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Nassau Settles Beating Suit for \$1M

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Nassau County agreed to pay \$1 million Friday to settle a federal civil rights suit alleging that Nassau County police falsely charged a man with attempting to entice a 6-year-old girl into his car.

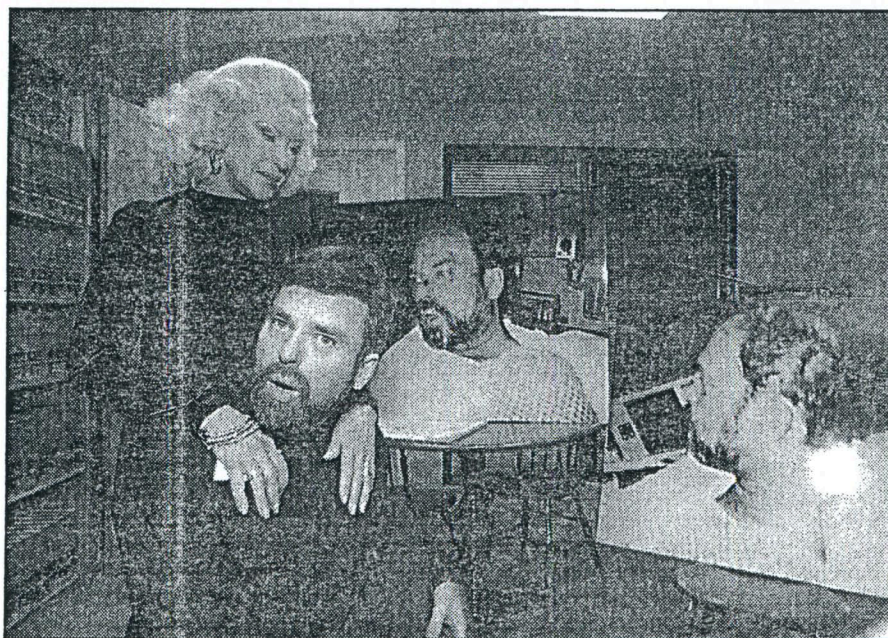
The suit also alleged that Nassau County correction officers severely beat Gary Boylan, 52, of Hicksville, while in custody.

Boylan had sued for \$10 million, saying he had a Parkinson's disease seizure and was appealing to the girl for help, and that correction officers beat him because they thought he was attempting to endanger a child.

County officials denied the allegations, saying that Boylan had initially admitted to attempting to entice the girl into his car, and the injuries were the result of seizures from Boylan's long-time Parkinson's illness. Charges were dropped a year later.

Boylan might have received a much larger award of damages if the case, which was in its fourth day in federal District Court in Central Islip, had continued.

Eight of the 10 jurors interviewed after the settlement was reached said they felt the arresting officers were wrong and they did not accept the account they had so far from county law



Newsday File Photo / Daniel Goodrich

Helen Boylan and her son, Gary Boylan, with enlarged photos depicting his injuries.

enforcement officers of how Boylan had been injured while in custody of correction officers while awaiting arraignment in 1997 in District Court in Hempstead.

"[The police] should have never gotten to the point of arresting him," said juror John Linehan of Bay Shore.

Juror Modesta Davis, of Jamaica, agreed, saying the police should have helped Boylan instead of arresting him. They, along with several other jurors, also did not believe that Boylan had been severely injured when he fell head-first onto a metal bench in the hallway of District Court.

Boylan suffered injuries to his skull, face, nose, and arm and was hospitalized as a result of the incident in the court area.

Boylan's attorney, Fred Brewington, when asked why he had settled for \$1 million after consulting with the Boylan family, when he had sued for \$10 million, said, "it is a good ending to a bad situation."

Boylan's mother, Helen, who agreed to the settlement, said she was satisfied with the monetary settlement, but told Magistrate E. Thomas Boyle, "I'm very upset. I don't understand why Nassau County keeps the police [and corrections officers involved], and they got away with it."

Boylan is terminally ill with Parkinson's disease and did not appear in court. His mother, who is his guardian, agreed to the settlement.

Christopher Termini, the attorney for the county and the police, said none of the officers involved were disciplined because officials felt they had not acted improperly.

Both Termini and Brewington said they had thought they had each convinced the jury of the merits of their cases.

"It just shows that even experienced trial lawyers do not understand how a jury is thinking," Termini said.