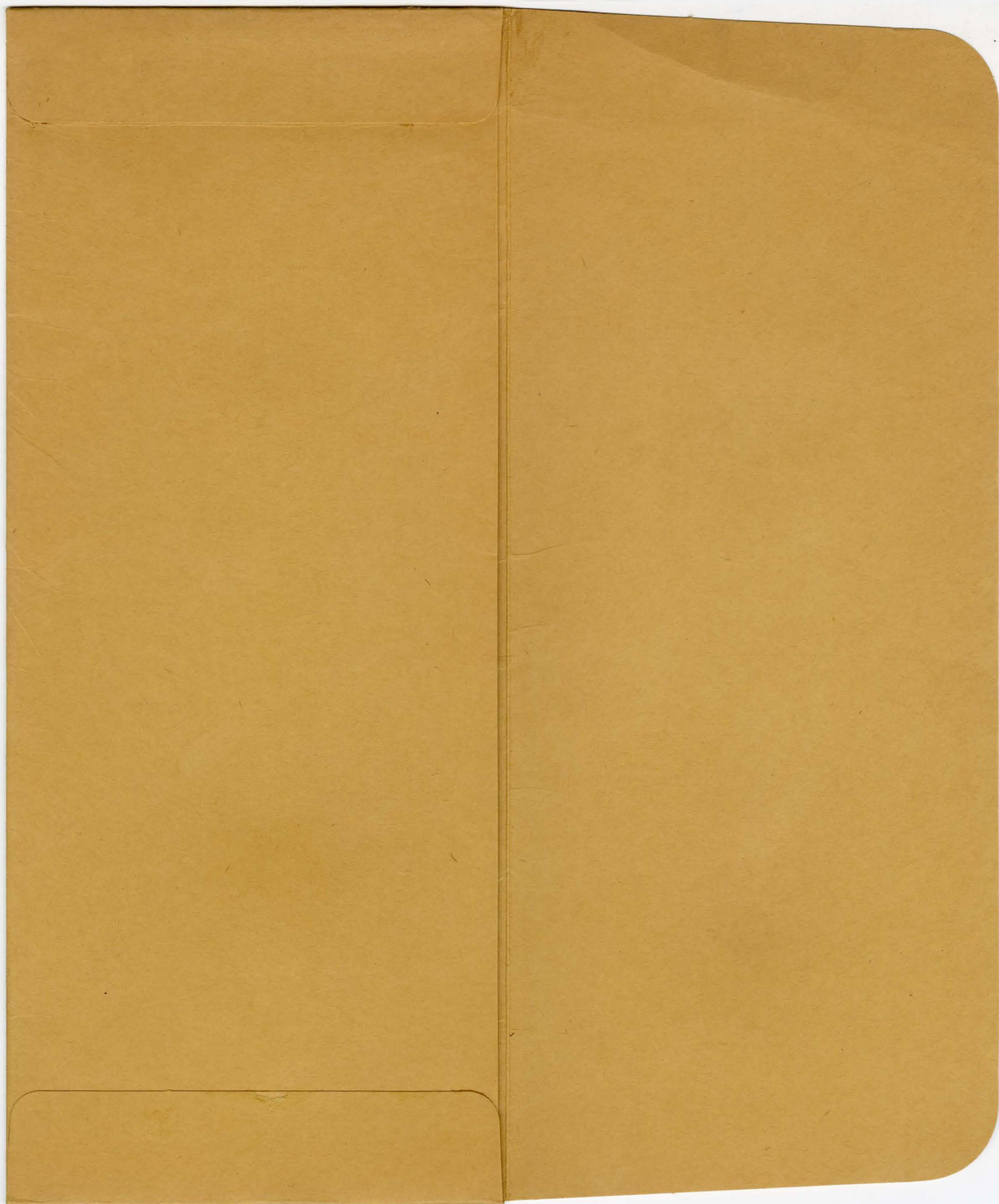


ANDREWS, DONNIE RAY

002

statutory rape

8/15/61 - treated as juvenile -
12/15/61 - reduced to minor (contributory to
delinquency of minor) -
sentenced to 12 mo. in
jail, but suspended on
good behavior -



STATE OF VIRGINIA

COUNTY OF ROCKINGHAM

To-Wit:

No. _____

TO ANY SHERIFF OR POLICE OFFICER:

Whereas, E. E. Harrison

has this day made complaint and information on oath before me, Donald S. Evans

(Name)

Justice of the Peace

(Title)

of the said County, that

Donnie Ray Andrews

in the said County

did on the 13th day of July, 1961: Unlawfully and feloniously did
ravish and carnally know one Betsy Whetzel, a minor female child,
to-wit: the age of 11 years, in violation of Section 18.1-44 of the
Code of Virginia, against the peace and dignity of the Commonwealth
of Virginia.

These are, therefore, to command you, in the name of the Commonwealth, to apprehend and bring before the
 County Court of the said County, the body (~~bodies~~) of the above accused, to answer the said complaint and to be
 further dealt with according to law. And you are also directed to summon:

_____	color _____	Address _____	<input type="checkbox"/>
_____	color _____	Address _____	<input type="checkbox"/>
_____	color _____	Address _____	<input type="checkbox"/>
_____	color _____	Address _____	<input type="checkbox"/>
_____	color _____	Address _____	<input type="checkbox"/>

as witnesses.

Given under my hand and seal, this 14th day of July, 1961

Donald S. Evans

(Title of Issuing Officer)

(Seal)

JUSTICE OF THE PEACE

STATE OF VIRGINIA—COUNTY OF _____, to-wit:

I, _____ a Judge of the County Court in and for the County aforesaid, State of Virginia, do certify
Justice of the Peace

that _____

and _____, as his suret _____, have this day each acknowledged themselves indebted

to the Commonwealth of Virginia in the sum of _____ Dollars

(\$ _____), to be made and levied of their respective goods and chattels, lands, and tenements to the use of the Commonwealth to

be rendered, yet upon this condition: That the said _____, shall appear before the _____ Circuit Court

of _____ County, on the _____ day of _____, 19 _____,

at _____ M., at _____, Virginia, and at any time or times to which the proceedings may be continued or further heard, and before any court thereafter having or holding any proceedings in connection with the charge in this warrant, to answer for the offense with which he is charged, and shall not depart thence without the leave of said court, the said obligation to remain in full force and effect until the charge is finally disposed of or until it is declared void by order of a competent court; and upon the further condition that

the said _____ shall keep the peace and be of good behavior for a period of _____ days from the date hereof. Nonappearance shall be deemed to constitute a waiver of trial by jury.

Given under my hand, this _____ day of _____, 19 _____.

Judge. J. P.

DOCKET NO. _____

COMMONWEALTH

vs.

WARRANT OF ARREST

Donnie Ray Andrews

Executed this, the _____ day of _____, 19 _____

Upon the examination of the within charge, I find the accused _____

The following witnesses were recognized to appear before the _____ Circuit Court of _____ County,

Virginia, at _____ M., on the _____ day of _____, 19 _____

under penalty of \$ _____

COSTS

Warrant _____ \$ _____

Trial _____ \$ _____

Bail _____ \$ _____

Arrest _____ \$ _____

Mileage _____ \$ _____

Clerk _____ \$ _____

Jail Fee and Board _____ \$ _____

Witness Attendance _____ \$ _____

Summoning Witnesses _____ \$ _____

Commonwealth Attorney _____ \$ _____

Total Costs _____ \$ _____

Fine _____ \$ _____

Total _____ \$ _____

DONNIE RAY

ANDREWS.

"DOB" MAY 26 - 1944
age 17.

Donnie Ray

Andrews

"Doc" May 26-1944

April 17

PRE-TRIAL REPORT

ROCKINGHAM COUNTY DEPARTMENT OF PUBLIC WELFARE

August 15, 1961

Name: Donald Ray Andrews

Father: James Edward Andrews
(deceased)

Address: Mt. Solon, Virginia

Mother: Sylvia Andrews

Age: 17, born 5-26-44

Address: Mt. Solon, Virginia

Attorney: Donald Litten

Trial Date: 8-15-61

This report as ordered by the Court, is to determine whether to try Donald Andrews as a juvenile or as an adult.

Present Problem:

See the warrant filed against Donald Ray Andrews by Bridgewater town policeman E. E. Harrison, stating that "Donald Ray Andrews on the 13th day of July, 1961 did ravish and carnally know one Betsy Whetzel, a minor female child, to-wit: the age of 11 years, in violation of Section 18.1-44 of the Code of Virginia, against the peace and dignity of the Commonwealth of Virginia." Similar charges were filed against Jerry Craun, an adult, and Dennis Propst, another juvenile.

Previous Problems:

We do not know of any difficulty that this juvenile has been involved in previous to this difficulty.

Statement and Reaction:

In the interview with Donnie, he was very cooperative and seemed to be quite willing to give information requested, but said that he would rather not make a statement in regard to whether he did or did not have relations with Betsy Whetzel. It had previously been made clear to him that since he was represented by an attorney, he did not have to make a statement along these lines. Donnie stated that he had never seen this girl or known of her in any way. He seemed to indicate that he understood that the Neale boy had known the girl at some time or other previous to the night of July 13. Donnie said that until the charges were placed against him, he had no idea that it was against the law to have relations with a girl unless it was done in a forceful way. He said that he had understood a rape charge to mean that he would have relations by force. Donnie said that any relations had with Betsy Whetzel were definitely not done in a forceful way, that the girl wanted to stay and have more relations than were had on this particular night. When asked how old he thought the girl looked to be, he said he thought she was at least 16 or 17 years of age. He said he did not know until later that night that the girl was only 11 years of age. He seemed to be quite upset and concerned about this situation and said he certainly hoped he could get

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ROCKINGHAM COUNTY DEPARTMENT OF PUBLIC WELFARE

August 15, 1961

Name: Donald Ray Andrews
 Address: Mt. Solon, Virginia
 Age: 17, born 5-26-44
 Attorney: Donald Litten
 Trial Date: 8-15-61
 Father: James Edward Andrews
 (deceased)
 Mother: Sylvia Andrews
 Address: Mt. Solon, Virginia

This report is ordered by the Court, is to determine whether to try Donald Andrews as a juvenile or as an adult.

Present Problems:

See the warrant filed against Donald Ray Andrews by Bridgewater town policeman E. E. Harrison, stating that "Donald Ray Andrews on the 13th day of July, 1961 did ravish and carnally know one Betty Whetzel, a minor female child, to-wit: the age of 11 years, in violation of Section 18-1-14 of the Code of Virginia, against the peace and dignity of the Commonwealth of Virginia." Similar charges were filed against Jerry Green, an adult, and Dennis Probst, another juvenile.

Previous Problems:

We do not know of any difficulty that this juvenile has been involved in previous to this difficulty.

Statement and Reaction:

In the interview with Donnie, he was very cooperative and seemed to be quite willing to give information requested, but said that he would rather not make a statement in regard to whether he did or did not have relations with Betty Whetzel. It had previously been made clear to him that since he was represented by an attorney, he did not have to make a statement along these lines. Donnie stated that he had never seen this girl or known of her in any way. He seemed to indicate that he understood that the Neale boy had known the girl at some time or other previous to the night of July 13. Donnie said that until the charges were placed against him, he had no idea that it was against the law to have relations with a girl unless it was done in a forceful way. He said that he had understood a rape charge to mean that he would have relations by force. Donnie said that any relations had with Betty Whetzel were definitely not done in a forceful way, that the girl wanted to stay and have more relations than were had on this particular night. When asked how old he thought the girl looked to be, he said he thought she was at least 16 or 17 years of age. He said he did not know until later that night that the girl was only 11 years of age. He seemed to be quite upset and concerned about this situation and said he certainly hoped he could get

out of this trouble. He admitted that he had had relations with other girls near his own age, but only a very few times. He said that he does not care too much to date, but in the past has done so occasionally. He said he usually single dates, but sometimes he has gone with one of the other three boys involved with their date.

Family Background:

Donnie is the youngest of four children born in the marriage of James Edward Andrews and Sylvia Andrews. Mr. Andrews, who died in 1954, when Donnie was 10 years of age, was 86 at the time of his death. Mrs. Andrews is now 59 years of age. Donnie's three older siblings are all married. They are as follows: Georgië, age 32; Billy, age 26; and Jimmy, age 20.

Religion:

Mrs. Andrews stated that she attends the Nazarene Church regularly and that in recent weeks, Donnie has been attending the Church of the Brethren. She said that Donnie began going on his own, and she thought the reason for this was because he was very upset and depressed about getting involved in this trouble.

Education:

Donnie was graduated from the North River High School with the class of 1960-61.

Employment:

Donnie is employed at the Marval Poultry Plant and earns \$1 per hour. He stated that as soon as he is 18, he would like to get another job or go to Woodrow Wilson Training School to learn body and fender work.

Home and Community:

Donnie lives with his mother and an older brother's family between Mt. Solon and Sangersville in Augusta County. The house is a five room frame dwelling, and appears to be in good condition and is neat and clean. They have 48 acres of land which they rent to other farmers in the area.

Health:

Donnie stated that as far as he knows he is in good health.

Summary:

We feel that Donnie has a good attitude about this offense in that he is very upset and sincerely concerned about the charge against him. In our investigation of the places where Donnie loafs and spends most of his spare time, we learned that he has been a "quite different boy" since the charge was placed against him. His mother stated that he does not like to talk about it and seems to be quite depressed most of the time. Mr. Howdyshell and Mr. Hummel, who operate places of business near Donnie's home, both stated that Donnie's general reputation in the community is that of a very quiet boy. They said that Donnie spends a great deal of his spare time in the evenings at their places of business, but he never gives them a minute's trouble or is rowdy in any way.

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Donnie was graduated from the North River High School with the class of 1960-61.

Employment:

Donnie is employed at the Naval Facility Plant and earns \$1 per hour. He stated that as soon as he is 18, he would like to get another job or go to Woodrow Wilson Training School to learn body and fender work.

Home and Community:

Donnie lives with his mother and an older brother's family between Mt. Solon and Sangerville in Augusta County. The house is a five room frame dwelling, and appears to be in good condition and is neat and clean. They have 48 acres of land which they rent to other farmers in the area.

Health:

Donnie stated that as far as he knows he is in good health.

Summary:

We feel that Donnie has a good attitude about this offense in that he is very upset and sincerely concerned about the charge against him. In our investigation of the places where Donnie lives and spends most of his spare time, we learned that he has been a "quite different boy" since the charge was placed against him. His mother stated that he does not like to talk about it and seems to be quite depressed most of the time. Mr. Howdyshell and Mr. Hummel, who operate places of business near Donnie's home, both stated that Donnie's general reputation in the community is that of a very quiet boy. They said that Donnie spends a great deal of his spare time in the evenings at their places of business, but he never gives them a minute's trouble or is rowdy in any way.

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Plan:

On the basis of our investigation, we recommend that Donnie Andrews be tried as a juvenile.

Kenneth B. Frank, Court Social Worker

KBF/hh
CAC/Supt.

Plan:
On the basis of our investigation, we recommend that Dennis Andrews be tried
as a juvenile.

Kenneth B. Frank, Court Social Worker

KBF/ah
CAC/supf.