



***BROWARD COUNTY PBA
DAILY CLIPS***

September 27, 2016

MEDIA OUTLET: Sun Sentinel

HEADLINE: Fired Lauderhill cops must pay \$6.2 million to victims of on-duty rape, judge rules

BYLINE: Tonya Alanez

LINK: <http://www.sun-sentinel.com/local/broward/lauderhill/fl-ex-lauderhill-cops-federal-suit-ruling-20160926-story.html>

STORY: The morning in question has already cost two Lauderhill police officers their jobs. Now the 90 minutes allegedly spent behind a closed tire shop while on duty and coercing two women into performing sex acts will cost the two fired cops \$6.2 million, a federal judge has ruled.

A federal judge in Miami based her verdict on testimony given by the women in February about the night they were pulled over by Officer Franklin Hartley after leaving a strip club, led to a dark, isolated location behind a Tamarac strip mall where they were joined by Officer Thomas Merenda and sexually battered. The women were 29 and 31 at the time of the alleged assaults.

"It felt good to be able to tell these women that the judge believed them and agreed that what happened to them was horrible," said Greg Lauer, lawyer for Jane Doe 1. "She recognized the damage that this had caused in their lives."

Jane Doe 1, who claimed she was raped by Hartley on the hood of his patrol car, was awarded \$4.5 million in damages. Jane Doe 2, who said Merenda coerced her into indulging his predilection for sexual pain by punching him in the testicles, was awarded \$1.7 million in damages, court documents show.

"Franklin Hartley and Thomas Merenda committed wrongful and intentional acts on May 24, 2012 when they acted in concert to abduct and batter Plaintiff Jane Doe 1 [and Jane Doe 2], U.S. District Judge Kathleen Williams wrote in two final default judgment verdicts issued Thursday.

While the federal verdict is the latest consequence to befall the ex-cops, it may amount to nothing more than a symbolic victory if the women are unable to collect from Hartley and Merenda. The pair continue to fight criminal charges resulting from the same incident in Broward Circuit Court. Hartley and Merenda have pleaded not guilty to pending felony and misdemeanor charges.

The federal judge had previously ruled that because neither Hartley, 36, nor Merenda, 38, retained lawyers or responded in any way to the claims in the civil suit, the allegations were taken as truth.

And now, because the judge found the former officers' actions were "intentional," Hartley and Merenda will be unable to escape paying up, Lauer said.

"They're not going to be able to discharge this verdict in bankruptcy," Lauer said. "I wanted to make sure that for the rest of their lives these debts would follow them and they would never be able to get away from it, and the only way to get away from it would be to pay it."

Next step, Jane Doe 2's lawyer Bradford Cohen said, would be to figure out where Hartley, of Coral Springs, and Merenda, of Sunrise, now work and garnish their wages and seize their property and other assets.

Merenda's lawyer in the criminal case, Eric Schwartzreich, said his client did not hire an attorney to represent him in federal court because he could not afford it. The police union is paying for Hartley and Merenda's representation in criminal court.

"Getting water from a rock is going to be difficult in the collection process," Schwartzreich said. "You can get a judgment but you gotta be able to collect. He doesn't have anywhere near that type of money."

Before the alleged rape, Hartley had served five years as a cop and Merenda had served 11.

Investigators later found Jane Doe 1's underwear at the scene and GPS data supported the women's claims that the encounter took place behind a closed tire shop on Commercial Boulevard and lasted more than 90 minutes, according to the lawsuit.

Included in Jane Doe 1's award was \$75,000 in compensatory damages against Hartley "for his attempts to intimidate her after her sexual battery," court documents show.

The judge in Hartley's criminal case rebuked Hartley for the same thing last October. He found Hartley had violated the terms of his release on bond by calling Jane Doe 1 at the restaurant where she worked.

As a result, Hartley was placed on house arrest and ordered to wear a GPS monitor to track his whereabouts. He is allowed to leave home for work and certain errands and activities.

Collecting any money from Hartley may be difficult. According to documents filed in his criminal case, Hartley is homeless and juggles two full-time jobs at a barber shop in Coral Springs and as a concierge at a Lauderdale-by-the-Sea condominium association.

"He is virtually homeless and lives where he can at the time," Hartley's criminal defense lawyer, Michael Gottlieb, wrote in a recent defense motion.

It's no surprise, Gottlieb said, that the federal judge issued a verdict in the victims' favors after neither Hartley nor Merenda refuted or answered to the lawsuit.

"There was only one side of the story. There was nobody there discrediting them," Gottlieb said. "There's always another side to the story."

The federal judge may have heard only the women's side of the story, but it's a side that has remained constant, Cohen said.

"I have absolutely no doubt that it happened exactly how they said," Cohen said. "Their stories never wavered, never vacillated, never changed. It's like when something traumatic happens to someone and they remember every little detail. That's how they testified."

In Lauer's opinion, the outcome of the criminal case will likely echo the verdicts in the federal lawsuit.

"There's a mountain of irrefutable evidence that indicates that defendants Hartley and Merenda did exactly what they're accused of," he said. "This was essentially a dry run with a fact finder who listened to the victims, found them credible and found that these two defendants had committed two very serious crimes together."

"And that's what I expect a Broward County jury to do," Lauer said. "I expect these guys to go to Florida state prison, because that's where they belong."

MEDIA OUTLET: Sun Sentinel

HEADLINE: Man wins \$7,500 after Fort Lauderdale cop shoots his dog

BYLINE: Susannah Bryan

LINK: <http://www.sun-sentinel.com/local/broward/fl-dog-killed-by-cop-lawsuit-20160926-story.html>

STORY: The owner of an Australian shepherd killed by police gunfire four years ago has won \$7,500 in a settlement with the city.

Robert Clements says he lost a loyal friend and family member when Fort Lauderdale Officer Pete Haritos shot his dog Bandy three times in May 2012.

"I miss that dog dearly," Clements said. "After seven years, you develop a bond. My dogs are my children."

Clements says Bandy and his two other dogs got out of the yard when a gate malfunctioned. He was not home at the time.

A neighbor called police to complain about the dogs running loose.

The officer who responded to the call walked into Clements' yard after learning one of the dogs had bitten a neighbor minutes earlier. After Haritos knocked on the front door, Bandy ran into the yard and charged at him, according to a police report. The officer stomped his feet and unholstered his gun. When Bandy kept coming, he fired three shots.

The Fort Lauderdale Police Department ruled the shooting was justified.

MEDIA OUTLET: ABC Miami (Channel 10)

HEADLINE: Police impersonators tie up, rob Hallandale Beach family

BYLINE: Peter Burke

LINK: <http://www.local10.com/news/crime/police-impersonators-tie-up-rob-hallandale-beach-family>

STORY: WEST PARK, Fla. - A Hallandale Beach family was tied up and robbed at gunpoint by police impersonators, authorities said.

Pablo Castro said his father, mother and brother were inside their Tamarind Drive home early Tuesday when armed men claiming to be police knocked on the door and pushed their way inside.

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"They were wearing guns and big rifles," Castro said.

Castro said the men pushed his family to the floor.

"They had the gun to my dad's head," he said. "To my brother, a rifle to his head, and to my mom, too."

Castro said the robbers tied up his family and forced his father to show them where the cash and jewelry were before they got away.

"This man came running down the street, screaming that his home was invaded," Jerry Paskowitz, a security guard who was on patrol in the neighborhood, said.

Paskowitz said the man was still bound with zip ties. Paskowitz called police, and another security guard cut the man free.

Broward Sheriff's Office deputies ended up in a West Park neighborhood after the homeowner's stolen iPhone and the robbers' getaway car were traced to that location.

Detectives could be seen on the roof of a home, but the car was abandoned and the robbers were nowhere to be found.

MEDIA OUTLET: ABC Miami (Channel 10)

HEADLINE: Miami-Dade police motorcyclist collides with minivan in Kendall

BYLINE: Amanda Batchelor

LINK: <http://www.local10.com/traffic/miami-dade-police-motorcyclist-collides-with-minivan-in-kendall>

STORY: KENDALL, Fla. - A Miami-Dade police officer who was riding a motorcycle collided with a minivan Monday afternoon in Kendall, Miami-Dade Fire Rescue officials said.

Sky 10 was above Southwest 137th Avenue at Kendall Drive just before 3 p.m. and saw the motorcycle on its side near the median.

The silver minivan appeared to have damage to the front driver's side door.

Police said the driver of the minivan ran a stop sign while attempting to make a left turn onto 137th Avenue and struck the officer.

The officer was ejected from his motorcycle.

Authorities said the minivan driver, identified as Rafael Rodriguez-Peguero, 79, remained at the scene.

Miami-Dade Fire Rescue responded to the scene and took the officer to Kendall Regional Medical Center. The officer is in stable condition.

Authorities said Rodriguez-Peguero was taken to West Kendall Baptist Hospital with minor injuries.

The officer, who has not been identified, is a 22-year veteran of the Miami-Dade Police Department.