You Decide

4.4 In a Mississippi case, Xavier Sherron began having intercourse with his thirteen-year-old stepdaughter, Jane, in December 2001 or January 2002. Charlotte Sherron, Xavier's wife and Jane's mother, learned that Xavier had been having intercourse with Jane on a regular basis, and Xavier assured her that he would not continue to molest Jane. Charlotte directed Jane to lock her door. Charlotte needed Xavier's monthly disability checks to make ends meet and did not ask him to leave her house. Charlotte also was fearful that in the event the rape was revealed, her three children would be taken from her by state authorities.

In February 2002, Jane told Charlotte that she was pregnant and stated that an abortion was preferable to bearing Xavier's child. Charlotte agreed with other family members that she would not contact the police, and Charlotte arranged for an abortion for Jane in Tuscaloosa, Alabama. Both Charlotte and Xavier drove Jane to Tuscaloosa. In May 2002, Jane's uncle approached the police, and Xavier subsequently was arrested and convicted of statutory rape. Charlotte was arrested as an accessory after the fact to the statutory rape based on her assisting Jane in obtaining an abortion. There was no charge brought against Charlotte for failing to fulfill her obligation as a Mississippi school employee to inform the police of Jane's abuse.

The court analyzed Jane's abortion under the requirements of Mississippi law and noted that Alabama law presumably contained the same provisions. A child who desires to obtain an abortion in Mississippi either must get parental consent or must petition the court for permission to obtain an abortion. The appellate court stated that the question is whether Charlotte's consent to Jane's abortion was based on a desire to support her daughter or based on an intent to conceal her husband's crimes. There was testimony at trial that Charlotte was afraid of Xavier, who in the past had choked Charlotte and had thrown objects at her.

Would you convict Charlotte of being an accessory after the fact to Xavier's statutory rape? See *Sherron v. State,* 959 So. 2d 30 (Miss. App. 2006).

You can find the answer at study.sagepub.com/lippmaness2e