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Port Authority Hit With \$1.3M Verdict Over Sex Harassment

By **Daniel Siegal**

Law360 (October 22, 2018, 4:00 PM EDT) -- A New Jersey federal jury found Friday that the Port Authority of New York and New Jersey allowed a training sergeant at the agency's police force to sexually harass a female recruit and awarded the recruit \$1.3 million in damages.

After deliberating for over a day following a five-week trial, the jury returned with a verdict in favor of plaintiff Amanda Holley, who had alleged that Sergeant Erick Torres of the Port Authority of New York and New Jersey Police Department sexually harassed her and discriminated against her for her gender, calling her an "American Girl doll" and making her do sexually suggestive exercises in front of her platoon.

The jury found that Port Authority's supervisory employees discriminated against Holley or improperly addressed discrimination, that the agency had a custom or practice of allowing sexual harassment to occur against female employees of the Port Authority Police Academy, and that it failed to properly train its employees or to enforce its anti-harassment policy.

The jury also separately found that Torres intentionally violated Holley's right not to be sexually harassed and that the discrimination was pervasive. But the jury also found that Holley failed to show the discrimination would "detrimentally affect a reasonable female in the same position" and awarded no damages from Torres. The jury also sided with Torres on Holley's claim of assault and battery against him.

Holley's attorney Gina Mendola of Law Offices of Gina Mendola Longarzo LLC told Law360 on Monday that she firmly believes the "very astute" jury reached the correct result.

"Port Authority's longstanding practice of failing to properly train their Police Academy employees and allowing this kind of sexual harassment to thrive has hopefully come to an end with this verdict," she said. "I am also very proud of the bravery and fortitude my client showed and for her willingness to expose the horrible abuses she endured."

Port Authority spokesman Steve Coleman told Law360 that the agency has a zero tolerance policy for sexual harassment or discrimination, including at the Port Authority Police Academy, and that the agency is monitoring how recruits are trained at the academy.

"Since 2013, when these allegations were made, there has been a complete review and strengthening of the academy's curriculum, procedures and policies that reflect stringent anti-harassment and ethics codes. This includes an instructor code of ethics," he said.

Holley filed suit in December 2014, bringing claims of wrongful termination and of a sexually hostile work environment against the Port Authority, its police department and Torres, alleging she was harassed and then drummed out of training because she was a young woman.

PAPD instructors made "explicit and sexually harassing comments" about Holley and yelled at her during training that she was "too feminine for physical exertion," according to the complaint.

Holley alleged that Torres harassed her more than any other instructor and told her he would "harass her until she gets her gun," according to the complaint.

Holley's wrongful termination claim was dismissed before trial, according to court documents.

Holley is represented by Gina Mendola and Ashley Whitney of Law Offices of Gina Mendola Longarzo LLC.

The Port Authority is represented by its attorneys Megan Lee, David R. Kromm and Nichole Vachon.

The case is Amanda Holley v. Port Authority of New York and New Jersey et al., case number 3:14-cv-07534, in the U.S. District Court for the District of New Jersey.

--Editing by Alyssa Miller.

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