

Rape victim hails police persistence

Suspect nabbed 11 years
later using DNA samples

By Cara Rubinsky

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WATERBURY — It started like any other day.

Her husband was in Colorado for a wedding, the first time in more than a decade of marriage he had left her home alone. She stayed behind because a co-worker's wife was expecting a baby.

After visiting the proud new parents in the hospital, she took her two small children to a concert in Watertown. Like so many other details of that day in September 1993, she cannot forget the name of the band, Jam Sandwich.

Exhausted, she returned to her home in Waterbury's Overlook section, where she tucked in the children and went to bed herself. A few hours later, footsteps awakened her from a deep sleep. She thought it might be one of the children, but when she looked up, she saw a shadowy figure. He pinned her to the bed, tied her hands behind her back with nylons, slipped a pillowcase over her head and sexually assaulted her.

"I thought I was going to die that night. I said, 'Dear God, please absolve me of all my sins,' when he had the gun to my head," she recalled during a recent interview. "From that, my whole life just went into a spin."

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VICTIM: Police, 2nd victim credited with aiding arrest

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After 20 minutes, the intruder left. The victim worked her way free from the nylons and tried to dial 911, but the phone lines were cut. She checked on her children, who were still sleeping. She could not carry both of them, so she left them in their beds and ran to a neighbor's house for help.

The rape was just the beginning of her saga. The officers who first investigated questioned her story, accusing her of lying to cover up an affair, though they never indicated whom it might have been with or provided any evidence she was having one. She sued the police and won, but the victory was bittersweet with the attacker still at large.

All that changed last month, when police arrested the man they believe assaulted her, an acquaintance of her family's. She hopes the arrest will put to rest any lingering doubts about the veracity of her story.

"I always held out hope, and I knew there was DNA, and just to hear it was a match was incredible," she said. "It really takes away all the gossip and innuendo. It is just a huge weight lifted off my husband and I. To know who did it is just a huge, huge relief. It's someone that we never, ever thought of, but obviously DNA doesn't lie."

To protect the victim, the Republican-American is not identifying her. Suspect John Regan, 47, pleaded innocent last week and is due back in court Dec. 22.

Police could not charge him with sexual assault because the statute of limitations ran out six years ago. He was charged with first-degree kidnapping because he is accused of binding

on \$350,000 bond. His attorney, Hope Seeley, declined comment.

Regan's name had never before come up in connection with the case. According to the warrant for his arrest, on the night of the attack, he was at a stag party the victim's hus-

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band would likely have attended had he been in town. People asked why the victim's husband was not at the party, so many guests knew he was away.

Regan is not a suspect in any other cases, though he faces charges for allegedly assaulting a 21-year-old co-worker from ABC Supply Co., the Waterbury building supply company where he worked. He is no longer employed there, according to the company's human resources department.

It was after hearing the 21-year-old woman's story that Police Chief Neil O'Leary connected Regan with the 1993 assault. O'Leary was familiar with the older case because he was assigned to reinvestigate after State's Attorney John Connelly determined the responding officers botched the original investigation.

In September, Regan was charged with unlawful restraint in connection with the alleged assault on his co-worker. He also pleaded innocent to that charge. Police asked him for a DNA sample, which he provided. According to the warrant, the state police lab matched the sample with DNA taken from the 1993 victim. The attacker apparently tried to penetrate her but had trouble maintaining an erection. Instead, he used his finger. But doctors who conducted a rape

police lab was able to extract DNA.

The victim said she admired the 21-year-old for having the courage to report the July incident.

She said she also appreciates the continued support of her family and of law enforcement officials who

believed her account of the rape despite pressure from colleagues. They included O'Leary, who was second-in-command of the detective bureau at the time, and Detective George Lescarde. Both took heat when they testified about problems with the investigation during the civil trial.

Attorneys for the city argued the officers who first investigated had many reasons to doubt the victim's story about what happened to her that night. Her attorney argued she was victimized twice, once by the rapist and once by officers who did not believe her.

At one point, what officers considered oddities in the case, including the fact there appeared to have been no forced entry into her home, led them to bring the victim to the police department, read her her Miranda rights, and accuse her of lying.

Among other things, they questioned how she could have left her children sleeping in the house when she did not know for sure the attacker had left. But with the phone line cut, she said, she had no choice but to run for help.

In February 2001, a jury awarded the victim \$190,000 after it found two officers negligent for traumatizing her by failing to properly investigate. Her attorney had asked for \$2.5 million, but the jury found another police officer named in the suit was not at fault.

The victim said she is thankful to her attorney, Maureen Norris, who argued the civil case, and to Connelly, who believed her and assigned O'Leary and John "Pudgie" Maia, an inspector in his office, to look into the case after the original investigation produced no leads.

"I'm just overwhelmed that people been so easy to put it aside," she said. "They never, ever quit. This is just incredible that it's come to this conclusion. I just owe them heartfelt gratitude."

O'Leary said he was impressed with the victim's willingness to press on

despite the resistance she encountered.

"I'm really proud of her, because she felt like she was wronged, and she had the intestinal fortitude to take on the police department," O'Leary said. "She's a remarkable woman. For any woman to go through what she went through, and to be victimized again, and to stick with it, is just a testament to her character."

The victim also said she is pleased with what she believes is a new police attitude toward victims of sexual assault. Her push for change resulted in the department assigning female officers to conduct the first interviews with assault victims and providing better references to counseling and other services.

"The fact that I had so much energy, I had to put it toward something," she said. "I just said, 'OK, I did nothing wrong, I was wronged by the assailant, I was wronged by the police. What can I do about this?' Who better than me to affect this, to change this."

When she read the department was rewriting its policies and procedures manual last year, she asked if she could provide input. She said she was welcomed with open arms and received an apology on behalf of the department — something she was not given 11 years ago.

Eleven of 12 suggestions she made were incorporated into the manual, with one left out because it was not feasible. They ranged from treating every victim with respect, dignity and compassion to assigning specially trained officers to deal with sexual assault victims.

"It takes courage to come forward, but I can honestly say that I know that with the new culture of the Waterbury

me will never happen again there, and any woman who comes forward will be treated with dignity and respect," the victim said. "The fact that good came out of evil, that's huge. I think it's important that other people know it's safe to come forward."