

Charges brought policeman's bright career to an abrupt halt

By Gavin Lesnick

Sunday, October 18, 2009

EVANSVILLE — Martin Montgomery had the makings of a promising career on the Evansville Police Department.

Still fairly new to the force and assigned to the West Sector night shift, Montgomery, a Gibson County native, already had made a name for himself among his peers and supervisors.

In 2007, a little more than a year after being sworn in alongside 10 other new hires, Montgomery helped save a man who tried to hang himself from a tree. Montgomery hoisted him while a police sergeant untied the noose — an act that would earn both officers merit awards.

And in October 2008, Montgomery's good police work again caught the eye of his supervisors: He was named Officer of the Month for locating and then chasing a car driven by suspects in a home invasion robbery.

But only weeks after those arrests were made, Montgomery is alleged to have transformed from cop to criminal, using his power and position to assault two women he encountered while patrolling.

It is one of two similar situations for which Montgomery is charged with criminal deviate conduct, a class B felony. No charge was filed in a third complaint that went to a grand jury.

The alleged crimes — described by police when first made public as among the worst imaginable for an officer — have left a stain on the department, as well as a group of victims and a series of unanswered questions. Chief among the questions: How and why did this happen?

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The investigation into possible misconduct started in June when 25-year-old Brittany Pryor reported to police that Montgomery had sexually assaulted her.

Pryor told investigators Montgomery arrived to investigate a domestic violence incident, sent her boyfriend from the residence and then proceeded to rape her. The case went to a grand jury in July, which voted unanimously not to file charges.

Authorities, however, continued investigating Montgomery internally and criminally.

Those efforts resulted in two additional cases, which make up the charges Montgomery, 28, now faces.

In the first case, he is accused of responding to an argument between two women. Police say Montgomery found that one of the women was wanted on a warrant and placed her in handcuffs after calling off other responding units.

At some point, Montgomery released the woman and had the two women perform a sex act, which he later joined in on, according to police. That incident is reported to have happened Nov. 18, 2008.

In the second case, Montgomery is accused of responding to a fight between two women and then giving one of them a ride home. He followed her inside and forced her to submit to a sexual act, according to court documents. Investigators say that incident happened March 1.

Montgomery was suspended from the force after the complaint surfaced in June, with Chief Brad Hill recommending that he be fired. Montgomery was arrested on one charge July 29 and released on a \$1,500 cash bond that night. He resigned from the department five days later, shortly before the Merit Commission was to consider Hill's recommendation of termination.

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In joining the force, Montgomery was subject to an exhaustive background test and application process that is in part designed to weed out people with criminal tendencies.

Doug Schneider, a sergeant in the personnel division, said it's an extensive process for everyone who tries to join the force.

Applicants are immediately dismissed if they have felonies or domestic violence convictions on their records or if they admit to hallucinogenic drug use.

They take a physical agility test and a written exam before a series of interviews, including one in front of the Merit Commission.

The top scorers are added to a list from which the police hires. But not before even more checks.

The applicants first are subjected to a background test, a lengthy interview about personal behaviors and then a polygraph exam to check their answers.

Next, applicants undergo a pair of psychological tests: the Minnesota Multiphasic Personality Inventory (MMPI) and the Law Enforcement Assessment and Development Report, which is geared specifically toward measuring emotional stability on the force.

Applicants also are interviewed by a psychiatrist.

"It's lengthy and very tedious but nonetheless very important," Schneider said.

"There are a lot of checks and balances to make sure we're bringing the right people on board."

So how come Montgomery wasn't detected?

Margaret Ann Keaton, an assistant professor at the University of Indianapolis who specializes in criminal psychology, has an idea.

Keaton said the MMPI, in particular, which is standard on most police departments, is flawed in that its typical rating for a good police officer is similar to that of a psychopath.

Both are sensation-seekers, authoritarian, aggressive and take-charge individuals who have above-average intelligence, she said.

"Most police officers are that in a healthy way. Unfortunately, a psychopath is that in a pathological way. And it's very difficult to tell which is which when you're just looking at MMPI."

To best screen for potential problems, Keaton said, police departments need to speak in-depth with people who know the applicant — and not just those references the applicant provides.

But even then, it's not a foolproof method for preventing people who shouldn't become officers from getting on the force.

The Evansville Police Department does, as part of its process, have background investigators contact people the applicants know or have been around.

"There's absolutely no guarantee," Keaton said.

"But you're going to increase the likelihood you're going to capture them. That's the best you can hope for. People are bilked every day by psychopaths."

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After being sworn in, Montgomery, like all officers, went through academy training and was on probation for his initial year, riding with field training officers who evaluated him closely.

But despite that, there were no reported signs of what lurked within a man sworn to serve and protect, said Hill.

"I don't think there was ever an inkling from co-workers and certainly not supervisors of any activity like this. And as I've said ad infinitum, when we did hear this, we took immediate action and would have at any time if we had gotten any kind of a report on him."

Some efforts by the Courier & Press to look further into Montgomery's application and early time on the force were met with resistance.

Citing state law that neither requires nor forbids it from being released, the Police Department declined to make available Montgomery's application or the full contents of his personnel file.

Hill also said he would not allow any officers who worked with or supervised Montgomery to speak for this story.

"The less interviews about him the better, so that we don't taint any pending cases," Hill said, adding that he is not trying to hide anything by keeping the officers from speaking.

"Absolutely not. I'm just trying to make sure that the criminal case goes forward unhampered."

Only one other member of Montgomery's hiring class is no longer on the department. Reached at home recently, Amber Pfeffer declined to comment and said she was "not going to go there" in reference to speaking about her former colleague.

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Montgomery has consistently declined to speak with the media about the case.

He did not respond to a letter sent by the Courier & Press and has not answered questions posed to him outside court proceedings. Family members with him also have declined to answer questions.

One relative, though, appears to have offered some insight on the impact of the charges.

A man who identified himself as Montgomery's older brother, Richard Montgomery, said in an e-mail that the family is standing behind him.

"I will tell you that, while it saddens me that my brother made the mistake of sleeping with a woman while on duty, there is absolutely no way he forced her to do anything," the e-mail stated.

"There is no evidence of that, and the last thing anyone wants to see is an innocent person go to jail. Our family will continue to support Martin, and we pray that the truth will come out. My brother is a good man who made a mistake, but that mistake is not as severe as the EPD is stating."

Richard Montgomery did not respond to an e-mail seeking additional information.

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A review of Police Department documents filed during Montgomery's time on the force reveals him to have been a seemingly normal third-shift officer.

The Courier & Press obtained all of the probable cause affidavits he wrote between his hiring and resignation date through a Freedom of Information Act request. The documents detail every arrest Montgomery made and include narratives about why and how the suspect in each case broke the law.

They are reflective of the routine crimes which frequently pepper the city's police logs: arrests for driving while intoxicated, public intoxication, disorderly conduct and battery appear often.

The thick file of narratives includes his first arrest in July 2006 to his last earlier this year.

That came June 3 when Montgomery stopped Rachel M. Lomax, 22, who was accused of driving while intoxicated.

Montgomery pulled over her black Mitsubishi at the intersection of Tremont Road and Greenleaf Drive and made the arrest after Lomax failed a series of field sobriety tests.

She said she was "shocked" to learn of the allegations against Montgomery and said there was never any indication of misconduct during her experience. He seemed kind, she recalled, and even called a female officer in to search her.

"Nothing happened," she said. "It wasn't unusual. ... You run across cops that are nice and some that are mean. He was nice."

Nicole R. Fuhrman, 16, was another of the people Montgomery encountered just before being suspended. She received a speeding ticket the night of June 4 as she drove in from Jasper, Ind., to Evansville for soccer practice.

Fuhrman started crying because it was her first time being pulled over. She recalled

Montgomery being very stern, asking for her license and then returning with a ticket.

"I thought he was very rude," she said. "But that was about it. ... There was nothing out of the ordinary."

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The aftermath of Montgomery's alleged crimes have an impact on the city as a whole and the way local residents view the department, police officials acknowledged.

But Assistant Chief Rob Hahn — who called the case a stain on the department — said while the public trust was violated by the cases, people should take comfort in knowing how quickly the agency responded. Montgomery was removed from duty within hours after the initial complaint surfaced.

And since then, police not only investigated that incident but also scoured his background and turned up the victims that made up the two cases for which charges were filed, Hahn noted.

Going forward, he said the department will show residents the department can and should be trusted as police work to overcome lingering negative associations from the Montgomery case.

"We have always been very confident in our abilities to police Evansville and the surrounding area," Hahn said.

"How we'll do this is how we've done things since we've been a Police Department. We'll let our work speak for itself. We'll prove to Evansville the quality of officers as well as the quality of the department we have."



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