

## SHARING HORROR OF RAPE

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On the morning of Feb. 4, 2005, Penny Mitchell, the general manager of Chili's Grill & Bar on Green River Road, was raped inside the restaurant after it had closed. It was one of the most brutal rapes ever reported in Evansville in which the victim survived. The crime has yet to be solved.

This year near the anniversary of the crime, Mitchell contacted the Evansville Courier & Press saying she wanted to share her story to help other sexual assault victims.

Today's story, the first of three, is based on police reports, a copy of a 911 phone call made from the restaurant and numerous interviews with Mitchell, her family and friends and police who are investigating the crime.

\* \* \*

Unaware she was being watched, Penny Mitchell, general manager of Chili's Grill & Bar on Evansville's Green River Road, said goodbye to the last employee and turned her attention to closing up the restaurant early on the morning of Friday, Feb. 4, 2005.

Mitchell, 41, locked the door, checked the other five entrances and returned to the office to finish the night shift.

Sent to Evansville to turn around a restaurant, Mitchell had made a difference in just three months. The transition wasn't easy. Around a quarter of the staff either quit or was fired. Those who stayed worked hard.

When Mitchell accepted the job in November, management told her it would take at least six months to make a bonus. She earned one in half that time.

Inside the office, the clock ticked past midnight. Closing a restaurant is a methodical process: Clean the store, walk the last employees out, log the invoices and deposit the cash into a safe.

Mitchell was minutes from completing the last step when she paused and walked to the ladies room. The path took her through the dining room and kitchen. Mitchell washed her hands and headed back to the office.

She was about to enter the kitchen when a man stepped behind her and raised a gun to her back.

"Don't make me kill you," he whispered into her ear. "Take me where the money is."

Mitchell's body trembled. She walked slowly toward the office, the gun pressed into her back every step. "Please don't kill me. Please don't kill me," she pleaded.

"Put your hands in your pockets," the man ordered.

As Mitchell moved her hands down to her waist, she slipped off her engagement ring into a pants pocket. Her fiance, Mike, had given it to her only two days before, when he proposed in the couple's kitchen. "This son of a bitch isn't getting this," she thought.

Mitchell pulled a set of keys from her pocket and unlocked the office door. The safe was under the desk. She moved a chair that was in the way and dropped to her knees. "I never turned around," Mitchell would later tell a detective. "I didn't want him to think I was trying to see him because I didn't want to die."

Mitchell opened it and began pulling cash out. Her hands shook, causing her to drop some of the money.

"Put it behind your back and on the floor," the man demanded.

She emptied the safe. "That's not all. There's got to be more," the man shouted. Mitchell didn't have access to more cash, but the man didn't believe her, and his frustration turned to anger.

He put a bag over her head and tied it around her neck. It was so dark she couldn't see. "Please don't kill me," she repeated again and again.

"I don't want to kill you," he said slowly. "I want you to remember this."

Until then, Mitchell believed this was nothing more than a robbery.

Stay calm, cooperate and everything will be OK, she had thought, but now she recognized something had changed about the man's demeanor.

Turn around and take off your pants, he ordered. Mitchell cried and begged him to stop. He ripped open her shirt. Buttons flew off and went "ping, ping, ping" as they hit the floor. The bag was tight around her neck. She felt nauseous.

Get on the ground, the man ordered. He straddled her and pressed one of his knees into her ribs. He bound her hands behind her head to a filing cabinet with a thin rope, pulled her bra up to her neck, tore off the rest of her clothes and tied one of her legs to the door handle. The other he tied to a different filing cabinet.

The man unzipped his pants and hit Mitchell in the head repeatedly until she vomited.

The restaurant had no cameras. The store alarm was located above the door, about seven feet off the ground. No one was scheduled to come in for hours. She had no choice but to give in. Mitchell thought of her children, the only thing that calmed her mind.

The man became even more violent. He knocked several of her teeth out, kicked her in the side and stomped on her knee. Mitchell continued to vomit into the bag and lost track of time. The rape "seemed like it lasted forever," she said.

When it was over, the man stood up and said: "Don't get up, or I'll kill you."

Mitchell heard a door shut. The man left. She knew he couldn't get back inside because the doors automatically lock. Mitchell feared she was going to suffocate. She stretched her head and pressed the bag against a filing cabinet, drawing it closer to her face.

She bit through and gasped for air. "I think that's the point when I lost it because I kept yelling for somebody to please help me," she said.

She freed her hands. Her left foot was numb, and the skin was turning black. The knot was too tight. With her foot still tied to the door handle, she reached for the phone and dialed 911.

Dispatcher: "Evansville 911, do you have an emergency?"

Mitchell: "I do (unintelligible) ... restaurant ..."

Dispatcher: "I can't understand you on your phone. I need you to slow down."

Mitchell: "I'm sorry."

Dispatcher: "I can't understand you. Where do you need the police?"

Mitchell: "I need the police, please."

Their conversation continued for several minutes, as Mitchell recounted the robbery and rape through tears. Her voice trembled.

Dispatcher: "You don't see any blood? Do you have the bag off of your face?"

Mitchell: "I do. I had to eat through it to get it off."

The police arrived and broke through a glass door. Still worried her attacker might return, Mitchell shivered with fear.

The officers searched the building to make sure no one else was inside and went to the office. The door was locked, but Mitchell was able to open it.

Naked and bruised, Mitchell needed someone to hold her hand and tell her everything was OK. She needed compassion, something the police weren't prepared to provide.

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Upcoming

Monday's story will look at how Evansville police investigated Mitchell and will follow her to Deaconess Hospital, where a nurse performs a rape kit.

Tuesday's story will examine how it has affected Mitchell, how she has left Evansville to be with family and how she has struggled to rebuild her life.

**Caption:** Photos, 2 Information Box  
BOB GWALTNEY / Courier & Press

A year after the attack, Penny Mitchell contacted the Courier & Press because she wanted to share her story to help other sexual assault victims. It has been more than a year since Penny Mitchell was brutally raped. She still lives with fear and pain as she goes through recovery. Mitchell was attacked Feb. 4, 2005, during a robbery of Chili's Grill & Bar as she closed the business. Mitchell's assailant has never been captured. HOW TO HELP

\* Anyone with information about the rape of Penny Mitchell can call Evansville Police Detective Jim Harpenau at 435-6072. \* The Albion Fellows Bacon Center recommends the following Web sites for information on victims of sexual assault -- [www.incasa.org](http://www.incasa.org), [www.rainn.org](http://www.rainn.org), [www.albionfellowsbacon.org](http://www.albionfellowsbacon.org) and [www.missingkids.com](http://www.missingkids.com). \* The Albion Fellows Bacon Center has counselors available 24 hours a day. To speak to someone, call 424-7273.

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