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Local News

Police misconduct lawsuit carries on in Newington

By **ALEX SYPHERS**
STAFF WRITER

A lawsuit was recently filed against the town of Newington and the Newington Police Department's Officer Jeanine Allin and Chief Richard C. Mulhall for the alleged misconduct of law enforcement authority. On Aug. 19, 2009, the defendant, Allin, allegedly misused her authority as a police officer to have her ex-husband, Marc Candels of Niantic, accused of allegedly putting their son in harm's way.

The complaint, filed by Candels, claims that Allin, and two officers from the East Lyme Police Department, Officers Jeanne Cavanaugh and Lindsay Cutillo, used their authority as law enforcement officials to wrongfully arrest Candels, causing "deprivation of the plaintiff's Fourth and 14th Amendment rights, against unlawful arrest, defamation, and intentional and negligent infliction of emotional

distress...". Candels is suing for the amount of \$15,000.

The plaintiff and defendant Allin were married in June of 1989 and had three children. In January of 1999 they were divorced and joint custody of the children was given with visitation rights. According to the complaint filed by Candels Nov. 29, 2010, "Allin has on innumerable occasions, failed to comply with joint custody and visitation orders regarding Candels's and Allin's children." As a result, states Candels in his complaint, they have been engaged in extensive litigation over the judgment of the divorce action.

On Aug. 19, 2009, Candels writes in his complaint that his son complained of an ear infection and was prescribed antibiotics. According to the complaint, when Allin learned of the situation she called the East Lyme Police Department alleging that Candels had put their son in danger. Allin reportedly drove to East Lyme to file a complaint.

Later that evening, states Candels, Cavanaugh and Cutillo appeared at

his residence and demanded the children return to Allin. Candels states he initially refused, but surrendered his children over when Cavanaugh claimed she would call the Department of Children and Families. Candels was arrested Nov. 4, 2009, by the East Lyme Police Department. Candels states in his complaint that the warrant for his arrest was initially refused and that Cavanaugh spent Nov. 2, 2009,

"at New London Superior Court shopping for a prosecutor who would approve her application for an arrest warrant of the plaintiff."

Candels was later able to have the charges brought against him on Nov. 4 dismissed. He is now suing in their "individual and official capacities" Allin, of the Newington Police Department, and Cavanaugh and Cutillo, of the East Lyme Police Department. And for being the

"final policymakers responsible for the policies, practices, and customs of the police department...", Paul Formica, chief of the East Lyme Police, and Mulhall, as well as the towns of East Lyme and Newington.

No court date has been given. Newington Town Manager John Salomone and Chief Richard C. Mulhall would not comment on an open case.

Marc Candels