



METRO VERDICTS MONTHLY

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DC Liable on Sexual Assault Claim

10 Year Old Boy is Sexually Assaulted at Camp Operated by DC

BY MARGI BANNER

A federal jury in the District of Columbia awarded \$550,000 to a boy who claimed he was sexually assaulted by another boy at a camp. The camp was operated by the District of Columbia.

Plaintiff child was a 10 year old male who attended an overnight camp in Scotland, Maryland. The camp was owned and operated by the Defendant District of Columbia. During the boy's stay at the camp, plaintiff claimed that defendant's counselors routinely left campers, including plaintiff, alone and unsupervised in their cabins.

The counselors often left another 12 year old (the "perpetrator") in charge of the younger campers. Plaintiff alleged that the perpetrator was known to the counselors to be a bully and aggressive. The perpetrator required supervision for his behavior so he did not hurt someone else. Plaintiff claimed that at least three of the campers, including plaintiff, were sexually abused by the perpetrator (oral sexual abuse and sodomy) while the counselors were away from the camp. When camp ended, one of the abused campers immediately reported the sexual abuse to his mother and charges were filed. Plaintiff did

not report the incident to his mother until two years later, at which time plaintiff sought damages from defendant through this court action.

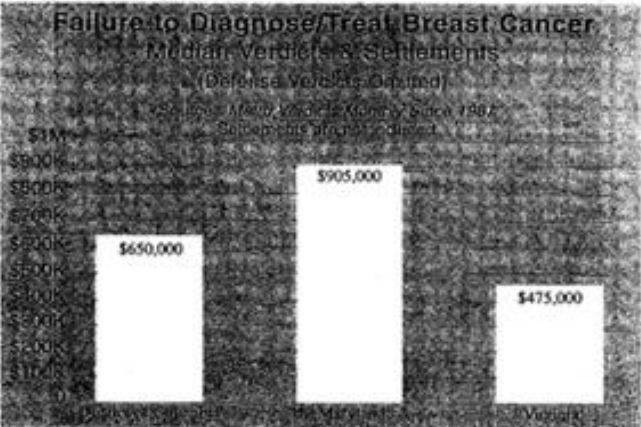
Plaintiff alleged that defendant was aware of the perpetrator's aggressive personality and that he needed supervision. Therefore, it was foreseeable that abuse such as this could happen. Plaintiff claimed emotional distress as a result of the abuse.

Defendant did not concede that the incident occurred. However, defendant asserted that, if the abuse did occur, the incident was not foreseeable and it was not reasonable to think that the perpetrator would have engaged in sexual assaults of the campers. Defendant also argued that plaintiff had significant pre-existing emotional difficulties as a result of being in foster care.

INJURIES: Sexual abuse and emotional distress.

VERDICT: \$550,000.

For full details, see page 9.



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NOTABLE DECISIONS

\$17,400,000
C-Section Complications Result in Hysterectomy and Medical Malp. Verdict4

\$295,000
Parking Garage Patron Injures Knee in Fall on Oil Spill5

\$1,740,000
Disabled Prisoner Settles Wrongful Incarceration Claim9

\$2,815,572
ATV Accident Results in Brain Injury and Products Liability Verdict13

Defense Verdict
Pain Management Specialist Found Not Liable for Patient's Addiction21

\$6,500,000
Penile Cancer Case Yields Large Verdict Against Urologist30

CONTENTS

Court Index	2
Case Summaries.....	4
Attorneys	38
Judges	39
Expert Witnesses	39

District of Columbia**United States District Court****DC to Pay Damages to Boy Sexually Abused at Camp****Case Caption:**

Jacqueline R, Individually, and as Guardian of Her Minor Son "Ronnie" v. District of Columbia

Verdict: \$550,000

Judge: Richard W. Roberts

Date of Verdict: 6/2/2005

Attorneys:

Plaintiff: Douglas E. Fierberg, Washington
Peter C. Grenier, Washington

Defendant: Robert A. Deberardinis, Jr., Washington
Leticia L. Valdes, Washington

Facts: A federal jury in the District of Columbia awarded \$550,000 to a boy who claimed he was sexually assaulted by another boy at a camp. The camp was operated by the District of Columbia.

Plaintiff child was a 10 year old male who attended an overnight camp in Scotland, Maryland. The camp was owned and operated by Defendant District of Columbia. During the boy's stay at the camp, plaintiff claimed that defendant's counselors routinely left campers, including plaintiff, alone and unsupervised in their cabins. The counselors often left another 12 year old (the "perpetrator") in charge of the younger campers. Plaintiff alleged that the perpetrator was known to the counselors to be a bully and aggressive. The perpetrator required supervision for his behavior so he did not hurt someone else. Plaintiff claimed that at least three of the campers, including plaintiff, were sexually abused by the perpetrator (oral sexual abuse and sodomy) while the counselors were away from the camp. When camp ended, one of the abused campers immediately reported the sexual abuse to his mother and charges were filed. Plaintiff did not report the incident to his mother until two years later, at which time plaintiff sought damages from defendant through this court action.

Plaintiff alleged that defendant was aware of the perpetrator's aggressive personality and that he needed supervision. Therefore, it was foreseeable that abuse such as this could happen. Plaintiff claimed emotional distress as a result of the abuse.

Defendant did not concede that the incident occurred. However, defendant asserted that, if the abuse did occur, the incident was not foreseeable and it was not reasonable to think that the perpetrator would have engaged in sexual assaults of the campers. Defendant also argued that plaintiff had significant preexisting emotional difficulties as a result of being in foster care and also suffered from ADHD, as well as separation and anxiety disorders. According to defendant, because of plaintiff's prior emotional problems, it was not possible to determine the extent of damage from this alleged incidence of abuse.

Plaintiff Profile: Plaintiff was a 10 year old male.

Alleged Injury: Negligent supervision resulting in sexual abuse and emotional distress.

Jury Deliberations: 4.5 hours

Insurance Carrier: Self-insured

Expert(s):

Plaintiff: Carlotta G. Miles, M.D.
Psychiatrist – Washington, DC

Richard B. Edelman, Ph.D.
Economist – Bethesda, MD

Defendant: Abyssinia L. Washington, Ph.D.
Psychologist – Washington, DC

Case Number: WITHHELD

District of Columbia**United States District Court****Disabled Prisoner Wrongly Incarcerated Settles Claims****Case Caption:**

Joseph S. Heard v. Government of the District of Columbia and Center for Correctional Health Policy and Studies, Inc. (CCHPS)

Settlement: \$1,740,000. Breakdown: \$1,100,000 plus reasonable costs and attorney fees from Defendant District of Columbia and \$640,000 from Defendant CCHPS (medical services provider).

Judge: Colleen Kollar-Kotelly