

# Masontown councilman sues borough, officials

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The president of Masontown borough council has filed a lawsuit in federal court against the mayor, two former members of council and two police departments, alleging the 11 defendants have had a history of violating his and his family's constitutional rights.

The complaint, filed by attorney Charity Grimm Krupa on behalf of John N. Stoffa II and Rosa Stoffa, names as defendants the borough, Masontown Police Chief Joe Ryan, Masontown Mayor Toni Petrus, Masontown Police officers Thomas O'Barto and Alexis Metros, former borough councilmen Harry Lee and Frank McLaughlin, Cumberland Township and its police department.

The suit claims John Stoffa was targeted after he started publically voicing his concerns over what he claimed were corrupt and unethical actions by borough officials.

In October 2014, while Lee was on council, he physically attacked John Stoffa following a meeting by shoving him, the suit stated. Lee was cited for harassment by Masontown Police, though that citation was dropped after Lee agreed to pay Stoffa's medical bills.

The complaint contended the Stoffa house was vandalized with spray paint shortly after the incident, but one of the police officers commented that John Stoffa "probably did it himself" and he would take John Stoffa in for questioning and "break him".

In 2015, John Stoffa successfully ran for borough council, and since January 2016, has continued voicing the same concerns. However, according to the suit, the defendants in Masontown continued to act in a hostile, disrespectful and unprofessional manner including allegedly directing borough office employees to not give John Stoffa any records or information he requested.

On multiple occasions, John Stoffa requested borough officials hire someone to complete an independent audit of the police department over various issues including an incident where a shotgun was missing from an evidence room, Grimm Krupa wrote.

When Lee and McLaughlin were not re-elected to council, John Stoffa was no longer the minority voice on council and was voted the board's president in 2018.

On Jan. 9, the suit contended, John Stoffa asked to see records from the Police Association Fund, but claims that Petrus refused to give him access to the records because there was very little in the account and it was not a borough account.

He then suggested to council that the hours of the borough police department should be cut and the K-9 unit should be eliminated for budgetary reasons.

The suit alleged that Petrus directed the members of the police department to appear in uniform at the Jan. 9 council meeting, which Grimm Krupa claimed was done to intimidate the members of council.

The suit alleged the police department retaliated against John Stoffa by misleading a magisterial district judge so that he would sign off on a search warrant on the Stoffa residence on Jan. 18. As part of that search warrant, Masontown and Cumberland Township police seized personal belongings including computers, hard drives, photos, storage devices and other belongings.

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Grimm Krupa contended the search was illegal because it was equivalent to a general exploratory search used an investigative tool and prohibited by the Fourth Amendment to the Constitution.

The suit called the actions of the officials a conspiracy and “an abuse of official power that shocks the conscience.”

John and Rosa Stoffa alleged their constitutional rights were violated, they suffered damage to their reputations, suffered severe emotional and psychological trauma and also suffered physically from sleeplessness, depression and irritability as well as economic damages.

They’re seeking compensatory damages, general damages and legal fees.

Petrus declined comment on the filing.