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PRESS RELEASE

For Immediate Release

Date: April 22, 2010
Re: Mark D. Rogers
Prison Sentence for Felony Indecent
Exposure

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Mark D. Rogers, age 46, of Modesto, was sentenced to five years in prison after a jury convicted him on March 23, 2010 of one felony count of Indecent Exposure and one misdemeanor count of False Identification to a Police Officer. A court trial before the Honorable Marie Silveira was held and Rogers's prior conviction for Indecent Exposure, as well as three prior prison terms, were found to be true. Deputy District Attorney Annette Rees prosecuted the case for the People.

The case arose out of events that occurred on September 22, 2009 in the city of Turlock. Rogers, who is required to register with law enforcement as a sex offender, decided to go for a swim in the hotel pool at the Holiday Inn in Turlock. He then sat on a bench at the front entrance of the hotel and exposed and fondled himself. Several guests notified hotel management which then contacted the Turlock Police Department. When contacted by the officer, Rogers identified himself as Randall Cleary. It was not until his fingerprints were scanned at the jail that it was determined that he was Mark Rogers, a parolee at large.

Results of the confidential STATIC-99 test were revealed to the parties in court. The STAT-99 is an instrument designed to assist in the prediction of sexual and violent recidivism for sexual offenders. "The results of this instrument indicate Rogers is a moderately high risk of re-offense in our community," Rees argued to the court. Additionally, Judge Silveira noted that Rogers knew what his conduct was, and the fact that he chose the front of the hotel at a busy time when people were checking in and guests were coming and going for dinner, which certainly could have included children, made him undeserving of any leniency in the matter.

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