

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

COMPLAINT

No. _____

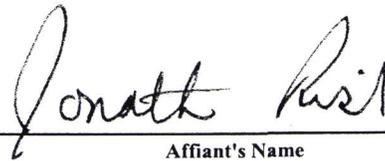
District of Columbia ss:

Defendant's Name: Clement Bassey Nkop 05036607
(First) (MI) (Last) (PDID) (CCNO)

Address: 611 EDGEWOOD STREET, NW Apt. 725, WASHINGTON DC

On or about March 7, 2005, within the District of Columbia, Clement B. Nkop engaged in a sexual act or sexual contact with Donna Wilkes, that is, Clement B. Nkop touched Donna Wilkes genitalia with the intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of Clement B. Nkop or Donna Wilkes, where Clement B. Nkop knew or had reason to know that the sexual act or contact was without Donna Wilkes' permission. (Misdemeanor Sexual Abuse, in violation of 22 D.C. Code, Section 3006) (2001 ed.)

Co-Defendants:



Affiant's Name

Subscribed and sworn to before me this 6 day of April, 2005



(Judge) (Deputy Clerk)

WARRANT

To The United States Marshal or any other authorized federal officer or the Chief of Police of the District of Columbia:

WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for Clement Bassey Nkop

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C. 3041 forthwith to answer said charge.

Issued 4-6-05



Judge
Superior Court of the District of Columbia

Sex: Male	DOB: 12/02/1956	CCN: 05036607	PDID:
-----------	-----------------	---------------	-------

Papering Officer: Jonathan Rich	Badge No.: IG9226
---------------------------------	-------------------

OFFICER MUST EXECUTE RETURN

Officer's Name:	Date / Time:
-----------------	--------------

AUSA Signature:	Fel. I <input type="checkbox"/>	AFTC <input type="checkbox"/>	Domestic <input type="checkbox"/>
-----------------	---------------------------------	-------------------------------	-----------------------------------

Supreme Court of the District of Columbia
CRIMINAL DIVISION

USV NO.: 387-05

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

DEFENDANT'S NAME: Clement Bassey Nkop				CCR: 036607-05		PDID:	
SEX: Male	RACE: Black	DOB: 12-02-56	HEIGHT: 5'5"	WEIGHT: 160	EYES: Brown	HAIR: Black	COMPLEXION: Dark
DEFENDANT'S HOME ADDRESS: 611 Edgewood Street, NW, Apt. # 725, Washington, DC 20017					TELEPHONE NUMBER: 202-526-2120, Cellular 202-288-2094		
DEFENDANT'S BUSINESS ADDRESS: Unk.					TELEPHONE NUMBER: Unk.		
COMPLAINANT'S NAME: Donna Wilkes (C1) and Elizabeth Andrews (C2)							
LOCATION OF OFFENSE: Washington Home (skilled nursing facility) 3720 Upton St., NW, Wash., DC 20012, Rm # 356 (C1) and Rm # 303 (C2)				DATE OF OFFENSE: March 7, 2005		TIME OF OFFENSE: Between 1:00am - 4:00am	

GIVE BRIEF DESCRIPTION OF WHAT HAPPENED:

Page # 1 of 4

On March 11, 2005, the District of Columbia Office of the Inspector General, Medicaid Fraud Control Unit (MFCU), received an unusual incident report (UIR). The UIR stated that on March 7, 2005, two residents of the Washington Home (WH), a skilled nursing facility, were sexually abused by their caregiver Clement (S1). S1 was employed by the WH as a Certified Nurse Assistant (CNA). Donna Wilkes (C1) is a 51 year old female. Elizabeth Andrews (C2) is a 49 year old female. Both C1 and C2 have health conditions that require residence at the WH, where they both reside on Unit 3A. Both C1 and C2 are articulate, able to relate what happened to them, to recall information accurately and to recognize and identify others.

C1 and C2 reported to the Unit 3A Nurse Manager (R1) that their night shift CNA, who they identified by name as S1, had sexually abused them. R1 confirmed that S1's complete name is Clement Nkop and he had worked on Unit 3A during the night shift, which began at 11:00 p.m. on Sunday, March 6, 2005, and ended at 7:00 a.m. on Monday, March 7, 2005.

Affiant and MFCU Special Agent (SA) Arkieva Smith interviewed C1 on March 14, 2005, in her private room. C1 consented to the interview being audiotaped and video recorded. C1 stated that on Monday, March 7, 2005, at approximately 1:45 a.m., a CNA who she knew by first name, appearance and voice as Clement (S1), entered her room to change her diaper. C1 stated after S1 entered her room, he opened her diaper and slowly rubbed his gloved hand down her inner and outer thighs. C1 stated that after S1 cleaned her with a disposable wipe, he began to rub her clitoris in a circular motion for approximately two minutes. C1 stated S1 then lowered his hand and rubbed around the outside of her vagina for about a minute or so. C1 stated she felt that S1's actions were done in a sexual fashion, for his sexual gratification, not to clean her. C1 stated that during this rubbing that S1 was not applying anything on her skin. According to C1, no other CNA has ever rubbed on her clitoris, vagina or thighs in that fashion. C1 stated that all the other CNAs simply wipe straight down from the front to the back, about three times.

AFFIANT'S SIGNATURE:

Jonathan Rich

Inv. Jonathan Rich, I.D. # IG-9226, 202-727-5864, ORI # DC0010400

PLEASE ISSUE A WARRANT FOR:

SBK
4/6/05

Clement Bassey Nkop

SUBSCRIBED AND SWORN TO BEFORE ME THIS

CHARGED WITH: *misc sexual abuse*

6th DAY OF *April 2005*

TB *4/6/05*

R. Witten

ASSISTANT UNITED STATES ATTORNEY

(JUDGE) (~~DEPUTY CLERK~~) SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Superior Court of the District of Columbia
CRIMINAL DIVISION

USW NO.: 387-05

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

DEFENDANT'S NAME: Clement Bassey Nkop				CCR: 036607-05		PDID:	
SEX: Male	RACE: Black	DOB: 12-02-56	HEIGHT: 5'5"	WEIGHT: 160	EYES: Brown	HAIR: Black	COMPLEXION: Dark
DEFENDANT'S HOME ADDRESS: 611 Edgewood Street, NW, Apt. # 725, Washington, DC 20017					TELEPHONE NUMBER: 202-526-2120, Cellular 202-288-2094		
DEFENDANT'S BUSINESS ADDRESS: Unk.					TELEPHONE NUMBER: Unk.		
COMPLAINANT'S NAME: Donna Wilkes (C1) and Elizabeth Andrews (C2)							
LOCATION OF OFFENSE: Washington Home (skilled nursing facility) 3720 Upton St., NW, Wash., DC 20012, Rm # 356 (C1) and Rm # 303 (C2)				DATE OF OFFENSE: March 7, 2005		TIME OF OFFENSE: Between 1:00am - 4:00am	

GIVE BRIEF DESCRIPTION OF WHAT HAPPENED:

Page # 2 of 4

C1 stated that while at lunch on March 7, 2005, with C2 and two other residents, C2 stated that S1 was her caregiver the previous night and he rubbed her thighs. C1 responded by telling C2 that S1 had done the same thing to her during the previous night. C1 stated that she and C2 went to report the incidents to R1. C1 stated that R1 asked both to write statements. C1 stated that she used her voice controlled PC software program to type her statement as requested.

Affiant and SA Smith interviewed C2 on March 14, 2005, in her private room. C2 consented to the interview being audiotaped and video recorded. C2 stated that on Monday, March 7, 2005, between the hours of 3:00 a.m. to 4:00 a.m., a CNA who she knew by first name, appearance and voice as Clement (S1), entered her room to change her diaper. At the time C2 was awake, and approximately 20 minutes prior to S1 entering her room she had depressed her call-button to be changed. C2 stated S1 entered her room and asked her if she wanted a diaper change. According to C2, after S1 retrieved a diaper from her closet, S1 then walked over to her, opened and removed her diaper, and with his ungloved hand S1 wiped her with two disposable wipes approximately 4 to 5 times. C2 stated immediately afterwards that without a wipe S1 began to rub the inside of her thighs in her crotch area, touching the outer part of her vagina. C2 stated she asked S1 to stop doing what he was doing, but he continued. C2 stated S1 then began to pat her pubic hair. C2 stated S1 then began to rub her vaginal area from the front to the back at least four times. C2 stated S1 fondled her for approximately 20 minutes, repeatedly rubbing her inner thighs and patting the top of her vagina on her pubic hair. C2 stated that during all of S1's fondling of her that he did not wear any gloves or have a wipe in his hand. C2 stated that this was the first time that she has ever allowed S1 to change her and that no other CNA has ever done the things that S1 did to her. C2 stated that all the other CNAs take no more than 7 minutes and simply wipe straight down from the front to the back about two to three times. C2 stated she felt that S1's actions were perverted, for his sexual gratification, that he was not cleaning her. C2 stated that during this rubbing that S1 was not applying anything on her skin.

PLEASE ISSUE A WARRANT FOR:

Clement Bassey Nkop

CHARGED WITH: misd sexual abuse

ABH

ASSISTANT UNITED STATES ATTORNEY

8787
4/6/05

AFFIANT'S SIGNATURE:

Jonathan Rich

Inv. Jonathan Rich, I.D. # IG-9226, 202-727-5864, ORI # DC0010400

SUBSCRIBED AND SWORN TO BEFORE ME THIS

6th DAY OF April 2005

R. Witten

(JUDGE) (DEPUTY CLERK) SUPERIOR COURT
OF THE DISTRICT OF COLUMBIA

Superior Court of the District of Columbia
CRIMINAL DIVISION

USW NO.: 387-05

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

DEFENDANT'S NAME: Clement Bassey Nkop				CCR: 036607-05		PDID:	
SEX: Male	RACE: Black	DOB: 12-02-56	HEIGHT: 5'5"	WEIGHT: 160	EYES: Brown	HAIR: Black	COMPLEXION: Dark
DEFENDANT'S HOME ADDRESS: 611 Edgewood Street, NW, Apt. # 725, Washington, DC 20017					TELEPHONE NUMBER: 202-526-2120, Cellular 202-288-2094		
DEFENDANT'S BUSINESS ADDRESS: Unk.					TELEPHONE NUMBER: Unk.		
COMPLAINANT'S NAME: Donna Wilkes (C1) and Elizabeth Andrews (C2)							
LOCATION OF OFFENSE: Washington Home (skilled nursing facility) 3720 Upton St., NW, Wash., DC 20012, Rm # 356 (C1) and Rm # 303 (C2)				DATE OF OFFENSE: March 7, 2005		TIME OF OFFENSE: Between 1:00am - 4:00am	

GIVE BRIEF DESCRIPTION OF WHAT HAPPENED:

Page # 3 of 4

C2 stated that while at lunch on March 7, 2005, with C1 and two other residents that she told them what S1 did to her and asked them if he had ever done that to them. C2 stated C1 then informed her that S1 has done that to her every time he has changed her at night. C2 stated that she and C1 went to report the incident to R1 who requested they both write a statement. C2 stated she hand wrote a statement as requested.

C1 and C2 both stated they have known S1 since he began employment with the WH as a CNA, in January 2002, and recognize his face, voice and physique.

On March 18, 2005, Affiant and SA Smith interviewed W1, the CNA Trainer at the WH, who is listed on S1's official training records as the person who trained S1 when he was hired at the WH. W1 was shown a copy of the CNA Proficiency Checklist for S1. W1 confirmed that she had signed the form on January 14, 2002, and had trained S1. W1 was shown a photograph of S1, and she confirmed that it was the same person whose name was written on the form. W1 was asked about her instructions to new CNAs regarding perineal care for a female resident who is incontinent of urine. W1 stated her instructions would involve hands-on training and demonstrations. W1 stated it should take about three swipes in a downward motion on both sides of the vaginal opening, about six swipes total, while wearing gloves and using disposable wipes, approximately 4 to 6 minutes to complete. When W1 was asked if patting a resident on top of their pubic hair was appropriate, W1 stated if the area was wet it might need to be wiped dry. Affiant patted the table in the same fashion that C2 had demonstrated to him as the manner S1 had patted her pubic hair. W1 stated there is never a time a CNA should repeatedly pat on a resident's pubic hair, nor were they taught to do so. W1 stated it was not appropriate or a taught procedure for a CNA to repeatedly rub the thighs and crotch area of a resident. W1 stated she did not instruct S1 to rub on or around a resident's clitoris in a circular motion. W1 stated it would not be an act consistent with providing perineal care, would not be appropriate or a taught procedure.

PLEASE ISSUE A WARRANT FOR:

Clement Bassey Nkop

CHARGED WITH: mixed sexual abuse

JB 4/6/05
ASSISTANT UNITED STATES ATTORNEY

AFFIANT'S SIGNATURE:

Inv. Jonathan Rich, I.D. # IG-9226, 202-727-5864, ORI # DC0010400

SUBSCRIBED AND SWORN TO BEFORE ME THIS

6th DAY OF April 2005

R. Wutter
(JUDGE) (DEPUTY CLERK) SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

**Superior Court of the District of Columbia
CRIMINAL DIVISION**

USW NO.: 387-05

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

DEFENDANT'S NAME: Clement Bassey Nkop				CCR: 036607-05		PDID:	
SEX: Male	RACE: Black	DOB: 12-02-56	HEIGHT: 5'5"	WEIGHT: 160	EYES: Brown	HAIR: Black	COMPLEXION: Dark
DEFENDANT'S HOME ADDRESS: 611 Edgewood Street, NW, Apt. # 725, Washington, DC 20017					TELEPHONE NUMBER: 202-526-2120, Cellular 202-288-2094		
DEFENDANT'S BUSINESS ADDRESS: Unk.					TELEPHONE NUMBER: Unk.		
COMPLAINANT'S NAME: Donna Wilkes (C1) and Elizabeth Andrews (C2)							
LOCATION OF OFFENSE: Washington Home (skilled nursing facility) 3720 Upton St., NW, Wash., DC 20012, Rm # 356 (C1) and Rm # 303 (C2)				DATE OF OFFENSE: March 7, 2005		TIME OF OFFENSE: Between 1:00am - 4:00am	

GIVE BRIEF DESCRIPTION OF WHAT HAPPENED:

Page # 4 of 4

On March 17, 2005, Affiant contacted Detective Jeffrey Williams of the Metropolitan Police Department, Sexual Assault Unit for assistance and Williams joined the investigation.

On March 22, 2005, Affiant interviewed W2, the CNA Team Leader who also worked the night shift on March 6-7, 2005. W2 stated that she assigned S1 to care for residents in a number of rooms on Unit 3A, including C1's room. W2 assigned herself to all of the remaining rooms on the unit. W2 stated she took her lunch break at approximately 3:00 a.m. W2 stated while she was on her break, S1 was responsible to answer all call-button requests for assistance for Unit 3A. W2 stated C2 always uses her call-button when she needs changing.

On April 5, 2005, Affiant interviewed W3, the CNA assigned to W2 during the day shift on March 7, 2005. W3 stated that she entered C2's room after breakfast and that C2 informed W3 that that a man came into her room last night and touched her. W3 stated that she stopped C2 from saying anything further by instructing C2 to tell her allegations to the unit's nurse manager (R1).

On March 16, 2005, SA Smith obtained S1's Maryland drivers license information, including photograph from the Motor Vehicles Administration (MVA). On March 21, 2005, Affiant, accompanied by SA Smith, showed only the photograph portion to C2 who confirmed the individual depicted in the photograph is Clement Bassey Nkop (S1) and the person who sexually abused her. On March 22, 2005, Affiant, accompanied by Det. Williams and SA Smith, showed only the photograph portion to C1 who confirmed the individual depicted in the photograph is Clement Bassey Nkop (S1) and the person who sexually abused her.

Based on the above mentioned facts and circumstances, the Affiant believes that probable cause exists for a District of Columbia Superior Court Judge to issue a warrant for the arrest of Clement Bassey Nkop.

PLEASE ISSUE A WARRANT FOR:

Clement Bassey Nkop

CHARGED WITH: misc sexual abuse

AB
ASSISTANT UNITED STATES ATTORNEY

*SPK
4/6/05*

AFFIANT'S SIGNATURE: Jonathan Rich
Inv. Jonathan Rich, I.D. # IG-9226, 202-727-5864, ORI # DC0010400

SUBSCRIBED AND SWORN TO BEFORE ME THIS

6th DAY OF April 2005

R. Werten

(JUDGE) (~~DEPUTY CLERK~~) SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

United States of America
V.

JUDGMENT IN A CRIMINAL CASE

CLEMENT NKOP

Case Number: 2005 DVM 1233
PDID No. 572-876

THE DEFENDANT:

- ENTERED A PLEA OF GUILTY TO COUNT (S) _____
- WAS FOUND GUILTY ON COUNT (S) Charges 1, 2, 3, and 4
AFTER A PLEA OF NOT GUILTY.

<u>Count</u>	<u>Nature of Charges</u>	<u>Title & Section</u>	<u>Date of Offense</u>
Charge 1	Attempted Sex Abuse		
Charge 2	Simple Assault		
Charge 3	Attempted Sex Abuse		
Charge 4	Simple Assault		

SENTENCE OF THE COURT

As to Charge 1 AND Charge 3 - Ninety (90) days in jail, execution of sentence suspended as to all but eighty (80) days in jail; AND three (3) years of supervised probation.
 As to Charge 2 AND Charge 4 - One-hundred and eighty (180) days in jail, execution of sentence suspended as to all but one-hundred and twenty (120) days in jail; AND three (3) years of supervised probation.
 Jail time is CONSECUTIVE, and probation time is CONCURRENT as to each one of the four (4) charges.
 The \$200.00 assessed under the Victims of Violent Crime Compensation Act of 1996 are due by July 5, 2007.
 Upon release from jail, the Defendant must report immediately to 300 Indiana Avenue, NW, Room 2070, Washington, DC.

- The defendant is hereby committed to the custody of the Attorney General to be imprisoned for a total term of:
four-hundred (400) days MANDATORY MINIMUM term of _____ applies.
- Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
- The Court makes the following recommendations to the Bureau of Prisons:
- The Defendant is also ordered placed on probation - See page 2 of this order for conditions of probation

Costs in the aggregate amount of \$200.00 have been assessed under the Victims of Violent Crime Compensation Act of 1996, and have have not been paid.

May 5, 2006
Date

Jeanette J. Clark
Judge

Jeanette J. Clark, Associate Judge
Name and Title of Judicial Officer

Certification by Clerk pursuant to Criminal Rule 32(d)
May 5, 2006
Date



[Signature]
Deputy Clerk

DEFENDANT: CLEMENT NKOP

CASE NUMBER: 2005 DVM 1233

PROBATION

The defendant is hereby placed on a probation for a term of three (3) years.



GENERAL CONDITIONS OF PROBATION

1. Obey all laws, ordinances and regulations.
2. Keep all appointments with your Community Supervision Officer (CSO).
3. Permit your CSO to visit your place of residence.
4. Abstain from the use of hallucinatory or other drugs, and submit to drug testing, as directed by your CSO.
5. In the event of illicit drug use or other violation of conditions of probation, you will participate as directed by your CSO, in a program of graduated sanctions that may include brief periods of residential treatment.
6. Notify your CSO within 24 hours if you change your residence.
7. Obtain the permission of your CSO before you relocate from the District of Columbia.
8. Participate and complete CSOSA's employment/academic program, if directed by your CSO.
9. Participate and complete other CSOSA Programs as identified through CSOSA Program Screener Assessment

SPECIAL CONDITIONS OF PROBATION

1. Cooperate in seeking and accepting medical, psychological or psychiatric treatment in accordance with written notice from your Probation Officer.
2. Treatment for alcohol problems drug dependency or abuse as follows:

3. Restitution of \$ _____ in monthly installments of \$ _____ beginning _____
 The court will distribute monies to _____
4. Other conditions:
 - a. Stay away from: Elizabeth Andrews, Donna Wilkes, vulnerable adults as described in D.C. Code 22-932, and Washington Home at 3720 Upton Street, NW, Washington, DC 20012.
 - b. Register as a sex offender.
 - c. As a condition of probation, the Defendant hereby is ordered to be placed in the sex offender unit of CSOSA.