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New cop misconduct alleged: 4th drug officer off street; women cite groping

June 01, 2009 | By BARBARA LAKER & WENDY RUDERMAN, lakerb@phillynews.com 215-854-5933

HER BACK PRESSED against the wall, Dagma Rodriguez stood in a dark bedroom as Officer Thomas Tolstoy moved closer. She trembled in fear.

It was just after 5 p.m. on April 3, 2008, during a drug raid on the West Kensington rowhouse where she lived. Tolstoy had ordered her into the room, telling her that he needed to talk, she said.

"He started rubbing my breasts, rubbing my nipples," said Rodriguez, a 33-year-old mother of three. "I was so scared. My legs wouldn't stop shaking."

Rodriguez said she grabbed Tolstoy's wrists to try to make him stop. He didn't, she said.

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Lady Gonzalez breaks down in tears as she describes an incident in which a police officer...



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" 'You've got some *big t--s*. I love these t--s. I bet you've got big bras. What size are you?' " she said he asked. " 'Can I see them? Let me see them.' "

"I said, 'No! No!' I was so nervous, I started crying. He told me to shut the f--- up He kept rubbing me and I started crying more."

Rodriguez is one of at least three women, including Lady Gonzalez, of Kensington, who say they were fondled and groped by an officer. Rodriguez and Gonzalez later identified the officer as Tolstoy. Police sources say that Tolstoy is also the focus of an investigation into the third woman's complaint.

Rodriguez and Gonzalez have lodged separate complaints with the Police Internal Affairs Bureau.

On May 20, Tolstoy became the fourth officer to be taken off the street in connection with an expanding FBI and Internal Affairs investigation into allegations of police misconduct.

That alleged misconduct was first reported by the *Daily News* in February with complaints about Narcotics Field Unit Officer Jeffrey Cujdik, Tolstoy's fellow squad member. One of Cujdik's informants told the *Daily News* that Cujdik sometimes lied on search-warrant applications to get into suspected drug homes.

The scandal expanded in March after the *Daily News* reported that Cujdik, Tolstoy and other officers disabled surveillance cameras during raids of mom-and-pop stores that sold tiny ziplock bags, which police consider drug paraphernalia. After the officers cut or yanked the wires, thousands of dollars in cash and merchandise went missing, the merchants said.

Now the probe has widened further to include allegations that Tolstoy, 35, abused women during drug raids. The women came forward independently of one another and don't know each other.

Tolstoy has been placed on desk duty, taking reports of minor crimes over the phone, said Internal Affairs Chief Inspector Anthony DiLacqua.