

## GPS data contradict Denver cop's story

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GPS data show that a Denver cop who denies pressuring a woman for sex drove to the industrial area where she alleges the assault took place.

The woman's criminal history, which includes prostitution and heroin use, could call her credibility into question, however.

New details about the accusations against patrol officer Hector Paez, 31, came to light at a Dec. 13 court hearing.

The 36-year-old Littleton woman said that on May 16, Paez put her in his patrol car, took her to a secluded industrial area and coerced her into having sex with him under the threat of jail time. She had an outstanding warrant at the time.

Denver defense attorney David Beller, who specializes in sexual-assault cases, said women involved in drug use and the sex trade are more likely to be victimized. Even so, the accuser's track record will likely pose a problem for prosecutors, he said.

"Any time credibility is at issue and an individual . . . has convictions on their record for prostitution and a history of drug use, it is going to draw into question their lifestyle and their ability to recall certain events," said Beller, who has no inside knowledge of the case.

Paez, arrested in October after a five-month investigation, faces felony charges of sexual assault, kidnapping and attempting to influence a public official. The latter stems from lies he allegedly told officers investigating the incident.

Initially, he denied having contact with the woman, but internal-affairs investigator Sgt. Jaime Lucero testified that GPS records put Paez's patrol car at the industrial site the woman identified.

The Denver Post is not reporting the woman's name because she is an alleged sexual-assault victim.

Court records show that she was arrested in February and August on prostitution-related charges and has a lengthy criminal record that includes a number of drug-related charges.

Lucero testified in court that the woman was a habitual heroin user.

He also said a search warrant for Paez's home and work locker turned up no DNA evidence and that the woman could not identify Paez in a photo lineup.

Her inability to identify Paez is less problematic for prosecutors, Beller said.

"I don't think a conviction or acquittal is going to turn on the ability to properly identify him," Beller said. "Eyewitness testimony can sometimes be very unreliable. The jury is going to have to look to other circumstances."

Paez, a four-year veteran of the Denver Police Department and an honorably discharged Marine, was placed on leave without pay as the case wends its way through court. His arraignment is scheduled for Jan. 6.

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