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NEWS

Seven N.J. State Police troopers accused in sex assault are suspended without pay

Published: Oct. 19, 2009, 11:20 p.m.

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By Trish G. Graber

EWING -- Seven state troopers who were not criminally charged in an alleged sex assault of a Rider University student have been suspended without pay after refusing to admit wrongdoing in an internal investigation, according to an attorney for the officers and court papers.

The plea would have resulted in the resignations of two troopers, who do not have tenure, and the suspensions for nine months to a year for the other five, according to a brief filed Saturday in federal court in Trenton.

The events that led to the State Police troopers' suspensions began in December 2007, when the woman said the men raped her. The troopers then were suspended — with pay — and the criminal investigation began in Mercer County before being moved to Middlesex County. That probe was dropped in July 2008 after the troopers passed polygraph tests and provided DNA samples.

Lawyers for the troopers have said the off-duty officers did have sex with the woman in the Ewing Township home of one officer, but that it was consensual. The woman's attorney, Nat Dershowitz of Manhattan, says it was not.

Dershowitz today said it's "about time" the troopers were punished.



The Trenton

Times
2007.

The exterior KatManDu nightclub in Trenton, where the woman alleges she met the New Jersey State Police troopers in

"They plied my client with drinks, they took away her car key and they gang-raped her," he said. "Suspending is the least of things that should occur."

Lawyers for the troopers, however, have said they should not face charges or penalties in the case. The troopers say their privacy and constitutional rights have been violated, and they are pushing in federal court for reinstatement. The names of the men, who also are seeking an injunction against losing their pay, have not been released.

"We are stunned that once they confirmed that all the activities were consensual between consenting adults, that they didn't close this file," Charles Sciarra, a lawyer for the troopers, said of the internal investigation. "The fact that they moved forward, alleging 'bad judgment' in having sex is bizarre, and we don't think it will survive constitutional scrutiny.

David Wald, a spokesman for Attorney General Anne Milgram, said the troopers' status changed Saturday from being suspended with pay to without pay as part of the "internal disciplinary matter." He would not comment further on the investigation or the lawsuit.

In the internal probe, the troopers were charged with multiple offenses relating to their conduct, and were asked to admit to behaving in a capacity to the detriment of good order and discipline, knowingly acting in a way that might reasonably be expected to create an impression of suspicion among the public and acting in a way that discredits the member or the (public safety) division.

The seven troopers allegedly met the student -- then 25, now 27 -- at KatManDu, a nightclub and bar on the Trenton waterfront, on Dec. 6, 2007. One trooper allegedly flashed his badge to avoid paying an \$8 cover charge, according to internal State Police documents.

All eight later went to the Ewing home of one of the troopers, officials said. Afterward, the woman sought medical treatment at a nearby hospital.

The investigation that began at the Mercer County Prosecutor's Office was later transferred to Middlesex County after Mercer Prosecutor Joseph Bocchini called it a "nightmare" in an interview with The Star-Ledger. That criminal investigation was succeeded by the internal affairs probe. A federal judge ruled in September 2008 the troopers could be questioned about their off-duty sexual conduct.

[Trish G. Graber](#) and [Chris Megerian](#)/Statehouse Bureau

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