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The Keene Sentinel

New Hampshire's Oldest Newspaper ... *Guarding the Past, Tending Tomorrow*

Established 1799

WEDNESDAY, OCTOBER 13, 2004

50¢ Single Copy; \$3.10 Weekly Home Delivered

Sex assault or Internet fling?

By **BENJAMIN YELLE**
Sentinel Staff

Who's telling the truth? Jurors will have to make that decision in one of the most disturbing cases in years in the Monadnock Region.

Prosecutors allege Brian R. Chevalier kidnapped, raped and sodomized a Jaffrey woman in her home for hours last December.

Defense attorneys say the woman made up the whole story to keep custody of her child and to avoid being

Rape case hinges on woman's story

thrown out of her house.

The case went to trial Tuesday in Cheshire County Superior Court.

Chevalier, 37, of Merrimack was indicted in February on two counts of kidnapping, five counts of aggravated felonious sexual assault, two counts of simple assault and one count each of criminal threatening and burglary.

Opening arguments in the case were presented Tuesday to jurors and Judge John P. Arnold.

Chevalier is represented by public defenders Hampton W. Howard and Caroline L. Smith.

The prosecutor, Assistant Cheshire County Attorney Kathleen G. O'Reilly, told the jury — seven men and six women, one of them an alternate that will be announced later — the evidence shows Chevalier grabbed the woman as she entered her house after work on Dec. 29, 2003, and held her hostage for 21

hours, tying her up, sexually assaulting her, and threatening to kill her.

The two had met a few months earlier through the Internet and had dated, O'Reilly said, but the woman broke off the relationship.

O'Reilly said Chevalier refused to leave the woman alone, calling her on the phone and contacting her through the Internet. The woman said she was afraid of Chevalier, but saw him occasionally as a friend.

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REGION/NATION

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Rape case hinges on Jaffrey woman's story

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Although they were in the process of a divorce, the woman and her husband still lived together.

On the night of the alleged kidnapping, the woman's husband and her daughter stayed elsewhere.

The woman spent most of the night and next morning tied to her bed, O'Reilly said.

"The defendant tells her he wants to strangle her and watch the life go out of her," O'Reilly told the jury.

The woman said Chevalier forced her to try to buy plane

tickets on the Internet, saying he was going to kill her and then flee to California. She said Chevalier was drunk when he attacked her, and when he sobered up, he pleaded with her not to call police.

The following day, the woman drove Chevalier to a parking lot where his truck was parked, she said. She tried to drive away, but Chevalier caught her, and smashed her face on the steering wheel of her car, she testified.

The pair then returned to the woman's house. The woman's husband and daughter came home earlier than expected, and

found her and Chevalier. The woman said she lied to her husband about what happened to her face; she was afraid Chevalier would hurt her daughter if she said anything.

The surprise interruption by the woman's husband prompted her to make up "an absolutely horrific story," Howard told the jurors.

Howard said the story is absolutely false. He said the woman invented it to protect a deal with her husband: She could have sole custody of their daughter and he could have the house when they divorced.

When the husband caught the two, who had obviously spent the night together, the woman worried her husband would cancel the deal, Howard said.

"There was one clear rule, and that rule was you don't bring it home," he said of the divorcing couple.

When she was caught with Chevalier, Howard said, "she can be one of two people" — either the loose woman who brings home a guy she met on the Internet, or the innocent victim of a violent crime.

He said medical, forensic and other evidence doesn't support

the woman's allegations of abuse. He said the stories she told different people vary greatly in the details of what happened.

Howard said Chevalier cannot be convicted unless the jury flatly disregards these inconsistencies.

He compared the woman's story to a bowl of stew with maggots in it. You could pick out the maggots and eat the remaining stew, Howard said, but "common sense is (that) you should do with this story what you would do with that stew, and throw the whole thing out."

The trial is expected to conclude Thursday.

Boots a clue to mystery

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...caped from his captors May 2.
"I didn't put two and two

Housing sought in Peterborough

By MELISSA SULLIVAN
Sentinel Staff

the business activity next door. Several residents, including Selectman Elizabeth Thomas, said they would hate to see that

least half of the 7 acres as open space, he can put houses in an industrial zone.

Some regulations require the

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