

# Jury holds landlord liable for rape

(AP) — A former Purdue University student from Farmington is due \$245,000 from her former landlords because her unsafe dwelling contributed to her rape, according to a federal court jury. The woman was alone in her apartment on the first floor of a converted older house in West Lafayette, Ind., when an intruder armed with a knife attacked her while she slept early on Oct. 7, 1995.

The woman, now 24 and working as a geologist, continues to suffer from symptoms of post-traumatic stress disorder from the assault, according to a psychiatrist who testified at a six-day trial in U.S. District Court in South Bend.

She claimed her landlords, Vernon and Janet Harbeck, who own V&J Properties in West Lafayette, ignored a request to trim overgrown bushes along the house's front porch that could have concealed the attacker. She said they also ignored a request to replace a defective front porch light and had failed to make other repairs to windows and a motion-activated light. All of the repairs would have cost less than \$300, according to a security expert.

Because the perpetrator was never caught, it was not determined how entry into the apartment was made.

Under Indiana law, property owners are not responsible for

# Lights

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the actions of a third party, but they are responsible to maintain safe premises.

The landlords maintained they did not know of the problems cited by the victim.

"It was an unforeseeable criminal attack in a safe, well-lit neighborhood where there was no history of problems before," said defense attorney Peter Agostino of South Bend. He said he will appeal the judgment.

The jury deliberated about five hours before returning the verdict late Wednesday. The panel reduced the amount of \$350,000 they could have awarded to the woman by 30 percent for comparative negligence on her part.

# Lighting committee's recommendation followed a survey answered by 250 residents. Information also was sent to all homes and the plan was well publicized.



**■ 'We can have further discussion. We've tried before.'**

**Linda Enberg**  
— band president

they didn't know about the plan baffled district employees. The field lighting committee's recommendation followed a survey answered by 250 residents. Information also was sent to all homes and the plan was well publicized.

"Let's get better information to the community," said board president Enberg. "We can have further discussion. We've tried before."

The board could decide to put lights at one school as a pilot, and then see what problems crop up. But Webb was most opposed to a phase-in.

"I'd hate to see us place our students in a position of competing for a facility," Webb said. "If we're going to go forward with this, I think it's important that we do address all three schools at the same time."

Soccer games and track and field events would also take place on the lighted fields. Bands would also be able to perform at halftime during Friday night games and make it to Saturday invitational.

"It really (would be) a boon to the band schedule to have a Friday night game," Myers said.

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## CLARIFICATION

A story in Sunday's Observer about 1997 crime statistics in the city of Farmington was inadvertently cut short due to a production problem. The last paragraph, about the rise in drunken driving cases, should have read:

Farmington Public Safety Director Gary Goss called it "a very frustrating part of this job." He added, however, that "it is becoming socially unacceptable to drink and drive."

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