

For Immediate Release

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## ARLINGTON MAN GUILTY OF SEXUAL ASSAULT THAT WAS POSTED TO FACEBOOK

*Prosecutor: Fuentes is "a deviant individual with zero moral compass ... he has totally lost his way."*

(FORT WORTH, TX) -- This week, a Tarrant County jury found Christian Fuentes guilty of the 2013 sexual assault of an Arlington woman. The trial, heard in the 396th District Court, included photo evidence taken from video of the defendant committing the attack, which was posted to Facebook shortly after the event. Assistant Criminal District Attorneys Michele Hartmann and Lucas Allan prosecuted the case.

On December 29, 2013, Fuentes, then 19, and two male friends met up with the female victim, a 19 year old former coworker. The group went to Fuentes' house, where they drank beer and consumed "quad bars," a slang term for bars containing Xanax. After being given a powdered version of the substance to inhale by one of the defendants, the victim's last memory is of the four sitting in a bedroom with both a queen-sized and twin bed, before waking up the next morning nude with the defendants lying around her in various states of undress. The victim inquired what happened, and was told by one of the defendants that the three males had sex with her.

The victim dressed and left, although she was unable to locate her debit card, and after talking to a close friend she learned that a video of the night's assault had been posted to Facebook. The video, as well as a later recovered photo, showed Fuentes performing sex acts on the unconscious victim on the small twin bed used by his young daughter, who was out of town with Fuentes' girlfriend at the time of the attack. After learning of the video, the victim and her friend filed a report with the Arlington Police Department. Fuentes later admitted to swiping the victim's debit card at an ATM with the intent to steal from her account, but said the sexual activity was consensual. It was learned later that Fuentes' parents were home at the time of the attack, and he spoke with his mother shortly before the assault began. He also recounted removing his daughter's Dora the Explorer doll from the bed so as not to be captured in the video recording.

Fuentes, who is (and was at the time of the offense) on probation for past charges of Theft of a Firearm and Unlawful Carry, was found guilty of Sexual Assault on Thursday. The case then entered the sentencing phase, during which additional arguments were made by both the prosecution and defense.

Defense attorneys argued that Fuentes' age at the time of the offense should be a factor in determining the severity of the sentence. Defense attorney Kathy Lowthrop urged jurors not to blame "a stupid 19 year old" for "silly things he shouldn't have done," while Christy Jack asked the jury to "Think about when you were 19; how mature were you?" Requesting only probation for Fuentes, Jack concluded by suggesting the jury levy a fine to "send him a message," but asked they "please not throw the rest of his life away."

Prosecutor Lucas Allan denounced the defendant's refusal to accept responsibility for his role in the assault, reminding jurors that even when faced with the photographic evidence of himself committing the act, everything was "someone else's fault." Calling the defense's claim that the drugs Fuentes took were responsible for his behavior a "predictable farce," Allan countered, "Nowhere on a Xanax bottle does it say 'Caution: May cause you to rape women and swipe their stolen debit cards.'"

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Allan cautioned that a sentence of probation would be ineffective, as the defendant was already bound by 2 probations when he committed the assault. Further, since Sexual Offender probation requires the condition of admitting your offense, that it was very likely Fuentes would quickly break his probation through his continued refusal to take responsibility.

After a brief deliberation, the jury returned with a sentencing recommendation of 10 years, probated, which will require Fuentes to register as a Sex Offender for the remainder of his life. Immediately following the sentence announcement, the court moved to consider the revocation of Fuentes' probation status for his prior offenses, which included consideration of the guilty Sexual Assault verdict and the charge of trying to use the victim's debit card. In this proceeding, Judge George Gallagher revoked Fuentes' probation, assigning him 4 years in prison, 1 year in state jail (which was served while he awaited trial), and 10/10 -- a 10 year probation term that could result in 10 years imprisonment if broken. Fuentes was immediately taken back into custody.

Allan spoke of the victim's experience and difficult road ahead saying, "It's a horribly sad situation all the way around. Everyone walks out of the courtroom today a loser ... but we hope the guilty verdict sends a message to all sexual assault survivors past, present and future that we will aggressively advocate on their behalf."

"Sexual assault trials are extremely difficult for the survivors," said prosecutor Michele Hartmann. "We're very pleased that the woman in our case was able to confront her attacker about what he did to her, and that for her efforts a Tarrant County jury sifted through the evidence and voted to hold the defendant accountable for his actions."

Criminal District Attorney Sharen Wilson praised the survivor in this case for having the bravery to follow through with the emotionally demanding process of reporting and prosecuting the assault:

"It's sobering that even today with all we know, too often the survivor is still the one being blamed. It takes courage for a survivor to open herself up to potential moral attack by prosecuting her attacker. The more these cases are prosecuted, the more we have the opportunity to change people's minds about the reality of sexual assault in our society."

## END ##