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Office of the District Attorney  
Nineteenth Judicial District

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**PRESS RELEASE**

**FOR IMMEDIATE RELEASE**

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Date: April 14<sup>th</sup>, 2016  
Contact: Kimberly Corban • [kweeks@co.weld.co.us](mailto:kweeks@co.weld.co.us) • 970.356.4010 ext. 4702  
Re: Charges Filed in Kidnapping and Sexual Assault from 1984

Greeley, CO – On Thursday, April 14<sup>th</sup>, Weld County District Attorney Michael J. Rourke announced charges against Rusty Gene Barnhart (DOB 09/13/59) and Inocencio Trevino (DOB 07/13/67) for their involvement in a Greeley Police Department case from 1984. Barnhardt and Trevino are both facing charges for 2<sup>nd</sup> Degree Kidnapping, a class 2 Felony.

Detective Robert Cash from the Greeley Police Department took charge of the investigation in which a CODIS hit identified Barnhart and Trevino as positive DNA matches.

According to an affidavit, on July 31<sup>st</sup>, 1984, Greeley Police Department officers responded to a report of a rape in East Greeley. The victim had finished working her shift at Denny's restaurant at 2319 8<sup>th</sup> Avenue and was walking home when two unknown men pulled her in to an alley, threatened to kill her, and sexually assaulted her. At one point the assailants moved her to another location to complete their assault after a car had driven by. Upon leaving, the men told the victim to stay there and are alleged to have taken her work name tag.

Officers took the report and a sexual assault examination was completed. The kit was submitted to the Colorado Bureau of Investigation for testing as required by legislation which became law in 2014. That legislation provided funding for testing evidence of unsolved sexual assault investigations

The current statute of limitations for sexual assault crimes prohibited District Attorney Rourke from charging the two men with sexual assault, despite the prompt reporting and preservation of DNA evidence from the victim. "As with every single case, the victim and the people of this county deserve justice regardless of when a crime was committed." Rourke stated on Thursday.

Currently House Bill 16-1260 is moving through Colorado legislature to increase the statute of limitations from 10 to 20 years sponsored by Senator John Cooke. As originally drafted, it would have removed the statute of limitations completely, however it was amended to 20 years. "Every extra year

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we are afforded to solve these crimes and hold offenders accountable is a step in the right direction for victims.” said Rourke. “It is time for our state laws to catch up with our technology and ability to hold offenders accountable for their actions.”

Barnhart is scheduled to appear for a disposition hearing on May 16<sup>th</sup>, 2016 at 9:00 am. Trevino has his first status conference on May 3, 2016 at 1:30 pm. Both Defendants will appear in Weld County District Court, Division 15 before the Honorable Judge Thomas Quammen. Under sentencing guidelines in place in 1984, Barnhart and Trevino are facing the possibility of 4 to 24 years in the Department of Corrections.

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