



NEWS RELEASE
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FOR IMMEDIATE RELEASE

JOSEPH MILLER FOUND GUILTY OF SODOMY AND ASSAULT

SPRINGFIELD, Mo. – Greene County Prosecuting Attorney Dan Patterson announces that Joseph Michael Miller, 40, of Springfield, Missouri was convicted 12/21/2018 by a Greene County jury of sodomy in the second degree and assault in the second degree following a four day trial before the Honorable Ron Carrier.

The victim testified at trial that she met the defendant after she had been kicked out of her home by her mother. The defendant, who she had never met and lived across the street, offered to let her store her belongings at his house. After the victim's mother let the victim move back home, she met the defendant to retrieve her belongings. The victim testified that she and the defendant flirted and that she thought the evening would turn into a "one-night" stand situation. She also admitted that she had done methamphetamine and marijuana with the defendant before the incident occurred. The victim testified that she had initially engaged in sexual activity consensually, but the defendant got rough and she told him to "stop" and that "it hurt". When that happened, the victim testified that the defendant then engaged in rougher sex acts without her permission. She described feeling immediate pain and telling the defendant again to "stop" and that "it hurt". The victim tried to get away by grabbing the mattress and pulling herself away from the defendant but he was using his body weight and arms to hold her back. The victim discovered she was bleeding heavily and went back to her mother's house. When she got home, she passed out and was transported to the hospital. Several medical personnel from Mercy Hospital testified at trial and noted that the victim had significant blood loss, low blood pressure, tachycardia, bruising to her legs and lower back, and a four to five centimeter laceration to her vagina. The victim required stabilization and surgery to stop the bleeding.

Subject: Greene County Prosecuting Attorney Press Release, State v. Miller, 1831-CR01361-01

The defendant testified at trial and claimed that the victim was flirting with him and he was not interested in her and only “conceded” to having sex with her. He further testified that everything was consensual and that the victim never told him “no” or “stop”. In rebuttal, the State played the defendant’s interview with police where the defendant described flirting with the victim, trying to “bait” the victim, recounting his sexual exploits with other women to the detectives, and repeatedly using derogatory terms to describe the victim. During closing arguments, the defense focused on the victim’s drug use, the fact that she initially wanted to have sex with the defendant, and that she was lying to cover her medical bills and because she did not want to get in trouble with her mother. The State argued that the victim had no motive to lie and that all she had gained from telling the truth was having to repeatedly recount a very embarrassing day and admit that she had made poor decisions. The State also pointed out that if the victim was going to lie, that it made no sense for her to admit that the sexual encounter started out consensually and that it would have been much easier for her to claim that it was all rape. Further, the State noted that all the physical evidence matched the victim’s account including her injuries, photos from the crime scene, and the forensic evidence. The State argued that the defendant had punished the victim because she said “no” to him and he considered her an “unworthy” sexual partner. Finally the State asked the jury to do what the defendant refused to do and treat her as a person deserving of basic human dignity and deliver the justice that she deserved. The jury deliberated approximately two and half hours before delivering their verdict finding the defendant guilty of sodomy in the second degree and assault in the second degree.

The defendant is facing up to seven years and/or a fine up to \$20,000 for the conviction for sodomy in the second degree and up to seven years and/or a fine up to \$20,000 for the conviction for assault in the second degree. Judge Carrier set a sentencing hearing for February 15, 2019 at 11:00AM following a sentencing assessment report by the Department of Probation and Parole.

This case is being prosecuted by Assistant Prosecuting Attorneys Stephanie Wan and Paul Rebar. It was investigated by the Springfield Police Department and Detective Ethan Ramsey was the lead investigator assigned to the case.

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