

\$8.3 million jury award in police sex-abuse case

The Philadelphia Inquirer

By Craig R. McCoy and Nancy Phillips
Inquirer Staff Writers
November 8, 2006

A federal jury yesterday awarded \$8.3 million to a woman who was sexually assaulted by two Philadelphia police officers, but the woman's lawyers concede the two men don't have the money to pay up.

The jury award came just days after U.S. District Judge John P. Fullam dismissed the Police Department as a defendant in the case, saying that police brass bore no responsibility for the December 2002 attack by partners James Fallon and Timothy Carre.

Neither Fallon nor Carre had a lawyer for the trial, which lasted just two days. Fallon didn't attend. Carre was in court, serving as his own lawyer, and even cross-examined the former stripper he and Fallon admitted they assaulted in the back of their patrol car.

Neither Fallon nor Carre could be reached for comment after the verdict.

As detailed in an Inquirer series earlier this year, the 2002 victim was among nine women who leveled sex-related complaints against the two officers.

The woman's lawyers, [Dominic C. Guerrini](#) and [Jonathan M. Cohen](#) of the Kline & Specter firm in Philadelphia, argued that lax supervision and poor training by the department set the stage for the attack.

In court papers, they documented that some of the officers' colleagues in the 15th Police District in Northeast Philadelphia knew of the prior complaints against them.

Carre said in depositions that he had warned his supervisors that Fallon was constantly on the prowl for sex while on the job. His warnings went unheeded, Carre testified.

In a key ruling Thursday, Fullam agreed that the department was "not very well run." The disciplinary system was lax, he said, and many officers "neglected their duties and visited wives and girlfriends while on duty."

But he said there was no evidence that police brass knew about the pair's alleged sexual misdeeds and ruled that the city could not be held accountable for the actions of two rogue officers.

The jury of three men and five women reached a verdict yesterday after only 90 minutes of deliberation. The jury found that the woman, a stripper attacked after she finished her shift, should be paid \$1.3 million in compensatory damages and \$7 million in punitive damages.

Two female jurors hugged the woman after the verdict, according to the lawyers.

The officers pleaded guilty to charges of indecent assault and official oppression and were put on probation as part of a plea deal. The department fired them after their arrests.

According to Guerrini, Fallon and Carre have been working in construction since leaving the department.

While the judge dismissed the City of Philadelphia and its Police Department from the federal suit, lawyers for the woman say they now plan to file a new legal action in state court seeking to force the city to pay the judgment.

The woman, now 29, quit her job as a stripper after the attack. According to her lawyers, she is jobless and rarely leaves her home.