

Judge Accuses Wheelchair Bound Lawyer Of Sex Crime
<http://www.myfoxny.com/dpp/news/investigative/man-with-cerebral-palsy-faces-sexual-abuse-trial-20100510>

{Frwrdrs Cmnt: See Cmnt}

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Reported by BARBARA NEVINS TAYLOR

MYFOXNY.COM - A man bound to a wheelchair, who can't even feed himself, is charged with sexual harassment against a judge.

Cheecho Mertsaris is accused of sexual abuse, although he can't control his arms, his legs, or his hands. He has cerebral palsy because his brain was damaged during his delivery at birth.

His father and an aide help him with almost everything, even eating.

The thinking part of Mertsaris' brain works fine. He moves his head to manipulate a computer. He graduated from college and earned a law degree.

Mertsaris works as a lawyer at the Taxi and Limousine Commission. He handles cases involving taxi drivers.

Last October, a TLC judge accused Mertsaris of grabbing her upper thigh and buttocks while they were in the office alone. His aide had

gone to file papers.

His arms and hands tend to flail around and that's where the trouble started. When people get too close to him, Mertsaris tends to get nervous and he has more trouble controlling his arms.

He says his arm moved and hit her. He says he did not intend to touch her.

The judge filed a police report and Mertsaris was charged with sexual abuse. He was brought in and fingerprinted.

The Queens District Attorney has moved forward to prosecute.

Mertsaris' lawyer says he has repeatedly asked the district attorney to drop the case.

Wyatt Gibbons says, "This is one of the most stunning displays of a lack of compassion, a lack of human kindness, a lack of judgment."

A spokesman for the district attorney's office told Fox 5 that the prosecutor believes that Mertsaris uses his hands.

Memos presented to the district attorney from his doctor and physical therapist said his muscles are very tight are "...mostly beyond his...control."

Mertsaris admits that he sent the judge a series of emails two

years ago.

The judge asked his supervisors to make him stop sending the emails. He says he stopped.

Mertsaris agrees that he got on her nerves because of the emails.

He is set to go on trial in June.

11 comments

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I am disabled and like the alleged suspect I am physically disabled, not mentally disabled. First off--I take offense to 4davictim calling the alleged suspect "poor handicap guy". As far as the alleged suspect's ability to plan the crime, he is perfectly capable of that and is no different than any other alleged criminal. The disabled community needs to acknowledge that we can't have it both ways, if we want to be treated as equals in the workplace etc. then we also need to understand we should have equal treatment as suspects within the legal system. Like the old saying goes "you take the good with the bad". The only way the alleged suspect's disability has anything to do with the alleged crime is in determining if he was able to physically commit the crime. His accuser is someone who has known him for several years according

to the article. I would imagine she has been around him enough to observe what kind of control he has over his arms/hands. She is obviously of the opinion that the alleged suspect is capable of fondling her. What also lends credibility to her accusation is that it sounds like there was some history of inappropriate behavior on the part of the alleged suspect. (It is mentioned he had to be asked to stop sending her emails) It sounds like the emails are part of a continuing pattern of harassment against this judge which led up to the recent accusation of fondling. I doubt the judge would be willing to disrupt her life and workplace if she did not feel she had a legitimate complaint.

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