

Local lawyer defends client in Egypt

Tony Glaros

John Hermina is a lot like other Laurel Main Street lawyers. He will grab his briefcase, bid farewell to his secretary, and drive to court, be it in Upper Marlboro or Ellicott City.

At the same time, he differs from his Main Street brethren because the focus of his practice is on international law. And that can mean receiving an unexpected phone call, asking if he might consider taking on a case in a foreign port.

That was exactly what happened in December, when Hermina, 29, was asked by the U.S. Embassy in Cairo, Egypt — his birthplace — if he would be interested in representing a man named William Charles Harcourt. He accepted the offer.

Harcourt, a 46-year-old military veteran and a native of Ohio, had moved to Egypt in 1987. There he became an itinerant English teacher to Egyptian children. Harcourt later moved to Israel for a short period, but eventually returned to Egypt.

In 1990, according to Hermina, his client "was arrested in an apartment in Giza," outside Cairo, "and charged with exposing minors to delinquent and immoral acts." Specifically, Harcourt was accused of taking "runaways" (a term Hermina uses loosely to define children who make money washing windows and guiding motorists into parking spaces) into his home "and performing explicit sexual acts in exchange for food and shelter."

While many of the young boys, age 10 to 13, came and went, a rumor began circulating that Harcourt had contracted one child to do basic housework. When local police questioned the boy and asked why he had not submitted to having sex with the man, Hermina says the boy replied: "I was working for this guy and he would not have sex with me because he didn't want to. He loved me and he didn't want to give me AIDS." Hermina says medical reports released later indicated the children in Harcourt's care were not molested.

In May, Harcourt left Egypt before he was sentenced in October to one year labor and a fine of approximately \$30.

In the meantime, some newspapers in Egypt and beyond began accusing Harcourt of being a spy for Israel and spreading AIDS. "Some newspapers don't check their sources," Hermina says. "It was really a very delicate case."

Hermina insists that his client was never a spy nor did he carry the AIDS virus.

But the story doesn't end there. The man returned home to Ohio, where he asked a Probate Court judge if he could have his name legally changed to Matthew



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Staff photo by Doug Kapustin

Laurel attorney John Hermina, a native of Egypt, accepted a request by the U.S. Embassy in Cairo to defend a U.S. citizen who had been accused of exposing Egyptian boys to immoral acts. The client was found not guilty.

Andrew Carter. The request was granted, and he wasted no time in shaving his beard and dying his hair blonde before reentering Egypt. "He wanted to return because he wanted his friends to know he didn't have AIDS or expose minors to delinquent acts," Hermina says. "He came back to clear his name."

Two months after his return, Carter was found in a hotel in Giza and arrested in connection with leaving the country before his sentence was announced. Hermina boarded a plane to Egypt to defend his client.

The lawyer discovered that the police officers who burst into Carter's motel room did not have a search warrant, "and they had ample time to get one." Using that as a basis, Hermina argued that, under the law, everything from that point on "had to be excluded."

Hermina asked that his client's testimony be suppressed, since he neither speaks nor understands Arabic.

The lawyer also asked the judge to exclude the testimony of the children, due to the fact it was delivered in a very sophisticated form of Arabic uncommon to minors with their limited educational backgrounds. "I suggested the minors'

testimony was the product of police coercion. The police questioned four boys, and each had almost the same testimony," Hermina says. He argued that the testimony was "fabricated." The judge agreed.

In the end, Carter's sentence was vacated and he was found not guilty. Hermina calls the judge's decision "courageous," considering the negative publicity the case was getting in Egypt. "It demonstrates the existence of fair play and substantial justice in Egypt," he says. "I was impressed by the intelligence of this judge."

Daniel Stoll, who works at the State Department's Egypt Desk, confirms that Hermina was asked to take the case. The U.S. Embassy in Cairo "maintains a list of lawyers interested in representing clients" such as Carter, he says.

Hermina believes that Carter is now in either New York or Detroit.

In the meantime, the American-trained attorney and South Laurel resident is continuing his law practice, which includes many immigration cases.

Soon he expects to be summoned to handle a contracts case in Saudi Arabia. "I think every case has an interesting component," he says.