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COURTS: Exposure case against prosecutor dropped - Charges were dropped against a federal prosecutor accused of exposing himself after swimming in his boxer shorts at a Miami River bar.

By JAY WEAVER, jweaver@MiamiHerald.com

The case of a federal prosecutor accused of exposing himself to a girl at a Miami River pool is officially closed -- in his favor.

Assistant State Attorney Laura Adams said Tuesday that her office decided not to charge **Sean Cronin**, a lawyer in the U.S. Attorney's office in Miami, for his behavior in the pool at Finnegan's River bar and restaurant.

The reason: "insufficient evidence" to prove that **Cronin** intentionally exposed himself in a lewd or lascivious manner, according to a closeout memo filed by Adams.

"At most, it appears that any exposure of his private part was accidental and with no sexual intent."

Cronin, 36, was arrested Sept. 26 after the parents of an 11-year-old girl accused him of exposing himself as he got out of the pool in his boxer shorts. A Miami police officer arrested him on the charge of lewd and lascivious behavior in front of a minor younger than 16.

He was also arrested on a misdemeanor offense of resisting the officer without violence, but that charge was not filed by the state attorney's office, either.

"He should have never been arrested in the first place," his defense attorney, Joel Denaro, said after the hearing before Miami-Dade Circuit Judge Dava J. Tunis Tuesday morning.

Cronin, a Boston native, was drinking beers at the riverfront bar while watching the New England Patriots game on a flat-screen TV. He took off his cargo shorts and shirt and went for a swim in his boxer shorts.

The arrest report said that after the girl's parents complained to the establishment, **Cronin** tried to leave through the front entrance but was detained.

When police officer Pablo Arzola showed up, he said he spotted **Cronin** running out the back exit. The officer said in the report that after **Cronin** "observed" him, he "continued fleeing southbound and jumping over multiple fences."

But **Cronin** 's attorneys said the arrest report was a "fiction," citing statements taken by their private investigator from Finnegan's River employees and customers. The two customers drank beers and talked with the prosecutor that Sunday afternoon.

In their statements, they said **Cronin** did not try to elude the officer as he left the outdoor bar at 401 SW Third Ave.

"If the police had conducted a proper investigation, they would have known the facts, which are that Mr. **Cronin** did nothing wrong," said Denaro, who worked on the case with lawyer Edward J. **O'Donnell IV**. "Thankfully, the state agreed."

According to Adams' closeout memo, **Cronin** left the bar and ran across the street into an open field. The police officer drove to the other side of the field and asked **Cronin** to climb over a fence so he could talk to him, which he did.

"However, because the officer never told [**Cronin**] to stop, there is insufficient evidence to prove that at the time [he] fled, he was aware of the officer's intention to detain him," the closeout memo said.

The U.S. attorney's office in Miami, where **Cronin** is assigned to the appellate division, declined to comment on his status.

Denaro said his client has not been suspended.

According to the closeout memo, **Cronin** faces an administrative investigation by the Justice Department's inspector general for alleged "misuse of authority and conduct unbecoming a federal law enforcement officer."

Cronin recently returned from working at the Justice Department in Washington, D.C., where he reviewed habeas corpus petitions filed by detainees at Guantánamo Bay, Cuba.

Cronin , who has specialized in narcotics and appellate cases, was in hot water last year when he and other prosecutors were reprimanded for mishandling evidence in the pill-peddling prosecution of a Miami Beach doctor.

In April 2009, U.S. District Judge Alan S. Gold accused three prosecutors of knowingly and repeatedly violating ethical guidelines in the high-profile narcotics trial -- and then fined the federal government more than \$600,000 to pay for the defendant's legal fees.

Gold took **Cronin** and others to task for acting "in bad faith" in the case of Miami Beach doctor Ali Shaygan, who was acquitted of 141 counts of illegally prescribing painkillers.

The Justice Department has appealed the ruling, and appellate arguments are set for Oct. 29 in Miami.