

Riverhead officer's assault trial opens

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The punches, shoves and kick meted out to a handcuffed William Robinson by Riverhead Police Officer Peter Troyan outside a Riverhead courtroom were "excessive," Robinson's attorney told jurors Monday.

But Troyan insisted the blows he delivered at Riverhead Town Justice Court on Feb. 7, 2007 were a "reasonable" exercise of force. In fact, Troyan testified, Robinson was the aggressor.

Those are the two versions of events presented in the civil rights trial that opened before a federal jury in [Central Islip](#) Monday before Magistrate Judge Thomas E. Boyle stemming from Robinson's \$1 million lawsuit.

Key evidence in the case is a video showing Troyan hitting Robinson after he was arraigned on a driving violation and drug charge. At issue is not whether Troyan hit Robinson, but if it was justified.

"With massive force, he drove me into solid wall," Robinson testified on direct examination by his attorney, Brian Dratch of Livingston, N.J. "After I was slammed against the wall, I was let go. Then when I fell forward on my face . . . he just started punching me in my face repeatedly."

But Troyan, questioned by his attorney, [Scott Middleton](#) of [Bohemia](#), who was retained by Riverhead Town, said force was "necessary to control the situation" because Robinson had been "combative" during his arraignment before Riverhead Town Justice Allen Smith.

The officer testified that Robinson interrupted the proceeding saying, "I have a right to speak" to try to plead with the judge to place him in a drug treatment program.

Smith and former [Suffolk](#) assistant district attorney Rob Connelly also testified Monday that Robinson was agitated and resisted being led away to a holding area.

Troyan testified that Robinson -- though handcuffed from behind -- kicked him in the shin and kned him in the groin in a hallway, which was not captured on video. He testified those actions occurred just before Troyan is seen using force against Robinson in another court area, where the camera is located.

But Dratch elicited testimony that Troyan's recollection about Robinson's statements differed from the official record of the arraignment.

Dratch said there was no record of Robinson saying, "I have the right to speak," or of his trying to return to the courtroom, to which Troyan responded: "It's not on here, but that's the way I remember it."

Robinson testified on cross examination by Middleton that, just before the confrontation with Troyan, he jerked his arm from an escorting officer and cursed at the officer while being led away as he tried to get Smith's attention.

Dratch asked Troyan if he could have filed assault charges against Robinson if Robinson had kned and kicked him. "Yes, but I didn't get the opportunity," he testified.