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Counselor cleared of battery charges

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by Lindsay Field
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February 02, 2012 11:17 PM | 5512 views | 23 | 22 | |

MARIETTA — Frank Robinson, the Lassiter High School guidance counselor and basketball coach accused of inappropriately touching a 17-year-old student in 2009, was acquitted on all charges Thursday morning.

Robinson was charged with two counts each of misdemeanor sexual battery and simple battery on Dec. 19, 2009. Jurors found him not guilty in Judge Toby Prodgers' Cobb County State Courtroom on Thursday after a 45-minute deliberation, according to Robinson's attorney, Barry Hazen of Atlanta.

"The jury unanimously expressed anger about bringing the case before them," he said. "They said the case was over after the first witness."

Throughout the trial, which began Monday, seven witnesses were called to the witness stand by the state and 15 by the defense.

"There were a lot of character witnesses, and two of those were material witnesses," Hazen said. "Those were people who were in the counselor's office when this supposedly happened."

Hazen said students and teachers traveled from all over the Southeast to support his client's innocence.

"He was liked by everyone," he said. "The most trouble he had ever been in before this may have been a traffic ticket."

Following the jury's verdict Thursday, Robinson broke down sobbing, Hazen said.

"I interpret it as just being relieved. The nightmare is over," he said. "His wife was crying, too."

Solicitor General Barry Morgan was not available for comment by press time on Thursday.

Robinson was a counselor at Lassiter, but he was reassigned to Kennesaw Mountain High after the accusations because his bond condition did not allow him to return to work at his old school.

Additionally, the school board voted 4-2 to reinstate him after a tribunal of three school board members, with one member dissenting, found insufficient evidence to fire Robinson in February 2010.

While Cobb Schools spokesman Doug Goodwin said Robinson resigned in lieu of termination in December after his counseling certification was revoked, Hazen said his client left Kennesaw Mountain last spring.

Hazen said his client is not working.

"There was no way he would have resigned," Hazen said.

Robinson was a counselor for about 11 years and was at Lassiter for six years before the reported assault.

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Cobb County Employee | February 11, 2012

I have a great idea about all Cobb County employees give their "High 5" for Education to Frank? And.....how about Chris Shaw paying all legal fees for him? This entire incident is an embarrassment to Lassiter and Cobb County Schools. The only decent resolution is to make it right for Frank, and any employee that supported Chris should be made to come up with some mega bucks and apologize to Frank.

[Reply](#)**annmac** | February 08, 2012

What did he do? Did he even do anything or was the the whole thing made up?

[Reply](#)**roadhog** | February 10, 2012

It was made up cause she couldn't stay in same class as her boyfriend and her crazy daddy was going to find out about her bad grades.

a cobb teacher | February 07, 2012

This is typical behavior of the CCSD. I am so happy the man stood up for himself. I pray that something good comes out of all of his pain. I live in fear everyday of being accused of something from a student, parent, or an administrator.

[Reply](#)**All smiles:)** | February 07, 2012

This little brat is married now and is off to join the Marines to be with her Husband.I feel sorry for a Commanding Officer who tells her she can't be with her Husband.Court Marshall?

[Reply](#)**Atrue#feind%** | February 06, 2012

To my boy F.R. Nupe you know we are with you and have been for the longest. My prayers to you and the fam that this is finally over and behind you all from that point of view. As my room dog and ball mate from back n the day, know that my family and I know that God's blessings will overflow upon you and yours. Will holla at ya...

[Reply](#)**suethebrat** | February 06, 2012

This entire situation just infuriates me. The brat and her father need to pay for what they put this man and his family, through. Chris Shaw and his incompetent butt need to be hauled back from Alabama and he should face retribution, too. He is a blithering idiot and buffoon. I am a huge supporter of Cobb County schools and Frank, I hope you sue the pants off of the CCSD and win a decent settlement. Shame on them for ruining your career and life.

[Reply](#)**Concerned Citizen** | February 04, 2012

I am glad that justice prevailed here!!! People can just make false accusations and then they (PD)do a so called investigation, but don't talk to people involved in the case, but arrest a man and ruin his life in the process. I hope we have the same turn out with a family member of mine. It is such a shame that when there is no evidence that a young man is guilty by society and he has to prove that he is Innocent.

[Reply](#)

roadhog | February 04, 2012

It was so hard sitting in the court room everyday and witness this rush to judgement.but, from what we all witnessed from the girls father i would have been afraid to tell this guy anything about my grades!

[Reply](#)

Fmr Lassiter Parents | February 04, 2012

Finally, justice!

Our daughters were on the team when the alleged incident occurred, one of which felt that she needed to drive many hours from college to testify on his behalf. Never has there ever been a question of character involving Frank.

We have known Coach Frank since he came to LHS. He was one of the few adults that the kids at the school trusted and could talk to. The number of parents who have told us how much he has helped their kids over the years can not be counted.

Now, I sincerely hope that Frank and his Team pursue justice with those that put him in this mess....the CCSD, that jack-weasel former principal, Chris Shaw (who, by the way, is doing the same things in Alabama that he did at LHS) and this immature, stupid girl and family that forced the County to press charges and waste the taxpayers money.

Frank, you have the support.....go get these people that have wronged you!

[Reply](#)

Civil vs. Criminal | February 03, 2012

Let's not forget that there are different burdens of proof in civil and criminal cases. In a civil case, e.g., an employment termination hearing, the burden is only "preponderance of evidence," i.e., more likely than not (more than 50%). In a criminal case, the state has to prove guilt "beyond a reasonable doubt," which is the highest possible standard of all. It is therefore entirely possible for there be enough evidence to fire someone for battery even if there is not enough evidence to convict the person in civil court. The O.J. Simpson case is an example of this: O.J. was acquitted of the criminal charges but found to be civilly liable for wrongful death.

[Reply](#)

E. Creely | February 03, 2012

Mr. Frank Robinson ought to pursue legal recourse against the student and parents of the student if at all possible.

Many law enforcement members and prosecutors are not after "truth, justice and the American Way." Rather, they are after a conviction at any cost.

[Reply](#)

two cents | February 03, 2012

Give this man his job and back pay.

Pay his legal fees.

Change your policy/procedures.

Write policy expelling from this school system any student who makes false charges against a staff member. This would include withholding any transcripts earned for the purpose of college or employment.

[Reply](#)

anonymous | February 04, 2012

The nimrods in CCSD, CCPD and the prosecutors office should be personally paying for all the crud they dragged this man thru.

Disgrace | February 03, 2012

I was one of the 6 jurors in this case. It was over pretty much right after the "victim" spoke (first witness). She could not have been more inconsistent in her story. The state had absolutely no ground to go on. I have never felt so proud to announce that this man was NOT guilty. It is a shame that it got this far. Although announced innocent, this man's life will never be the same, and that is a shame.

[Reply](#)

no idea | February 03, 2012

People who don't work in the schools have no idea just how vulnerable all personnel are. You have unprincipled young people who think nothing of throwing accusations, administrators seemingly afraid of standing up for the accused and guess what? People's lives and careers are ruined. I am so happy for this man and his family and if I were him, I would shake the dust of Cobb from my feet and go somewhere else. This whole thing was a disgrace!

[Reply](#)

Lassiter Mom | February 03, 2012

I don't work in CC schools, but I've volunteered in them, and the things for which the staff and teachers have to be careful to avoid are totally ridiculous. I'm now in the position of paying for therapy for my daughter to help her overcome the bullying at the hands of the kids teachers don't have the power to reign in for fear of being fired. Teach to the test, live in fear of being fired. The fallout from this also took the one remaining thing she enjoyed at Lassiter, and she left the school and went to another school and graduated a much happier camper, no thanks to the CCSD. Wake up and get the priorities straight!

Way to go Cobb! | February 03, 2012

Once again Cobb County's school system (in particular the "investigation" office), police department and prosecutor's office have taken another educator with an impeccable and distinguished career and destroyed said career (and almost a life) with an uninvestigated, unsubstantiated allegation that absolutely no one believed except the fools in Cobb's school system "investigation" office, police department and prosecutor's office. I hope everyone involved in this travesty feels proud of themselves. While the school board is to be commended for not firing this man initially, the school system then stabbed him in the back by making the certificate complaint to the PSC which did the dirty deed for them. Kudos to the MDJ for providing coverage of the outcome after all of the initial sensational headlines. Why would any teacher risk a career in Cobb County?

[Reply](#)

ugagrad | February 03, 2012

The girl who "reported" this was always questionable, she should have charges filed against her for ruining this mans life. I would like to see him reinstated and allowed to go wherever he chooses to be a counselor. What a shame for him and his family.

[Reply](#)

anonymous | February 03, 2012

Great for Mr. Roninson. I am so sorry that we Cobb county citizens have put porsecutors (and police) into power who have no inclination to use common sense or discretion before they decide to turn peoples world upside down and make them defend themselves from the bogus charges of young liars.

It sickens me how willing these prosecutorial types are to pursue charges against people

...even when common sense tells the rest of us that it is not warranted/ BS. The prosecutors have all the power of the state and no problem bringing it down on people who then have to fight their way out of the bag.

FWIW, Barry Morgan is the same guy who:

1) has charged the young girl who was driving her car last year after the icy snow storm- when Cobb County decided it was not clearing the streets- with vehicular homicide when her car slide off the icy road and her friend was killed. She was not speeding and there was no visible signs of road danger. Cobb County was just as responsible for the friends death.

2) charged and pursued vehicular homicide charges against a young mother whose son was hit by a hit and run driver as they crossed South Cobb drive; and

3) charged and pursued a young boys with vehicular homicide when a car rammed into the side of his car in West Cobb as he slowly pulled into traffic and killed his mother who was riding in the passenger seat.

Morgan has shown that he has not problem using th power of the state to insure that he has a lengthy period of job security, by charging law abiding citizens under circumstances that no right thinking person ever intended or believe is right.

The prosecutors are typically long time government employee types, who we give a whole lot of power, folks. Choose them carefully. They could be spending your tax money to turn your world upside down next.

[Reply](#)

Cobb County | February 03, 2012

This is another excellent example of Cobb killing the career of a highly competent African American male yet we still have white males in position of principalship whose certificates were once revoked. When is anyone ever going to speak up about the inconsistent practices of employee discipline in the Cobb County School district? Someone needs to pull the records and look at the dsicpline of African American versus White employees for the same infractions. I am sure we will find marked discrepancies....

[Reply](#)

WestCobber | February 03, 2012

Giv me a break - why do people like you always have to play the race card? Do you have any fact to back up your statement, or ar you just shooting from the hip as usual? If you have the facts and figures let everyone know - and you can bet if this what you say it in fact true the ACLU, SCLC and all of the other groups which mostly go to bat for "minorities" will be hitting Cobb County with a law suit. Was this travesity? No doubt. Is this the first time it has happened to someone - no. Is this the first time the race card has been played - no way

Lassiter Mom | February 03, 2012

Frank was my daughter's counselor; I've spoken with the man on many occasions. Having the race card played (whether for or against him) would offend him greatly. It does not belong in this conversation - the girl that brought the charges was also black.

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