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Prosecutor probes actions of E. Orange cops

Irvington man says he was falsely arrested

By Kevin C. Dilworth
Star-Ledger Staff

The Essex County Prosecutor's Office is investigating a complaint by an Irvington man that three East Orange police officers falsely arrested and strip-searched him three years ago, planted incriminating evidence on him and then lied to a grand jury to get the individual indicted.

The ruse was hatched because one of the officers was jealous that Patrick McFarlane was dating his ex-girlfriend, authorities said.

The prosecutor's investigation centers on the actions of Sgt. Keith Hinton, and Officers Regenal Hudson and Sherice Wilson, who are accused of victimizing McFarlane during a traffic stop Dec. 12, 1997.

The officers trumped up weapons possession, counterfeit money possession and motor vehicle violation charges against McFarlane, said his lawyer, [Vincent Sanzone](#) Jr. of Elizabeth. [Sanzone](#) said Hinton orchestrated the plot against McFarlane to retaliate against him for dating his ex-girlfriend, Theresa Conover.

The indictment against McFarlane was dismissed in 1998 after the officers' scheme was uncovered when [Sanzone](#) turned over to prosecutors false police reports and radio transmissions of the traffic stop that recorded the officers lying about what happened that night.

The city of East Orange and the three officers settled McFarlane's federal lawsuit for \$40,000 on May 22. Hinton, Hudson and Wilson each must pay McFarlane \$1,000, [Sanzone](#) said.

The prosecutor's office began investigating the officers' actions two weeks ago after it received a report on the incident from the East Orange Police Department's internal affairs division, spokeswoman Charlotte Smith said. She said if the prosecutor's investigation shows the officers committed a crime, the case will be presented to a grand jury.

East Orange officials would not comment on why it has taken so long to recommend that the prosecutor's office get involved.

Officials also declined to say if any action has been taken against the three officers. "It's not appropriate to comment because it's pending a

review by the prosecutor's office," said Lucas Phillips, the city's first assistant corporation counsel.

William Mann Jr., a Newark attorney who represents Hinton, said he had no comment.

According to his federal lawsuit, which was filed Sept. 13, 1999, McFarlane had stopped at Conover's home before heading to his job as a security guard at the federal courthouse in Newark.

McFarlane and Conover have a child together. Hinton was parked in his patrol car nearby, monitoring McFarlane's movements.

When McFarlane left Conover's home, Hinton stopped him at about 11:15 p.m. and requested backup. After Wilson and Hudson arrived, Hinton asked Hudson to say he stopped McFarlane and to cite him for running a red light, according to the lawsuit.

The trio made an illegal search of McFarlane's car and covered up the fact that a weapon found in the car was a licensed handgun, the suit said.

They also found a counterfeit \$20 bill on McFarlane.

When he was taken to police headquarters, McFarlane was strip-searched and jailed for three days, the suit says.

[Sanzone](#) said McFarlane lost his security guard job because of his arrest.

Even after McFarlane filed a complaint with the East Orange Police Department's internal affairs division on Dec. 29, 1997, no disciplinary action was taken against the officers, [Sanzone](#) said.

McFarlane was subsequently indicted by a grand jury in 1998.

However, the prosecutor's office dropped all charges on Aug. 31, 1998, shortly before McFarlane's trial was to begin, after listening to official radio transmission tapes of the police stop.

They heard the officers' contradictions of what happened, and compared them to their sworn testimony, [Sanzone](#) said.

"The bottom line is that we caught them filing false police reports, setting this man up for the purpose of putting him in jail, which is a blatant violation of his federal and state civil rights," [Sanzone](#) said.

"Sgt. Hinton was the highest ranking officer on the scene and the other officers, Wilson and Hudson, participated in the false charges, false reports and cover-up."

McFarlane, 32 who is now a platform manager at a local truck firm, said he is still upset about the incident.

"It was an experience I wouldn't wish on anyone," he said. "It hurts very bad to put your trust in the police department, and then have them file false police reports and stuff like that. They even put my signature on false statements filed with internal affairs."

[Sanzone](#) said he and his client are mad that it has taken the prosecutor's office two years to investigate the officers' actions.

He said the three should be "taught a lesson and disciplined. There were very serious allegations in their (false) complaint. I hope this never happens to anyone else."

McFarlane agreed, saying, "I hope to God it never does."