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## Issue goes to Superior Court

# Detective's credibility challenged

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AUGUSTA — A defendant in a Waldo County drug investigation is challenging the validity of a search warrant and the testimony of a state police detective now under investigation himself by the State Police and FBI.

Richard Sargent was charged in 1984 with growing mushrooms which produce a substance which can be used as a mind-altering drug.

Sargent says State Police Det. Michael Pratt, one of three state police undercover agents placed on administrative leave Feb. 10 for alleged improprieties during drug investigations, lied under oath about

his relationship with a female police informant.

Pratt allegedly used information obtained from Sharon Pomeroy (then Sharon Sargent, the defendant's sister-in-law), to obtain a search warrant which resulted in Sargent's arrest.

Also arrested in their home at the time were Sargent's mother, Frances, and his sister, Linda Harriman.

In 1986, Sargent asked Superior Court Judge Donald Alexander to invalidate the search warrant for lack of probable cause. Alexander refused.

The issue resurfaced last week when information from the internal police investigation of the three detectives put Pratt's credibility in

question.

The new court documents also allege Pomeroy lied in court during the suppression hearing last year about her relationship with Pratt at the time he used her statements to seek the search warrant.

Richard Sargent's lawyer, J. Hilary Billings, said Alexander based his decision on Pratt's believability as a witness.

"What he's lying about here goes right to the heart of whether he might try to bolster the credibility of his informant, considering their relationship, or downplay their relationship," Billings said in a telephone interview from his Bangor office.

Billings is also seeking the results of the internal investigation

launched by the Maine State Police and access to any documents relating to a parallel federal probe being conducted by the FBI.

Documents filed by Billings in Waldo County Superior Court Tuesday indicate Pratt has admitted to another state policeman that he had sexual relations with Sharon Sargent at the time he testified. During that testimony, he said he knew her only professionally.

Billings also claims investigators have recorded telephone conversations in which Pomeroy also admits to having a sexual relationship with Pratt, prior to the hearing.

"All of the above information has

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# Credibility

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been communicated to agents of the FBI, as well as agents of the Maine State Police," Billings wrote. "It has become part of their on-going investigation into the conduct of Detective Sgt. Michael Pratt."

The new challenge, which must be before the same judge, will be heard in Kennebec County Superior Court Wednesday before Judge Alexander.

"The defendant here asserts that Detective Sgt. Michael Pratt lied under oath at the suppression hearing about the nature of his relationship to his informant, materially affecting his credibility on virtually all other issues involved at that hearing."

Alexander will have to decide whether he will re-open his decision on the defense request to suppress the evidence seized during the search of the home. He must also

consider ordering prosecutors to turn over reports on the police internal investigations to the defendants in the case.

Assistant District Attorney Patricia G. Worth said she would not have the results of those investigations with her Wednesday, and may never have access to them.

Worth, a prosecutor in the Waldo County District Attorney's Office, said if the internal investigation reports are not released to the prosecutors, the defendants may also never have them available to them, depending upon how court rules of evidence are interpreted.

As to whether the internal investigation reports will be turned over to the defendants in the case, Worth said, "We do what the judge tells us to do."

About five years ago, Sargent was indicted for murder in Hancock County. The case was later dismissed by the prosecution.