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FOR IMMEDIATE RELEASE

Date: February 19, 2009 **Contact:** Ann Hurd, Chief Deputy District Attorney
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Sacramento Man Convicted of Multiple Sex Acts with a Minor

(Woodland, CA) – February 13, 2009 District Attorney Jeff Reisig announced that Henry James Fluker, Jr., 35, of Sacramento, was convicted by a Yolo County jury of multiple offenses of statutory rape and oral copulation with a minor. The victim was a 17 year old developmentally disabled girl who enjoyed reading Dr. Seuss books and coloring with color crayons.

At the trial, the jury heard evidence that Fluker befriended the victim on the streets of Sacramento. The victim would often run away from her Davis home and stay with Fluker on the streets of Sacramento. The victim was subsequently taken into the custody of Child Protective Services and placed in a foster home in Marysville, CA. Fluker missed the victim when she was gone so he took a bus to Marysville, got the victim and brought her back to the Sacramento area to live with him.

The victim testified at trial that she and Fluker engaged in sexual intercourse and oral copulation while staying in a West Sacramento motel and an abandoned house in West Sacramento. Fluker then testified that he never had sexual intercourse or oral sex with the victim because he was physically incapable. Fluker was born with Hypospadias, a common birth defect of the penis, which he claimed made any sexual contact extremely painful. Dr. J. Dale Smith, an urologist at the Woodland Health Clinic, testified that Hypospadias does not normally cause pain during sex.

Fluker will be sentenced by The Honorable W. Arvid Johnson, Judge on March 16, 2009 and faces a maximum of six years and eight months in state prison.

For further information please contact Chief Deputy District Attorney Ann Hurd at(530) 666-8180.

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