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Former Kittatinny High teacher sentenced in sex case

by [Joe Muszczynski/The Star-Ledger](#)
Thursday April 17, 2008, 3:26 PM

A former teacher at Kittatinny Regional High School was sentenced today to three years in state prison for having sexual relations with a 15-year-old female student during an apparent consensual affair.

James Cunnely, 31, was sent to jail despite a letter written by the girl that may have helped clear him, as well as plea that she made in a victim impact statement asking that he not be incarcerated, said his attorney James Porfido.

While the letter's contents were not disclosed in court, Superior Court Judge N. Peter Conforti, sitting in Newton, said the girl's mother had described the affair as a "romantic relationship."

Cunnely, a former Kittatinny Teacher of the Year, was arrested Feb. 5, 2007 after a five-month relationship with the girl. When questioned by police, Cunnely admitted having 15 to 20 sexual trysts with the girl at several motels, in his car, in her bedroom, and even in her mother's bedroom, according to an arrest affidavit.

Sussex County Assistance Prosecutor Francis Koch said Cunnely was warned in December 2006 by administrators at the Hampton Township school to cut off his ties with the girl after they heard rumors that he was something more than just the girl's counselor.

"He made a conscious decision. He knew that it was wrong," said Koch, adding that if the prosecution could prove that the girl's mother knew of the sexual trysts it would "go after her as well."

Just prior to sentencing, Conforti noted that the girl had been a victim of earlier sexual abuse and Cunnely had claimed that he, too, was abused by his own high school French teacher.

"There was a certain degree of vulnerability on both sides," the judge said.

But Conforti refused to further reduce the jail term, saying it was important for him to send a message of deterrence to other teachers and people who oversee children.

"He (Cunnely) violated a position of trust," he said.

As part of the sentence, Cunnely, who taught for seven years at Kittatinny, will be required to register as a sex offender under Megan's Law and will undergo parole supervision for life. He was ordered to forfeit his teaching job and was fined more than \$2,000.

With a three-year prison sentence, Cunnely likely would be eligible for parole after about nine months. He was given credit for the 98 days he already served in the county jail.

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April 17, 2008

Sussex teacher gets 3 years for sex with student

NEWTON, N.J. (AP) -- A former Sussex County French teacher was sentenced to a three-year prison term for having sex with a 15-year-old student.

James Cunneely pleaded guilty in December to sexual assault involving the girl.

Cunneely apologized during the sentencing in state Superior Court in Newton.

The 31-year-old from Hardyston had been teacher of the year at Kittatinny Regional High School in Hampton. It serves students from Fredon, Hampton, Stillwater, Sandyston and Walpack.