

real stories

The lives, dramas and triumphs of women just like you

The Inspiring Story of Katie

At age five, Katie Haught was the victim of one of the most brutal crimes her town had ever seen. The worst part? The man convicted of attacking her was her own father. Most girls would have retreated into self-pity. Katie was determined to live a joyful, normal life—and to prove her dad's innocence.
By Genevieve Field



STYLIST: RACHAEL WANG; HAIR AND MAKEUP: CANDACE COREY FOR ZENOBIA; EQUIPMENT SHIRT: ELIZABETH AND JAMES BELTED SKIRT: HUE TIGHTS

Katie Haight, 21, has the fair skin and long reddish hair of a medieval maiden in a storybook. But she's never been the sort to play damsel in distress. "For better or worse, I'm as self-reliant and strong-headed as they come," says Katie with a laugh.

She's *had* to be strong. When Katie was only five, she was the victim of a vicious rape that stunned the quiet town of Hurricane, West Virginia. Even more shocking was the identity of the convicted attacker: Katie's father. It was Katie's own words—or at least some version of them—that helped persuade multiple police officers, two prosecutors and 12 jurors that Joe Lavigne Jr. was the rapist.

But was he? For 15 years, while Joe remained behind bars, Katie persistently declared her dad's innocence. So did Katie's mother, Joe's siblings and a staunch group of friends and supporters. "I once said that he did it," says Katie today. "But my words were misunderstood."

The Putnam County Circuit Court agreed that Katie's words should not have been used to find her dad guilty and recently vacated Joe's conviction. So how did a "scrupulously honest" person with "high ethics," as friends described him, end up in prison for more than a decade? In a *Glamour* exclusive, Katie shares her memories of the attack, the aftermath that tore apart her family—and how she willed herself to overcome it all.

"Daddy, where are you taking me?"

On the chilly Saturday night of February 10, 1996, five-year-old Katie and her brother, Ian, seven, stayed up late watching *The Land Before Time* while their dad, a former copy-machine technician who was then working part-time jobs, and mother, Jamie Loughner, a stay-at-home mom, played board games and drank sodas with friends in the next room. Around midnight Jamie went to check, one more time, on the kids in the family room. Katie, a precocious child, had fallen asleep in her jeans with hearts on the pockets and a Princess Jasmine T-shirt. Ian, too, had drifted off. As Jamie covered the kids with a blanket, Joe turned off the house's lights. Their 18-month-old, Conner,



Katie, several years after the rape, far left, and around age 12.

“ I know I must have been hurting, but I don't remember that. I don't remember anything else. **”**

was already asleep in his parents' bedroom. There were no hints that this would be the last time they'd rest so peacefully.

Katie did not open her eyes when she was lifted from where she lay next to her brother, sometime near dawn. "I was like, 'Daddy, where are you taking me?'" The man said something like "Just go back to sleep," she recalls. "When you're a kid and you fall asleep on the floor, your dad carries you to bed. That's what I figured was happening."

What was about to happen, though, was unspeakable: "I woke up lying on the grass beside the church parking lot across the street from our house. I could probably paint a picture of the exact color of the sky—it was just getting light," Katie says. She has blocked out the minutes that followed, during which she was so brutally raped, she'd need reconstructive surgery to repair the internal damage. When it was over, Katie says, the man took her clothes and abandoned her there, and she fled back to her house. "I know I must have been hurting, but I don't remember that," she says. "I don't remember anything else."

About 7:30 A.M., Joe says, he got up, went to use the bathroom and found his daughter there, crying and attempting to wash dark brown stains from her thighs. At

first accepting her explanation that she'd had a toilet accident, he used a warm washcloth to help her clean up before deciding to wake his wife. Joe ran into the bedroom and said, "You've got to come and check Katie," Jamie later testified. Katie, Jamie recalls, "was icy cold to the touch, shivering. I put her in the bath. The water turned red, and I realized something was really wrong. I said, 'Tell me what happened.'"

After some prodding, their daughter gave an alarming reply. "My daddy carried me outside, and he hurt me," both her parents recall. Joe was shocked: "She was looking at me straight in the eye, and it wasn't with fear. It was obvious that she wasn't referring to me."

"I asked, 'Are you meaning your daddy?'" Jamie says. "And she said 'No!' And she got that tone of a kid who's really frustrated and upset that you didn't get it right. She said, 'He said his *name* was Daddy.'" Joe dialed 911 and in the recorded call calmly told an operator: "Woke up and found my daughter in the bathroom... bleeding.... She says that someone who looks like me took her over to the parking lot and hurt her." As the operator gathered details, Joe volunteered, "Actually she said it was me to *Continued on next page* ➔

start with. So I suppose someone is going to have to investigate or something.”

Throughout the long, exhausting day that followed, Katie uttered conflicting statements about the attack. When paramedic Franklin Humphreys arrived at the house, Katie told him “The man that looked like my daddy took me outside and put his pee-pee in my pee-pee.” But in the ambulance, Katie gave a different account. The Hurricane City police’s first responding officer, Ron Smith, later testified that Katie had said “her daddy picked her up, carried her across the street...and hurt her.” At the hospital, Katie told the doctor variously that the man “looked like daddy,” “was daddy” and had “blackish peachy” skin, “dark hair” and “hair on his face.” Joe had a fair-to-medium complexion and brown hair, with no significant facial hair.

However inconsistent, Katie’s references to her father helped make Joe the prime suspect. He was cooperative with investigators, offering his clothes, hair and blood for DNA testing. By the next day he was jailed on charges including sexual assault and incest. Bail was set at \$300,000.

“I don’t know who did this to me.”

“The afterward was even worse than the rape itself,” says Katie, who today remembers only bits and pieces of her 12-day hos-

pital stay. “I had nightmares. And they say for about two weeks, I referred to myself in the third person as Katherine.”

But it wasn’t long before Katie’s innate, buoyant spirit began to rise. Just days after her release from the hospital, a reporter called the Lavigne home, where children could be heard playing in the background. “She’s the loudest one,” Jamie told the caller. Katie would need that resilience—at age six she would be the primary witness at her father’s trial.

By the time the trial began nine months later, investigators hadn’t uncovered any physical evidence linking Joe to the attack: They found no clothing fibers—from Joe or anyone else—on Katie’s body, and there wasn’t enough bodily fluid collected from inside Katie for conclusive DNA testing. “My personal belief was, and still is, that Joe Lavigne is innocent,” says his former attorney and public defender, Barbara Allen, now West Virginia’s managing deputy attorney general. “I’m not naive—I would not say that about most of my clients over the years.”

On November 14, 1996, in a packed courtroom, prosecutor Bill Rardin asked Katie “Who did this to you?”

“I don’t know,” she replied. In court, Katie never once stated that her father was her attacker.

Allen, presenting her defense, put Joe on the stand and asked point-blank: “Did

you rape your daughter?” Joe was firm. “No,” he exclaimed. “I couldn’t do that.”

Over the course of the trial, Allen faulted police for not questioning all other potential suspects, noting that police hadn’t interviewed local sex offenders or an acquaintance of Joe and Jaime who’d been charged with murdering his girlfriend. At the time of the rape, the couple say they were planning to testify against the man. (Months after Joe’s trial, all charges against the man were dropped, and he was never charged again.) The defense attorney also argued that the police had allowed churchgoers to walk all over the crime scene, and crucial pieces of evidence—including two washcloths and towels that may have held DNA—disappeared and never underwent testing. Allen also questioned whether police had ever tracked down the owner of a red truck seen parked near the church just before the attack.

Officer Smith, however, said that police had interviewed several potential suspects and searched the church lot but found nothing, and that he was unaware of any missing evidence. The red truck was never positively identified by police.

In his summation, Rardin said, “It all comes down to whether you believe Katie or not.... If you find him guilty, you’re saying, ‘When you said, “Daddy took me over to the parking lot and put his pee-pee in my pee-pee,” we believe you. We believe you.’”

After deliberating less than two hours, the jury found Joe guilty on all counts. He was later sentenced to 20 to 50 years.

“Being in nature made me feel safe.”

In handcuffs and an orange jumpsuit, Joe was taken to prison. Katie, too, would soon be uprooted. One month after Joe’s conviction, the same judge who’d presided over his trial handed down another devastating ruling: Because of Jamie’s continuing support of Joe, it said, the Lavigne children had to be removed from their mother’s care.

Jamie was stunned. She’d been unaware that standing by Joe could cost her her children. And now it was too late. In September 1997, she lost all her parental rights and was forbidden to contact her kids until they reached adulthood. “The government,” she says, “stole my husband *and* my children.”

For the next year, Katie and her brothers shuttled between foster families, but Katie remained *Continued on next page* ➤



Details of the crime, and its fallout, riveted West Virginia.

upbeat. "The bright side of being moved around so much," she says, "was that I was too busy getting my bearings to think about the bad things." Finally Joe's sister, Lori Haight, and her husband, Joel, were able to adopt the kids.

Katie willed herself to put the events of the past behind her: "I never felt I'd gotten the short end of the stick because I don't look at the negative side of things," she says. Her new home was near a lake, and she'd spend hours catching fish. "I didn't want to go to a counselor," she says, "so this was my therapy. Being in nature made me feel safe because it was the one thing in my life that hadn't changed. The trees and sky were the same as before, so I must be the same too."

From prison, Joe wrote tender letters to Katie and her brothers. "I loved getting those letters," Katie says. As for her mother, Katie simply walled off her feelings. "Joe told us how much our mom loved us," she says. Because the children never heard from Jamie, "I thought she just gave up on us," Katie says.

"I'm afraid of the dark...but I'm not afraid of my father."

Katie wasn't always able to tamp down the bad memories. "I'd wake up hyperventilating, knowing I'd been reliving that night in my dreams," she says. "So I'd tell myself, I'm not going to remember this anymore." But at age nine, while visiting her aunt Aline, she at last confronted her history.

Says Aline today, "Katie saw the court transcripts on my desk and said, 'Can I look at them?' I thought, If anybody has the right to see this, she does." As she made her way through the documents, "memories were suddenly coming back to me," Katie says. "I told Aline I remembered the man who attacked me driving away in a red truck with a figurine dangling from the rear-view mirror." Even these new memories, though, offered no help: Lawyers advised Aline that the case was long closed.

"There have been moments I've thought, What if this was my fault?" says Katie. "But I've managed to think myself out of it. It sounds crazy, but I've always felt lucky because I have the constitutional makeup to overcome what happened to me."



"I wanted to tell the judge that while I no longer remember the face of the man who did it, I know it wasn't my dad's face."

As the years went by, Katie matured into a well-adjusted teen who loved Mozart, *The Hitchhiker's Guide to the Galaxy* and nature photography. "I dream of publishing a book of photos of West Virginia, because I've always drawn strength from this place," she says. Just after her eighteenth birthday, she got a call from Jamie. "I learned she'd been destroyed by this," says Katie, "that she'd fought a long, hard battle to keep us." Her mom, Katie found out, had moved to New Orleans to help open a medical clinic. "My activism is my way of making the world better for you," Jamie told her.

Hundreds of miles away, at the Huttonsville Correctional Center in West Virginia, Joe had been relentlessly petitioning authorities to reopen his case. Finally, in January 2010, he was given a hearing. Katie hoped to speak on her father's behalf. "I wanted to tell the judge that while I no longer remember the ghost face of the man who did it, I know it wasn't my dad's face," she says. "I know because I'm afraid of the dark and of being alone, but I'm not afraid of my father."

But Katie never got to testify. Instead Judge O.C. Spaulding deliberated—and then dropped a bombshell: "No reasonable jury," he wrote, "can find proof of guilt beyond a reasonable doubt where the only evidence...[is] contradictory, out-of-court statements by the accuser...." The court vacated Joe's convictions and paved the way for a possible new trial.

On the sparkling morning of May 5, 2011, Joe walked out of the Putnam County circuit courthouse and into the arms of Katie and his family. "It was the first time I'd seen her up close in 15 years," says Joe. "It was a miracle." Katie shook visibly. "Words can't describe how it felt," she says

The current Putnam County prosecutor, Mark Sorsaia, has appealed the judge's decision. If the court agrees with Sorsaia, depending on its findings, Joe either could get another trial or even possibly go straight back to jail without a trial. If the court turns down the appeal, Joe will be free for good. The original prosecutor, Bill Rardin, still believes Joe was Katie's rapist. He told *Glamour*: "I don't know how a man can do that, but I'm convinced he did."

For many in Hurricane, questions will always linger about Joe's guilt or innocence. Katie, though, has no doubts. Her father, she says without hesitation, was not her attacker. That belief, and her sheer resilience, have allowed her to build a full and happy life.

Indeed, on May 30, Katie gave birth to a daughter, Jocelyn Ayden Kelly. "It was like all was finally right with the world," says Katie. "No matter where the courts take us, I'm going to hold on to that feeling."

Her strength has inspired the rest of her family. "That Katie survived what she did and has so much love in her heart is a lesson to hold our heads up no matter how tough times get," says her aunt Aline. And Katie continues to focus on the upside of her story. "This didn't break me," she says. "I'm telling this for any other girl out there who went through something terrible and *isn't* OK. I want to say to her, 'See, you are not this thing that happened to you. No one can steal your happiness if you always remember who you are.'" ■

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