

Sex-related charge against man dismissed

Case is one of more than 50 in connection with undercover sex stings

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A sex-related charge against a Marshall man in connection with undercover sex stings at Conway Robinson State Forest was dismissed Tuesday by a Prince William County judge.

It is the first charge, out of the more than 50 cases, to be dismissed since Virginia State Police troopers began the undercover operations in April

██████████, 46, was charged with criminal solicitation last fall after encountering an undercover state trooper in the forest Aug. 1. The trooper's name is being withheld by *The Journal* because of the undercover nature of his work.

██████████ walked onto a wooded trail in the park, off U.S. Route 29 in Gainesville, made eye contact with the trooper and rubbed his crotch, the trooper testified Tuesday.

"I asked the subject what he was looking for, and he replied, 'A blow job,' " the trooper said.

The two had a brief conversation and began walking out of the woods toward a parking area when ██████████ said he had to perform some errands and would come back, the trooper testified.

"He was constantly looking over his shoulder, wouldn't stand still very much," he said of ██████████.

██████████ then left the forest and did not return, the trooper said.

██████████ attorney, James McCoart, argued his client had not done anything to reach the Virginia legal standard for criminal solicitation, which is to "commit, entreat or attempt to persuade" someone to perform a criminal act.

McCoart cited a 1990 Virginia Court of Appeals decision in which a man told two women that he wanted to per-

form oral sex on them but did nothing more. In that case, the appeals court overturned the defendant's conviction, ruling the man stated a desire but that alone was not illegal.

McCoart argued that ██████████ case was the same, and Judge Arthur W. Sinclair said he "reluctantly" agreed.

"I certainly am suspicious of what Mr. ██████████ went up to Conway Robinson for," Sinclair said, but agreed ██████████ had not committed a crime because after saying he wanted oral sex, he walked away.

After the hearing ended, McCoart praised the trooper's candor.

"Our justice system in this trial was exemplary. A lot of people, including Mr. ██████████, had concerns about getting a fair trial."

In recent months, two other men were convicted in charges stemming from the undercover stings that took place in spring and fall.

██████████, 39, of Manassas, was found guilty of indecent exposure on Jan. 15 in a General District Court hearing and given a 12-month suspended sentence. He was ordered to pay \$127 in court costs and to stay away from the forest, the Interstate 66 rest areas in Manassas and the Manassas National Battlefield Park.

██████████, 64, of Warrenton, was found guilty of criminal solicitation stemming from a May encounter with a trooper at the forest in which he tried to force the trooper's head to his crotch and fondled the trooper's chest.

He was sentenced Thursday to five years in prison, all of them suspended, and will serve three years on probation. He also was ordered to stay away from the forest, park or rest areas. A charge of indecent exposure was dropped in November.