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Jail Guards Charged With Manslaughter in Death of Detainee

A New Jersey grand jury also voted to indict six other officers in connection with the 2019 death of a 41-year-old man.

Body camera footage shows New Jersey police officers restraining Mario Terruso Jr.

Credit...New Jersey Office of Attorney General

By Tracey Tully

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After being handcuffed by the police, Mario Terruso Jr. was hallucinating, complaining of extreme nausea, and appeared to be high on drugs. He asked to be taken to a hospital.

But the New Jersey officers instead brought him directly to jail, concerned about getting bogged down on a Sunday shift awaiting a lengthy medical evaluation, according to an investigation by the state attorney general's office.

Thirteen hours later, after being forcibly restrained in jail, Mr. Terruso, 41, was dead.

Mario Terruso Jr. asked police to take him to the hospital, but instead was forcibly restrained, and later died.

On Monday, a grand jury took the unusual step of handing up indictments against eight officers involved in the 2019 arrest and the subsequent restraint of Mr. Terruso inside Atlantic County's jail. Two of the officers, Sgt. Eric Tornblom and Mark Jenigen, both correction officers at the jail, are charged with manslaughter.

Thomas Eicher, director of the attorney general's public integrity unit, reserved his harshest criticism for the arresting officers from Hamilton Township in Atlantic County, who he said "brushed aside department policy, and the victim's medical needs, to avoid being inconvenienced."

"They improperly and unlawfully passed the buck to the county correctional system," Mr. Eicher said in a statement about five officers, each accused of official misconduct, charges that carry a mandatory five-year sentence upon conviction.

"It was there where Mr. Terruso was forcibly restrained and punched by those who should have been getting him the medical care he so desperately needed."

Earlier that day, Mr. Terruso, a father of four, had entered an unlocked, occupied house in the township of Hamilton at lunchtime. He picked up a knife and began making unfounded claims that people had been shooting at him, prosecutors said. The homeowner chose not to press charges, but the police took Mr. Terruso into custody because of an outstanding warrant for unpaid child support.

Handcuffed in a squad car, he told officers that he had been vomiting — a detail they hid from jail employees, according to prosecutors from the public integrity unit, who interviewed witnesses and reviewed video footage and autopsy results.

As the day wore on, Mr. Terruso began gagging and spitting up a black substance, leading to a drug test that was positive for methamphetamine and ecstasy.

But as jail workers were preparing to bring him to a hospital, Mr. Terruso grew combative, and Sergeant Tornblom punched him four times in the head while attempting to subdue him, according to the state's attorney general, Matthew J. Platkin. Prosecutors did not describe Mr. Jenigen's alleged role; a third correction officer at the jail was also charged with official misconduct.

"Those sworn to protect him are the very people alleged to have abused him in his time of need," Mr. Platkin said in a statement.

Thomas Kline, a lawyer for Mr. Terruso's relatives, who have filed a lawsuit claiming officers used excessive force in the Sept. 16, 2019 death, said Monday's indictments were "one step on the long path to justice for his family," adding: "They seek all those involved to be held fully accountable."

In 2021, the attorney general's office released footage from body-worn police cameras taken before Mr. Terruso died, as is required in New Jersey when there is a death in police custody. State policy also requires that the results of the investigation be presented to a grand jury, which can be asked to vote on an indictment formally charging officers with a crime.

Still, in the three years since the formal review policy was implemented by a former attorney general, Gurbir Grewal, charges against members of law enforcement have been rare.

Kenneth Sebastian León, an assistant professor of criminal justice at Rutgers University, said that Mr. Terruso's apparent drug use made the indictments even more unusual.

"Calling for a grand jury is one thing," he said, "but it's rare that they actually say, 'yes.' "

"The tea leaves would suggest that the evidence was robust and egregious," Dr. Sebastian León added, "like there's nowhere to hide."

Lawyers for Sergeant Tornblom and Officer Jenigen, who face 10 years in prison if convicted of second-degree manslaughter, were not immediately available.

But Charles J. Sciarra, a lawyer for the Policemen's Benevolent Association, whose law firm is representing the five Hamilton officers, offered a blistering rebuke of Mr. Platkin. Mr. Sciarra

said that the time lapse — more than three years — indicated that the attorney general was motivated mainly by politics.

“Why three plus years?” Mr. Sciarra asked in a statement. “We cannot blame Covid, as grand juries have been up and running for nearly two years. Instead, perhaps it’s this unapologetic anti-cop attorney general and his minions scouring their files for something to hammer cops on to appease their base.”

Calls to the warden at Atlantic County Justice Facility in Mays Landing, N.J., were directed to a county spokeswoman, Linda Gilmore, who did not return calls.

Philip Nettl, a criminal defense lawyer and a part-time lecturer in the criminal justice department at Rutgers University, said the indictments send a clear signal.

“It tells law enforcement that every decision you make is going to be scrutinized,” Mr. Nettl said. “There’s no looking the other way any more and just saying, ‘It’s part of the job and bad things happen.’ ”

Susan Beachy contributed research.