

\$3.25 million awarded to victim of ambulance molestation

Jury found worker's employer knew of past complaints

By Kimberly Atkins
 Staff writer

An Oregon jury has ordered an ambulance company to pay \$3.25 million in compensatory and statutory damages after one of its paramedics groped a woman while she was semiconscious and being rushed to a hospital.

The 12-person jury found that the company, American Medical Response, had received prior complaints that paramedic Lanny Haszard had sexually assaulted at least three other women prior to the incident with plaintiff Royshekka Herring, yet failed to act to keep him away from patients.

The jury awarded Herring \$1.75 million for pain and suffering on her claims of negligent investigation and supervision, and \$500,000 under a state statute that provides treble damages for knowingly permit-

AT A GLANCE

◆The jury found that the company had received prior complaints that the same paramedic had sexually assaulted at least three other women prior to the incident.

◆Experts testified during the trial that the plaintiff's behavior was consistent with early signs of post-traumatic stress disorder.

ting abuse of a vulnerable victim, bringing the total award to \$3.25 million.

"This guy Haszard has an appropriate name," said Greg Kafoury, one of Herring's attorneys. "[His supervisor] knew about prior allegations. [But] even though he knows, he doesn't call the police or take Haszard off duty."

Defense attorney James Dumas did not return calls seeking comment prior to deadline.

'Vulnerable victim'

The 26-year-old plaintiff suffered from chronic gastrointestinal problems. After passing out in her home, she was taken by ambulance to a hospital.

Herring testified that during the ride, she awakened to find Haszard's hand in her pants. Still only semi-conscious, she was unable to move or call for help.

"She saw his face, and she saw that his



In order from left to right: Charles Merten, Royshekka Herring (client), Greg Kafoury, Jason Kafoury, Mark McDougal

name – Lanny – was on his uniform, and she remembered that," Kafoury said.

After Haszard attempted to touch her again, she was able to push his hand away.

Once at the hospital, Haszard accompanied Herring as she was wheeled inside. She testified that she was terrified of him, and the moment he left the room, she grabbed the wrist of another EMT and said: "Don't let him come back in here – he touched me!"

Herring testified that Haszard returned to the room, and hearing the allegation, reacted in a menacing way. She jumped up on the bed and began screaming until he left, then pulled the sheets up to her chin and said she didn't feel safe in the hospital and wanted to leave.

Experts testified during the trial that such behavior was consistent with early signs of post-traumatic stress disorder.

Herring also expressed fears that she and her three small children would be unsafe at their home, since Haszard knew where she lived.

Haszard was ultimately arrested after police investigating the incident learned of past complaints by other women. After his arrest even more women came forward.

After the incident, Herring was "an emotional wreck," Kafoury said. She was unable to connect with her friends and family, and her engagement was called off.

Past complaints

Mark McDougal, who also represented Herring, said the turning point in the case came when the attorneys successfully sought the names of all other women Haszard had transported by ambulance in the last year.

They obtained the names of about 500 women and contacted about 120 of them. In total, 18 women reported similar assaults and inappropriate behavior by Haszard.

"That's one out of 6 women" that we

talked to, McDougal noted.

American Medical Response claimed that they had investigated past complaints against Haszard, but were convinced by his explanations that he had merely been conducting chest and abdominal exams on the women.

Kafoury said "a large amount of money" was offered to settle the case, but his client refused.

"She repeated over and over again that she was going to do whatever it takes to stop this guy, and make sure this never happens to anyone else again," he said.

She repeated over and over again that she was going to do "whatever it takes to stop this guy."

– Greg Kafoury

Haszard is now serving a prison term for sexual assault. Herring has agreed to allow her name to be used in media reports on the verdict.

The case is the first of five pending lawsuits against the company, all filed by women claiming abuse by Haszard. A judge ordered that each case be tried separately.

The next trial is set to begin in October.

Plaintiff's attorneys: Greg Kafoury, Jason Kafoury, Mark McDougal and Charles Merten, of Kafoury & McDougal in Portland, Ore.

Defense attorney: James Dumas of Lindsay Hart Neil & Weigler in Portland, Ore.

The case: *Herring v. American Medical Response Northwest*, Sept. 10, 2009; Circuit Court, Multnomah County, Oregon; Judge Judith Matarazzo.