

Young gang member gets life sentence in Spotsylvania for rape and abduction

Keith Epps

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An MS-13 gang member who raped a teenager and held her hostage in the Spotsylvania County basement last year was ordered Thursday to spend the rest of his life in prison.

Kevin Avilio Hernandez-Funes, 19, was sentenced in Spotsylvania Circuit Court to life plus 15 years. He had previously been convicted of rape, strangulation and gang participation.

The sentenced handed down by Judge William Glover represented the maximum sentence Hernandez-Funes could have received.

According to the evidence presented by prosecutors Crystal Montague-Holland and Ryan Mehaffey, the 17-year-old victim met Hernandez-Funes in Asheville, N.C. The evidence showed that Hernandez-Funes was hoping to use the girl to lure a rival gang member to his death.

The plan didn't work, and Hernandez-Funes forced the girl to leave Asheville with him when he fled the area last year. The girl testified again Thursday that Hernandez-Funes threatened gang action against her and her loved ones if she did not comply.

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Hernandez-Funes, an illegal immigrant from El Salvador, arrived in Spotsylvania on April 5 of last year. The girl was placed in the basement of a home in the 5500 block of Tallow Street in the Oak Grove subdivision.

The prosecution evidence showed that the girl was punched, kicked and choked by Hernandez-Funes the first night she was there. The next day, the girl tried to escape while Hernandez-Funes was on the phone.

He caught her and pulled her down by the hair, court records show, then put a knife to her throat. He raped her later that day.

The girl managed to get a cellphone and texted a friend in North Carolina. That friend contacted the police in Asheville, who in turn contacted Spotsylvania authorities.

Deputies went to the Oak Grove residence on April 7, where they rescued the girl and arrested Hernandez–Funes.

A letter written in Spanish by the girl’s mother said the victim still deals with “fear, depression and nightmares” as the result of her three-month ordeal.

“My family still lives in fear because of this monster,” the mother wrote in the letter read in court Thursday.

Prosecutors also played portions of taped telephone conversations the girl recorded while she was being held. Hernandez–Funes and another MS–13 “homeboy” repeatedly discussed killing a specific rival gang member and others who they felt had not shown them proper respect.

In court records, Hernandez–Funes proudly admitted his allegiance to the gang, but he denied raping or strangling the victim. He said she was with him because she wanted to be.

Defense attorney Stacy Garcia argued that videos taken during the three-month period indicated the girl was not in distress at gatherings with Hernandez–Funes. She said that while Hernandez–Funes admits his gang affiliation, he did not deserve to be punished “for every bad act that MS–13 has ever done.”

Prosecutors described Hernandez–Funes as a “murderous rapist” who deserves a lengthy sentence. Montague–Holland said he epitomized the gang’s motto of “kill, rape and control.”



Hernandez –Funes

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By Keith Epps

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