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HAYWARD / Ex-officer sentenced in undressing of teen

March 24, 2005 | By Henry K. Lee

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A former rookie Hayward police officer was sentenced Wednesday to a year of work furlough and five years' probation for forcing a teenage girl to undress after stopping her for no legal reason while on patrol.

Jose Hector Nunez, Jr., 36, of Brentwood resigned from the force and pleaded no contest in December to felony false imprisonment.

On Wednesday, the girl's mother, Eva Zokary, 52, castigated Nunez in a Hayward courtroom, demanding an explanation for his actions. "If you can look at me, tell me why you did that to my daughter," Zokary said, wiping her eyes. "You already did what you wanted to in your mind."

Nunez detained Zokary's then-16-year-old daughter in the early morning hours of July 11, took her behind an auto-parts store and ordered her to take off her bra, lift up her shirt and pull down her pants, said Alameda County Deputy District Attorney Kevin Murphy. Nunez shined his flashlight on her and at one point touched the girl's buttocks, authorities said.

Zokary said her family had trusted police and the universal law-enforcement motto "to protect and to serve."

"He didn't protect her. He served himself," said Zokary, who has filed a claim -- a precursor to a lawsuit -- against the city of Hayward. "It makes me sick. I'm ashamed that you hid behind the badge because I support the badge."

Nunez, a married father of three and former Marine, looked at Zokary but did not address her nor Superior Court Judge C. Don Clay, who said Nunez preyed on a vulnerable victim and that his crimes were a "much, much greater offense than what it would appear on the surface."

The judge said Nunez could serve a year in county jail by way of a work-furlough program with the sheriff's office in Contra Costa County, where he lives.

A stern Clay told Nunez, "I don't want to see you here again."

"He feels terrible about the pain and suffering that this may have caused this young lady," said Nunez's attorney, Kathy Rains.

Rains said her client had thought the person he had stopped was an adult but learned only afterward that she was a teenage runaway.

In the claim against the city, Oakland civil-rights attorney John Burris said the girl "has incurred the permanent scars of sexual assault."