

State Trooper Faces Possible Indictment

Daily News-Record (Harrisonburg, VA) - March 19, 2005

***See Correction below

By WILL MORRIS

Daily News-Record

Charges against a Virginia State Trooper accused of hitting a college student with his cruiser will be presented to a grand jury next week for direct indictment.

Prosecutors will seek indictments against Trooper Kenneth Highland on charges of maliciously causing bodily injury, and assault and battery, according to court records.

A spokesman for the Virginia State Police declined to comment about the incident, or the internal investigation that led to the charges.

Fleeing The Scene

On the early morning of Jan. 4, an officer from the Harrisonburg Police Department was patrolling the Ashby Crossing complex to prevent burglaries at the then-empty student apartments, officials said.

The officer saw a man he thought was suspicious walking alone and carrying something from the apartment complex. The officer stopped the man, Randolph Clay Murphey V, a 19-year-old Blue Ridge Community College student with a prior history of alcohol violations.

Afraid of another conviction for an alcohol violation, Murphey fled the scene.

"I freaked out and started running," Murphey said.

According to John Holloran, the trooper's defense attorney, Highland saw Murphey running and drove up to block his path. The teen ran into the left rear quarter panel of the cruiser, but kept going.

What happened next is in dispute.

But Holloran says his client made a forward U-turn to block Murphey's path, and Murphey rolled over the hood of the vehicle. Murphey, who said he wasn't seriously injured, declined treatment for cuts and scrapes.

It is unclear if Murphey struck the vehicle, or if the trooper struck Murphey with his cruiser. The grand jury will voice its opinion on Thursday.

Albert Mitchell, a special prosecutor from Shenandoah County, refused to comment on the case.

Other Options?

Murphey could not say if the trooper intentionally ran into him with his cruiser. But Murphey considers the trooper's action unnecessary. "I think he could have gotten out and tackled me instead of staying in the vehicle," he said.

Ironically, Murphey said, he walked home from his friend's house because he didn't want to drive intoxicated.

Murphey was later arrested and charged with profane swearing and drunkenness, and with the unlawful possession of an alcoholic beverage.

Highland remains on duty pending the outcome of the grand jury hearing. If he is indicted, Holloran said, Highland will be suspended without pay until the matter is resolved.

Holloran says his client is innocent.

"I think, at the end of the day, he's not going to be found guilty of anything," he said.

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Correction

- A story in Saturday's Daily News-Record ("State Trooper Faces Possible Indictment," March 19) contained incorrect information. Randolph Clay Murphey V, 19, has only one alcohol violation that occurred prior to charges filed in the Jan. 4 incident involving a state trooper.

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