

RAOUL FREED!



[German version](#)



"Thank-you everybody," Raoul said by phone from the plane. "I'm very glad for the web page." Raoul, traveling with his grandmother Dianna, and Blick reporter Monica Fahmy, was described as excited but tired. Hours later

Raoul was re-united with his family in Switzerland. All the best!!

CASE DISMISSED

The 11-year-old Swiss-American boy, Raoul, accused of incest and sexual assault against his younger sister has claimed his right to a speedy trial was violated. Judge James Zimmerman dropped the charges late Wednesday afternoon. He will be on the next flight to Switzerland to be reunited with his family.

Attorney Arnold Wegher, who represents Raoul Wuthrich, and lawyers for the boy's parents filed a motion to dismiss the charges. They contended the trial should have started within 60 days of Sept. 8, when Raoul was denied bail. Prosecutors contended the 60-day period began with Monday's arraignment, in which the boy pleaded innocent.

The case has drawn attention in Switzerland and elsewhere in Europe, where the some members of the media and public have questioned the boy's arrest and criticized the way his case was approached by authorities in Jefferson County outside Denver. Swiss officials attended Monday's arraignment.

AN AMERICAN MOTHER SPEAKS OUT!

I was fortunate enough to be at the court house when they announced Raoul would be sent home and all charges were dropped. Raoul has become a symbol for American children abused in the system. He is fortunate that he was

allowed to go home, many children do not come home from foster care. Colorado has a history of killing and abusing children in "state custody". I hope that Raoul's story reminds the world that many more Raouls are still out there receiving similar or worse treatment. If the parents cannot afford counsel, they are doomed to....without the option of leaving...or the backing of an entire country like Switzerland or Germany. It is genocide on our families, and the Gestapo reborn.

Julia Morgan Aurora, CO U.S.A.

INSTITUTIONS NOT BEST ANSWER

But sometimes the push to control young behavior goes too far.

“I certainly have seen at least one case where the state had committed a crime by placing a 9-year-old in jail for having sex with a 5-year-old younger brother,” says Dr. Gilbert Kliman, medical director of the Children’s Psychological Center and a forensic psychiatrist for children.

“I thought it led to a cascade of tragic events,” Kliman says, explaining that the boy developed a number of psychological hardships.

Kliman works mainly with children in institutions such as juvenile detention facilities or ranches for troubled boys. In those places, Kliman says he sees increased cases of sexual assault — boys who already had problems are raping or assaulting new boys placed in the facilities.

“We’re better at building brick and mortar jails and group facilities than we are at supporting

family functions,” Kliman says. “We’d rather spend a few million dollars in building a new juvenile jail than building a child guidance center.”

Kliman advocates more family involvement and supervision for children with problems. “There is an excessive use of criminal system in dealing with children who aren’t even in puberty,” he says.

THANK-YOU!!!

Thank-you to all who wrote, e-mailed, signed the petition, etc. Let's hope Raoul's case will cause American Authorities to re-consider the laws that allow children to be treated like criminals. It took the world to call America on this one. THANK-YOU!!!

A special thanks to Monica Fahmy of Blick who told Raoul's story to the world! Keep up the great journalism! Another special thanks to Joshua Winkler who taught me how to make a web page.

Joe Ehman

Denver, Colorado

USA

HISTORY:

Raul Wuthrich is an eleven year-old boy whose family has dual citizenship in the United States and Switzerland. Raul was abruptly abducted in the middle of the night from his family's home

(in Jefferson County, Colorado) by the Jefferson County Sherriff's Deputies. According to the boy's mother, the authorities - in Gestapo like fashion - ripped him from his bed, handcuffed him, and placed the terrified child under arrest. The police had no arrest warrant.

The charge: incest against his sister. A neighbor alleges that she saw Raul inappropriately touch his sister. That allegation was made over 90 days before the arrest.

Raul was held without bail in a Colorado children's prison known as Mount View Detention Center. The only difference between this prison and an adult prison are the inmates' ages. Raul was in danger of being abused as long as he remained incarcerated with rapists, gang members, murderers, and other REAL criminals whose ages range from 10 to 18.

In the aftermath, the family, on advice from their attorney, left the States and returned to Switzerland with their other children. Had they remained in the US, they believed they would have been arrested and all their children could have been placed in custody of the State.

Jefferson County District Attorney Dave Thomas 500
Jefferson County Highway Golden, CO 80401 phone
(303)271-6800 fax (303)271-6888

Governor Bill Owens 136 State Capitol Denver, CO 80203
phone (303)866-2471 governorowens@state.co.us

To sign the Freedom Petition click below and in your message write: Your Name, Your address, and your message to the authorities demanding Raul be freed. E-mail jehman1@excite.com to free Raul!





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Free Raoul NOW!



[German version](#)



Raul Wuthrich is an eleven year-old boy whose family has dual citizenship in the United States and Switzerland. Raul was abruptly abducted in the middle of the night from his family's home (in Jefferson County, Colorado) by the Jefferson County Sherriff's Deputies. According to the boy's mother, the authorities - in Gestapo like fashion - ripped him from his bed, handcuffed him, and placed the terrified child under arrest. The police had no arrest warrant.

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We, as an international community, must FREE RAUL NOW! Please, e-mail, phone, fax the individuals listed at the bottom of the page demanding Raul's freedom.

In the aftermath, the family, on advice from their attorney, left the States and returned to Switzerland with their other children. Had they remained in the US, they believed they would have been arrested and all their children could have been placed in custody of the State.

Let your voice be heard LOUD & CLEAR! Speak truth to power! Demand Raul's freedom. Contact the people below who have the power to free Raul!

10-19-99 Raoul had his preliminary hearing today. The magistrate, Ms. Leonard, stated before the hearing began that she would favor the prosecution in presentation of evidence giving the prosecution the "benefit-of-doubt". The magistrate further prohibited the defense attorney from questioning the fact there was no arrest or search warrant when Raoul was taken by the authorities. This action is nothing short of kidnapping by the authorities. Most attempts by the defense to discredit evidence and statements were denied by the magistrate. The neighbor who claimed she saw Raoul molest his sister claimed she the entire event from 150 feet away through a fence. The magistrate ruled, based on hear say and the neighbor's statement, that there was enough evidence to allow a trial. Raoul will return to court November 8, 1999 at 1300 hrs. At that time, Raoul will state whether is guilty or not guilty.

Raoul appeared in court in his regular clothes without handcuffs and shackles. (Was this because of the Swiss Diplomats and the media in the court room?) The magistrate, under public pressure placed Raoul into a foster family. However, his own attorney is denied knowledge of the address of this placement. Remember, Raoul's own defense attorney was denied access to him while he was incarcerated in the kids prison. She was told by staff there it was under the order of this magistrate. In court, the magistrate denied any knowledge of a restricted visitation list. In the U.S. an attorney must have full access to their client - at least in theory. But, Jefferson County violates their own laws.

Even though Raoul is out of kids prison, he is not free. He will be with a foster family (total strangers who get paid by Jefferson County to take in kids) who has no real interest in Raoul. In two days he will be in Colorado Christian Home - a residential treatment facility primarily for juvenille sex offenders. How can you treat a child for something he did not do? The only differences between this place and Mount View are: the uniforms are different, there are no fences but, it is a "secure facility", and the place looks a little more like home.

However, it is NOT Raoul's HOME!

21 OCT 1999 This is what the media in Colorado says about the situation. The following is from the Channel 9 News web site; www.kusa.com . The Denver Post reporter of this story received an anonymous phone call about the parents involvement in pornography. Official documents revealed that the family has no connection to such business.:

Swiss parents deny involvement in adult video store The parents of an 11-year-old Swiss-American boy whose arrest on incest charges has created a furor in Switzerland ran a business out of their home called "Ultimate Fantasies," The Denver Post reported today. Andreas and Beverly Wuthrich, who fled to Switzerland after their son was arrested, registered the business in July, according to records cited by the newspaper. It quoted a source close to the investigation as saying it is an adult video production company. Jefferson County authorities confirmed Thursday they are looking into the business, but said they don't know what it did. "Investigators are aware of the business and are currently trying to establish exactly what type of business it is," said Steve Davis, spokesman for the sheriff's office. In an interview this morning on 9News, Mr. Wuthrich denied any involvement in an adult-video company. The newspaper said records also show that she pleaded guilty last year to a misdemeanor child-neglect charge and a second, similar charge is pending. The mother was ordered to undergo parenting classes and fined \$78, according to court records.

BOYCOTT COLORADO UNTIL RAOUL IS FREE

The fact that something like this can still happen today is a SHAME for the responsible so called "humans".

Don't they know anything about responsibility for children and their future ?????

We'll continue to cancel ALL flights, planned vacation to Aspen and any business travel to the whole state of Colorado until this 100 % innocent boy is free and the responsible district attorney and judge start thinking again, what they are doing to a living human being.

THEY should be charged for what they do !!!!! They obviously forgot, what a human being is. SHAME on them !!! Finally they are not only destroying Raoul's life, but also their own. May god help them to understand.

Claus G. Cohnen

Director of HOLOSTAR GmbH

P.S.: We and all our computer and personal friends worldwide continue to make this public and boycott anything related to the State of Colorado. We're starting to mail this to several hundred thousand people right now.

As the governor of the district of Thun in the Bernese Oberland I have to survey the children's authorities. I can understand, that the American authorities have started an inquiry, but I cannot understand how the little Swiss boy is treated. I know, that a child in the age of eleven needs his parents very much. It's a nonsense to treat him as a criminal and to hold him up in a prison. Let him go back to Switzerland please. Thanks, A.Genna

Jefferson County District Attorney Dave Thomas 500 Jefferson County Highway Golden, CO 80401
phone (303)271-6800 fax (303)271-6888

Free Raoul NOW!

Governor Bill Owens 136 State Capitol Denver, CO 80203 phone (303)866-2471

governorowens@state.co.us

To sign the Freedom Petition click below and in your message write: Your Name, Your address, and your message to the authorities demanding Raul be freed. E-mail jehman1@excite.com to free Raul!



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Reuters Photo

Tuesday 19 October 1999



Linda Campos (R) , great-aunt of a Swiss-American 11-year-old boy accused of incest, appeals to Jefferson County Assistant District Attorney Nancy Hooper at the county courthouse Tuesday. The boy was ordered Tuesday to stand trial in the case in which he is accused of sexually molesting his five-year-old sister. (Rick Wilking/Reuters)

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Bemühungen des EDA um Raoul Wüthrich

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- > [20.10.1999: Strafverfahren gegen den elfjährigen schweizerisch-amerikanischen Doppelbürger Raoul Wüthrich in Golden, Colorado, USA](#)
- > [19.10.1999: Bemühungen des EDA um Raoul Wüthrich](#)

20.10.1999: Strafverfahren gegen den elfjährigen schweizerisch-amerikanischen Doppelbürger Raoul Wüthrich in Golden, Colorado, USA

Das EDA hat davon Kenntnis genommen, dass gegen den elfjährigen schweizerisch-amerikanischen Doppelbürger Raoul Wüthrich formell Anklage erhoben wird. Das dafür bestimmte Strafverfahren beginnt am 8. November 1999, wie das gestrige Hearing in Golden, Colorado, ergeben hat, an welchem das Departement mit drei Beobachtern vertreten war.

Vorübergehend wird Raoul Wüthrich einer Pflegefamilie und anschliessend einem Jugendheim anvertraut. Die Schweizer Vertretung in den USA hat sich von Anfang an dafür eingesetzt, dass der Elfjährige zumindest bis zur Abklärung der Schuldfrage der Obhut einer Pflegefamilie übergeben wird.

Das EDA wird das Verfahren auch weiterhin begleiten und dem elfjährigen Jungen volle konsularisch Betreuung gewähren. Es bleibt auch in engem Kontakt mit den betroffenen Angehörigen, deren Anwälten und den zuständigen amerikanischen Behörden. Im Vordergrund steht, dass das Verfahren auf den Grundsatz der Verhältnismässigkeit und auf das Alter des Jungen Rücksicht nimmt.

 [zurück zum Beginn der Seite](#)


19.10.1999: Bemühungen des EDA um Raoul Wüthrich

Das EDA dankt allen Mitbürgerinnen und Mitbürgern, deren Zuschrift uns erreicht hat und denen das Schicksal des 11-jährigen Raoul Wüthrich am Herzen liegt. Für das EDA ist Raoul Wüthrich ein konsularischer Schutzfall, mit dem wir uns seit der Festnahme des Jungen intensiv auseinandersetzen.

Der Umstand, dass uns Eltern eines damals zehnjährigen Jungen mit Schweizerischem Bürgerrecht berichtet hatten, ihr Sohn sei kurz vor 23 Uhr von Polizisten geweckt und verhaftet worden, dass den Eltern der Zugang zum Jungen nur sehr restriktiv gestattet worden sei und dass der Knabe aufgrund einer solchen Erfahrung allenfalls schwerwiegende traumatische Schäden davontragen kann, hat das EDA veranlasst, bei den US-Behörden mehrfach zu intervenieren. Nicht die Schuldfrage, sondern die Umstände der Verhaftung und die Verhältnismässigkeit der getroffenen Massnahmen stehen für das EDA im Vordergrund. Unabhängig davon, welchen Verlauf das Hearing und weitere Verhandlungen nehmen sollten, unabhängig von der Frage, wieweit ein elfjähriger Junge wofür verantwortlich gemacht werden kann, hat das EDA mit Befremden zur Kenntnis genommen, dass ein Junge dieses Alters (gemäss den Schilderungen der Eltern) unter solchen Umständen verhaftet worden ist.

Das EDA ist deshalb (und zwar bereits Anfang September) sowohl bei der US-amerikanischen Botschaft in Bern als auch beim amerikanischen Aussenministerium in Washington vorstellig geworden und hat um eine Klärung in dieser Sache nachgesucht. Das EDA hat seinen Generalkonsul in Houston nach Denver beordert, um Abklärungen vor Ort anzustellen. Der für Denver zuständige Honorarkonsul hat den Jungen wiederholt in der Haftanstalt besucht. Die Botschaft in Washington hat sich schriftlich an den Gouverneur von Colorado gewandt. Das EDA war von Anfang an mit den Angehörigen in Kontakt, und der Vater des inhaftierten Jungen war gleich nach seiner Rückkehr in die Schweiz zu einem Gespräch nach Bern eingeladen worden. Die Eltern stehen seither praktisch in täglicher Verbindung mit dem EDA.

Für das EDA steht der Rechtsweg im Vordergrund. Dieser wird von den betroffenen Eltern beschritten. Das EDA wird den Ausgang des Hearings von heute intern prüfen und darauf basierend das weitere Vorgehen festlegen. Auf jeden Fall wird das Departement den inhaftierten Jungen weiterhin konsularisch betreuen (Haftbedingungen, Besuche, etc.). Das EDA wird das weitere Verfahren mit Aufmerksamkeit begleiten, mit eigenen Vertretern vor Ort. Es steht auch weiterhin in engem Kontakt mit den Anwälten und den Angehörigen des Jungen (insbesondere wenn es, wie geschehen, zu Problemen der Zutrittsberechtigung zur Haftanstalt kommen sollte). Das EDA wird mit den zuständigen offiziellen Stellen in Washington und vor Ort in Denver, Colorado, in Verbindung bleiben. Das EDA ist an einer möglichst raschen Lösung dieser Angelegenheit interessiert.

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Eidgenössisches Departement für auswärtige Angelegenheiten, 3003 Bern, Schweiz

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[Incest Charges Dismissed](#) (ABC NewsWire)

A judge in Golden has dismissed incest charges against an eleven-year-old Swiss-American boy accused of molesting his little sister. **Raoul** Wuthrich is now free to join his family in Switzerland, where they fled following his arrest in August. State Court Judge James Zimmerman agreed with defense attorneys that the boy's right to a speedy trial had been violated. Colorado law requires a trial within 60 days of arraignment, and time expired earlier this week. A neighbor reported seeing the boy molest his five-year-old sister in the backyard of the family's Evergreen home. Swiss authorities, who were allowed to attend two closed-door hearings, have expressed outrage at the boy's treatment by Colorado authorities. They were particularly upset when he appeared in court with shackles on his legs shortly after his arrest.

- Nov 11 6:57 AM EST

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[Swiss-American Boy To Be Arraigned](#) (ABC NewsWire)

An eleven-year-old Swiss-American boy will be arraigned today on charges he molested his five-year-old sister. The public has been barred from the proceedings. **Raoul** Wuthrich is accused of fondling his little sister in the backyard of his family's Evergreen home last May. A neighbor reported seeing the boy pull down his sister's pants and touch her inappropriately. **Raoul's** parents, who allegedly run erotic Internet businesses, fled to Switzerland with their three daughters shortly after their son was arrested in August.

- Nov 08 6:54 AM EST

[Judge Frees Swiss Boy Charged With Sex Abuse](#) (APBnews.com)

GOLDEN, Colo. (APBnews.com) A Swiss-American boy accused of sexually assaulting his 5-year-old sister is free to return Switzerland after a judge dismissed the charges because prosecutors violated his right to a speedy trial.

- Nov 11 7:21 PM EST

[Charges Dismissed Against Swiss Boy](#) (Associated Press)

An 11-year-old Swiss-American boy whose detention on a charge of molesting his younger sister became top news in Europe has been freed by a judge who said he was denied his right to a speedy trial.

- Nov 11 10:49 AM EST

[Interpool, Inc. Reports 3rd Quarter Net Income Per Diluted Share of \\$0.22 as Compared With \\$0.35 for](#)

[Prior Year](#) (BusinessWire)

Interpool, Inc. reported today that its 1999 third quarter net income was \$6,071,000, or \$0.22 per diluted share, as compared with net income of \$10,055,000, or \$0.35 per diluted share, for the same period in 1998.

- Nov 09 9:34 AM EST

[Swiss Boy Pleads Innocent to Incest](#) (Associated Press)

Lawyers for an 11-year-old Swiss-American boy accused of incest with his younger sister have asked a judge to dismiss the case on grounds that the boy's right to a speedy trial was violated.

- Nov 09 6:14 AM EST

[Boy Pleads Innocent in Incest Case](#) (Associated Press)

An 11-year-old Swiss-American boy pleaded innocent Monday to charges he molested his 5-year-old sister in a case that has created a furor in Europe.

- Nov 08 7:44 PM EST



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Monday November 8 7:43 PM ET

Boy Pleads Innocent in Incest Case



AP Photo

By STEVE GUTTERMAN Associated Press Writer

GOLDEN, Colo. (AP) - An 11-year-old Swiss-American boy pleaded innocent Monday to charges he molested his 5-year-old sister in a case that has created a furor in Europe.

Raoul Wuthrich is accused of incest and sexual assault. He could face up to two years in juvenile detention if convicted.

The charges against Raoul stem from a complaint by a neighbor in the Denver suburb of Evergreen. Raoul and his parents deny the charges, saying he had pulled down his sister's underwear to help her urinate.

Swiss and German media have championed Raoul's cause, expressing outrage over his arrest and the six weeks he spent in a juvenile detention center.

The boy's lawyers argued during the 45-minute arraignment that the case should be thrown out on the grounds that his right to a speedy trial has been violated.

Juvenile Court Judge James Zimmerman said he would consider that request, along with others, in a hearing Wednesday.

The arraignment was closed to the media and other members of the public, but Walter Wyss, the honorary Swiss consul based in Colorado, and other Swiss officials were allowed to attend.

The boy could be seen through glass windows of the courtroom doors. He had a small blue suitcase on wheels beside him.

Raoul was arrested Aug. 30, led away in handcuffs, and placed in detention. He is now in a foster home.

His parents, who have dual U.S.-Swiss citizenship, fled to Switzerland with their other three children, saying authorities told them all the children might be taken away from them. The boy's lawyers have said he will fly to Switzerland immediately if the judge dismisses the charges.

The defense contends the child's trial should have been held within 60 days of Sept. 8, when he was denied bail as a flight risk. Prosecutors said the 60-day period begins with Monday's hearing.

Prosecutor Hal Sargent has said the district attorney's office has talked with Swiss Social Services about Raoul's case and would agree to send Raoul to Switzerland if he would get counseling and therapy. U.S.

courts would have no authority over Raoul in Switzerland.

Pam Russell, a spokeswoman for the district attorney, wouldn't comment Monday when asked about that possibility, saying, ``Everybody is working together to reach an outcome that's in the best interest of everybody involved."`

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Tuesday November 9 6:12 AM ET

Swiss Boy Pleads Innocent to Incest



AP Photo

 By *STEVE GUTTERMAN* Associated Press Writer

GOLDEN, Colo. (AP) - Lawyers for an 11-year-old Swiss-American boy accused of incest with his younger sister have asked a judge to dismiss the case on grounds that the boy's right to a speedy trial was violated.

Raoul Wuthrich pleaded innocent Monday to charges of aggravated incest and sexual assault on a child.

Defense attorneys say the case should be tossed out because the boy's trial should have started within 60 days of Sept. 8, when he was denied bail on the charges.

But prosecutors contend the 60-day period began with Monday's arraignment, which was closed to the public and the media.

Juvenile Court Judge James Zimmerman said he would consider that request, along with others, in a hearing Wednesday.

The case has created a furor in Europe. Swiss and German media have championed Raoul's cause, expressing outrage over his arrest and the six weeks he spent in a juvenile detention center.

If convicted, the boy faces up to two years in juvenile detention.

A neighbor reported Raoul to police, after she said she saw him sexually touching his sister in their yard one day last May. The boy and his parents deny the charges, saying he had pulled down his sister's underwear to help her urinate.

Interviewed by telephone on Swiss television, the boy's stepfather, Andreas Wuthrich, said ``It's clear that Raoul is being honest and he's telling the truth." He added: ``We know it's a very difficult road but we hope it will be finished very soon."

Raoul's parents, who have dual U.S.-Swiss citizenship, fled to Switzerland with their other three children, saying authorities told them all the children might be taken away from them. The boy's lawyers have said he will fly to Switzerland immediately if the judge dismisses the charges.

``Our ultimate goal remains his reunification with his family," said Manuel Sager, a Swiss Embassy spokesman.

Raoul was arrested Aug. 30, led away in handcuffs, and was shackled in at least one early court appearance. He was held without bond in a juvenile detention center for six weeks before a magistrate

ordered him moved to a foster home last month.

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- [More Charges Pursued in Incest Case](#) (November 5)

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Thursday November 11 10:47 AM ET

Charges Dismissed Against Swiss Boy



AP Photo

By ROBERT WELLER Associated Press Writer

GOLDEN, Colo. (AP) - An 11-year-old Swiss-American boy whose detention on a charge of molesting his younger sister became top news in Europe has been freed by a judge who said he was denied his right to a speedy trial.

Dozens of European journalists were present when lawyers for Raoul Wuthrich and his family announced Wednesday's decision, made in a hearing that was closed to the public and news media.

Prosecutors said they doubt new charges will be filed.

"I'm just fine. I feel good," the boy said in today's Rocky Mountain News. But he said he was angry about the accusations. "They insulted me, saying what I did was wrong," he told the newspaper.

He spent the night at the home of Walter Wyss, the honorary Swiss consul for Colorado. The boy was to leave for Switzerland to rejoin his parents on Friday, Joseph Deiss, the Swiss foreign minister, said today.

"I am very relieved and very thankful to have Raoul coming back to me," the boy's mother, Beverly Wuthrich, said from Switzerland in an interview on the "Rivera Live" show on CNBC.

Smiling and visibly relieved, stepfather Andreas Wuthrich told a news conference today that "we're going to make every effort to do our best for Raoul so he can settle back into family life."

"It's as if we were waking up from a nightmare," he said. "We're going to get him psychiatric assistance to help him overcome the upheaval he has been through."

Asked if Raoul would be allowed near his sister, Mrs. Wuthrich said the family would act as it always has, and she typically would "keep an eye on them all the time, a very close watch on what they're doing, how they're playing, what they're watching on TV."

The boy's parents left the United States with their three daughters after Raoul's Aug. 30 arrest. The Wuthrichs have dual U.S.-Swiss citizenship. They told The Denver Post they will not return to Colorado, and their home in Evergreen is for sale.

Raoul was charged with aggravated incest and sexual assault on a child, and could have faced up to two years in juvenile detention if convicted.

A neighbor in the Denver suburb of Evergreen said she saw Raoul sexually touching his 5-year-old sister in their yard. The boy and his parents have denied the charges, saying he had pulled down his sister's underwear to help her urinate. According to court documents, the girl had also told caseworkers of other incidents in which the boy molested her.

The case had created an uproar in Europe. Swiss and German media championed the boy's cause, saying authorities overreacted by arresting him at night, making him spend six weeks in a juvenile detention center and shackling him in at least one court appearance.

Lawyers for Raoul and his parents contended his trial should have started within 60 days of Sept. 8, when Raoul was denied bail. Prosecutors contended the 60 days began with Monday's arraignment. Jefferson County District Judge James Zimmerman sided with the defense and dismissed the case.

Vincent Todd, a lawyer for the family, said that no conditions were set for the boy's release and that it would be up to Swiss authorities to decide whether he needs any treatment. He said the family plans to sue Jefferson County authorities.

"This 10-year-old boy should never have been dragged from his home at 10 p.m. at night," Todd said.

Prosecutor Sergei Thomas said the judge's decision was technical and didn't comment on the merits of the case. He said prosecutors remained concerned about the safety of the boy's sister.

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Crimes And Trials Headlines

Thursday November 11 07:21 PM EST

Judge Frees Swiss Boy Charged With Sex Abuse

GOLDEN, Colo. ([APBnews.com](#)) -- A Swiss-American boy accused of sexually assaulting his 5-year-old sister is free to return Switzerland after a judge dismissed the charges because prosecutors violated his right to a speedy trial.

Following a closed three-hour hearing Wednesday, Jefferson County District Judge Robert Zimmerman dismissed charges of aggravated incest and sexual assault on a child that were filed against the 11-year-old boy, known only as Raoul to protect his sister's identity.

Raoul's lawyer, Darby Moses, said the boy was "thrilled" when he learned he was being freed and that he will leave for Switzerland as soon as possible.

"He wanted to jump up and yell and scream, but I told him that wasn't proper decorum in a courtroom," Moses said.

Caused international uproar

The case sparked a firestorm in Europe after the story broke in the Swiss press that the boy was arrested late at night, led away in handcuffs and was being held without bail after a neighbor reported seeing him performing "sex acts" on the little girl.

The boy's mother and stepfather fled to Switzerland with their three daughters after Raoul's Aug. 30 arrest, saying they feared their other children would be taken away from them if they stayed in the United States. The Swiss government sent embassy officials to Colorado to monitor the proceedings, and they were allowed to be with Raoul during closed courtroom hearings.

Prosecutor Sergei Thomas said the boy was not treated in "an inhumane or barbaric" way, and that authorities fear the alleged victim may still be at risk. "There is a concern that this behavior will continue," Thomas said.

Zimmerman didn't issue a statement but allowed attorneys from both sides to break the news to the scores of news media crews -- mostly from European outlets -- who lined the halls of the courthouse awaiting the decision.

Zimmerman's ruling will become public next week when his opinion is published as part of the official court transcript, said Pam Russell, spokeswoman for the district attorney's office.

Dismissal a 'technicality'

Lawyers for the boy -- who has dual Swiss-American citizenship -- claimed that prosecutors waited more than the 60 days required under Colorado law to try the boy after his bond was revoked in early

September on grounds that he was a flight risk.

But prosecutors argued the 60-day trigger applied only after Raoul was arraigned this week. Thomas said the dismissal was a "technicality" that boiled down to the judge's interpretation of what the word custody means in the context of the Colorado statute.

"[The dismissal] had no bearing on the legitimacy of the case," Thomas said. Moses said the boy will be released from the foster home where he's been placed, but declined to comment on specific travel plans.

There were no conditions on his release, such as assurances from Swiss authorities that the boy will receive psychological counseling.

Family considering lawsuit

Thomas said prosecutors will discuss refiling charges, but they acknowledged it's a moot point since Raoul will most likely leave the country before any decision could be made.

The lawyer for the boy's mother, Vince Todd, told APBnews.com that the family will consider suing the county over the boy's treatment.

Todd also said that the leak about Raoul's case probably came from the Swiss foreign ministry. "We told them that publicity would not be helpful, but I believe someone leaked it to the press anyway," Todd said.

Prosecutors initially charged the boy with just one count of incest, but added the sexual assault on a child charge when they couldn't provide proof that Raoul and the alleged victim are brother and sister, a needed element to prove incest.

Moses said Raoul passed the time in his several lengthy court hearings by being "the chief note passer" among his counsel and drew pictures and wrote letters to his family.

By Keith Coffman, an APBnews.com correspondent in Colorado.

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More Charges Pursued in Colo. Incest Case

Judge Find Evidence to Support Sex Assault

Nov. 5, 1999

GOLDEN, Colo. (AP) -- There is enough evidence to bring a charge of sexual assault against an 11-year-old Swiss-American boy accused of fondling his younger sister, in addition to an earlier charge of aggravated incest, a judge ruled Thursday.

Prosecutors said the second charge was added because authorities have had trouble establishing proof that there is at least a half-blood relationship between the boy and the 5-year-old girl, a requirement to prove incest.

The boy was set to be charged at arraignment Monday.

A neighbor had reported seeing the boy fondling his sister. According to court documents, the girl also told caseworkers of other incidents in which the boy molested her.

'I believe in his innocence'

The boy's mother and stepfather have said he only pulled down his sister's underwear to help her urinate. He is known by his first name, Raoul.

"This young man has maintained his innocence, and I believe in his innocence," said Arnold Wegher, one of the boy's lawyers.

The case has created an uproar in Switzerland, where people can't understand why an 11-year-old boy would be taken away in handcuffs and detained. It has drawn a crowd of European journalists to the foothills of the Rockies.

Parents fled to Switzerland

The boy's mother and stepfather fled to Switzerland with their other three children shortly after Raoul was taken into custody. They said authorities told them their



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other children might be taken from them.

Raoul was held without bond for six weeks in a juvenile detention center until a magistrate ruled last month that he be placed in a foster home and then in a residential treatment center.

Last month, *The Denver Post* reported that the parents had registered a home-based adult video production company called "Ultimate Fantasies." The father said no adult videos were produced in their home, while the mother denied any involvement in an adult-video company.

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Parents of Accused Swiss Boy Under Scrutiny

Allegedly Ran Adult Video Company From Home

Oct. 21, 1999

GOLDEN, Colo. (AP) -- The parents of an 11-year-old Swiss-American boy whose arrest on incest charges has created a furor in Switzerland ran a business out of their home called Ultimate Fantasies, *The Denver Post* reported today.

The parents, who fled to Switzerland after their son was arrested, registered the business in July, according to records cited by the newspaper. It quoted a source close to the investigation as saying it is an adult video production company.

Jefferson County authorities confirmed Thursday they are looking into the business but said they don't know what it did.

"Investigators are aware of the business and are currently trying to establish exactly what type of business it is," said Steve Davis, spokesman for the sheriff's office.

Pleaded guilty to child neglect

In an interview this morning on NBC's *Today*, the mother denied any involvement in an adult-video company.

The newspaper said records also show that she pleaded guilty last year to a misdemeanor child-neglect charge and a second, similar charge is pending. The mother was ordered to undergo parenting classes and fined \$78, according to court records.

"Both of those were for a neglect type of situation where the kids were left home alone for a period of time without being supervised," Davis said. "It wasn't an abuse case like they were being beaten or anything like that."

The couple fled with their three other children after the boy, Raoul, was arrested on aggravated incest charges. Authorities began the investigation after a neighbor reported that she saw him fondle his sister. He is accused of inappropriate sexual contact with his 5-year-old sister. The mother said this

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morning that her son and daughter told her he was trying to help her go to the bathroom.

APBnews.com is not identifying the family to protect the alleged victim.

'I felt very threatened'

The parents, who have dual U.S.-Swiss citizenship, said they left after authorities told them their other children might be taken from them.

"I felt very threatened by the authorities," the mother said today.

Raoul was in a juvenile detention center from Aug. 30 until a court hearing on Tuesday, where a magistrate ruled that the case can proceed and had the boy placed in a foster home. The boy will move to a residential treatment center when a spot opens up. He is due in Juvenile Court Nov. 8.

The case has created a furor in Switzerland, where people can't understand why an 11-year-old boy would be taken away in handcuffs and detained. The Swiss foreign ministry has been swamped with calls.

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Charges Against Swiss Boy Stir Uproar

Faces Trial in Alleged Assault on 5-Year-Old Sister

Oct. 20, 1999

By Keith Coffman



Fritz Bart, left, of Golden, Colo., and Adi Steiner of Denver wave placards in support of the 11-year-old boy outside the courthouse Tuesday.

AP

EVERGREEN, Colo. (APBnews.com) -- An 11-year-old Swiss-American boy accused of sexually assaulting his 5-year-old sister was bound over for trial on incest charges in a case that has sparked a diplomatic furor over the boy's treatment by U.S. authorities.

The boy, who has dual Swiss-American citizenship, has been held without bail in a juvenile detention facility since his Aug. 30 arrest. A neighbor reported seeing the boy molest his sister, but the boy's mother and stepfather have claimed through their attorney that he was just helping the little girl urinate.

The boy's parents returned to Switzerland after their son's arrest, and when stories about the boy appeared in the European press, more than 9,000

Swiss citizens signed a petition demanding his immediate release.

Enough evidence for incest charge

The uproar prompted the Swiss foreign ministry to dispatch a representative from its embassy in Washington to this mountain town 15 miles west of Denver to monitor the court proceedings. After a three-hour hearing Tuesday, Jefferson County Magistrate Marilyn Leonard ruled that there was enough evidence to charge the boy with one count of aggravated incest.

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"I find that probable cause does exist that this juvenile committed a crime," Leonard said.

Leonard also ordered the boy placed in a foster home, then in a group-home setting, pending the outcome of his criminal case. If convicted of the class 3 felony, he faces a maximum two-year sentence in a juvenile facility.

The small blond boy, who is being identified only by his first name, Raoul, to preserve the privacy of the alleged victim, sat at the defense table and doodled on a legal pad during the hearing, and at one point raised his hand as if he wanted to speak. He was denied bail at a September hearing after Leonard determined he was a flight risk.



Linda Campos, left, the boy's great aunt, waves off television cameramen as she enters the courthouse.

'I was so taken aback'



The boy's lawyer, Arnold Wegher, front, discusses the case.

An international contingent of news media from Switzerland, Germany and Japan, among others, packed the courtroom and hallways, waiting for the decision.

The alleged molestation occurred in May when Laura Mehmert, the neighbor who reported the incident, said she saw Raoul pull his sister's pants down, put his face to her crotch and then press his groin against her bare buttocks.

"I was so taken aback; it seemed to be a sex act," Mehmert testified.

Mehmert said that when she ran outside to confront the boy, she noticed that his pants were unzipped. She called the boy's mother, who seemed "nonplussed" by the news, Mehmert said.

Three investigators and social workers who interviewed the girl testified that she recounted other incidents of inappropriate contact by her brother.

Defense claims girl was coaxed

The boy's attorney, Arnold Wegher, didn't call any witnesses to challenge the allegations but hinted in his cross-examinations that interviewers planted suggestions to the girl and that authorities overreacted to a boy helping his little sister go to the bathroom.

Wegher said Raoul will plead not guilty at his arraignment Nov. 8.

Swiss embassy representative Manuel Sager said after the hearing that Swiss officials were concerned about the boy's welfare. In Switzerland, juveniles under the age of 16 cannot be arrested.

"We are concerned about his treatment," Sager said. "That an 11-year-old boy can be handcuffed seems disproportionate to the allegations." Sager added that it was troublesome that the boy was pulled from his home and arrested late at night.

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Shackled in leg irons

Jefferson County sheriff's spokesman Steve Davis said the boy was treated the same as any other juvenile suspect.

"He is not being mistreated or held in some dark dungeon," Davis told APBnews.com. "He was handcuffed, but that's normal procedure strictly for the officers safety."

Davis said the arrest did take place after 10 p.m., but police had made several trips to the house during the day before finding anyone at home.

But Wegher told reporters that Tuesday's hearing was the first time he'd seen his client in court without handcuffs and dressed in something other than his prison jumpsuit. At some of his court appearances, he said, the boy was handcuffed and shackled in leg irons.

Police accused of mishandling case

Pam Russell, spokeswoman for the district attorneys' office, said sheriff's deputies who transport prisoners to court determine what type of restraints are used. Juveniles frequently brought into court in groups are loosely chained together, she said.

After the hearing, prosecutors Noel Blum and Nancy Hooper held a news conference but would only discuss procedural matters because they said Colorado rules of professional conduct for officers of the court prohibit them from commenting on evidence in the case.

But Wegher and Vincent Todd, the lawyer for the boy's parents, blasted police and Leonard for their handling of the case.

Lawyer denied access to files

Todd read a written statement from the mother, explaining that the family returned to Switzerland because they don't trust Colorado authorities after Leonard had refused Raoul's lawyers access to him in order to prepare for the preliminary hearing.

"It is not in Raoul's best interest for us to be subjected to arrest and imprisonment at the whim of officials who are clearly committing criminal acts," the statement said.

Todd also said police falsified an affidavit for the "warrantless arrest," and that Leonard has refused to allow him access to the case files, making it impossible to mount a defense. The blackout, he said, is in violation of federal and state law.

"I've made a formal request to the state attorney general to convene a grand jury, and I expect an investigation into why the rule of law is being violated in Colorado," Todd said.

Keith Coffman is an APBnews.com correspondent in Colorado.

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