal charges against the woman for wrongful prosecution and filing a false report. But so far no complaint has been filed.

Wagner said LaRoche and the woman were not even friends, rebutting a police report that said the two had dated once.

"It was a casual acquaintance," Wagner said. "There was no romance involved at all. They worked together."

An Adam's Mark manager said in June that LaRoche was never fired, disciplined or counseled for harassment. The woman once complained to a supervisor that LaRoche harassed her but backed down when supervisors offered to set up a meeting with LaRoche, the manager said. LaRoche, a maintenance worker at the hotel, was re-assigned to another area away from where the woman worked.

LaRoche now works at a firm that distributes airplane parts and lives with family friends in Rock Hill. He said he has no plans to return to Daytona Beach, except to visit his mother.

"I have no idea why she did it," LaRoche said of his accuser. "I think she was just lying."