

# \$175G for false jailing

- Jury awards damages to man wrongly held in '05
- Retired cop or Nassau may be liable for payment

BY WILLIAM MURPHY  
william.murphy@newsday.com

A federal jury in Central Islip awarded \$175,000 in damages yesterday to a Roosevelt man who spent four months in jail in 2005 on a robbery charge after the lead detective failed to disclose the man had been behind bars when the crime occurred.

The jury deliberated almost four hours over two days before delivering the verdict in favor of Raheem Crews, 29, and against the former Nassau Coun-

ty detective, Nicholas Lemma, 57, who was forced to retire because of his actions in the case.

After the jury delivered its verdict to Judge Joseph F. Bianco and left the room, Lemma walked over to Crews, shook his hand and said something to him.

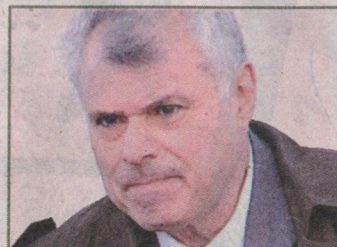
The jury found Lemma liable for malicious prosecution. It rejected the bulk of attorney Fred K. Brewington's request for \$2.5 million in compensatory damages and did not impose any punitive damages.

The jury also rejected a claim that the county was liable for



Raheem Crews of Roosevelt

JAMES CARBONE



Retired Det. Nicholas Lemma

JAMES CARBONE

separate damages because it failed to provide proper training to Lemma on how to handle exculpatory evidence.

Lemma declined to comment as he left. Crews and Brewington, of Hempstead, said Lemma apologized and wished him luck.

Crews declined to say anything further. Brewington said his client was "grateful that

tabase that Crews was in jail on March 26 of that year — the date of the street robbery he was charged with committing. That charge was dismissed.

Crews, then 19, was arrested May 27, 2005, and was finally released from the Nassau County jail on Sept. 29 after his lawyer produced a certified copy of the March 26 jail records.

Lemma testified he was overworked and tired at the time he noticed the computer entry and forgot to tell the court. He said he might have remembered it if he had printed out the computer data or written himself a note.

But he did neither, he said.

"It just slipped my mind. These things do happen," he testified, "and I'm sorry this happened."

after 10 long years there has finally been a judgment saying he was treated inappropriately."

Lawyers in the case said post-trial litigation would determine whether Nassau County or Lemma would be liable for the \$175,000.

Lemma testified that he found out on June 1, 2005, by checking a law enforcement da-