

No Felony For Trooper

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Accused Of Hitting Teen With Car, Lawman Charged With Assault

By WILL MORRIS

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A Virginia State Trooper accused of hitting a college student with his cruiser was indicted Thursday on a misdemeanor charge of assault and battery.

The grand jury declined to indict Trooper Kenneth Highland, who is posted in Rockingham County, on a felony charge of maliciously causing bodily injury.

John Holloran, Highland's defense attorney, said his client collided with the Blue Ridge Community College student accidentally while trying to block his path. "It's a charge that evolved out of a cop doing his regular duties," he said.

Both a specially appointed prosecutor and investigating officers from the Virginia State Police have declined to comment on the case.

Fleeing Arrest

On the morning of Jan. 4, Highland struck Randolph Clay Murphey V, a 19-year-old college student who was fleeing arrest, according to reports.

The teen, who was running away from a Harrisonburg police officer, ran into the left-rear quarter panel of the cruiser, but sidestepped and kept going, according to authorities and Murphey.

Highland made a forward U-turn and struck Murphey with the front of his car. The teen rolled over the hood of the vehicle, fell to the ground and kept running, officials said.

When interviewed last week, Murphey said he declined treatment for cuts and scrapes and wasn't seriously injured.

He could not say if the trooper intentionally ran into him with the cruiser. He did say, however, that he considered the trooper's action unnecessary. "I think he could have gotten out and tackled me instead of staying in the vehicle."

Murphey ran because he was afraid of getting another alcohol conviction. "I freaked out and started running," he said.

The incident happened at a gas station near the Ashby Crossing apartment complex.

Trial Set

A trial date has been set for May 10. After the indictment was issued, Highland was escorted from the Rockingham County Courthouse to the Rockingham County Regional Jail, where he posted a \$500 bond.

It is unclear if he's on any type of suspension pending the outcome of a trial. If the trooper had faced a felony indictment, and been convicted, his law enforcement career would have been over in Virginia.

It's not clear what effect a misdemeanor conviction could have on his job.

Virginia State Police did not return calls about the matter.

Holloran said Highland would be vindicated in trial.

"There's going to be no evidence [Highland] was trying to run him down," he said.

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