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Former Sheriff's deputy sentenced to two years in state prison

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By **Jim O'Hara / The Post-Standard**
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Alexander Nicholson Sentencing

Former deputy Alexander Nicholson is sentenced by County Judge Joseph Fahey to state prison for sex with 14-year-old boy. Prosecutor is Chief Assistant DA Matthew Doran, and defense lawyer is Emil Rossi speak to the press after the sentencing.

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Syracuse, NY - Defense lawyer Emil Rossi this morning tried to focus attention on all the commendations former Sheriff's Deputy Alexander Nicholson received in his career as a law enforcement officer.

significant degree," County Judge Joseph Fahey responded.

The "what he did here" Fahey was referring to was Nicholson's engaging in sexual conduct with an underage boy. That's why Nicholson was standing in court today, facing sentencing for that criminal conduct.

Fahey said that criminal conduct could not be overlooked as he sentenced Nicholson to serve two years in state prison.

Nicholson 35, of 134 Dewey St., Syracuse, pleaded guilty Sept. 14 to one felony count of second-degree criminal sexual act, admitting he engaged in an act of anal sexual contact with a 14-year-old boy sometime between July 12 and Aug. 31, 2007.

That was one of 36 counts in an indictment accusing Nicholson of abusing his authority as a law

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enforcement officer to engage in sexual encounters with two underage boys.

Nicholson had nothing to say in court at his sentencing today.

Rossi told Fahey his client simply was unable to speak in court with his family present.

"There's a lot he wants to tell you, but he can't," the defense lawyer told the judge.

Rossi then said Nicholson had accepted complete responsibility for his conduct. But the defense lawyer said that didn't define all there was to know about Nicholson.

Rossi then read a portion of a letter written by Nicholson's father, a former sergeant with the Watertown Police Department, who noted his son had always wanted to be a police officer and was always willing to help others.

Rossi then read from a Sheriff's Office commendation involving Nicholson being awarded the department's Medal of Valor in 2008 for defusing an incident in which he had been confronted by an intoxicated man armed with a loaded shotgun.

Nicholson also saved two lives through his work with a program pushing the use of defibrillators, talked a distraught veteran out of harming himself in a 2003 incident and received a department letter of commendation for his part in a robbery/stabbing investigation, the defense lawyer told Fahey.



Rossi returned to Nicholson's father's letter, in which the older man noted he and his wife had health issues and relied on their son for help since their other two sons lived in Texas and Kentucky.

When Rossi finished, Fahey said there was no question Nicholson had done a lot of good in his tenure as a law enforcement officer. But that didn't mean the state prison sentence wasn't a just punishment for Nicholson's criminal conduct, the judge added in imposing the penalty.

Nicholson could have faced up to seven years in prison for the most serious charges lodged against him in the

indictment. But the prosecution agreed to the two-year sentence in a plea deal that also was accepted by the families of the two victims.

The victims were not in court and their families had no interest in addressing the court at Nicholson's sentencing, Chief Assistant District Attorney Matthew Doran said. The families, however, have retained a lawyer to pursue a possible civil lawsuit in connection with the molestation of their sons.

Outside court, Rossi said he did not mean to overlook the victims by his courtroom comments. He said he thought he addressed them in noting Nicholson accepted full responsibility.

Asked what his client wanted to say to Fahey but was unable to, Rossi said Nicholson wanted to say he wished he could turn back time "to make the situation right, or better yet, to undo it. But that's an impossibility."

As he left court, Doran said both victims have exhibited a strength of character that should make it possible for them to go on with their lives.

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But he noted they both met Nicholson in his position as a law enforcement officer. One of the boys has said he is reminded of what happened to him with Nicholson every time he sees a police officer, the prosecutor said.

Doran said he thought the two-year state prison sentence was fair. Nicholson may have been treated more harshly than a similar first-time offender but that was because of the abuse of trust in his conduct, the prosecutor added.

Fahey recommended that Nicholson serve his sentence in a special unit set up for law enforcement officers in the Clinton Correctional Facility in Dannemora.

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