



# Domestic Violence Blog

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## Data From Fitbit Used to Undermine Rape Investigation

Posted by [Kevin Trombold DV Defense Attorney](#) | Aug 05, 2015



Criminal charges can be absolutely life-altering, especially if the charges are for a serious criminal offense. Not only is it stressful, frustrating, and expensive to go through the process of defending yourself against charges of a crime, but if it doesn't go well and you end up getting convicted, you'll be sentenced and face fines, jail time, and other criminal sanctions. The problems don't end at sentencing, though – convicted defendants face an uphill battle for the rest of their lives because of their criminal history.

Facing criminal charges can get far more frustrating, even shocking, if you know full well that you didn't commit the crime. Unfortunately, this happens entirely too often. As we see from the rise of DNA evidence, and its use to overturn serious criminal convictions from decades ago, we know for a fact that wrongful convictions and charges have ruined people's lives by making them live in jail for most of their lives.

Because of how often innocent people are convicted for a crime, it can be refreshing when criminal charges are found to be false before they gain much traction and affect too many people. Such a thing just happened in Lancaster County, Pennsylvania.

This past March 10, in East Lampeter Township, 43 year old Jeannine Risley called 911 and said that she'd been assaulted and raped in her home by a man in his 30s, wearing boots. Ms. Risley said that she was asleep, and woke up with the man on top of her. When they reached the scene, police found overturned furniture, a knife, and a bottle of vodka. However, there was no evidence of bootprints in or around the house, and a manhunt failed to find anyone matching the description of the alleged culprit.

Further investigation of the scene found that Ms. Risley was wearing a Fitbit at the time of the incident, which measures a person's physical activity. Data obtained from the Fitbit revealed that Ms. Risley was awake and walking around at the time she had claimed she was sleeping. After examining the evidence and conducting more interviews, law enforcement stopped the rape investigation, and charged Ms. Risley for filing a false police report, and for prompting an emergency response. Ms. Risley is from St. Petersburg, Florida, where she lives with her husband, but visited Lancaster County twice a month for work.

This type of situation happens altogether too often. Unfortunately, these groundless criminal accusations also manage to impact other people entirely too often, as well. In this case, it was fortunate that the police never found anyone matching the description of the assailant provided by Ms. Risley. Many times, however, people aren't so lucky, and find themselves under arrest and facing charges of a serious crime that never happened. In these situations, it becomes crucial to have a top-notch criminal defense attorney, who can find that evidence of innocence that you desperately need. If you ever find yourself in this unfortunate situation, call the law office of Kevin Trombold: (206) 382-9200.

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