

Suffolk LONG ISLAND

Suffolk woman gets \$1M settlement in wrongful arrest suit

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Nancy Genovese of East Quogue will get a \$1.055 million settlement from Suffolk County, which she sued over jailing her for four days after her arrest for taking photos of a helicopter at the Air National Guard base in Westhampton Beach. Photo Credit: Howard Schnapp

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HIGHLIGHTS

- Jailed for photographing helicopter at Air National Guard base in Hamptons
- County paying East Quogue woman to settle federal civil rights lawsuit

An East Quogue woman who complained that she was treated like a terrorist when she was jailed for four days for taking pictures of a helicopter at the Air National Guard base in Westhampton Beach will get \$1.055 million in a federal court settlement with Suffolk County.

The settlement came to light Tuesday when the county legislature's budget committee voted unanimously to authorize borrowing to pay Nancy Genovese in a federal civil rights lawsuit. The trespassing charge was dropped several months after her arrest.

The agreement, which must be voted on by the full legislature next week, nearly restores the original 2014 jury verdict of \$1.12 million. U.S. District Judge Joseph Bianco last year cut the award to \$700,000, calling the jury finding "grossly excessive."

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Legislative officials, briefed in executive session, said the county made the settlement as a way of avoiding another trial in which

Genovese could seek punitive damages and recover legal costs.

“With punitive damages, it could have been the sky is the limit,” said Legis. Louis D’Amaro (D-North Babylon), budget committee chairman. The original jury issued its verdict in only 90 minutes.

“It’s been a long, hard process for Ms. Genovese, and we’re hopeful the settlement will be finalized,” said her attorney, Frederick Brewington, referring to the legislative vote. “The matter has been concluded to the satisfaction of all parties.”

Genovese, 60, a retiree with no prior record, was arrested for trespassing in 2009, strip-searched and jailed for four nights before she could raise \$50,000 bail.

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Genovese had taken photos from outside the air base, which she said she intended to use for a website to support the troops. When she filed her \$70 million civil rights suit in 2010, she said, “To be labeled a terrorist is humiliating.”

She was held outside the air base for six hours while police searched her car. The vehicle contained a shotgun, an assault rifle and several hundred rounds of ammunition. Genovese owned the weapons legally and had them at a shooting range earlier.

While the lawsuit originally also named Southampton Town as a defendant, as well as 14 county and town law enforcement officers, they were later dropped from the case.

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