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Girlfriend of Man Accused of Raping and Assaulting Minor in St. Thomas Faces Accessory Charges; Judge Says Case is Weak

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Mugshot of Jasmine Ware By. THE VIRGIN ISLANDS POLICE DEPARTMENT

ST. THOMAS — The live-in girlfriend of a [man accused of raping and assaulting a minor](#) in St. Thomas faces accessory charges, after having knowledge of the heinous acts against the minor and not reporting them to the proper authorities.

Jasmine Ware, 27, a native of California residing on St. Thomas, appeared before the Magistrate Judge Henry Carr III via teleconference from the Bureau of Corrections on Wednesday for her advisement hearing.

Ware was initially charged with aggravated child abuse and neglect, accessory after the fact, and misprision of a felony.

Sufficient probable cause was found only for the accessory after the fact charge. According to the fact sheet, Ware remained silent when questioned by police initially, according to Officer Tamia Freeman's sworn testimony on Wednesday. Prosecuting attorney Brenda Scales argued that this charge should stick as the defendant assisted Dexter Teschiera to avoid the ramifications of the child abuse on a minor on August 2 by not taking the minor to the hospital or reporting the alleged offenses.

Judge Carr stated that the minimum bar was met for that charge for the following reasons: (1) the relationship between the co-defendants; (2) Ware was present when the August 2 assault took place, and (3) Ware was asked numerous times by the minor to be taken to the hospital but was not, according to the fact sheet.

Regarding "the unwillingness to take her to the hospital, there is maybe a probability that that would subject her boyfriend to apprehension, trial or punishment for the commission of the assault," Judge Carr said. However, he did not believe it to be a strong case.

The aiding and abetting of aggravated child abuse and neglect charge was dropped.

"According to [Officer Tamia Freeman's] testimony, Ms. Ware did not aid or abet. [Officer Freeman] offered no testimony as to anything Ms. Ware did that would be required under that statute," said attorney Alexia Furlow of the Office of the Territorial Public Defender.

The fact sheet stated that Officer Freeman on August 9 contacted the minor's mother, who lives on the U.S. mainland and sent the minor to St. Thomas in April. The mother said that Ware called her on the date of the August 2 assault where the minor's collarbone was broken by Teschiera. The mother, who is a nurse, suggested that a pain reliever be given. The following day, a photo of the minor's shoulder was sent to the mother and she suggested taking the minor to the hospital, but it was never done by Ms. Ware or Teschiera. Subsequently, the minor called the police herself on August 6 as she was in tremendous pain and no one cared enough to do anything about it, the minor said to police.

Did Ware have a responsibility to take the minor to the hospital? To answer that, Judge Carr questioned the relationship between the minor and Ware by asking if she was a guardian or parent of the child, which was a no. "There's no legal relationship here," the judge said. Attn. Furlow argued that that decision is ultimately up to the parents. "If a bill comes from the hospital, Ms. Ware isn't going to be the one to pay for it," Attn. Furlow reasoned.

Misprision of a felony was not an appropriate charge as Ware did not "willfully conceal" the crimes from the authorities. According to a note in the statute, Ware would have needed to take an affirmative step to conceal the felony. Officer testimony did not reveal any affirmative steps taken by Ware. Refusing to take the minor to the hospital and failing to report an alleged crime, the prosecution's argument as an affirmative step, did not appear to qualify under the statute as the judge tossed this charge.

Not considering Ware a flight risk or danger to the community, Judge Carr ruled on the following release conditions:

- Released on personal recognizance (no cash bail)
- Prior approval by court for travel

- Surrender driver's license and passport
- No contact with the minor

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