

County/District Court
City and County of Denver, Colorado

THE PEOPLE OF THE STATE OF COLORADO

Offense Case No. 2018-5001405



**AFFIDAVIT AND APPLICATION FOR ARREST WARRANT
AND THE ARREST WARRANT FOR THE PERSON(S) OF:**

Marc Claire Francis, DOB 12/05/1960, White Male, 5'10 Height, 210 Weight, Blue Eyes, Gray Hair, SSN# [REDACTED], Colorado Driver's License# [REDACTED], Last known address 3924 Meade St, Denver, Colorado 80211



C.R.S. 18-3-405 Sexual Assault on a Child, Position of Trust, a Class III Felony

I, Detective Lucia Jaramillo 05142, the Affiant, state under oath that the facts known to the Affiant which establish probable cause to believe that a criminal offense was committed, and that the offense was committed by the above-named person(s), are the following:

On Monday March 19, 2018, at approximately 1028 hours, Denver Police Sargent Richard Laber (04066), received an email from the victim, identified as [REDACTED], who related that she was sexually assaulted by [REDACTED] Marc Francis (12/05/1960). She related she was staying at [REDACTED]. The sexual assault occurred during the months of July-August, 1996, at the location of [REDACTED] N Meade Street, in the City and County of Denver, State of Colorado.

On Wednesday March 21, 2018, Your Affiant, Detective Lucia Jaramillo (05142), of the Denver Police Department Missing and Exploited Persons Unit was assigned the follow-up investigation of reported Sex Assault on Child, Position of Trust.

Your Affiant reviewed the offense report and outcry statement/email for information on the case.

Your Affiant spoke with the victim [REDACTED], and ordered her into the Family Crisis Center located at 2929 W 10th Ave, for Thursday March 29, 2018 at 1100 hours, regarding the incident.

On Thursday March 29, 2018, Your Affiant was informed that [REDACTED] was waiting in the lobby of the Family Crisis Center. Your Affiant contacted [REDACTED] and escorted her into an interview room. Due to technical difficulties, and the victim's condition [REDACTED]. Your Affiant decided it would be best to wait and postponed the interview until after [REDACTED] and rescheduled the interview for a later date.

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Your Affiant spoke the victim's parents, identified as [REDACTED] and [REDACTED] at ([REDACTED]), and requested they both appear at the Family Crisis Center located at 2929 W 10th Ave, for Thursday July 5, 2018 at 1100 hours, regarding the incident.

On Thursday July 5, 2018, Your Affiant conducted interviews the [REDACTED] and [REDACTED] at the Denver Family Crisis Center. Below is a synopsis of the interviews with [REDACTED] and [REDACTED].

Interview with [REDACTED]

Your Affiant advised Mrs. [REDACTED] that the interview was video and audio recorded. Your Affiant confirmed that the information in the case was accurate. During the interview, Mrs. [REDACTED] stated that in 1996, she and her husband [REDACTED] went on a trip to Europe. She said they left [REDACTED], [REDACTED] with [REDACTED], [REDACTED] and her husband, Marc for 3 weeks. Mrs. [REDACTED] said [REDACTED] was a very responsible person, and [REDACTED] and Marc had 2 small children of their own. Mrs. [REDACTED] said they were gone from end of July to August 22, 1996.

Mrs. [REDACTED] stated that when they got back from their trip she noticed something was going on with [REDACTED] because she was acting very peculiar and cut all of her hair off. Mrs. [REDACTED] said to the best of her recollection, [REDACTED] told them what happened her senior year in high school in 1996. Mrs. [REDACTED] said one day her [REDACTED] and [REDACTED] husband, Marc Francis, knocked on their door and it was her, [REDACTED] and Marc Francis in their family room. Mrs. [REDACTED] said [REDACTED] and [REDACTED] told them that Marc Francis sexually abused [REDACTED] and he wanted to ask for forgiveness. Mrs. [REDACTED] said Marc got down on his knees and asked them for forgiveness. Mrs. [REDACTED] said Marc told them he went to church that morning and for the first time he felt self-repentance. Mrs. [REDACTED] explained that [REDACTED] was at work when everyone was gathered at their house but when she got home and found out, she was very upset.

Mrs. [REDACTED] stated [REDACTED] had a [REDACTED] during this period and now they understood it was from the sexual abuse. Mrs. [REDACTED] said, at first, they were worried that [REDACTED] might have had [REDACTED]. Mrs. [REDACTED] said after they found out she told all their family members about Marc being a "sexual abuser", "to watch out for this guy", but they never called the police. Mrs. [REDACTED] said instead, they put [REDACTED] in therapy and psychiatric care. Mrs. [REDACTED] said they thought that, through therapy, someone would report what happened to the authorities. Mrs. [REDACTED] said [REDACTED] had [REDACTED] with Marc and she didn't want to leave him. Mrs. [REDACTED] said their reasoning for not wanting to report it was that they did not want [REDACTED] to be on the stand at such a young age, and they were scared it might put her over the edge.

Mrs. [REDACTED] was asked how her relationship with [REDACTED] and Marc was now. She said they were forgiving people, good people, and Marc promised not to do anything like that again. Mrs. [REDACTED] said that after the latest blow up, they went to [REDACTED] birthday party and she sat next to Marc. Mrs. [REDACTED] said she asked Marc to go to confession because he was Catholic, but he didn't go for that. Mrs. [REDACTED] said her [REDACTED] told her if she only knew what Marc did to [REDACTED] she would never speak to him again. Mrs. [REDACTED] said [REDACTED], told her Marc also abused her once, when she spent the night and he played with her nipples. Mrs. [REDACTED] said [REDACTED] has never told them any details of what Marc did to her.

Mrs. [REDACTED] talked about a time when [REDACTED] went on a business trip to Atlanta, and when Marc dropped [REDACTED] off at her house they were very upset. Mrs. [REDACTED] said [REDACTED] told her that [REDACTED] played a game with her and he pretended to be someone else like Mr. Snuffleupagus. Mrs. [REDACTED] said [REDACTED] told her he would tell her there was a snake and that was a "red flag" for her. Mrs. [REDACTED] said she took her [REDACTED] to get checked at the East Clinic, and they sent them to Franklin Building. Mrs. [REDACTED] said the doctor told her she didn't see any sexual abuse and when an officer arrived she was brought here [Family Crisis Center] for a statement. Mrs. [REDACTED] said while she was in the parking lot she ran into Marc and he made a comment to her that he didn't do anything. Mrs. [REDACTED] said Marc had his attorney friend with him and they were interviewed but she never heard anything else about it.

Interview with [REDACTED]

Your Affiant advised Mr. [REDACTED] ([REDACTED] 1943), that the interview was video and audio recorded. Your Affiant confirmed that the information in the case was accurate. During the interview, Mr. [REDACTED] stated he was here today because [REDACTED] was raped. Mr. [REDACTED] talked about his [REDACTED] Marc Francis previously being

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engaged to their family friends' daughter and they were told he [Marc Francis] also raped her [REDACTED]. Mr. [REDACTED] said when Marc first asked for [REDACTED] he told Marc he had to get his college degree first. Mr. [REDACTED] said [REDACTED] was the event coordinator for the Catholic Priest. Mr. [REDACTED] said Marc pretended to do a lot of good things and pretended to be a good Catholic, but his conclusion of Marc was that he was unforgiving and had no repentance.

Mr. [REDACTED] stated that he and his wife went on a business trip to Germany, July 6, 1996 through mid-August 1996, at the time [REDACTED] was 15 years old and Marc was 35. Mr. [REDACTED] said they left [REDACTED] in [REDACTED] care for 3 weeks, while they were gone and during that period was when everything occurred. Mr. [REDACTED] said they didn't know what was going on when [REDACTED] showed up with Marc Francis and [REDACTED] at their house. Mr. [REDACTED] said they were all sitting in the living room when Marc Francis got on his knees and asked them for forgiveness. Mr. [REDACTED] said [REDACTED] told them Marc Francis was a rapist. Mr. [REDACTED] said he agreed to forgive Marc Francis under one condition, that he never do it again, and to repair all the damage he did. Mr. [REDACTED] said Marc didn't keep his promise.

Mr. [REDACTED] stated that during that time [REDACTED]. Mr. [REDACTED] said [REDACTED] was checked by a doctor and he didn't like the doctor, so he requested another doctor that understood their situation. Mr. [REDACTED] said Dr. Clark was a psychiatrist and he was able to get [REDACTED] back on track and helped her. Mr. [REDACTED] said they had no idea how much [REDACTED] suffered for those 3 weeks.

Mr. [REDACTED] stated that currently Marc, [REDACTED] were in Australia and would be returning in 2 to 3 weeks.

On Friday September 21, 2018, Your Affiant conducted an interview with the victim [REDACTED]. The following is a synopsis of interview provided by [REDACTED].

Interview with victim [REDACTED]

Your Affiant advised [REDACTED] that the interview was video and audio recorded. Your Affiant confirmed that the information in the case was accurate. During the interview, Mrs. [REDACTED] stated she was here today to talk about being sexually assaulted twice, by [REDACTED] Marc Francis, when she was 15 years old. Mrs. [REDACTED] said she was seeking justice for herself now. Mrs. [REDACTED] explained that the sexual assault took place at [REDACTED] Marc's house at [REDACTED] Meade Street, in Denver.

Mrs. [REDACTED] stated that in the summer of 1996 [REDACTED] went on vacation to Europe and left her in the care of [REDACTED] and Marc. Mrs. [REDACTED] said one night when she was babysitting for [REDACTED] Marc, [REDACTED] she fell asleep in an open room on a futon, and while she was sleeping she felt someone underneath her underwear "fingering" (referring to digital penetration) her. Mrs. [REDACTED] said she was afraid to open her eyes but when she did, she saw Marc (referring to [REDACTED] Marc Francis), Mrs. [REDACTED] said it was dark, but she knew it was Marc. Mrs. [REDACTED] said she was terrified, so she closed her eyes again, and Marc continued fingering and fondling her breasts. Mrs. [REDACTED] said she didn't recall exactly how long it lasted but it seemed like it went on for a long time. Mrs. [REDACTED] said she was scared to fully wake up because she thought Marc might fully rape her. Mrs. [REDACTED] said when Marc was done he got up from his knees and left. Mrs. [REDACTED] said afterwards she was in shock and she just laid there.

Mrs. [REDACTED] stated that a week or two later, she was [REDACTED] while she was at work and that night Marc was home alone with her that night. Mrs. [REDACTED] said she fell asleep in the family room, and she woke up to Marc fingering her again underneath her pants and fondling her breasts. Mrs. [REDACTED] said she closed her eyes again, so Marc didn't know she was awake. Mrs. [REDACTED] said after Marc was done he got up, left and she went to the bathroom.

Mrs. [REDACTED] was asked what part of the house she was in the first time something happened; she said spare bedroom that was now an office. When asked if Marc ever said anything to her, she said no. When asked if she ever heard any noises, she said no. When asked if Marc made any noises, she said no. Mrs. [REDACTED] was asked if she recalled what she was wearing the first time, she said pajamas. Mrs. [REDACTED] was asked if she recalled what Marc was wearing, she said no. When asked how she knew it was Marc if it was dark, she said when she opened her eyes it was Marc and there was some natural light shining in the room. Mrs. [REDACTED] was asked to confirm where the second incident took place; she said in the family room. When asked how she knew it was Marc that time, Mrs. [REDACTED] said she again opened her eyes and saw Marc. When asked what she was wearing the second time, she said jean shorts and a top. Mrs. [REDACTED] said Marc undid her pants/shorts, went under her underwear, and put his fingers in her vagina. When asked if she recalled what she felt the first time, she said it

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didn't feel good. When asked if she noticed anything different afterwards, she said in both incidents she felt like someone was in her vagina.

Mrs. [redacted] was asked if she told anyone afterwards; she said after the first time she called her friend [redacted] the next day and told him that she woke up to [redacted] fingering (referring to digital penetration) her, and [redacted] told her to tell someone right away. When asked if she told anyone about the second incident, she said yes, she told [redacted] again and he encouraged her to tell someone, but she was scared.

Mrs. [redacted] was asked how all of this became known; she said a couple of years after the incidents she started [redacted] Mrs. [redacted] said she started [redacted] Mrs. [redacted] said while she was [redacted] by Dr. Clark her [redacted]. Mrs. [redacted] said she then wrote a letter to [redacted] (referring to [redacted] letting her know what happened, [redacted] told [redacted] (referring to [redacted]), and they both went to talk to her. Mrs. [redacted] said they decided to tell [redacted] and told her that Marc sexually assaulted Mrs. [redacted] twice while [redacted] were in Europe. Mrs. [redacted] said [redacted] went to talk to her priest first and then she called Marc (Referring to Marc Francis [redacted]) to confront him. Mrs. [redacted] said Marc arrived at their house, [redacted] confronted him, and he admitted to sexual assaulting her. Mrs. [redacted] said Marc started crying and feeling bad about what he'd done to her. Mrs. [redacted] said afterwards [redacted] and Marc decided to go to [redacted] to tell them before anyone else did. Mrs. [redacted] said Marc apologized to her parents and asked for mercy for what he did to her.

Mrs. [redacted] was asked if she told anyone else prior to telling [redacted] she said yes, [redacted] and possibly [redacted]. Mrs. [redacted] was asked what happened after they confronted Marc and he apologized, she said he was remorseful and thought about turning himself in (into authorities). Mrs. [redacted] said [redacted] told Marc he needed to pay her restitution for what he did to her and Marc started sending her \$200 every month while she was in college between 2002-2004. Mrs. [redacted] said Marc would send her a check in the mail. Mrs. [redacted] said she went to get bank statements, but was told that information was already destroyed.

Mrs. [redacted] was asked why she was reporting it now; she said Marc worked with children and she didn't want it to happen to someone else. Mrs. [redacted] explained that what Marc did to her had a great impact on her life and it destroyed her family. Mrs. [redacted] said there was a lot of physical damage to her and it changed the course of her life. Mrs. [redacted] added that her family just wanted to sweep it all under the carpet and for her to stay silent about what happened, but she needed closer and wanted Marc to pay the consequences for what he did to her. Mrs. [redacted] said she now felt more empowered after reporting it and wanted to start her healing process.

Mrs. [redacted] was asked what she wanted to see happen to Marc; she said she wanted him to go to jail for his actions. When asked if she knew of anyone else Marc might've done something to, she said [redacted] told her, that Marc (referring to Marc Francis) did the same thing to her. Mrs. [redacted] was asked how long [redacted] were in Europe, she said 3 weeks. When asked if she recalled when [redacted] were in Europe, she said it was July and August.

Photo ID

Your Affiant showed a single photo to the victim [redacted], who she positively identified as [redacted] suspect Marc Francis (12/05/1960), as the person who sexually assaulted her.

On March 04, 2019 Your Affiant presented this case to Denver Deputy District Attorney Blake Harrison who tentatively accepted the case pending a probable cause warrant for the suspect, Marc Francis (12/05/1960) who sexually assaulted the victim from July 06, 1996 to August 31, 1996. The victim was approximately 14 years of age while the suspect was approximately 35 years of age at the time of the incidents.

Based on the aforementioned information, Your Affiant respectfully requests a Probable Cause Warrant for the arrest of Marc Francis (12/05/1960), be approved, so this investigation may continue.

I affirm this information to be true and correct

Det. Lucia Jaramillo #05142
Signature of Affiant

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Subscribed under oath before me on

03/14/2019 14:19
Date Time

**ARMIDA SOTELO
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19984013028
MY COMMISSION EXPIRES OCTOBER 7, 2019**

Armda Sotelo
Judge or Notary Public

My commission expires: 10/07/2019

ARREST WARRANT

To all Sheriffs, Peace Officers, and Police Officers with the said State:

You are hereby commanded to take the person of the defendant and bring him without unnecessary delay before a Judge of the County Court to be dealt with according to law.

Bail fixed at \$ At first appearance

Beth A. Faragher
Signature of Judge

Date March 14, 2019

Beth A. Faragher
Printed name of Judge

I HEREBY CERTIFY that I executed the above warrant on (date) _____ by taking _____
(name of person arrested) into custody and placing said person in the _____ Jail for safekeeping until
further order of the court.

Signature of Arresting Officer