

# Woman alleges 'rapist' was kept on police force

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## ABSTRACT (ABSTRACT)

The new documents contend that then-State's Attorney Warren B. Duckett Jr. and Mr. [Frank R. Weathersbee], his deputy, mishandled the 1979 investigation when they decided not to charge the officer criminally even though the woman passed a state police polygraph test.

In a memo to then-Chief [Maxwell V. Frye Jr.] dated Sept. 6, 1979, Mr. Duckett said that he and Mr. Weathersbee, together with a police investigator, reviewed all the evidence in the 1979 incident before they decided they did not have enough to prosecute.

Yesterday, Mr. Weathersbee denied there was any cover-up and said that if he and Mr. Duckett looked at the 1979 case again, they would come to the same conclusion.

## FULL TEXT

Two former Anne Arundel County police chiefs and the state's attorney allowed a "known rapist" to remain on the police force and covered up an investigation into his conduct, according to documents expected to be added today to a pending lawsuit.

The allegations were to be added to a \$70 million suit filed in February 1993 against the county, the officer and former police Chief George W. Wellham III by a Laurel woman whose lawyer is running against State's Attorney Frank R. Weathersbee in the November election.

Mr. Weathersbee, who was the deputy state's attorney at the time of the woman's rape complaint, denied yesterday that there was any cover-up, and said that the lawyer-candidate, John R. Greiber Jr., was seeking publicity.

The new documents -- to be filed with the suit pending in Baltimore's U.S. District Court -- add two former police chiefs, Maxwell V. Frye Jr. and William Lindsey, to the list of defendants.

In those papers, the Laurel woman claims that then-Officer Michael Ziegler stopped her car in Pasadena Nov. 15, 1990, told her she was drunk and couldn't drive, took her to a dark parking lot and raped her.

The woman alleges that the former chiefs allowed Officer Ziegler to continue to work as a patrol officer after another woman claimed in 1979 he had raped her while on duty and a second woman complained in 1984 that the officer made sexual advances toward her at her house.

The new documents contend that then-State's Attorney Warren B. Duckett Jr. and Mr. Weathersbee, his deputy, mishandled the 1979 investigation when they decided not to charge the officer criminally even though the woman passed a state police polygraph test.

In a memo to then-Chief Frye dated Sept. 6, 1979, Mr. Duckett said that he and Mr. Weathersbee, together with a police investigator, reviewed all the evidence in the 1979 incident before they decided they did not have enough to prosecute.

But a state police report analyzing the evidence taken from the woman's apartment was not completed until Sept. 24, the allegations contend.

Neither Mr. Duckett, who is now a Circuit Court judge, nor Mr. Weathersbee is named as a defendant in the new documents.

"The current state's attorney's involvement in a clear cover-up of the rape of two women by the same police officer is not only reprehensible," said Mr. Greiber, "but it is also malfeasance."

Officer Ziegler, who was an 18-year veteran of the force, initially was charged with rape in the 1990 incident, but agreed to resign in March 1991 in a plea bargain with prosecutors. The rape charge was dropped and he was convicted of the lesser charge of police misconduct.

Mr. Greiber, a Republican candidate for state's attorney, criticized Mr. Weathersbee for passing up a "second opportunity to prosecute" the officer.

Yesterday, Mr. Weathersbee denied there was any cover-up and said that if he and Mr. Duckett looked at the 1979 case again, they would come to the same conclusion.

"He is just using this case to get publicity," Mr. Weathersbee said. "What Judge Duckett said back then was correct. That was a decision for the state's attorney."

Officer Ziegler was suspended for 30 days as a result of the 1979 incident, but the suit blames Chief Frye for not investigating further.

Judge Duckett did not return phone calls yesterday. Mr. Frye and Mr. Lindsey could not be reached for comment.

According to the suit, the woman in the 1979 incident met Officer Ziegler when he was answering a call for a domestic dispute near her home in Glen Burnie. She let him in her apartment to use the telephone.

He began making sexual advances and threatened to arrest her for prostitution if she did not cooperate, the suit contends.

In 1984, when Mr. Lindsey was chief, a woman complained to police officials that Officer Ziegler made "inappropriate physical advances" to her when she tried to report a rape, then told her not to discuss her case with any other police officer.

## DETAILS

**People:** Weathersbee, Frank; Greiber, John R Jr; Frye, Maxwell V Jr; Ziegler, Michael; Duckett, Warren B Jr

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