



Genesee County Prosecutor's Office

David Leyton, Prosecutor



GENESEE COUNTY PROSECUTOR DAVID LEYTON CHARGES MICHIGAN STATE TROOPER WITH TEN COUNTS OF CRIMINAL SEXUAL CONDUCT

October 28, 2009

FLINT -- Genesee County Prosecutor David Leyton has charged a Michigan State Police Trooper with 10 felony counts of criminal sexual conduct including six counts in the first degree which carries a penalty of up to life in prison.

Joseph Gerard Donovan, 48 of Dewitt, a Michigan State Police Trooper assigned to the Lansing Post is charged with ten counts stemming from two separate incidents in March and April of 2008 involving two different women.

Prosecutor Leyton was appointed Special Prosecutor by the Michigan Attorney General after Ingham County Prosecutor Stuart Dunnings had recused himself from the case. Prosecutor Leyton's office has been working with the City of Lansing Police Department during the investigation of this matter and Prosecutor Leyton made the decision to charge Donovan with the following ten counts:



Joseph Donovan

As to Victim Number 1 (d.o.b. 10/11/1981):

- ✍ Count 1: Criminal Sexual Conduct First Degree (personal injury)
Penalty: up to life in prison or any term of years
- ✍ Count 2: Criminal Sexual Conduct First Degree (personal injury)
Penalty: up to life in prison or any term of years
- ✍ Count 3: Criminal Sexual Conduct Third Degree (force/coercion)
Penalty: up to 15 years in prison
- ✍ Count 4: Criminal Sexual Conduct Third Degree (force/coercion)
Penalty: up to 15 years in prison
- ✍ Count 5: Criminal Sexual Conduct Third Degree (force/coercion)
Penalty: up to 15 years in prison

As to Victim Number 2 (d.o.b. 11/04/1979):

- ✍ Count 6: Criminal Sexual Conduct First Degree (force/coercion)
Penalty: up to life in prison or any term of years
- ✍ Count 7: Criminal Sexual Conduct First Degree (force/coercion)
Penalty: up to life in prison or any term of years
- ✍ Count 8: Criminal Sexual Conduct First Degree (force/coercion)
Penalty: up to life in prison or any term of years
- ✍ Count 9: Criminal Sexual Conduct First Degree (force/coercion)
Penalty: up to life in prison or any term of years
- ✍ Count 10: Criminal Sexual Conduct - Assault with Intent to Commit Sexual Penetration
Penalty: up to 10 years in prison

Prosecutor Leyton stated that the first victim was a waitress at a nightclub in the City of Lansing and that she was working there the evening of March 17, 2008 until the bar closed at 2:00AM on March 18th. The defendant, Donovan, was in the bar at this time and waited for the victim to finish her job so that he could give her a ride home.

Around 4:00am, March 18, 2008, the victim left the bar with the defendant and the pair left in defendant's vehicle. Along the way, the defendant told the victim he had to stop at his home to get something. Once inside, the defendant sexually assaulted the victim numerous times while she was yelling "no" and scratching at him.

After the first assault, the defendant threatened to kill her and once again assaulted her. The defendant eventually passed out at which time the victim ran to a nearby restaurant for safety. The victim then called a friend who came and picked her up and took her to Sparrow Hospital where she reported the assaults.

The incident involving a second victim occurred on April 14, 2008 around 2:30AM. The second victim said that on the evening of April 13, 2008 and into the early morning hours of April 14th, she was at the same nightclub where she would often go to visit her brother who was employed there. While there, she ran into the defendant whom she knew from previous visits to this bar.

The two struck up a conversation and when the bar was nearing closing time, the defendant asked if he could come back to her apartment and she agreed. The defendant followed the victim who rode home in a second vehicle with her sister. The three reached the apartment and went inside and watched TV in the living room.

After a short time, the victim's sister left the apartment thereby leaving the victim and the defendant alone. Soon thereafter, the defendant sexually assaulted the victim numerous times using force while she repeatedly told him to stop.

About an hour later, the victim's sister returned to the apartment and the defendant quickly left without saying anything. The victim then immediately told her sister that she had just been raped. The victim was treated at Sparrow Hospital and a report was made to the City of Lansing Police Department.

The defendant surrendered himself this morning at the Lansing Police Department where he was placed under arrest and booked. He was arraigned shortly thereafter in 54-A District Court in Lansing and released on a \$50,000 ten percent bond. The Genesee County Prosecutor's Office will attend all scheduled court events for this case in the 54-A District Court of Lansing. A pre-trial date has been set for November 3rd at 1:30 PM and a tentative preliminary examination date is set for November 5th at 1:30 PM.

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