SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket No. DRB 08-059
District Docket No. XIV-03-271E

IN THE MATTER OF   :

                      :

STEPHEN W. THOMPSON   :

                      :

AN ATTORNEY AT LAW   :

Dissent

To the Honorable Chief Justice and Associate Justices of the Supreme Court of New Jersey.

We are unable to agree with our colleagues' decision to disbar this respondent. We would impose an indeterminate suspension.

Like the majority, we recognize that respondent committed a very serious crime against a minor. He was found guilty by a jury, in the United States District Court for the District of New Jersey, of sexual exploitation of a minor, in violation of 18 U.S.C.A. §2251A(a) and (2). He received a ten-year sentence, followed by a three-year supervised release and the payment of a $25,000 fine. The sentence reflected the egregiousness of his
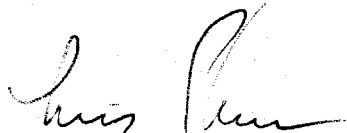
crime.

We agree with our counterparts that respondent made a conscious choice, in 1970, to satisfy a deviant interest, when he first obtained child pornography. Over the years to follow, he was pulled deeper and deeper into a world of pornography.

In respondent's shore house, in his main residence in Haddon Township, on his personal computers, and on a laptop issued to him by the Judiciary, child pornography abounded. So, too, respondent utilized computer programs and services designed to cover his web-browsing tracks and to eradicate information from computers.

In 2002, as a vacationing judge, respondent acted on his worst urges, traveling to Russia to commit various sexual acts upon a Russian boy and to have a videotape made for his future use. None of respondent's actions are defensible. In terms of the objective wrong, we consider this to be a disbarment case.
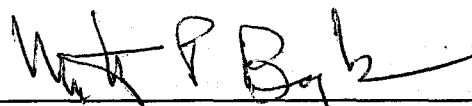
However, solely because of the circumstances of respondent's terrible injuries, that is, that they were suffered during an act of extraordinary heroism on behalf of his country,

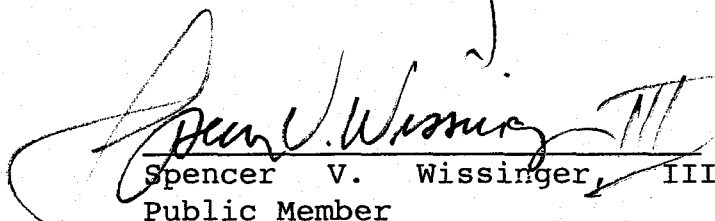we would have imposed discipline one notch below disbarment — an indeterminate suspension.

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Louis Pashman, Chair

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Matthew P. Boylan, Esq.

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Spencer V. Wissinger, III
Public Member