

Jury rules against city police in rape claim

By Darlene McCormick

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WATERBURY — With a smile on her face, a 44-year-old mother and business woman hugged her husband in relief as a jury vindicated her claim of rape by a stranger — and betrayal by police.

The jury overcame their deadlock Wednesday and awarded the woman and her husband, listed as John and Jane Doe in court documents, a total of \$190,000 in damages against Waterbury police. Her attorneys

had asked for \$2.5 million.

Other defendants, the city of Waterbury and Lt. Philip Post, were not found liable in the case. However, the city, which is self insured, remains responsible for paying the damages for police even as it struggles with a financial crisis.

The panel of two men and four women were in their fifth day of deliberation when they found Waterbury Police Capt. Douglas Moran and his brother, retired Capt. Robert Moran, negligent for injuring the woman and

traumatizing her by not properly investigating her 1993 rape claim.

"We tried very hard to settle this without going to trial," the woman said after the verdict. "The case was really not about money — it was about change."

The woman said she will continue pushing for change within the department. For example, she would like to see proper fingerprinting and photographing of all rape scenes and

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the assignment of a specially trained officer to handle rape complaints — something she said was missing in her case.

"Today is a win for all victims who have been abused by police," she said, as her husband added: "It's a disgrace what happened."

Her attorney Maureen Norris said she believed in her client and hopes change will happen within the police department as a result of the verdict.

"If you're raped, you're raped. No one asks for that," Norris said.

City attorney Cheryl Hricko said after the verdict that the city was pleased the jury did not find any of the defendants intended to harm the woman.

"This was a deadlocked jury. We feel there was a lot of different opinion in that jury room," Hricko said.

Douglas Moran declined comment, except to thank Hricko for her work

on his defense.

The jury foreman in the case did not return a phone call seeking comment.

The case revolved around the question of whether the woman was raped, and if so, whether officers were negligent in the way they handled the investigation and their doubts.

The woman testified an unknown assailant crept into her home, tied her up, blindfolded her, sexually assaulted her and terrorized her with a gun and knife while her two young children slept. The incident happened when her husband was in Colorado for a wedding.

Attorneys for the woman argued that police began blaming the woman when they couldn't solve the case, which traumatized her more than the rape itself.

Her trouble with police began after Douglas Moran, a lieutenant at the time, was assigned to the case, she testified. Moran took the woman into

a room, read her her Miranda rights, and accused her of lying about the whole thing to cover for an affair. He threatened her with arrest and warned her that she could lose her children, husband and career for making a false report.

The woman insisted to the officer that she was being truthful and had never cheated on her husband. She even offered to take a lie detector test, she said.

But attorneys for the city argued Douglas Moran and his supervisor at the time, Robert Moran, had every reason to question the woman's story given the strange set of circumstances and information from an informant.

The unnamed source told Moran the woman made up the story after one of her children walked in on her and a lover that night.

Several oddities reported by the defense during the trial include:

- No sign of forced entry.
- Immediately after the attack, the

unarmed woman left her children, ages 5 and 7 at the time, sleeping while she ran down the block to a relative's house to call police.

■ The woman referred to her rapist as a "gentleman" at one point and "kind" for sparing her life.

■ The woman couldn't identify the man except to say he may have been black or someone with a Jamaican accent. At the hospital, hairs found during an examination belonged to a white man.

■ The bedroom where the attack took place was neat, with the bedcovers turned down and the contents of her purse left in a tidy pile on the bed.

■ The woman repeatedly refused to allow her children to be interviewed.

But the woman said after the verdict she was traumatized and reacted as best she could that night. She said police pushed her for details she couldn't provide — such as the race of her attacker — and then used those against her at trial.