

Ex-CMPD officer gets 2 years in sex assaults

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Former Charlotte-Mecklenburg Police Officer Marcus Jackson was sentenced to two years in prison Thursday for sexually assaulting six women while on duty - a punishment some denounced as too light for the crimes.

The 26-year-old disgraced officer could be out of prison in about a year because he'll get credit for the 344 days he spent in jail since his arrest last December.

Police Chief Rodney Monroe told the Observer he didn't think the prison sentence was long enough, considering the negative impact the case has had on the community and CMPD. But he said he didn't know if any length of time would be sufficient.

"Twenty years might have not been enough," Monroe said.

The chief called Jackson a rogue cop whose actions damaged the department's relations with the community. But he said he thinks the public understands that one bad officer doesn't represent an entire department.

Judge Yvonne Mims Evans accepted the plea bargain and sentenced Jackson to a minimum of 25 months and a maximum of 39 months in prison. She also ordered him to register as a sex offender.

District Attorney Peter Gilchrist called the sentence appropriate, noting that it wraps up the case and allows victims to avoid a trial. He said police and victims involved were aware of the deal and seemed satisfied.

"The guy lost his job. He has to register as a sex offender. And now he's going to prison," Gilchrist said of Jackson. "I think he's taken some good hits."

In a 30-minute hearing, Assistant District Attorney Samantha Pendergrass told the judge that all of the crimes Jackson pleaded guilty to could be punishable by probation only for a defendant like Jackson, who has no prior criminal record. The prosecutor said she made a plea offer that would assure some prison time for Jackson, and avoid risks inherent in a trial.

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"This is a good result," Pendergrass told the Observer. "It saves the victims from having to testify at a trial. None of them wanted a trial. He could have walked out of court with probation."

Jackson pleaded guilty to six low-level felonies - four counts of felonious restraint, one count of extortion and one count of sexual activity by a custodian. He also entered guilty pleas to nine misdemeanors - eight counts of sexual battery and one count of interfering with a 911 call.

Technically, if Jackson had been convicted at trial on all of the felonies, a judge could have sent him to prison for seven years.

Had Jackson been proved guilty at trial, Gilchrist said, "he could have gotten a similar sentence, a longer sentence or a shorter sentence."

Jackson showed no emotion in court Thursday, and declined to address the judge before punishment was imposed.

Jackson's guilty pleas and sentencing ends one of the most embarrassing chapters in CMPD history. Jackson was hired in 2008 despite twice being accused of domestic violence.

During Jackson's background check, CMPD only discovered one of two restraining orders against Jackson because of procedures the department later acknowledged were flawed.

Police said the allegations should have disqualified Jackson from becoming an officer. But Jackson passed the background check and a polygraph test.

Jackson was arrested and fired last December after two women told police he'd sexually assaulted them during traffic stops. Jackson offered not to write one of the victims - a 17-year-old girl - a ticket in exchange for performing oral sex on him, authorities said.

Pendergrass told the judge that Jackson's DNA was found on the teen's jacket hood and both sleeves.

Police said Jackson fondled the other five women.

One victim said Thursday she is disappointed that Jackson won't serve more time.

"I don't feel good," said the 38-year-old Mexican woman, who says Jackson sexually assaulted her on two separate occasions. "It's not enough time for what he did."

She's still scared of Jackson, who she says followed her home from work. The first assault happened after he followed her for several blocks and pulled her over. She says he then fondled her breasts.

About eight weeks later, on Dec. 29, she said, Jackson pulled her over again. Her boyfriend at the time, Abel Moreno, who was driving behind her, confronted Jackson when the officer tried to touch her. He called 911 to report Jackson, but the officer interrupted the call and arrested him on a resisting an officer charge.

Pendergrass told the judge Thursday that Jackson's voice can be heard on the 911 tape saying "hang up the phone."

Moreno said it was difficult to even look at Jackson in the courtroom. He said he was very upset about the plea deal.

"This is such a short time. I wanted at least five years," he said. "I wanted justice. This is only a little bit of

justice."

Moreno now faces possible deportation for his actions. While in jail, he was identified as being in the country illegally. He's seeking a visa for crime victims and immigrants who help authorities in the prosecution of a criminal case, such as that against Jackson.

None of the victims spoke to the judge before Jackson's sentencing.

Pendergrass said some of the women wanted her to tell the judge that they are still afraid of Jackson.

"They never want to see him again," the prosecutor said.

Monroe told the Observer after the sentencing that Jackson's supervision had been sufficient. He said officers are given wide latitude to do their job, but Jackson abused it.

"Officers are given a great deal of discretion and along with that discretion comes integrity, honesty and ability to go out and do your job with the public's trust," the chief said. "He broke all those rules. So supervision was not an issue."

Monroe said the department has fixed backgrounding issues that allowed Jackson to be hired. "It's still unfortunate that you would have any individual, whether a police officer or any other profession, that would seek to use their profession to prey upon innocent members of the community," the chief said.



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