

Attorney: East Quogue woman 'labeled a terrorist' awarded \$1.1M in damages

December 12, 2014 by CANDICE RUUD / candice.ruud@newsday.com

An East Quogue woman who was arrested after she took pictures outside the Air National Guard base in Westhampton Beach in 2009 was awarded \$1.1 million in damages by a federal jury Thursday, her lawyer said.

Nancy Genovese, 58, who said she was treated like a terrorist during and after her arrest, was charged with trespassing on July 30, 2009, and was jailed for four days in lieu of \$50,000 bail. The misdemeanor charge was later dropped.

A federal jury in Central Islip deliberated for 1 1/2 hours on Thursday, said Hempstead attorney Frederick K. Brewington, who represents Genovese.

The \$1,112,000 was awarded to the mother of three for pain and suffering. There will be a second trial to determine if there should also be punitive damages, because the jury was deadlocked on that issue, Brewington said.

Genovese, a retiree, sued the Town of Southampton, Suffolk County and more than a dozen law enforcement officers in 2010 for false arrest, civil rights violations and intentional infliction of emotional distress.

Southampton was dismissed from the lawsuit in February 2013, according to Town Supervisor Anna Throne-Holst. She said that the town was not a party to the verdict.

County officials could not immediately be reached for comment.

The lawsuit was filed one year after Genovese was arrested by a Southampton Town police officer who had stopped to question her while she was taking pictures of an inactive helicopter outside the 106th Rescue Wing of the New York National Guard, located at Gabreski Airport. The photographs were meant for a website she was creating in support of American troops, she said after the arrest.

Suffolk police and sheriff's deputies searched her car and found a shotgun, an assault rifle and several hundred rounds of ammunition, the sheriff's department said at the time. Genovese had

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the guns and ammunition legally, and said she had been at a shooting range earlier that day.

After being charged with third-degree trespassing, Genovese was held in the Suffolk jail in Riverhead and determined to be a suicide risk. She said in a news conference in 2010 that she was made to wear a heavy suicide gown while behind bars, and that the handcuffs she had to wear exacerbated her rheumatoid arthritis.

Brewington said his client is pleased with the jury award.

"She's a very, very patriotic person, and to be labeled a terrorist and be treated the way she was treated hurt her enormously," he said. "One of the things she really wanted to do with this case was demonstrate how a good person could be pulled into the criminal justice system by an officer who was abusing the process."

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