

Roger Lee Largent Cleared of Rape Conviction Four Days After His Murder In Prison

The Maryland Court of Special Appeals [reversed the rape conviction](#) of 69-year-old Roger Lee Largent four days after he was beaten to death in his cell by a fellow inmate at the Western Correctional Institution in Cumberland, Pennsylvania, on February 11, 2017.

In the summer of 2015 Roger Largent was 67 and living in Clear Spring, Maryland. His stepdaughter M.F. was in her late 40s, and she lived with her husband in nearby Hagerstown. On June 30, 2015 he drove to M.F.'s house to take her and her husband to a scheduled doctor's appointment. After he arrived, he and M.F. went into the kitchen where they had sex.

Largent then drove M.F. and her husband to the doctor. When the appointment was over Largent drove M.F. and her husband back to their house.

That night, many hours after Largent had dropped them off, M.F. told her husband while they were talking that she and Largent had sex, but he had raped her. Her husband called the police.

When Officer Joseph Delicati arrived M.F. told him that Largent had roughly handled her arms, neck, and other parts of her body. Officer Delicati did not observe any bruising or red marks on her arms or neck.

M.F. was taken to the Meritus Medical Center's emergency room where she was examined by nurse Ashley Hall. Hall's examination found no vaginal trauma or any other physical indication she had been roughly handled or sexually assaulted.

When questioned by a detective Largent first denied having sex with M.F., but he



Roger Lee Largent
(Washington County,
Maryland Sheriff's Office)

me first."

Based on M.F.'s complaint Largent was arrested on July 8, 2015. He was charged with second-degree rape, fourth-degree sex offense, and second-degree assault.

During his trial M.F. testified that while in the kitchen Largent had come up behind her and pulled her pants down while roughly handling her. She said that she screamed for him to stop, and she couldn't get away because he was pressing her against the refrigerator. She said her husband couldn't hear her scream because he was upstairs in a room with the door closed and with the radio and air conditioner on. She also testified that afterwards Largent drove her and her husband to the doctor, drove them home from the hospital, and it wasn't until many hours after he left that during a conversation she told her husband Largent raped her.

Hall testified about the absence of her finding any physical evidence M.F. had been sexually assaulted. [She testified there were](#) "no bruises or marks on M.F.'s body that would indicate where, if anywhere, the alleged victim had been held or restrained during the sexual encounter with" Largent. The prosecutor then asked Hall to express her opinion how M.F. could have been raped without any physical evidence she had been assaulted. Largent's lawyer [objected to the question](#), "now [the prosecutor is] starting to ask for expert opinions and she hasn't been offered as an expert in this field." The judge ruled Hall could provide her expert opinion about reasons a woman could be raped without any physical evidence she had been assaulted.

Officer Delicati testified as a defense witness that M.F. had no visible bruises or red marks on arms and neck when he took her statement at her home. Largent testified [in his defense](#), "I didn't threaten her ... and I didn't force her to have sex." Largent's lawyer told the jury during closing arguments the reason there was no physical evidence M.F. had been raped was because

soon admitted they had consensual sex in her kitchen. He said he initially denied it because he was embarrassed to admit he had sex with his stepdaughter. He [told the detective](#), "I swear on a stack of Bibles" it was consensual sex, and "she came on to

she hadn't been, and she "might have told her husband she was raped out of guilt over being unfaithful with Largent."

The jury was faced with a "She said. He said" case, with the exception of nurse Hall's "expert" testimony.

On March 8, 2016 the jury convicted Largent of second-degree rape and second-degree assault, but acquitted him of fourth-degree sex offense. During his sentencing hearing on May 5, 2016 Largent proclaimed he was innocent of rape and the sex between M.F. and him was consensual. Circuit Judge Daniel P. Dwyer said he didn't think Largent should be penalized for insisting on his innocence, but he then proceeded to sentence him to 18 years in prison -- only two years less than the 20-year maximum. Largent would have to serve at least nine years before he would be eligible for parole.

Largent appealed, arguing Judge Dwyer erred allowing Hall to provide expert testimony without being noticed as an expert by the prosecution or qualified as an expert by the judge. She had been subpoenaed to testify as a lay witness about the facts of her examination -- not to give expert medical opinion testimony there was no evidence she was qualified to provide.

About 8 p.m. on February 11, 2017, Largent was found dead in his cell at the Western Correctional Institution in Cumberland, Maryland. He had visible injuries to his face and arms. An autopsy determined Largent died of blunt-force trauma.

Four days after Largent's convictions were posthumously overturned. On February 15, 2017 the Maryland Court of Special Appeals reversed Largent's convictions on the basis Hall's "expert" testimony was inadmissible because she was a lay witness who was improperly allowed by the judge to provide expert testimony. The Court's opinion reviewed at length the difference between factual lay testimony and expert opinion testimony. The Court [stated in its ruling](#):

"In this matter, by way of contrast, Ms. Hall's testimony was not limited to what she did or what she observed while treating M.F. Her testimony did call for her opinion that a victim of non-consensual sexual intercourse might not exhibit any physical injuries..."

And, Ms. Hall's testimony was intro-

Largent cont. on page 4



Western Correctional Institution in Cumberland,
Maryland

Largent cont. from page 3

duced to prove an essential element of the rape charge, that is, that M.F. may not have consented to the intercourse even if her SAFE examination showed no physical trauma. Because appellant admitted to having had sexual intercourse with M.F. on the day in question, the only real issue before the jury was whether the intercourse was consensual, as appellant claimed, or non-consensual, as M.F. insisted.

... Because Ms. Hall's testimony addressed the core issue of M.F.'s consent, the trial court's error in admitting her testimony cannot be deemed harmless beyond a reasonable doubt.

Judgments Of The Circuit Court For Washington County Reversed; Case Remanded To That Court For A New Trial; Costs Assessed To Washington County." [*Largent v. Maryland*, No. 587 (MD Ct. Spec App, 2017), 14-15]

The reversal of Largent's conviction is final since he cannot be retried. Nurse Hall's admissible lay testimony supported that no rape occurred, so it can be somewhat doubted the Washington County District Attorney's Office would have retried Largent if he hadn't been murdered. Having sex with his stepdaughter may have been contrary to societal norms, but it wasn't illegal.

The Maryland State Police is in charge of investigating Largent's murder.

[Click here to read](#) *Roger Lee Largent v. State of Maryland*, No. 587 (Maryland Ct. of Special Appeals, 2-15-2017)

Sources:

[Roger Lee Largent v. State of Maryland](#), No. 587 (Maryland Ct. of Special Appeals, 2-15-2017) (Reversing conviction based on inadmissible expert testimony by a lay witness.)

[Murdered inmate's conviction overturned](#) just days after death, *Herald-Mail Media* (Hagerstown, MD), Feb 16, 2017

[Washington County jurv finds man guilty](#) of raping disabled woman, *Herald-Mail Media* (Hagerstown, MD), March 8, 2016

[Clear Spring man sentenced to 18 years in rape case](#), *Herald-Mail Media* (Hagerstown, MD), May 5, 2016

\$50,000 Reward Offered For Info That Will Exonerate Temujin Kensu Of 1986 Michigan Murder

The tip line number is 1-800-595-0830 to collect up to a \$50,000 reward for information that can help exonerate Temujin Kensu, aka Frederick Freeman.

Kensu is personally offering a reward of up to \$25,000 for credible information that will exonerate him of the Nov. 5, 1986 murder of Scott Macklem in a parking lot at St. Clair Community College in Port Huron, Michigan. Kensu is currently serving a life sentence for his 1987 first-degree murder conviction.*

The Southfield, Michigan based law firm of [1-800-Law-Firm](#), which represents Kensu, is offering to match Kensu's reward. So the total maximum reward is \$50,000.

Kensu is offering up to \$5,000 (\$10,000 with the matching money) for credible information regarding Macklem's death, and \$25,000 (\$50,000 with the matching money) is being offered for information that exonerates Kensu or results in the conviction of the person who committed the crime.

1-800-595-0830 is the tip line number. info@hardestypvi.com is the tip email address.

All tips go to Hardesty Private Investigations. Hardesty PI told Justice Denied they are working with Kensu and 1-800-Law-Firm. Hardesty PI's website is www.hardestypvi.com.

Kensu's defense at his trial was that he was on Michigan's upper peninsula where he was living, at the time of Macklem's murder 465 miles away in Port Huron. Port Huron is about 60 miles northeast of Detroit. The prosecution's case was based on the contention that Kensu was jealous of Macklem who was engaged to marry Kensu's former girlfriend, Crystal Merrill, who was pregnant with Kensu's child. Credible witnesses saw Kensu in Escanaba on the peninsula two hours after the murder. However, the prosecution argued it is possible -- without presenting any evidence he did so -- that he could have flown from Port Huron to Escanaba in a private airplane.

Kensu, 23 at the time of his arrest, is now 54.

Kensu has mounted a number of legal challenges in state and federal court to his conviction, all of which to date have been



Temujin kensu (Justice Incarcerated - 2010)

unsuccessful. On June 28, 2017 the Investigation Discovery cable channel aired a program about Kensu's case.

Kensu had a number of medical problems over a 20 year period of time that were largely ignored by the Michigan Department of Corrections, including

shoulder surgery that was denied in 2009. In 2013 Kensu filed a federal civil rights lawsuit [that alleged](#) the Michigan DOC and a number of DOC employees had exhibited "deliberate indifference to serious medical needs in violation of 42 U.S.C. 1983." On March 28, 2016 [the jury awarded](#) Kensu \$40,000 in compensatory damages and \$285,000 in punitive damages.

The DOC appealed. In March 2017 the DOC dropped their appeal, conceding that [they wouldn't win](#) the appeal. The DOC paid the \$325,000 awarded by the jury, which has enabled him to post a reward for information. (Some of the money will also be used to privately pay for necessary medical care for Kensu.)

Proving Innocence, which has been advocating for Kensu's innocence for almost ten years, has information about his case on their website, www.provinginnocence.org.

"Justice Incarcerated," a 2010 documentary about Kensu's case, can be seen on YouTube at <https://tinyurl.com/yapflj8t>.

A website with extensive information about Kensu's case is, <https://tinyurl.com/ya8dsmb3>.

Endnote:

* Since he converted to Buddhism Frederick Freeman goes by Temujin Kensu. The Mich DOC lists him under his committed name Freeman.

Sources:

[Proving Innocence](#)

[Reward offered for tips](#) exonerating Burton man convicted in 1986 slaying, *The Flint Journal*, July 12, 2017

[Jury awards \\$325,000](#) to prisoner in dispute over health care, *Detroit Free Press*, April 13, 2016

[State drops appeal of \\$325,000](#) verdict for Temujin Kensu, *Lansing State Journal*, March 7, 2017

[Kensu v. Buskirk et al](#), No. 2:2013cv10279 (E.D. Mich. 2015) (Document 116 -- Order Denying Defendants' Motion For Judgment On The Pleading And For Summary Judgment)

