

# East Brunswick doctor acquitted of sexual contact with patient

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An East Brunswick doctor was acquitted today of sexually touching a patient.

Benjamin Levine, 68, fell back into his chair and burst into tears after the jury announced its verdict in a New Brunswick courtroom, less than two hours after it began its deliberations.

Levine was charged with criminal sexual contact after a female patient alleged the doctor fondled her several times from September 2001 to November 2004, after which she stopped going to him.

The trial, before Superior Court Judge Lorraine Pullen, began Jan. 29 and took five days.

Levine's attorney, Gina Mendola Longarzo, said after the verdict, "I'm just relieved we had such a wonderful jury that saw through the nonsense and was able to reach a just verdict."

Middlesex County Assistant Prosecutor Brian Gillet said only that "we accept the jury's verdict."

Levine had been convicted of fondling patients in 1996 and is still facing charges he practiced medicine without a license.

Gillet told the jury in opening remarks the patient began going to Levine as her primary care physician in 2001 and liked him so much she brought her daughter to see him.

At some point, the patient believed Levine "was doing inappropriate things" to her during examinations, Gillet said. "He forced her to touch his penis through his clothes."

The prosecutor said in September 2004 the patient went to another doctor for emergency treatment and did not return to Levine's practice.

Longarzo called the patient "a very shrewd and calculating woman who decided to fabricate charges against an innocent man who, she admits, was very good to her."

She told the jury in opening remarks that the patient did not agree to talk to the prosecutor's office "until she learned he may have been charged with doing this in the past."

Longarzo said in her opening that the patient brought a civil suit against the doctor but "it was dismissed and no money ever changed hands."

While investigating Levine for practicing medicine without a license in 2006, Middlesex County investigators learned about the patient and contacted her several times, asking her to talk to them, but she resisted. Eventually, she gave a statement to authorities, saying Levine fondled her several times.

Levine was convicted on nine counts of sexual contact for fondling patients between 1986 and 1990. He served 178 days in the Middlesex County jail. In 2001, he renewed his medical license and that license expired in 2003.

In December 2005, Levine was arrested at his East Brunswick office and charged with practicing medicine without a license and other violations. Those charges are still pending, Longarzo said.