


Victim of sexual assault feels closer to suing for abuse from 30+ years ago

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(KUTV) - Despite several hurdles in her efforts to seek justice, Terry Mitchell said she won't be deterred from pursuing a lawsuit against retired Federal Judge Richard Roberts of Washington D.C.

She claims Roberts raped her over 30 years ago when she was 16 and he was 27 and a federal prosecutor trying a high profile case in which Mitchell was a witness.

"I didn't come this far for nothing," she said.

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On Monday, her attorney Rocky Anderson filed a final brief with the Utah Supreme Court which got involved after Richards appealed claiming Mitchell can't sue him because her chance expired under the statute of limitations.

Anderson argued in his brief to the Utah Supreme Court, that a recently-passed Utah law that allows adult victims of child sexual abuse to sue years after the abuse.

The federal court, where Mitchell filed her original suit against Roberts in July of 2016, asked the Utah Supreme Court to decide whether the state legislature has a right to revive old claims.

Anderson feels very confident the state's highest court won't undermine the state law.

In an email, Roberts' attorney in Washington D.C., Brian Heberlig of Steptoe and Johnson, said he had no comment on the matter.

Anderson said if the Supreme Court sides with his client, other adults who were victimized as children will benefit.

"Every person who suffered child sex abuse will be able to have justice and pursue justice in the courts," he said.

Terri Mitchell said while she wants justice for herself after years of depression, sleeplessness and stress, she feels an obligation to win in court for the sake of other victims who've stayed quiet for years about their own abuse.

"It will help them see justice is possible and that they aren't alone," she said.

In 2014, Mitchell recorded Roberts confessing to having a sexual relationship with her – although he tried to suggest in the recording that it happened after the 1981 trial of Joseph Paul Franklin.

Two of Mitchell's friends were shot and killed by Franklin at a Salt Lake City Park and she witnessed their killings. She was the star witness at Franklin's trial.

Mitchell said Roberts, the star prosecutor on the case, coerced her into having sex during the trial and then scared her into staying quiet about it warning her that if she told anyone, it could lead to a mistrial in the case and her friends' killer would go free.

The burden of her secret tormented her for years – until she recorded Roberts and went public.

Mitchell took the recording to the Utah Attorney General's Office but attorneys there decided not to prosecute Roberts because at the time of the offense, sex with a minor was a misdemeanor and they couldn't force Roberts to come to Utah on a misdemeanor charge.

Mitchell was angry after staff of Attorney General Sean Reyes shared all of Mitchell's information with Roberts.

The day she filed her federal lawsuit, Roberts suddenly retired with full benefits.

A judicial commission recently declined to take action against Roberts saying they couldn't take punitive action because Roberts was not a judge when the alleged assault occurred.

Anderson said Congress should hold a hearing. He wants Roberts disbarred and stripped of his retirement benefits.

"It's high time he is held accountable," he said.

Anderson said the next step is for the Utah Supreme Court to hear oral arguments. He suspects that will happen sometime in 2018.