

# SEX ASSAULT SUIT IS SETTLED

Suffolk reaches deal in alleged attack by officer

ONLY IN NEWSDAY

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Suffolk County has reached a settlement with a woman who alleged in a federal lawsuit that she was sexually assaulted in 2017 by a police officer in a precinct interrogation room while another cop falsified entries in a prisoner log to cover up for his partner, court papers show.

In the letter to Chief District Judge Margo K. Brodie and Magistrate Judge Peggy Kuo filed on Wednesday, Assistant County Attorney Stacy Skorupa said the county has reached a "settlement in principle" with the woman, who alleged in her lawsuit that former Suffolk officer Christopher McCoy had forced her to perform oral sex on him following a March 16, 2017, arrest in Wyandanch.

Skorupa's letter does not outline the details of the settlement, but the letter said the agreement must be approved by the Ways and Means Committee of the Suffolk County Legislature. The county attorney's office will submit the settlement to lawmakers for approval on Feb. 29, the letter said.

A spokesman for Suffolk County Executive Ed Romaine and a spokeswoman for the Suffolk County Police Department both declined to comment on the settlement. Attorney Michael Brown of Central Islip, one of the plaintiff's lawyers, also declined to discuss the case on Thursday.

Newsday is not identifying the plaintiff by name because she is a victim of a sexual assault. Her case was detailed in a Newsday series that reported how the internal affairs bureaus of the Nassau and Suffolk police departments have allowed officers to evade discipline even in cases where their conduct led to death or serious harm.

The lawsuit, which was scheduled to go to trial in September,



JAMES CARBONE

Details have not been made public in the settlement between Suffolk County and the woman who filed the federal lawsuit.

was filed in the Eastern District of New York two months after the plaintiff said she was assaulted by McCoy. It named him and his partner, Mark Pav, and Suffolk County as defendants and seeking \$40 million in compensatory damages, plus punitive damages and legal fees.

McCoy was suspended and ultimately resigned from the department. He pleaded guilty to a federal misdemeanor of depriving the woman of her civil rights, and served a year in prison. Suffolk refused to represent McCoy in the lawsuit and he defaulted, meaning that he did not mount a defense. Brodie dismissed Suffolk County as a defendant in the case in March 2022, according to court documents, leaving Pav as the single defendant.

## Reported to FBI

The lawsuit said the woman reported the incident to the FBI because she feared Suffolk police would do nothing, or retaliate against her for reporting it.

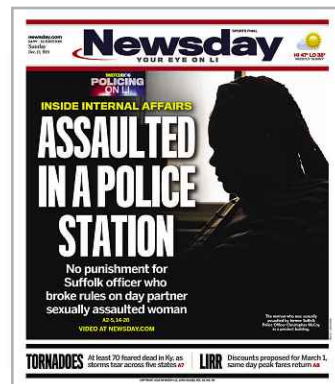
The lawsuit alleged the woman was a passenger in a sedan driven by a friend on Straight Path in Wyandanch on the morning of March 16, 2017, when the vehicle was stopped

## WHAT TO KNOW

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- The details of the settlement, which must be approved by the Ways and Means Committee of the Suffolk County Legislature, were not outlined in court papers.

by McCoy and Pav, who were assigned to the First Precinct's Community Support Unit, which allowed them to proactively patrol anywhere within Babylon Town.

The plaintiff told Newsday she believed she and her friend were pulled over because they



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are both Black. McCoy told the woman there were outstanding warrants for her arrest relating to traffic violations, according to the lawsuit. She was ordered out of the car, the lawsuit said.

McCoy groped the woman's breast as he frisked her before putting her in the back of a police cruiser, the lawsuit said, and then drove her to the First Precinct in West Babylon. At the precinct house, McCoy rubbed his private parts against her, the lawsuit alleged. He also asked her to perform oral sex.

McCoy and Pav later moved the woman to another room, where McCoy again demanded

oral sex. "Let's go, don't make this hard," he told the plaintiff, according to the lawsuit.

Pav later thanked the woman for "being cooperative with the officers," the lawsuit said.

## Fabricated logs

Suffolk Internal Affairs investigators later found that Pav had violated department regulations by failing to accurately observe and log the woman's condition as required. The department's "Prisoner Activity Log" requires officers to list all movements of prisoners within and outside the precinct.

Nine of the 13 entries Pav made, Newsday reported, were fabricated, including entries that said she was in an open holding area or was being strip-searched by a female officer during the period McCoy assaulted her.

Pav told investigators that he had no knowledge of McCoy's crime even as he admitted that he had falsified the prisoner log. He said he was forced to backfill the document after McCoy left it incomplete. Internal Affairs cleared Pav of more serious violations and he escaped discipline, Newsday's investigation found.