

The Sun

**Girl tells of sexual attack  
Teen-ager testifies in rape trial against ex-hospital custodian  
'I started screaming'  
Defendant is accused of abducting sisters at library last March**

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Clutching a small stuffed tiger, a 16-year-old girl testified yesterday that a man forced her and her younger sister into the woods behind Howard County's central library in Columbia, ripped off her clothes and raped her.

"I said 'Why are you doing this?'" the Columbia 11th-grader testified in Carroll County Circuit Court. "I started screaming out really loud and he took his hand and covered my mouth."

As the girl spoke, she stared directly at the prosecutor, almost never looking at the man accused of raping her -- Timothy Bryan Chase. The defendant, however, appeared to watch her closely for most of her hourlong testimony.

Only the nervous squirming of her feet belied the confidence and steadiness of her voice as she spoke of that night last March 20.

Chase, 28, who lives in west Columbia and is a former janitor at Howard County General Hospital, is charged with abducting the two girls and raping the older one -- in a case that made many question the safety they took for granted in Columbia.

In court yesterday, Chase's attorney, Assistant Public Defender W. Samuel Truette described his client as "frightened."

"He is the only black man sitting in this courtroom, and he is frightened. You know, I know, all of us know, we would be scared to death."

Truette implored the all-white jury to listen to all the evidence and look beyond their predispositions and prejudices.

"This is the kind of case that evokes a visceral reaction from everybody," Truette told the jurors. "It calls into question what kind of barbarians are out there."

The trial, originally scheduled for last November, was moved to Carroll County when it was ruled that pretrial publicity made a fair trial in Howard County impossible.

At the time of the alleged rape, the victim was 15 and her sister was 7. Their mother -- who was at The Mall in Columbia -- was a few minutes late picking the two up from the nearby library when it closed at 9 p.m.

Teen is honor student

According to testimony, the girls had gone to the library so the teen-ager, an honor student, could do research for a school report on Sherlock Holmes.

As they waited for their mother on a bench outside the library's entrance, a man approached, asked them a few questions and then offered them a ride, which they refused, the teen-ager testified.

"He said, 'Start walking,' and I said, 'I told you I don't need a ride. Is this some kind of joke?'" the teen testified. "He said, 'No, this isn't any kind of joke and if you don't start walking I am going to shoot you.'"

Chase, who lives on Cedar Lane, is charged with first-degree rape, a first-degree sex offense, robbery, theft, two counts of kidnapping, two counts of false imprisonment and three counts of assault.

The two sex charges carry maximum sentences of life in prison.

Despite the testimony of the teen-ager, the prosecution's case appeared to suffer a major blow yesterday when neither the teen nor her sister, now 8, could positively identify the defendant as the rapist.

After the attack, the girl gave a detailed description to police which they say helped lead to Chase's arrest soon after the alleged rape.

#### Motions by prosecution

Motions filed by the prosecution asking that Howard Circuit Judge Diane O. Leasure order Chase not to alter his appearance during the teen-ager's testimony indicated that the older girl was prepared to point out her assailant in court.

Responding to questions by Assistant State's Attorney Janine L. Rice, the teen testified several times yesterday that she had seen her attacker close-up.

But when Rice asked the girl yesterday if she saw her assailant in court, her response was, "I think so." Then she paused and said, "the defendant."

Truette, the defense attorney, immediately called a bench conference with the prosecutors and Leasure.

Under cross-examination by Truette, the teen-ager testified that she never picked the defendant out of a lineup or saw a picture of him after he was arrested.

Similarly, in the 8-year-old's testimony, she told the jury she could not describe the man who she said forced her to take off her shirt and lie on the ground next to her sister while she was raped.

"He told {my sister} to take off her clothes. He told me to take off my shirt," testified the elementary-school student. "I remember it was cold."

'Just do what he says'

The teen told the court that when she refused to comply with all his demands during the assault, the man ordered the younger girl -- an arm's length away -- to tell her sister to be quiet.

My sister said to me " `Just do what he says and he'll let us go,'" the teen testified.

During opening arguments earlier yesterday, Rice, the prosecutor, recounted the girls' story of running through the woods after the attack and banging on the door of Toby's Dinner Theater, where cast members were in the middle of a production.

"That man sitting right there, Timothy Bryan Chase, is responsible for the nightmare of {the victims}," Rice said.

Rice said a recently used condom left near the scene of the alleged crime -- about 100 yards east of the library -- contained semen that matched the defendant's profile.

Also found were the teen's book bag, bra and underwear as well as her sister's red turtleneck.

"The evidence in this case is about what the defendant left behind and what the defendant took with him," Rice said, referring to the two gold rings police said they found in Chase's pockets. The rings belonged to the teen-ager.

Truette downplayed the DNA evidence, saying it was not a profile of the defendant but a mathematical creation. The defendant's fingerprints were never found on the teen's book bag though she told police that the man had gone through her bag.

In some of the most dramatic testimony yesterday, Larry Munsey, a dinner theater actor, testified he heard a banging on the theater door. When he went outside, he saw the teen-ager wearing only her socks and holding her jacket in front of her. She and her sister both had twigs and branches in their hair, Munsey testified.

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The teen-ager "looked at me and said, 'He raped me,' and I put my arm around her and she fell into me" sobbing, he told the jurors.

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Caption:  
PHOTO

Caption: Testimony: A courtroom sketch shows the 8-year-old sister of a teen-ager testifying about their abduction, which occurred last March.

Credit: DANA VERKOUTEREN : SPECIAL TO THE SUN

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