



*United States Attorney
Southern District of New York*

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**FUGITIVE APPREHENDED AFTER NEARLY 40 YEARS SENTENCED
TO 5 YEARS IN PRISON FOR FLEEING TO AVOID RAPE
PROSECUTION**

PREET BHARARA, the United States Attorney for the Southern District of New York, announced that RUSSELL BENJAMIN PEARCE, 74, was sentenced yesterday in White Plains federal court by U.S. District Judge KENNETH M. KARAS to the statutory maximum sentence of five years in prison for unlawfully fleeing to avoid a 1970 New York State prosecution for rape in the first degree.

U.S. Attorney BHARARA stated: "Justice has a long arm and an even longer memory. PEARCE's roughly 40 years as a fugitive may have prevented him from being prosecuted for rape, but he will not go unpunished."

In announcing the sentence, Judge KARAS found that there was substantial evidence that PEARCE brutally raped the victim. In imposing the highest available sentence, Judge KARAS noted the horrific nature of the crime.

According to the Information to which PEARCE pled guilty, documents previously filed in White Plains federal court, statements made during the guilty plea proceeding and sentencing, statements made during proceedings in the underlying state prosecution, and other information in the public record:

In December 1970, a Sullivan County Grand Jury charged PEARCE with rape in the first degree, a violation of New York Penal Law Section 130.35, for allegedly picking up a 19-year-old woman on his motorcycle, driving her to a secluded, wooded area in Fallsburg, New York, and repeatedly raping her over the course of approximately 3 hours. In March 1971, PEARCE failed to appear for a scheduled court date and became a fugitive. When he was located in 2010, in Pennsylvania, much of the evidence in the rape prosecution no longer existed because of the passage of almost four decades. As a result, the rape prosecution was dismissed on July 1, 2011.

Mr. BHARARA praised the outstanding investigative work of the New York State Police and of the Federal Bureau of Investigation, who pursued PEARCE over the course of almost 40 years. Mr. BHARARA also thanked the Sullivan County District Attorney, James Farrell, for the assistance of his office in this matter.

The prosecution is being handled by the Office's White Plains Division. Assistant United States Attorney REBECCA MERMELSTEIN is in charge of the prosecution.

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