

Hameli ^{N.J.} won't face charges ^{6/29/94}

Ex-medical examiner sued for harassment

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Staff reporters

WILMINGTON — The Attorney General's office Tuesday announced it will not prosecute the former chief state medical examiner Dr. Ali Z. Hameli on charges of sexual harassment.

Deputy Attorney General Marsha Epstein said that, after a review of the facts and allegations made against Hameli, "we think the matter would best be resolved in the civil forum, where there is already a claim pending."



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marks to them.

One of the former employees filed a discrimination charge against him with the Department of Labor Nov. 1.

Hameli sued April 19 over the state's handling of the issue, saying he was denied his constitutional right to due process by Nazario and Thomas LoFaro, deputy director of labor relations for the state Personnel Office.

The attorney general's office investigation was independent of the U.S. District Court lawsuit, and Hameli's attorney, Sheldon N. Sandler, said Tuesday that its conclusions come too late to have an effect on the suit's outcome.

Epstein was quick to point out that the decision to not prosecute is not a judgment on the alleged victims' credibility. "It wasn't because we didn't believe the victims," she said. "We did ..."

In making the decision, she said, authorities interviewed the victims and Hameli. She said they also "looked at the status of the civil case, looked at the law ... and the fact he already lost his job."

In the suit, Hameli, 61, of Brandywine Hundred, denies harassing either woman. But in court documents filed by the state as part of its attempt have Hameli's suit dismissed, two secretaries

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said he made sexual comments about them and inquired about their sexual experiences.

Hameli's suit charges that state officials ignored procedure in handling the complaints and fired him without cause. He seeks reinstatement, back pay, a hearing before an impartial tribunal and unspecified damages for anguish and injury to his reputation.

State officials say they fired Hameli because they believed the secretaries.

Sandler said he asked the federal court Tuesday to rule immediately in Hameli's favor, because of the state's failure to let Hameli present his side at a hearing.

If a prosecution had been forthcoming in such a case, the charge probably would have been sexual harassment, Epstein said. That charge is an unspecified misdemeanor, punishable by up to 30 days in jail and a \$500 fine — in other words, at the bottom of the state criminal code in terms of seriousness.

Delaware's chief medical exam-

iner for almost 30 years, Hameli — paid \$106,899 a year in that job — now is unemployed, Sandler said. He said his client would not comment Tuesday.

The alleged victims were notified of the decision against filing criminal charges against the doctor about a week ago, Epstein said, but authorities were unable to contact Hameli's attorney until Tuesday. They had decided to wait until both sides were informed before making their decision public.

"Naturally, we think [the decision not to prosecute] ... was the appropriate thing to do, and I'm looking forward to the ultimate vindication of Dr. Hameli through the civil proceedings ..." Sandler said. "None of this should have happened at all."

Dr. Richard T. Callery, a pathologist at St. Francis Hospital in Wilmington, was named acting chief medical examiner after Hameli's departure.

Nazario has said she will appoint a committee to conduct a national search for a permanent successor.