

NEWS RELEASE



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GRAND JURY DECLINES TO INDICT POLICE OFFICER ON CHARGES SIGNED BY JERRAMIAH HEALY

On December 18, 2006, a Monmouth County Grand Jury decided not to return an indictment against a Bradley Beach police officer for his actions during the June 17, 2006 arrest of Jersey City Mayor Jerramiah Healy. The Grand Jury “no-billed” indictable charges of second degree Official Misconduct and third degree Aggravated Assault which Jerramiah Healy had signed against Bradley Beach Police Officer Terry Browning. (The phrase “no bill” generally means that a grand jury has found insufficient evidence to warrant the return of an indictment.) The Grand Jury also “no-billed” a second degree Official Misconduct charge signed against Officer Browning by Healy’s wife, Maureen Healy.

On June 17, 2006 at approximately 2:08 a.m., the Bradley Beach Police Department received a report of a dispute between a male and a female in the area of Barry’s Tavern, 310 Main Street, Bradley Beach. Officer Browning and Bradley Beach Patrolman William Major responded to the scene to investigate. Barry’s Tavern had closed shortly before the call to police was made and there were numerous bar patrons in the area. Bradley Beach police allege that as they sought to conduct their investigation, Jerramiah Healy involved himself in the police investigation and refused direct orders to withdraw and leave the scene. According to the Bradley Beach police, Jerramiah Healy became verbally abusive to the point where he was advised he was under arrest for Disorderly Conduct, and he then physically resisted arrest and continued to argue with police. Bradley Beach police used some force, including the use of a chemical spray, to arrest Jerramiah Healy.

Once Jerramiah Healy was secured, he was transported to Bradley Beach Police Headquarters where he was charged with the disorderly persons offense of Resisting Arrest. and the petty disorderly persons offense of Disorderly Conduct. Jerramiah Healy was released on summonses and no bail was set.

On June 19, 2006, Jerramiah Healy and his counsel requested that the Monmouth County Prosecutor's Office commence an investigation into the conduct of the Bradley Beach Police Department and, specifically, Officer Browning. Thereafter, the Professional Responsibility Unit of the Monmouth County Prosecutor's Office conducted an investigation in conjunction with the Internal Affairs Unit of the Bradley Beach Police Department.

On August 18, 2006, and while the investigation was pending, Jerramiah Healy signed complaints charging Officer Browning with the indictable charges of second degree Official Misconduct and third degree Aggravated Assault as well as the disorderly persons offense of Simple Assault and the petty disorderly persons offense of Harassment. On the same date, Maureen Healy signed complaints charging Officer Browning with Official Misconduct, Simple Assault and Harassment. The Grand Jury did not have jurisdiction to consider the disorderly and petty disorderly persons offenses.

A Monmouth County Grand Jury heard testimony from numerous witnesses during multiple grand jury sessions. After hearing all evidence, the Grand Jury decided not to return an indictment against Officer Browning.

As a result of the Grand Jury's decision not to return an indictment against Officer Browning as well as a careful and fact sensitive analysis of the totality of the circumstances surrounding the arrest, the Monmouth County Prosecutor's Office has administratively dismissed the remaining disorderly persons and petty disorderly persons offenses (i.e. two counts each of Simple Assault and Harassment) signed against Officer Browning by Jerramiah and Maureen Healy.

Monmouth County Prosecutor Luis A. Valentin stated "The Grand Jury declined to return an indictment against Officer Browning. Based upon all evidence available at this time, there is similarly no reasonable basis to allow the non-indictable charges against Officer Browning to proceed to trial in municipal court. As such, these remaining charges against Officer Browning have been administratively dismissed in the interests of justice."

The two non-indictable charges, namely Resisting Arrest and Disorderly Conduct, originally signed by Officer Browning against Jerramiah Healy will be returned to the Bradley Beach Municipal Court for disposition. Jerramiah Healy will also face an additional charge of Obstruction of Justice which was signed against him on August 10, 2006, by Officer Browning on the advice of Bradley Beach Municipal Prosecutor Dennis Lavender, Esq. Further court dates will be set by the Bradley Beach Municipal Court.

The matter was presented to the Grand Jury by Assistant Prosecutor Gregory J. Schweers. Jerramiah Healy is represented by Ralph Lamparello, Esq. of Jersey City and James Fagen, Esq. of Freehold.

Despite the remaining charges against Jerramiah Healy, every defendant is presumed innocent, unless and until found guilty beyond a reasonable doubt, following a trial at which the defendant has all of the trial rights guaranteed by the U.S. Constitution and state law.

Released: December 18, 2006