

## NOPD officer fired before domestic violence trial

By Ken Daley, NOLA.com | The Times-Picayune | Follow on Twitter on April 13, 2016 at 5:18 PM, updated April 13, 2016 at 5:32 PM

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### [2015 Cop Domestic Violence](#) James Cunningham

A New Orleans police officer who was arrested and suspended twice last year for domestic violence incidents involving the same girlfriend has been fired from the force in advance of his trial next week, the department said Wednesday (April 13).

NOPD spokesman Tyler Gamble confirmed that James Cunningham, a nine-year veteran, was fired March 17 for violating the department's moral conduct rules. Defense attorney John Fuller indicated his 35-year-old client intends to challenge his termination.

Gamble did not disclose the nature of Cunningham's violation. But the ex-officer is scheduled to stand trial next Monday (April 18) for home invasion, a charge stemming from his 36-year-old girlfriend's report to police that Cunningham injured her hand when he kicked in the front door of her Algiers apartment around 4:30 a.m. on Jan. 13, 2015. A separate allegation of domestic abuse battery in that incident was refused by the Orleans Parish District Attorney's office.

### NOPD officer booked with domestic abuse pleads not guilty

Officer James Cunningham was arrested Jan. 13 and again Aug. 10 on allegations that he became violent during early-morning arguments at the Algiers apartment of his girlfriend.

Fuller said the remaining home invasion charge is bogus, because Cunningham also lives at and had keys to the residence he is accused of invading. Fuller also said the couple has reconciled and Cunningham's girlfriend does not want to cooperate with his prosecution.

The same woman also reported to police last Aug. 10 that Cunningham grabbed her, threatened her and refused to let her leave the same apartment after another early morning argument around 5:30 a.m. Cunningham was booked with domestic abuse battery and false imprisonment after that arrest, and was placed on emergency suspension by the NOPD for the second time in seven months. Monday's trial is to incorporate those charges from the second incident as well.

"He is adamant about his innocence," Fuller said. "The nature of the charges is preposterous. I mean, home invasion of the home he lives in is preposterous to me. The state is aware that he lives at the same house, he has keys to the home, and they are aware of the victim's desire to dismiss this case. (Prosecutors) are still harassing this young woman who doesn't want to come to court.

"I think this is shaping up to be a political prosecution, as a way for the district attorney's office to say they're tough on cops."

Girlfriend tells NOPD that suspended officer hurt her before and he's 'getting worse'

The girlfriend of suspended New Orleans police officer James Cunningham told investigators he had injured her, and that his aggressive behavior 'is getting worse.'

Fuller said it was Cunningham who called 911 for the second incident, only to wind up being arrested as the aggressor. The lawyer said detectives from the NOPD's Public Integrity Bureau "have maliciously attempted to malign the integrity of my client."

As for Cunningham losing his job, Fuller said, "After these proceedings are over, his proceedings against the NOPD may not be over."

If convicted, Cunningham faces possible sentences of five to 20 years for home invasion, and up to six months each for false imprisonment and domestic abuse battery.