

# **Victim Testifies Against Man Accused Of Raping Her When She Was 7-Years-Old**

*Published: Sep. 17, 2018 at 6:22 PM CDT*

**LINK:** [Victim testifies against man accused of raping her when she was 7-years-old \(kwch.com\)](http://www.kwch.com/content/news/Trial-begins-for-man-accused-of-raping-7-year-old-girl-493533971.html)

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**Tuesday, September 18, 2018**

Corbin Breitenbach came prepared Tuesday morning to defend himself. He's accused of strangling and raping a 7-year-old girl in the middle of the night in a west Wichita apartment.

"What you are not going to see me present is anything against the how just horrific this crime was," said Breitenbach.

The girl confidently sat in the courtroom as the prosecution questioned her.

A nurse witness who examined the child also testified.

"She stated, 'When I was sleeping, I heard walking on the toys and picked me up and kept saying 'shhh.'"

The girl says she was at a friend's house sleeping over with her brother when a man woke her up and carried her out onto a living room couch.

Prosecutors say the girl then said he started strangling her until she became unconscious. They say that's when the man took her out onto the balcony and sexually assaulted her.

"She said, "He was like a robber or something. He kind of looked like my dad, but he didn't have a beard or a mustache. He was a stranger. I think I saw him before, but I don't know where I saw him." Recounted the nurse.

The woman the girl was staying with testified that she woke up to the girl crying. When she checked on her, the girl had blood on her lower body and marks on her neck.

The woman said she then found a pool of blood on the balcony and the door was open, which is not the way she left it. She said she went to a neighbor's house to call 911.

Crime scene investigators say they took samples of the blood. The girl also had samples taken from her.

Breitenbach argued there was a mistake on the DNA sample because it was tested too quickly.

"There were multiple swabs tested. Multiple. Sarah Ghering will testify that on only one swab machine was she able to get a result that doesn't conclusively show who the suspect is - but only a possibility," said Breitenbach.

He repeatedly claimed the girl said she thought the man was her dad..

He asked the jury to find him not guilty.

Testimony in the trial continues on Wednesday.

## Affidavit in Wichita Child Rape Case Released

By Brian Dulle

Posted: Jul 6, 2017 / 01:05 PM CDT

Updated: Jul 6, 2017 / 1:05 PM CDT

[Affidavit in Wichita child rape case released \(ksnt.com\)](#)

[www.ksnt.com/news/kansas/affidavit-in-wichita-child-rape-case-released](http://www.ksnt.com/news/kansas/affidavit-in-wichita-child-rape-case-released)

WICHITA, Kan. (KSNW) – Officials released the probable cause affidavit Thursday in the case against Corbin J. Breitenbach.

Breitenbach is charged with attempted first-degree capital murder regarding the sexual assault of a 7-year-old girl n June 11 in northwest Wichita. Breitenbach was also charged with aggravated criminal sodomy and aggravated burglary.

The affidavit details what happened the night of June 11. KSN is not posting the full affidavit due to the graphic nature of the contents. However, KSN is providing details on what led up to the arrest.

On the early morning hours of June 11, Wichita police said they responded to the report of a rape. The resident of the apartment stated her friend's daughter was spending the night, and that it was a usual occurrence. The resident said she was asleep in another room with her daughter. The 7-year-old girl and her brother were

in another room. The resident said she woke up to the 7-year-old girl crying and found blood. The 7-year-old girl said she was strangled and the next thing she remembered was waking up in bed. The resident told police that she found the 7-year-old girl's clothes on the living room floor near the couch. She found the balcony door open and blood near the deck. The resident tried to call 911 but her phone was not working. She ran to a neighbor who called for help and first responders arrived.

The affidavit goes onto to say a Sexual Assault Evidence Collection Kit was obtained at the hospital. During the SAECK, several swabs were taken and subsequently submitted to the Sedgwick County Regional Forensic Science Center on June 12. The following day, on June 13, 2017, a DNA profile was obtained and entered into the Combined DNA index System.

By Thursday, June 15, the affidavit says an offender was "verified and identified (through DNA comparison) by the Kansas Bureau of Investigation as Corbin J. Breitenbach." according to the document. Breitenbach's DNA was obtained as a result of a 2012 case when he was convicted of sexual assault. It was learned through the affidavit that Breitenbach reported to his parole officer on June 8, 2017. During this meeting, Breitenbach was accompanied by a female who he stated was his girlfriend. The girlfriend resides in the apartment building directly next to the 7-year-old victim. Breitenbach was detained at his place of employment and his girlfriend was interviewed.

During her interview, the girlfriend stated that in the early morning hours of Sunday, June 11, 2017 at approximately 1 a.m. she received a phone call from Corbin asking that he be picked up from a local drinking establishment. She said she left her home, picked up Mr. Breitenbach and returned to her residence by 1:30. Once they had returned to her residence, she stated that Breitenbach made a comment to her that he "needed to burn off alcohol". She stated she knew he had been drinking but did not think he was impaired as he had no slurred speech or difficulty walking. The girlfriend initially stated that Corbin was gone on a walk or run for approximately 10 to 15 minutes and had returned to her home by 2:10. She would later state all she knew was he was back and they were in bed by 2:30. She stated that Corbin came inside her residence, used the bathroom, came to bed and almost immediately fell asleep.

After providing a picture of Breitenbach, the 7-year-old girl immediately said “that’s him”. When asked where she knew him from, the girl told a DCF worker that she recognized “him” from the house, and she said, “he did it to me”.

Breitenbach is expected back in court August 23.

## Jury Finds Corbin Breitenbach Guilty In Attack On 7-year-old Girl

By Sara Berlinger

Posted: Sep 20, 2018 / 04:10 PM CDT

Updated: Sep 21, 2018 / 3:32 AM CDT

[Jury finds Corbin Breitenbach guilty \(ksn.com\)](#)

[www.ksn.com/news/local/jury-finds-corbin-breitenbach-guilty -in-attach-on-7-year-old-girl](http://www.ksn.com/news/local/jury-finds-corbin-breitenbach-guilty -in-attach-on-7-year-old-girl)

A jury has found Corbin Breitenbach guilty of sexually assaulting a 7-year-old Wichita girl back in June of 2017.

Breitenbach, who represented himself, was convicted on four counts. They included attempted capital murder, rape, aggravated criminal sodomy, and aggravated burglary.

The trial started Tuesday and wrapped just shortly after noon Thursday. During the last three days, the jury heard from the victim, witnesses, police, forensic experts, and professionals who treated the victim. They also heard a phone conversation from Breitenbach to his mother that the prosecution called a confession. The jury deliberated for about two hours before reaching their verdict.

Sentencing for Breitenbach was scheduled for October 31. However, Breitenbach asked for more time to file appeals. The judge agreed and scheduled his sentencing for November 13.

# Convicted Wichita Child Rapist Sues Over His Trial

By Laura McMillan

Posted: Aug 5, 2022 / 1:38 PM CDT

Updated: Aug 5, 2022 / 2:47 PM CDT

WICHITA, Kan. (KSNW) — A man serving life in prison for raping and trying to kill a 7-year-old Wichita girl is trying a new way to fight his conviction.

Corbin Breitenbach has filed a civil action against the State of Kansas. For him to be at a hearing on the matter next week, he has been moved from the prison in El Dorado back to the Sedgwick County Jail.

The [child was attacked at a west Wichita apartment in June of 2017](#). In 2018, a [jury convicted Breitenbach](#) of attempted capital murder, rape, aggravated criminal sodomy and aggravated burglary. Judge Joe Kisner [sentenced him to life in prison](#) without the possibility of parole.

Last year, the Kansas Supreme Court denied Breitenbach's appeal. He has also tried appealing to the U.S. Supreme Court.

In his civil action against the State, Breitenbach claims judicial bias, prosecutorial misconduct, ineffective assistance of counsel, and that his sentence violates the Eighth Amendment prohibition on cruel and unusual punishment. They are similar to the claims he made in his failed appeals.

He wants Kisner, District Attorney Marc Bennett, and the defense attorneys to be called as witnesses.

Robin Summer, the attorney for the State of Kansas, filed a response to Breitenbach's hand-written motion asking the court to deny it.

A hearing is set for Aug. 10.