

12000126

REPORT NUMBER

Twin Falls
Police Department
INCIDENT REPORT



NARRATIVE

REPORTED BY 1228 HEIL, MYNDE

REPORT FILED 01/08/2012

1200126.A28

Supervisor: S. Sgt. Terry Thueson

01/16/12

Felony Crime Report
Rape

On 01/07/12 at approximately 1247 hours, I was asked to respond to the police department to meet with Sgt. Benkula. When I met with Sgt. Benkula, he gave me information on an email that was sent to a basketball coach at CSI in reference to a girl named . The email was from . who is .

I contacted the phone number that was attached to the email and spoke with . I left a voicemail on first contact with Ms. . and she called me back at the police department a short time later at approximately 1342 hours. I spoke with Ms. . and gave her information on how we could proceed with the incident that happened to .

The following day after thinking about the incident, I contacted . again and asked if I could speak to Ms. . She put . on the telephone. . was very hesitant about speaking to me in reference to the incident that occurred between her and Pat Swilling. She was not coming back to Twin Falls until 01/14/12, which was a Saturday and I was not working, so I set an appointment with her for today, 01/16/12 at 0800 hours.

I spoke with . at length. She told me verbally and in her written statement that she picked up Mr. Swilling and brought him over to her house at . to watch a movie and eat. . had to work the next morning so she took a shower and told Mr. Swilling he could start the movie and get food while she was in the shower. After her shower, she went back to her room "fully clothed" and Mr. Swilling was lying in her bed. She asked him what he was doing. He said he was tired and wanted to sleep because he had a flight to catch in the morning. . told him he could sleep and she would go watch the movie. Mr. Swilling kept turning off the light after she turned it on.

. stated they went back and forth for a few minutes. She was walking over to her phone when he turned the lights off again. . slowly walked back to the door, "dark and hard to see to leave." Mr. Swilling grabbed her arm and lifted her over the side railing of her bed. I had her draw a picture of her bed; it is called a loft bed and it sits approximately four to five feet off the ground. There is storage underneath it with a railing on the side, similar to a bunk bed only higher; it is designed for children. She stated he lifted her over the side railing of the bed and had her lie next to him on the bed.

. stated they talked for a bit about him going home and about . (LNU), her ex-fiancé. Mr. Swilling kissed her and started touching her butt and panties. . removed his hand a few times. He then got on her back and sat on top of her. She told him what they were doing was wrong and she did not want to have sex with him. . could hear the condoms in his pocket and told him "you had no intentions of watching a movie, did you?" Mr. Swilling laughed and continued to take off his pants and hers. He put his arms under her legs so her legs were in the air and began having sex with her. . told Mr. Swilling a few times that she did not want to have sex because she was so hurt and mad at . She stopped saying no and that it was wrong and gave in to the situation and continued to have sex with Mr. Swilling.

When Ms. Swilling was done, she went to the bathroom. She could hear Mr. Swilling going into the other bathroom so she went back to her room and started putting her clothes back on. He came back into her room and asked her to take him back to the dorms. Mr. Swilling told her no one would find out if she did not open her mouth. When she dropped him off, he said he would tell . and then Mr. Swilling left for a week to go home.

When Mr. Swilling got back, he sent . a text. At first he said hey and normal things. Then he told her he got her and her roommate's gifts from back home. At some point, . I contacted her saying that Mr. Swilling had a picture of her, although . has never seen the picture. There has just been rumor that the picture exists.

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I explained to _____ how the process would work from here. I felt that due to the circumstances and the many times she said no to Mr. Swilling, a crime did occur. I gave her a card with the case number and told her that a detective would most likely be in contact with her. If she needed anything, she could contact me. She asked if there was a female detective. I told her there was not; however, if there was a way to schedule it for me to be there with her when she talked to a detective, we could do that.

I request that whichever detective is assigned this case please contact me prior to contacting

Officer Mynde Heil
MH/li

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REPORT NUMBER

**Twin Falls
Police Department
SUPPLEMENTAL INCIDENT REPORT**



NARRATIVE

SUPPLEMENT DATE 01/20/2012
APPROVAL DATE 03/30/2012

OFFICER 12240 WILSON, JONATHAN
OFFICER 12183 WILSON, JOHN

1200126A.240

Supervisor: S. Sgt. John Wilson

01/20/12

Officer's Report Supplement
Rape

On 01/17/12, S. Sgt. Wilson asked me to assist Officer Mynde Heil with this case. I spoke with Officer Heil and she stated that [redacted] had possibly been raped by Patrick Swilling. Officer Heil said this started with an e-mail that [redacted] sent to the head coach of the CSI basketball team. It was then forwarded to the Twin Falls Police Department.

It should be noted that neither [redacted] nor her [redacted] contacted the police department directly. Officer Heil contacted [redacted]. Officer Heil said she spoke with [redacted] and she wrote a statement, which I read. I called [redacted] and asked if she would come to the police station and visit with me, which she did.

During the interview with [redacted], she told me the same thing she wrote in her statement pretty much verbatim. I then contacted [redacted] the next day, 01/18/12. She stated she did not want me talking to Mr. Swilling. She just wants to forget this. [redacted], said she never once felt like she had been raped; she was a willing participant in the sexual activity.

I am closing this case as inactive and changing it to an officer's report. No crime has occurred.

Detective Jon Wilson
JW/jaj