



Piscataway teacher's attorney defends judge for dismissing charges against his client

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NEW BRUNSWICK — A judge's decision to dismiss charges against a Piscataway teacher for having sexual relations with a student was "sound," according to the teacher's defense attorney.

Tim Smith of Fairfield, who represented Adrian McConney, 36, said the rationale behind Superior Court Judge Bradley Ferencz's decision to dismiss the official misconduct charge against the teacher "was sound and thus should an appeal be filed, we believe (the decision) will be affirmed."

McConney was to go to trial Tuesday morning, when Ferencz made his ruling.

Middlesex County Acting Prosecutor Andrew Carey said Tuesday his office will appeal Ferencz's ruling that the charge could not stand because the student's age did not make the relationship unlawful.

Carey disagreed, arguing that "a teacher had sex with a public school student. This conduct, as determined by our legislature, is illegal."

He said McConney, as a public employee, benefited by doing something prohibited by the official misconduct law.

Smith disagreed.

"This was an overreaching prosecution based on one person's interpretation of the law," he said, adding he did not believe the legislature intended official misconduct to cover the facts in his client's case.

Smith said it "was yet to be determined" if McConney, a physical education teacher and girl's soccer coach, could be reinstated as a teacher. McConney was suspended when he was arrested April 12, 2013 after



A Piscataway teacher's attorney has defended a judge's decision to throw out official misconduct charges against his client that stem from a sexual relationship the teacher had with an 18-year-old female student.

File photo

investigators determined he had sexual relations with the student a year ago.

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