

East Quogue Woman Awarded \$1.1 Million After False Arrest

The woman was awarded the money for pain and suffering.

By Priscila Korb (Patch Staff)

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An East Quogue woman was recently awarded a \$1.1 million jury verdict for pain and suffering after being falsely prosecuted by a Suffolk County sheriff in 2009, according to the Law Offices of Frederick K. Brewington, Genovese's attorney.

In July 2009, Genovese was driving home on County Road 31, when she passed by the Gabreski Airport Air National Guard base in Westhampton Beach. She saw a decorative helicopter shell in front of the base and pulled over in an open public area to take a photograph of the shell.

As she was about to drive away, Genovese was stopped by an off-duty police officer who asked her why she was taking pictures.

She showed him the photos she took, removed the memory card and gave it to the officer, who had the ANG base called and they called the Suffolk Sheriff's Office.

While on the side of the road, Iberger searched through Genovese's car without her consent, retrieved a rifle, which was legally owned and being transported back from the firing range where Genovese had just come from.

A Suffolk County Deputy Sheriff arrived on the scene and took over and, while grabbing the rifle and holding in a dangerous fashion, said to Genovese, "I bet you are one of those Tea Party people".

She responded that she had gone to one of the Tea Party Rallies, the Deputy Sheriff said to Genovese, "You're a real right-winger, aren't you?" and "You are a 'Teabagger'" and said he would arrest her for terrorism to make an example of other "right wingers."

Although the FBI brought no charges against Genovese, the deputy sheriff had her arrested. She was arraigned on a charge of third degree criminal trespass and was held on \$50,000 bail.

From July 30, 2009 to August 3, 2009, Genovese was incarcerated at the Suffolk County Jail where she was subjected to humiliation, strip search, verbal and physical abuse and denial to legal counsel and access to medical care for a leg injury which became seriously infected, her lawyer says. She was also placed under suicide watch.

She was released after making \$50,000 bond and the charges were formally dismissed on Nov. 17, 2009.

In July 2010, Genovese filed a federal lawsuit and, last Thursday, after an eight-day trial, a jury from the U.S. District Court, Eastern District of New York ruled in favor of Genovese, awarding her \$1,112,000 in compensatory damages.