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Suspended Old Forge Chief Wants Separate Trial On Sex Assault

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Pennsylvania - Suspended Old Forge Police Chief Larry Semenza and Capt. Jamie Krenitsky should not be put on trial together on charges they sexually assaulted an underage teenage girl several years ago, the chief's new attorney argued in court papers. The 48-year-old chief remains suspended without pay, and his trial has been put on hold as county prosecutors and his attorney, Peter Paul Olszewski Jr., wage a battle behind the scenes through a series of court filings.

The former Luzerne County district attorney and judge is now arguing it would be detrimental for his client to be tried with Capt. Krenitsky because it appears prosecutors have built a better case against the captain, such as their claim he admitted to having a sexual relationship with the girl.

Meanwhile, the chief has "adamantly proclaimed his innocence" in multiple interviews with investigators.

Investigators and prosecutors claim the captain, in an interview at the Lackawanna County district attorney's office in Scranton, admitted the girl performed oral sex on him. They also claim that during a 38-minute, secretly recorded phone call between him and the now 23-year-old woman, he did not deny they had a relationship.

The chief will not be offered a fair trial if Capt. Krenitsky is included "given the significant amount of evidence" investigators claim they have against the captain, Mr. Olszewski argued.

Efforts to reach Mr. Olszewski on Monday were unsuccessful. The chief's attorney has also asked the judge if he can have access to any communications the woman had with her psychologist and her civil attorney, Matt Slocum, about the sexual assault claims.

County prosecutors -- Deputy District Attorneys Jennifer McCambridge and Mariclare Hayes -- filed paperwork last month asking Judge Vito P. Geroulo to try the 34-year-old captain and the chief together. They remain free on bail.

In asking for a joint trial, they argued the officers engaged in the "same types of acts" in the "same place" and that if they were tried separately, it would be impossible to prevent evidence and testimony about the chief, for example, from coming up during the captain's trial.

They further implored the judge to consider judicial economy -- that the same witnesses would be called to testify to the "same basic factual circumstances and investigation."

Weeks later, Mr. Olszewski filed a reply, arguing that the accusations the woman made against the officers in May are vastly different and not related.

Prosecutors suggest "that having one trial instead of two separate trials will be beneficial to the administration of the criminal docket in Lackawanna County," Mr. Olszewski shot back. "While judicial economy is an admirable concern, it can never take precedence over prejudice suffered" by the captain and the chief in a possible joint trial.

Investigators have said the woman, who they claim was 15 at the time of the assaults, had sexual relationships with the chief, the captain and a former borough firefighter, Walter Chiavacci.

According to arrest papers, the sexual assaults with the chief and the captain happened on different occasions at the borough Fire Department, where the girl was a junior member at the time.

The Times-Tribune does not identify victims of sexual assault.

There were no witnesses; the girl was alone with the men each time, according to court testimony and what investigators have said.

Mr. Chiavacci, 47, pleaded guilty to indecent assault. He may testify against the chief and the captain, prosecutors have said.

Written by The Times-Tribune

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