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Lawyers can review internal police reports

A win for man charging brutality in Edison

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A South Amboy municipal court judge ruled yesterday that attorneys for an Indian man who said he was roughed up by an Edison police officer when he was arrested last July may review the police department's internal investigation reports from the arrest and a subsequent immigration arrest a month later.

Judge Joseph Hoffman's decision also gives Rajnikant Parikh's lawyers access to internal affairs records from the federal Immigration and Customs Enforcement. The agency launched an investigation after questions were raised about Parikh's arrest by ICE agents at a rally protesting police brutality in front of the Edison municipal building on Aug. 2 of last year.

"It's definitely a victory for the defense," said Parikh's attorney Ravinder Bhalla. "It's not a not guilty verdict, but now we're in the right direction. We're ready for trial."

Edison officer Michael Dotro arrested Parikh July 4 on charges Parikh hit the officer and incited others to attack as Dotro tried to disperse hundreds of people watching an illegal fireworks display at a township apartment complex.

Parikh, a 30-year-old liquor clerk, accused Dotro of using excessive force in the arrest. Nearly a month later, Parikh was arrested by ICE agents on a deportation warrant while protesting the police department outside town hall.

Edison conducted internal reviews into the July and August arrests, which cleared Dotro and the department of wrongdoing in either incident. But sources familiar with the investigations previously have said Parikh's immigration arrest at the August rally came after Dotro passed information onto his brother, an ICE attorney.

Bhalla said being able to review the internal investigation files on both arrests would help his client call Dotro's credibility into question.

Hoffman denied a motion by Bhalla to have the municipal charges against Parikh

dropped, stating it was premature. He also denied Bhalla's motion to have Dotro's personnel files released to the defense.

Officials from the police department and the mayor's office declined to comment on Bhalla's rulings yesterday.

Parikh's immigration arrest inflamed tensions between Edison's burgeoning Asian-Indian community and the Edison police. Parikh's claims led to a four-month internal investigation reviewed by the state attorney general and the Middlesex County Prosecutor's Office.

Parikh, clean-shaven and wearing a red prison jumpsuit, sat quietly before Hoffman. Since August, he has been detained at the Hudson County jail in Kearny.

Though a deportation order was signed against him in 1996 for skipping an immigration hearing in Texas, he is fighting the proceedings based on arguments that he applied for permanent residency in 2005 after he married Julie Patel, an Edison medical student who is an American citizen.

Also attending the hearing were Iselin travel agency owner Peter Kothari, and Springfield-based businessman Dave Makkar. Kothari spearheaded protests against the police department, with Parikh at his side.

"We have to wait for the verdict of the court," Makkar said.

Both men have privately squabbled about how to continue defending Parikh, but said they were committed to supporting him. Separately, Makkar is appealing for funds to hire another defense attorney to represent Parikh.

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