

# Melbourne police call report of sexual assault by transgender student at school 'unfounded'

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Florida Today

[Brevard Public Schools vehemently denied that any incident occurred](#) at the middle school after Fine publicly called for Florida Education Commissioner Manny Diaz to [investigate a potential sexual assault](#) at Johnson Middle School on Aug. 11. Fine did not have firsthand knowledge of any assault, but said parents had reached out to his office. He blamed BPS' practice of allowing transgender students to use bathrooms of the gender that they identify with for making such an incident possible. After Fine sent his letter to the DOE, the Brevard County Sheriff's Office responded to public record requests for a report of an incident in a bathroom at Space Coast Jr./Sr. High School in which a transgender student was accused of grabbing the breast of another student in the women's restroom. No charges were filed due to conflicting statements from the two students and a lack of evidence. Fine criticized BPS for not disclosing this incident when concerns surfaced about Johnson Middle School, saying officials "mislead" and "gaslighted" the public. After a nearly three-week long investigation, Melbourne Police said in a report finalized on Friday that [allegations of a transgender student assaulting a girl in the bathroom](#) at Johnson Middle School were unfounded.

Over the course of the investigation, police spoke to administrators at Johnson Middle School, the Brevard County Sheriff's Office, and the Department of Children and Families, all of whom said no reports regarding a sexual assaults at the school had been made.

Rep. Randy Fine, R-Palm Bay, and the parents that police spoke with were unable to give specific information, saying that they had heard the story of the alleged assault from multiple sources, including other parents and an unnamed teacher who did not work at Johnson Middle School.

## Where did the allegation originate?

Police traced the story of the Johnson Middle School assault to a conversation between retired BPS teacher Karen Parrish and a teacher who did not work at Johnson, then closed the case as unfounded when Parrish did not provide the name of the current teacher and no witnesses came forward.

Any teacher with knowledge of a sexual assault would have been legally obligated to report the incident to the Florida Department of Children and Families, but according to Melbourne Police Department, no such report was made.

BPS declined to comment on the Melbourne Police report. Fine said he was pleased his letter "exposed the coverup of the 'transgender' sexual assault by Brevard Government Schools."

"Because of my efforts, the Florida Department of Education has put forward rules that will require (BPS) to inform parents of their open bathroom policy," Fine said. "Parents are justifiably outraged about their policy, and I am confident that with the voters overwhelming rejection of incumbent wokeist politics on our school board last week, it will be repealed soon."

**'It did not happen':** [Transgender sexual assault of girl in middle school bathroom never happened, BPS says](#)

**Previous coverage:** [Transgender sexual assault claims at Brevard Public Schools could bring new state](#)

[rules](#)

The [Florida Department of Education on Aug. 19 began drafting a rule](#) that would require schools that allow transgender students access to bathrooms and locker rooms of the opposite sex to publish the policies on their website and allow students access to sex-segregated bathrooms, and School Board Chair Misty Belford lost her reelection bid to Republican Megan Wright.

The same day Fine published his letter to Diaz, Resource Officer Jesus Lopez at Johnson Middle School was informed by Principal Marina Saporito-Middleton about a letter written by Fine to the Department of Education concerning an alleged sexual assault in one of the bathrooms, according to the police report.

According to the report, the middle school hosted enrichment programs in addition to summer school over the summer. Students attending the enrichment programs were escorted to and from bathrooms by a faculty member.

Lopez said that no allegations were reported to him or school administrators, even though he and other administrators were present at the school during the timeframe when the alleged incident would have occurred. There were also no reports made to Crime Line's Speak Out hotline.

Saporito-Middleton told Detective Mark Brackett of Melbourne Police's Criminal Investigations Division she was not aware of any allegations of sexual assault over the summer session, the report said, adding that she had been sent several public records requests regarding the incident but could not fulfill them because the incident had not been reported to the school.

## **Rep. Randy Fine says concerned parents brought alleged incident to his attention**

Fine told police he thought Brevard Public Schools and law enforcement were already conducting an investigation and that his letter was meant to prompt FDOE to make sure BPS properly reported the incident to the state, the report said. Police told Fine there had not been a criminal investigation by Melbourne Police Department, BPS or BCSO because no one had made a report.

Fine said a group of parents had come to him with concerns about the incident, saying that he believed the information had been given to them by a current school board member. Though he said he didn't know which school board member gave the information, he suggested police reach out to Matt Susin because Johnson Middle School is in Susin's district.

Police spoke to a BCSO major who serves as part of BPS School District Security, the report said. The major told them BPS had not been made aware of allegations of an assault at Johnson Middle School over the summer until Fine sent the letter to FDOE, adding that the only incident he knew of was an incident at Space Coast Junior/Senior High School that had been previously investigated. The incident involved a transgender student and criminal charges were not filed.

Police spoke to Fine again, who said a teacher at Johnson Middle School had told parents about the alleged incident at the Melbourne middle school, saying the teacher was afraid to report it for fear of being fired. Fine told police that he had learned about the incident at Space Coast Junior/Senior High separately after he sent the note to Diaz.

Florida Department of Children and Families Supervisor Ashley Delaney told police DCF had not received any reports from or about the school and that no investigation was underway, the report said.

## 'There is no evidence'

Police spoke to Katie Delaney, who Fine referred to as the “leader” of the concerned group of parents. Delaney, who is not related to Ashley Delaney, said her friend’s mother-in-law had lunch with an unknown teacher, who told her about an incident involving a transgender student and a cisgender female student in a bathroom. Delaney said the transgender student had raped the other student.

Karen Wilson Parrish, the friend in question's mother-in-law, told police she retired two years ago from teaching at Saturn Elementary School in Cocoa. She had lunch recently with several former and current teachers, and the topic of BPS’s new open bathroom policies regarding transgender students came up. Parrish said the current teacher mentioned the previously investigated incident at Space Coast Junior/Senior High School, then said she heard a similar incident happened over the summer at Johnson Middle School. Parrish said the teacher did not have any direct knowledge of the incident and had heard rumors through the grapevine. Parrish added that the teachers did not know how this incident could have happened, reiterating what Lopez said about students being escorted to bathrooms by a staff member during the summer. She said if the teacher had actual knowledge of the incident, she would have reported it to DCF. She declined to provide the name of the teacher but said the teacher does not teach at Johnson Middle School.

Police checked again with Lopez and Saporito-Middleton to find out if anyone had come forward regarding the incident. Both said no one had.

They then informed BCSO and DCF that no one had come forward.

**Police closed the case as unfounded, saying no victims, suspects or witnesses had been identified and “there is no evidence to support the allegation of sexual battery against a student at (Johnson Middle School) during summer school.” [My Emphasis. Ed.]**