

MODESTO: Ex-Modesto cop indicted on sex charges | Crime |

Modesto Bee

By Rosalio Ahumada

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— A criminal grand jury has indicted a former Modesto police sergeant who was arrested last year based on allegations he had sex with an underage female family member.

Robert Hodges, 40, also is charged with failing to comply with a court order not to contact the victim or her immediate family. Hodges appeared in court Tuesday morning and pleaded not guilty to the charges listed in the indictment.

His preliminary hearing was scheduled to start Oct. 15. With the indictment, the case now skips the preliminary hearing phase and moves straight to trial.

But it's not likely the trial will happen anytime soon. Typically, defense attorneys request time to review the grand jury transcript before challenging the indictment, which can delay the start of a trial.

Criminal grand jury proceedings are held behind closed doors, and witnesses testify without the defendants or their attorneys present. Defense lawyers are allowed to provide prosecutors with exculpatory evidence to pass on to the grand jury.

Kirk McAllister, Hodges' defense attorney, on Tuesday told the judge he has not yet received a copy of the grand jury transcript. He said he would need time to review the charges before determining whether a hearing to challenge the indictment will be needed.

Hodges was a 15-year veteran of the department and was working patrol when he was arrested Oct. 22; police officials have said the crimes aren't alleged to have taken place while on duty. He no longer works for the department, and he remains free on \$115,000 bail.

The charges involve one alleged victim, listed as Jane Doe in a criminal complaint filed last year. She was 15 when the sexual abuse is alleged to have started. Authorities say the crimes occurred between July 2009 and May 2010.

Hodges has been charged with committing lewd acts with a child 14 or 15 years old. The criminal complaint also alleges that he committed two counts each of sexual penetration with a victim younger than 16, unlawful sexual intercourse with a victim younger than 16 and oral copulation with a person younger than 16.

In February, prosecutors filed two misdemeanor charges against Hodges. Authorities allege he violated on Nov. 28 and Dec. 5 the court's order not to contact the victim or her family.

Stanislaus County Superior Court Judge Thomas Zeff scheduled Hodges to return to court

Thursday for a pretrial hearing.

Bee staff writer Rosalio Ahumada can be reached at rahumada@modbee.com or (209) 578-2394. Follow him on Twitter @ModBeeCourts.