



Suit charges troopers beat driver

State Police video allegedly shows trio punching and kicking man after traffic stop

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Three state troopers are accused in a federal lawsuit of violently beating a handcuffed man as they struggled to remove him from the back of a State Police cruiser after a traffic stop along a Cumberland County highway.

The lawsuit contends the troopers -- Robert Parry, Frederick Fife and Craig Brown -- violated the civil rights of Aundrey Green by using excessive force following a late-night traffic stop April 22, 2002.

Parry, a nine-year veteran, was involved in the 1999 fatal shooting of an unarmed black motorist in Parsippany. Stanton Crew was killed by police gunfire following a 16-mile chase along Route 80. His family settled a civil rights lawsuit against the state and three Morris County towns for \$1.5 million in 2003.

Parry later was transferred to South Jersey and is now a detective in the criminal investigation unit, authorities said. Fife is assigned to the Bridgeton station and Brown is assigned to the tactical patrol unit in South Jersey.

The lawsuit against the three troopers, filed in January in U.S. District Court in Camden, contends a State Police videotape of the traffic stop shows them punching and kicking Green as well as striking him with a police flashlight.

In the tape, which was viewed by The Star-Ledger, the troopers can be seen grappling with Green while trying to remove him from a patrol car, and it appears the troopers throw punches and kicks at Green. But the tape, which gives a wide-angle view of the scene and is illuminated only by a second police vehicle's headlights, does not show whether the punches or kicks actually struck Green or what actions he took while in the back seat of the cruiser.

"If that's not police brutality and excessive force, I don't know what is," civil rights attorney Vincent Sanzone Jr. said after showing the videotape during an interview in his Elizabeth office.

"They can say what they want, that he didn't comply," Sanzone said. "But I still don't think that justifies their actions."

The Attorney General's Office, which is representing the three troopers, and the State Police declined to comment on the lawsuit, citing a policy against discussing ongoing legal action.

Green later pleaded guilty to assaulting the troopers and served 11 months in state prison. Sanzone said his client was given bad advice in accepting a plea deal on the charges.

"The criminal charges were just a cover-up," Sanzone said. "He was represented by the public defender and he basically was forced to take the plea deal."

The troopers initially pulled over Green's blue Chevrolet Cavalier after he raced past them at more than 105 mph. The videotape shows the officers placed Green under arrest after he gave them a fake name to conceal his identity. Green's girlfriend, who was in the car along with their two children, later gave police his real name.

The troopers read Green his rights while pulling his hands behind his back, placing handcuffs on his wrists and then putting him in the back of Parry's vehicle. Their initial pleasantness toward Green ceased once he threatened to urinate in the back of the police cruiser if he wasn't allowed to relieve himself on the side of the road.

"Don't go to the bathroom in my car," Parry can be heard saying on the videotape. "Do not do it. You will go as soon as we get out of here."

But when Green insisted that he was going to urinate in the back seat, Parry got out of the vehicle and called Fife over for assistance, the videotape shows. Parry then tried to pull Green out of the cruiser, but Green resisted. Fife then doused him with pepper spray, according to the lawsuit.

According to Sanzone, Green resisted because "he was afraid to get out because they were punching him and assaulting him. He didn't want to move."

On the tape, Parry also can be heard saying that Green had taken off his handcuffs, but it was unclear whether Green had escaped the shackles or just slipped his cuffed hands in front of him. Sanzone said it would have been impossible for Green to free himself.

Seconds after administering the pepper spray, the three troopers began repeatedly throwing punches and kicks in the direction of Green, although the tape does not show whether they connected. At another point, Fife can be seen swinging his flashlight downward in Green's direction, but again the tape does not show whether the flashlight struck him.

In all, it took the troopers about two minutes to wrestle Green from the vehicle and onto the grassy area of the highway's embankment.

The troopers then called for an ambulance because Green was bleeding from the back of his head, which they said on the videotape happened after "he smashed his head against the door" of the police cruiser. One of the troopers also asked why the zipper of Green's pants was opened.

For his part, Green can be heard on the tape yelling, "All I wanted to do was use the bathroom. I mean ... what did I do? What could I do with handcuffs on? I was speeding a little, but OK. I ain't done nothing to you all."

Green, 32, was taken to a hospital, where he was treated for cuts to his head and body.

In addition to the three troopers, the lawsuit names as defendants former State Police Superintendent Joseph Santiago; a fourth trooper who was on the scene but did not take part in subduing Green; and Trooper John Schusler, who investigated the incident.

The lawsuit seeks compensation for pain, suffering and emotional distress, as well as punitive damages.

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