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Mercer County woman found not guilty of using position to get generator after Sandy - News - Burlington County Times

Rose Krebs

A Mercer County woman was found not guilty by a jury on all charges that she used her civilian position with the New Jersey State Police to obtain a generator after Superstorm Sandy.

Marcella L. Friedman, 52, of Hamilton, Mercer County, cried out thank you and hugged her attorney, Robin Lord, when the verdict was read Wednesday afternoon at the Burlington County Courthouse in Mount Holly.

Friedman was cleared of second-degree charges of official misconduct and theft by extortion and a lesser charge of theft as the jury rendered not-guilty verdicts on each.

Justice prevailed, Friedman said with a sigh of relief after the proceedings as she met with family and friends. I hope good comes out of this. That's why I went down to the very end. That's why I didn't take a plea. It wasn't the right thing to do.

Friedman, who said she was suspended from her civilian job as a radio technician with the state police pending the outcome of her trial, was offered a plea deal, which would have her only serve

probation, but she rejected it.

I was innocent, she said.

Had Friedman been found guilty, she would have faced the possibility of up to 10 years in prison, but her lack of criminal history would also have been taken into account when deciding a sentence.

Friedman, who uses a cane to walk, said she is permanently disabled. She did not want to discuss her employment status in detail or legal options relating to it. During trial, Lord said there are issues with some of Friedman's worker's compensation benefits.

For now, Friedman said she was just happy and relieved to be exonerated, claiming the process has been horrible for me and my family. She had words of thanks to Lord for the job she did handling the case.

It hurt us all, Friedman said. It put me through hell.

During the three-week trial, Lord argued that Friedman was being retaliated against by the state police because she had brought complaints in the past and was a whistle-blower of sorts about wrongdoings in the law enforcement organization.

The state, which was represented by Deputy Attorneys General Valerie R. Butler and Jonathan Gilmore, alleged that Friedman had used her position on Oct. 31, 2012, two days after Superstorm Sandy made landfall, to illegally obtain a generator.

Generators were in high demand as more than 2 million residents statewide, including 40,000 in Burlington County, were without power after the storm.

The state argued that Friedman was wearing a state police jacket

and was carrying a hand-held radio when she approached two men selling generators at the intersection of routes 206 and 537 in Springfield and said she could levy fines against them for not having a permit and confiscate their items if they did not give her a free generator. The generator was worth \$3,500, according to previous court proceedings.

A state trooper also happened to be at the location that day and questioned Friedman about why she was there. She replied that she was there in an official capacity monitoring roadside operations, according to testimony during trial.

Friedman was not supposed to be working that day and broke the law by unlawfully using her position to commit theft by extortion, the state contended.

Lord countered that Friedman has a reputation for not taking crap that didn't sit well with some in the state police. During closing arguments on Tuesday, Lord listed numerous items that she felt could give the jury reasonable doubt about the charges and criticized the state police's handling of the investigation.

It was a get your woman investigation aimed at manipulating the facts to bring charges against Friedman in retaliation for equal employment opportunity complaints she had filed, Lord argued.

We have an obvious motive to turn nothing into something, Lord said of the charges.

The jury deliberated for less than three hours over two days before reaching its verdict. Butler and Gilmore had no comment after the proceedings.

Thank God for the jury system, Lord said outside the courtroom. I'm

waiting for the Attorney General (Office) to send out the press release.

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