



Man allegedly struck by police car, beaten to get \$150K settlement

hamilton police file.JPG

Hamilton police at a crime scene in this file photo. *(Alex Zdan /The Times)*

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HAMILTON - A Trenton man who sued Hamilton police alleging he was struck by a patrol car and beaten during his 2009 arrest will be paid \$150,000 as part of a settlement.

The township council voted Tuesday to make the payment and settle a 2010 lawsuit filed by Sonny Jackson Jr.

At the council meeting, Hamilton township attorney Lindsay Burbage said the allegations in Jackson's suit led to "major" changes in the Hamilton police department.

Burbage did not elaborate on the changes, but said a police internal affairs investigation into the arrest was completed and the Mercer County Prosecutor's Office made recommendations to the Hamilton police concerning the incident.

"Hopefully everyone learned from this," Burbage said.

Hamilton Police Chief James Collins, who was chief in 2009, could not be reached for comment Thursday about the Jackson case.

Police officers arrested Jackson in April 2009 following a police pursuit of his vehicle that started at a Hamilton health club.

Police, in touting his arrest at the time, said Jackson, then 35, was a suspect in several thefts in Hamilton and Mercer-area health clubs, where he allegedly stole credit cards from people while they worked out and used them right away to buy merchandise.

Hamilton Detective Michael Everett, who was going to a health club to pick up a videotape of a theft, spotted Jackson driving by and tried to pull him over, but Jackson allegedly sped away, police have said.

Other officers then joined the chase.

The chase went through several towns on Routes 1 and 29 before Jackson's car either ran out of gas or malfunctioned. Police in 2009 said Jackson tried to flee on foot, but was quickly apprehended.

Jackson, who has arrests and convictions dating to the 1990s for burglary, theft and eluding police, filed a lawsuit

from a New Jersey state prison in July 2010.

Jackson's version of his arrest was much different. He alleged in the lawsuit that he exited his vehicle to surrender when Hamilton Officer Thomas Clugsten struck him with his police car while traveling 45 miles per hour.

Then, Jackson alleged, several other officers beat him. He claims he suffered a fractured hip, broken teeth and other related injuries. Along with Collins, Clugsten and Everett, Jackson also named officers Joseph Wilk, Mark Horan and David Capasso in the lawsuit.

In discussion on the settlement at the meeting, Councilman Ed Gore voted against the payment, saying he would not vote for settling with a criminal who is benefitting from criminal activity.

Councilman David Kenny said he was initially against the settlement, but once he looked at all the facts in the case, he agreed to the settlement.

Burbage said Jackson would not see much money after his lawyer's fees, child support payments and other liens are satisfied.

"This was an economically practical thing to do based on the facts of the case," Burbage said.

If the township had gone to trial, they could have been exposed to paying Jackson's attorney fees as well.

Pressed by Gore on settling with a guilty party, Burbage said: "The first wrongdoing does not excuse the second wrongdoing."

Jackson's attorney, Shelley Stangler, did not immediately return a telephone message.

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