

# Dyanie Bermeo dreamed of being a cop. Then a blue light flashed in her rear-view mirror.

[By Michael Gordon](#) Updated December 12, 2021 10:46 AM



Dyanie Bermeo says she was sexually assaulted. She didn't expect to be charged.

Dyanie Bermeo said she was sexually assaulted during a traffic stop, but soon after she reported it, the Mint Hill college student was charged with filing a false police report. By Khadejeh Nikouyeh

In Dyanie Bermeo's criminal case file, truth and justice remain a matter of debate.

The college student from Mint Hill reported being sexually assaulted on Sept. 29, 2020, during a nighttime traffic stop outside of Abingdon, Va. Her attacker, according to Bermeo, wore a police badge. She believes he was an impostor.

This story is a subscriber exclusive

Every year, [almost 500,000 Americans](#) are sexually assaulted. Experts say many victims never step forward, partly out of fear of not being believed. Bermeo's case, with its unexpected legal twists and turns, reveals the potential consequences for those who do.

Two weeks after lodging her complaint with the Washington County (Va.) Sheriff's Office, investigators there charged the East Mecklenburg High School graduate with filing a false report.



Dyane Bermeo is finishing her final college classes at her family home in Mint Hill. After her highly publicized 2020 arrest on charges that she false reported being sexually assaulted, Bermeo no longer felt comfortable on campus of King University. She'll get her diploma in the spring. Khadejeh Nikouyeh [Knikouyeh@charlotteobserver.com](mailto:Knikouyeh@charlotteobserver.com)

Bermeo's arrest came two days after her apparent confession to sheriff's detectives on the King University campus that she had fabricated her story. During questioning, Bermeo, then a junior criminal-justice major at the

Bristol, Tenn., school, refers to emotional problems she had been experiencing and apologizes to the investigators, according to a transcript of the interview, which was secretly recorded by one of the detectives.

Except, Bermeo, who is sharing her experiences outside a courtroom for the first time, still insists that she was attacked.

Asked to explain her recantation, Bermeo says she told the doubting detectives what they wanted to hear only because they promised to quietly close the case and let her get on with her life. Instead, they charged her with a crime.

Now, with her reputation damaged and her lifelong dream of becoming a police officer potentially out of reach, Bermeo says she wants to set the record straight.

"I'm still trying to process the experience of being assaulted, not believed, then being arrested," she told The Charlotte Observer. "I'm living that memory again and again."

She adds: "I'm going to tell my story whenever I'm asked."

## **'A Greek tragedy'**

Bermeo's journey through the Virginia courts consumed her life for almost a year.

In what one legal expert describes as an extraordinarily rare move, the student rejected a deal from prosecutors that would have expunged the false-reporting charge from her record after a year — if she pleaded guilty.

Instead, she chose to fight the accusation in court. Twice.

One judge believed her. One did not.

On April 22, Washington County Chief District Judge Eric Thiessen compared Bermeo's case to "a Greek tragedy," told the student that her future was still bright, then found her guilty as charged.

Particularly questionable to Thiessen was a series of threatening text messages Bermeo says she received on Oct. 13, shortly before her campus interrogation by the detectives. Bermeo said the messages from a Florida area code pressured her to drop her complaint.

Questioned by the detectives about the origin of the messages, Bermeo, according to the transcript of the campus interview, again incriminated herself by mentioning an app that allowed her to text herself. At Bermeo's trial, Thiessen said he did not believe the texts were credible.

Bermeo appealed the verdict. In late August, a judge in a higher Virginia court found her not guilty. Circuit Judge Sage Johnson, however, was quick to say that the sheriff's investigators had made no mistakes, according to a recording of his ruling.

In a phone call with the Observer, Washington County Sheriff Blake Andis stood by his office's investigation, which he said had been conducted "fully, quickly and intensely" due to the threat to public safety posed by a potential rogue or impostor law enforcement officer.

When asked if he believed Bermeo lied, Andis declined comment, and he refused to discuss specifics of the case.

But in an unusual move, the sheriff said he wrote Bermeo in September offering to reopen the investigation under the direction of the Virginia law enforcement agency of her choosing. As of Nov. 30, Andis said he hadn't heard back.

"We had a strong case, confession and all," Andis told the Observer. "What the judge decided (in August), that was his opinion ... The officers involved

did the best they could."

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On September 30, 2020 the Washington County, Virginia Sheriff's Office received a report from Dyanie Bermeo, a female student at King University, stating that a law enforcement officer or a person impersonating a law enforcement officer during a traffic stop had sexually assaulted her. The incident was alleged to have happened at the intersection of Old Jonesboro Road and Spring Creek Road on September 29, 2020.

Considering the dangerous nature of this report the Washington, County Sheriff's Office with assistance from the Abingdon Police Department and Virginia State Police, conducted a full-scale investigation. In addition, Bermeo reported this incident to the Faculty at King University, which prompted the University to distribute a safety bulletin to their students.

After a thorough investigation and evidence gathered because of the report, it was determined that this incident lacked validity and appeared to be fabricated.

When confronted with the evidence gathered by Washington County Detectives Adkins and Roop, Bermeo admitted that she had fabricated the entire story. King University Faculty was immediately notified.

Dyanie Bermeo, age 21, of Mint Hill, North Carolina was charged by Detective Adkins with Virginia Code 18.2-461 Giving a False Report to a Law Enforcement Officer, which is a Class 1 misdemeanor.

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In October 2020, Dyanie Bermeo of Mint Hill was charged in Virginia with falsely reporting that she had been sexually assaulted during her return drive to King University. Her photograph and the details of her arrest were posted on the Facebook page of the Washington County Sheriff's Office. She was eventually acquitted.

## 'Shamed' on Facebook, attorney says

On the morning after Bermeo's arrest, the sheriff's office posted her photograph on its Facebook page along with a statement describing her alleged crime. The statement was shared hundreds of times, exposing

Bermeo to a fusillade of online rebuke.

The case also was picked up by multiple publications, including the Observer, which published a story that same day.

“Shaming? Oh absolutely they shamed her,” says Charlotte attorney Melissa Hordichuk, who headed Bermeo’s defense. “The fact that they picked this particular case to post online is bizarre.”

She adds: “Not being believed in a sexual assault case is very common. But being arrested for it is something completely different. It’s literally unbelievable.”

Bermeo’s case also sheds light on a stigmatized corner of the criminal-justice system almost exclusively reserved for women — so-called “false claimers” accused of fabricating reports of being sexually assaulted.

How often false claims actually occur remains a [source of debate](#), with estimates ranging from 2-3% of all sexual assault cases to as high as 10%. Many experts say the latter figure is inflated by a number of factors, including the practice by some police departments to classify cases they do not solve as false claims.

Two expert witnesses who testified in Bermeo’s second trial stand by her innocence. They say the student was the victim not only of an assault but also of an incompetent investigation in which detectives failed to find her attacker, then quickly turned their sights on her based on little to no proof.

At trial, according to Hordichuk, testimony showed that the detectives lied to Bermeo about the evidence they had gathered as they began pressuring her to change her story.

Lisa Avalos, perhaps the country’s leading expert in the prosecution of sexual assault false-claimers, says Bermeo’s case is the first she’s come across in U.S. courts in which a woman accused of false reporting did not

take the plea deal.

Avalos, a law professor at Louisiana State University, says Bermeo should never have been arrested in the first place.

"You treat victims as credible unless there is evidence that no crime was committed," Avalos says. "I have looked at all the documents. There is no evidence anywhere to show that what she said happened did not happen."

Asked to explain Bermeo's recantation, Avalos says such statements are common among assault victims "who face skepticism."

"They report the assault thinking police are going to help them and make them feel safe," she says. "When the interaction ceases to be helpful ... they disengage from a system that's harming them."

A second expert witness, retired San Diego police sex crime investigator Carl Hershman, says the sheriff's detectives prematurely made Bermeo the target of their probe while ignoring the fact that she did not fit the profile of a false-claimer.

"There's always a motive for false reporting. But Dyanie had no financial incentive. Her parents loved her. She had friends at school. She was about to graduate from college. She was getting plenty of attention," Hershman told the Observer in a phone interview.

On the day after her arrest, Bermeo says she awoke to find her face at the top of the Facebook page of the sheriff's office. She was already being pummeled online. Some of the posters interpreted her assault claims as a premeditated attack on the local law enforcement community. One writer told her to "rot in jail."

"It's still hard to think about," Bermeo said. "It was like a bad movie, a really bad movie. Except it really happened."

Then she received a text. It came from Hordichuk, the managing attorney for the [Access to Justice Project](#) in Charlotte, who had tracked down the student after reading about her arrest that day in the Observer. The two met on a Facetime call.

Hordichuk says she had a message Bermeo needed to hear.

"I believe you," the attorney said.



Dyane Bermeo of Mint Hill drives past the site near Abingdon, Va., where she says she was sexually assaulted in September 2020. She was later charged with filing a false report. Khadejeh Nikouyeh  
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## **The blue light on a rural road**

Hershman, the retired sex crime investigator, says proof of Bermeo's innocence can be found in the description of her assault.

False-claimers tend toward the generic. According to Hershman, Bermeo,

who had long dreamed of a career in law enforcement, already thought like a cop given the details of her account.

Bermeo described her experiences to the Observer during a Zoom call. She spoke in a soft, even voice occasionally thickened by tears.

In September 2020, Bermeo, the first member of her Ecuadoran-American family to attend college, spent two weeks at home with her family after she was exposed to the coronavirus at King, a private Presbyterian-affiliated school near the Virginia/Tennessee line.

She was scheduled to return to campus on Sept. 29. But she delayed the start of her 3 1/2-hour drive north so she could have an early dinner that evening with her parents, Gabe and Karla Cardenas Bermeo, and her boyfriend, Jordan Corl, in Mint Hill.

Due to fatigue, she says, Bermeo took Exit 14 off Interstate 81 instead of her normal Exit 7 in hopes that the more rural route outside of Abingdon would get her to campus more quickly.

It was about 9:40 p.m., misty, when Bermeo says she steered her Kia off the interstate and onto Old Jonesboro Road.

She estimates she was 10 to 15 minutes away from campus when a blue light flared up in her rear-view mirror. She says she drove on until she found a safe place to pull over — in a right-turn lane at the intersection of Spring Creek Road.

After pulling over, Bermeo says she saw a tall man — she estimates about 6 feet 4 — walk toward her driver's side window. He wore a long-sleeve black shirt, black pants and boots, black gloves, and a tactical vest.

When he came to Bermeo's window, the man shined his flashlight directly into her eyes, hiding his face. But she says she remembers his voice — a low, raspy, drawl that made her think he may have been chewing tobacco. He

also wore a badge.

He asked her if she knew how fast she had been driving. Oddly, Bermeo said she thought at the time, he did not call for her license and registration. Instead, he ordered her to get out of the car.

"I said, 'Why?'"

"He said, 'If you're going to cause trouble, I can have five or six more officers out here.'" He tapped his lapel as if he had a radio there, Bermeo says.

Bermeo got out. He immediately told her to turn and face her car.

At this point in the retelling of her story, Bermeo begins to cry.

"He starts searching me, my arms. He put his hands on my breasts, in between my legs. I told him, 'You don't have to do this.' I had my eyes closed the entire time," she said.

When Bermeo heard a door close, she says she realized the man was no longer groping her. She says she saw an older-model sedan pull off, then turn right onto Spring Creek Road. The headlights weren't on. She says the car did not have plates.

Bermeo says she got back into her Kia and drove to her dorm. She called her parents and boyfriend to say she'd arrived safely but did not mention the traffic stop. She says she did not want to worry them.

She showered and went to bed. That night, Bermeo says, she had nonstop nightmares of the man in the black uniform, experiencing the assault again and again.

## **'We need you to tell us the truth'**

The next day, Bermeo says, she had to be persuaded by a college friend and

her criminal-justice professor to report her experience. If she stayed silent, they told her, other women might also be attacked.

On the night of Sept. 30, she and the friend drove to Abingdon to meet with sheriff's detectives — all of them men.

According to a recording of the interview, the detectives quickly felt they had a suspect — a local man who had been arrested for posing as an officer before. But they acknowledged at trial they had not interviewed him because they could not tie a vehicle to him that matched Bermeo's description.

On Oct. 13, Detective Scott Adkins met with Bermeo at the sheriff's office for another interview. The two later drove out to Old Jonesboro Road to visit the site of the alleged assault.

Afterward, Bermeo says she went back to her dorm to rest. Just before 11 a.m, she says she found a series of texts from an unfamiliar number with a 727 Florida area code. Every time she tried to call the number, she says, it rang back to her own phone.

"They won't find anything," the first text said, according to Bermeo. She says there was a second that read in part, "U should never have gone to police."

"Just know that I know where U live ... where U work ... everything ... Tell the police u changed ur mind and I will leave u alone."

Bermeo says she called the sheriff's office. Adkins later testified in the August trial that the suspicious timing of the texts was the first time he began doubting her account.

A little more than an hour later, Adkins and fellow Detective Scott Roop turned up on the King campus to question Bermeo. Adkins carried a hidden recording device.

Midway through the discussion, the detectives brought up the security video

clips they supposedly had been collecting. They told Bermeo that the footage showed her car traveling down Old Jonesboro Road but no vehicle trailing her.

That was not true, Hordichuk says. The only videos the detectives had found were either taken at the wrong time or were too far removed from the road to identify any passing vehicles, according to trial testimony.

Roop bore in, challenging Bermeo's account while expressing concern about her well being. (Hordichuk later accused the detectives of "weaponizing empathy.")

"We just need you to keep it between us. We're not gonna run and tell your friends or family or anybody else ... But we need you to tell us the truth," Roop said. "No stop happened here."

"Mmm-mmm," Bermeo said, indicating agreement.

"Why would you make that up?" Roop asked.

"I don't know," Bermeo said.

Roop later asked about the threatening text messages Bermeo said she had recently received.

"There's an app," she replied. "It ... it will just trace it back to my phone."

Later, Bermeo apologized. "I'm really sorry. I'm ... I am. I'm sorry," she said.

"You absolutely should be," Roop responded. "You know you wasted a lot of our time and everything ... But again, our concern....there has to be some underlying issue ... why you would do that. We're just concerned about you ... and ... and relieved that all of this (did not happen) at the same time."

She was arrested two days later. According to Bermeo, Adkins told her at the sheriff's office that he had not wanted to press charges but had been

overruled by his superiors given the amount of time and money spent on the investigation.

The detective said he did not need to handcuff her, Bermeo recalled, and Adkins offered to put in a good word with the prosecutors if she pleaded guilty.



On Oct. 11, Dyane Bermeo, right, and her boyfriend, Jordan Corl, packed up her dorm room at King University in Bristol, Tenn. After her highly publicized 2020 arrest on charges that she false reported being sexually assaulted, Bermeo no longer felt comfortable on campus. She's finishing her last classes at home in Mint Hill. Khadejeh Nikouyeh [Knikouyeh@charlotteobserver.com](mailto:Knikouyeh@charlotteobserver.com)

## **An appeal then a verdict**

The publicity surrounding Bermeo's case quickly grew.

Before the second trial, in August, the assigned judge recused himself, saying he knew too many of the parties involved. A Washington County-based member of Bermeo's legal team quit the case after she refused to

accept the prosecution's plea deal.

Deputy Commonwealth attorneys Ginger Largen and Elizabeth Bruzzo tried unsuccessfully to block both Hordichuk's use of expert witnesses as well as her request to record the proceedings. (Neither prosecutor responded to an Observer email seeking comment for this story.)

The one-day trial took place three days after the start of Bermeo's last semester of classes at King. In her opening statement, Hordichuk appeared to be speaking not to the judge, but to the greater Abingdon community, which she says had come to view the case as an attack by outsiders on the sheriff's office.

"We are not here today to demonize your law enforcement officers," she said. "... We are here today and this case has garnered so much attention because of the issue of sexual assault and not being believed."

She asked the members of her audience to put themselves in Bermeo's shoes.

"They don't give you a manual as a victim on how to act to make sure you don't get arrested," Hordichuk said, struggling at times to control her emotions.

"We are not fighting a war against you. I truly believe we are on the same side, and I'm asking you to be open. There will be other victims. That is guaranteed."

In his ruling, Johnson attempted to find good on both sides.

"It's easy for the Commonwealth (of Virginia) to say what the defendant should have done or should not have done," the judge said. "It's easy for the defendant to say all the things that the detectives should have done in the course of their investigation. ... At the end of the day, everybody ... has done their best to see that justice is served."

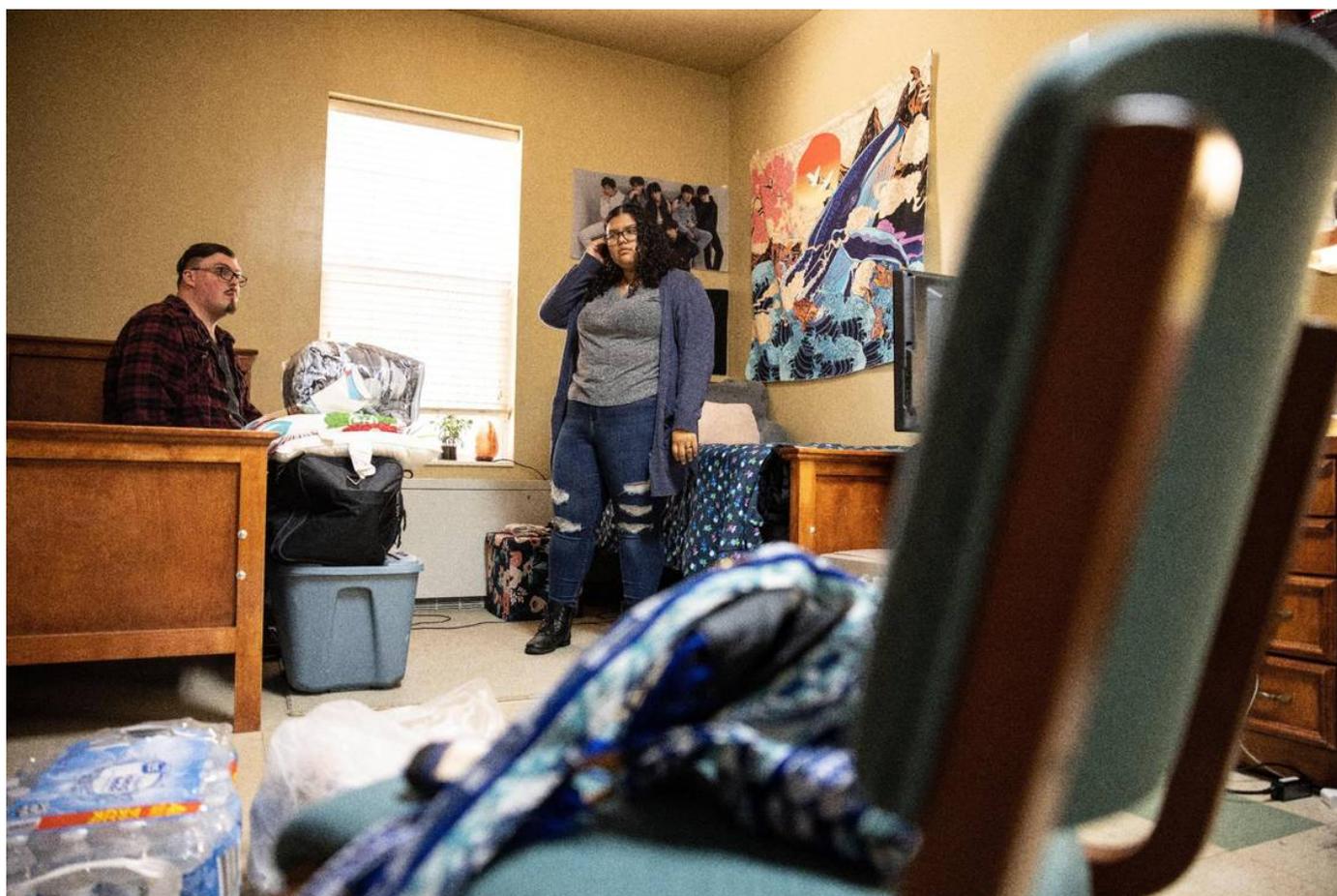
In a reference to Bermeo's actions during the investigation, Johnson acknowledged the limits of his knowledge about the psychology of sexual assault victims — why abused women stay in a marriage, for example.

He said he did know one thing.

"At the end of the day, the Commonwealth has the burden of proving guilt beyond a reasonable doubt." Johnson said. "Mere inferences or reasonable probability or suspicion of guilt are not enough."

Not guilty.

Now what?



In October, Dyanie Bermeo, right, and her boyfriend, Jordan Corl, packed up her dorm room at King University in Bristol, Tenn. After her highly publicized 2020 arrest on charges that she false reported being sexually assaulted, Bermeo no longer felt comfortable on campus. She's finishing her last classes at home in Mint Hill. Khadejeh Nikouyeh [Knikouyeh@charlotteobserver.com](mailto:Knikouyeh@charlotteobserver.com)

## 'Law and Order'

Dyanie Bermeo first dreamed of being a cop in junior high, when she and her father binged on episodes of the police/courtroom drama, "Law and Order." She began to see police work as a way of helping people, maybe even changing the world.

But there was just one thing: Every episode ended at a crossroads, where the show's iconic story line of right vs. wrong vs. something in between could veer this way or that. Truth and justice were never as clear as she had been taught.

More than three months removed from her acquittal, Bermeo now finds her own life at a crossroads. She hopes to get her diploma from King in the spring, and is finishing up her final semester this week from Mint Hill because she no longer feels comfortable on campus.

Besides, Bermeo says she hasn't totally healed.

"I'm one of those people who's really hard on themselves," she says. "After the verdict, I always thought I was going to feel so much better in a couple of months ... I'll have some good days, and then there are others where I go back to that day when I was assaulted to the day the articles went out and the police arrested me.

"And those are really the worst days because it feels like I'm reliving those moments over and over."

She says she no longer sees the criminal justice system as she did as a child in front of the TV.

"It's supposed to be built for everyone. It's supposed to help everyone try and find justice in some way. But the truth is it's not like that. Not everybody gets justice the first time around or the second ..."

She also doesn't know if she still wants to be a cop, citing the detectives' testimony against her.

"I don't think I could put myself in their shoes to ever make somebody feel like that," she says.

Her court time may not be over. Hordichuk says Bermeo is considering legal action against the Washington County Sheriff's Office, and the lawyer dismisses Andis' offer to reopen the case as a "meaningless gesture."

"She went to them for help a year ago. They arrested her, publicly humiliated her on Facebook, and then dragged her through two criminal trials," Hordichuk says. "They failed to investigate her sexual assault, coerced her to recant, and then spent the next year trying to put her in jail.

"They get to be accountable for all of it."

Bermeo says she is thankful she had Hordichuk fighting for her. Now, she says, she intends to stand up for herself.

"I will work really hard to never give in to something that's not right. I'm always going to fight for my story," she says.

"Because I remember the day that I told them it did not happen, that I did not get sexually assaulted. That's a regret I will probably carry for the rest of my life."

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Michael Gordon has been the Observer's legal affairs writer since 2013. He has been an editor and reporter at the paper since 1992, occasionally writing about schools, religion, politics and sports. He spent two summers as "Bikin Mike," filing stories as he pedaled across the Carolinas.