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\$2.3-million verdict in LAPD case

An officer serving in the Valley claimed she was sexually harassed and that the stress caused a stillbirth.

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A federal jury Wednesday awarded \$2.3 million to a Los Angeles police officer who said she was sexually harassed and gave birth to a stillborn child because of the stress.

Officer Melissa Borck, 45, said she suffered discrimination and abuse while she was at the Los Angeles Police Department's Valley Traffic Division in 1996, and was retaliated against for reporting the harassment to Internal Affairs. The unanimous jury verdict comes a decade after Borck

first filed the lawsuit in April, 1999. A mistrial was declared after her first trial in 2007 because of juror misconduct.

Attorneys for the city contended that Borck failed to file the appropriate claims in time. A city attorney spokesman said Wednesday that city lawyers would evaluate all options, including appeal.

The harassment began soon after Borck transferred to the Valley Traffic Division, her attorney argued in court papers. A fellow officer pushed her head to his groin and said, "I thought you'd never ask." Male officers ordered female officers to pick up dry cleaning, lunch or coffee for them, the attorney alleged.

When Borck became pregnant, male colleagues commented on the size of her breasts and asked if she would breast-feed them, according to the documents.

Borck gave birth to a stillborn baby 19 weeks into her pregnancy in November 1996.

After Wednesday's verdict, Borck said she went to visit her son's grave at the Forest Lawn cemetery in Hollywood Hills.

"It was painful, but I felt more at rest for him," said Borck, who is mother to three other sons and a daughter. "The city took responsibility for his death. I'm very excited for him."

Borck, who is now assigned to the Topanga station, said she and fellow female officers continue to face harassment and retaliation from the department. She has been on injury leave since last November.

The jury's verdict includes \$1 million in economic damages, and \$1.3 million in non-economic loss, including emotional distress, according to Borck's trial attorney, Matthew

McNicholas.

In Borck's first trial, a jury found that the department had "customs and policy" of discrimination and harassment but did not find the city liable for monetary damages, McNicholas said. U.S. District Judge Terry Hatter ordered a new trial after the verdict, when a juror was heard saying, "We weren't here to hear about her dead baby," according to McNicholas.

In November, the city paid \$2.25 million to settle a sexual harassment lawsuit brought by an officer of the LAPD's canine bomb unit.

Officer Patricia Fuller alleged in her lawsuit that men in the unit exposed their genitalia, made sexually explicit remarks, and excluded her from training exercises and other opportunities.

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