

# Federal judge accused of decades-old rape, Congress steps in

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A federal judge in Washington, D.C., has been accused of raping a 16-year-old murder witness while serving as a federal prosecutor 35 years ago. The allegation has already spilled into Congress, with at least one committee chairman vowing to look into the matter.



Terry Elrod Mitchell on Wednesday filed a lawsuit in Utah against Richard Warren Roberts, the chief judge for the U.S. District Court for the District of Columbia. She alleges that he took her to a hotel and raped her repeatedly while she served as a chief witness in a 1981 murder trial he led as a federal prosecutor. The lawsuit states he was 27 at the time.

The Salt Lake City Tribune broke the news of the civil lawsuit in a [lengthy story](#) Wednesday.

Just minutes after the story posted, House Oversight Committee Chairman Jason Chaffetz (R-Utah) said in a statement that his panel has already conducted a preliminary review of the allegations and that the Utah attorney general “recently made the committee aware of credible evidence of misconduct by a U.S. District Court Judge.”

“We will work with the House and Senate Judiciary Committees to determine next best steps to ensure justice is served,” Chaffetz said.

Roberts’ attorneys, in a statement Wednesday evening, said Roberts and Mitchell had an “intimate relationship” but called the allegations in the lawsuit “categorically false.”



White House

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“Roberts acknowledges that 35 years ago, as a junior prosecutor, he had an intimate relationship with Ms. Mitchell, who had earlier been a witness in the Franklin trial. But contrary to the allegations, this relationship was entirely consensual. Roberts acknowledges that the relationship was indeed a bad lapse in judgment. However, the relationship did not occur until after the trial and had no bearing on the outcome of that trial.”

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The statement continued, “Roberts has always had nothing but respect and admiration for Ms. Mitchell. Roberts and Ms. Mitchell have stayed in touch over the years, and their contacts have always been warm, caring, and friendly, which makes these new, false allegations all the more puzzling and disappointing.”

The National Law Journal Wednesday night reported that Roberts would retire.

Bill Clinton appointed Roberts to his post in June 1998. He is currently overseeing a case brought by Abu Zubaydah, who is suing the government for allegedly torturing him at Guantánamo Bay.

According to the public filing, Mitchell at age 15 witnessed the murder of two African-American friends jogging alongside her in Salt Lake City. Both were shot and killed by serial killer Joseph Paul Franklin, who murdered several people in the early 1980s in an attempt to start a racial war.

Roberts, then a 27-year-old civil rights lawyer for the Justice Department, was assigned to the case and moved out to Utah for a time.



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Mitchell, through her lawyers in the filing, alleges that Roberts during trial preparation started a daily ritual of taking her out to dinner after meetings then taking her to his hotel for unwanted sexual encounters that she asked him to stop. She also alleged he took pictures of her naked and kept them.

She also alleges that Roberts shamed her into silence by warning her that any accusations against him would result in Franklin going free instead of receiving the death penalty for the killings.

Mitchell says she repressed the memories for years but that they surfaced when Roberts emailed her just hours after Franklin was executed in 2013.

Chaffetz's office would not elaborate on what evidence it had been shown or briefed on, nor would it comment further on the lawsuit.

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