



FOR IMMEDIATE RELEASE

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No Justice for Rape Victim: Verdict of “Not-Guilty” Does Not Hold in Court of Common Sense NOW-NYC Calls for Cops to be Fired and Urges Judge to Give Maximum for Misconduct Conviction

New York – After a 6-week long trial where mounting evidence and emotional testimony documented the sexual assault of an intoxicated woman by a police officer that was called to her aid, the two officers involved were convicted of only three counts of official misconduct for entering her apartment without permission three times on the night of Dec 7, 2008.

“These two cops couldn’t have had a more ridiculous story as to why they schemed and lied and risked their jobs to get back into this woman’s apartment. This verdict is nothing short of shocking,” said Sonia Ossorio, executive director of NOW-NYC. “It’s verdicts like this one that contribute to the fact that most raped women don’t bother coming forward and reporting that they’ve been raped.”

Kenneth Moreno (charged with rape) and Franklin Mata (charged as the lookout) face only a maximum of two years in jail for an outrageous night on patrol that, at the very least, consisted of an entire series of actions completely outside of the realm of their responsibilities as police officers and, at the worst, ended in the rape of a woman they were supposed to be protecting.

“These officers need to be immediately removed from the NYPD,” Ossorio said. “I have full confidence Commissioner Raymond Kelly will take swift action. We simply can’t have cops who admit making fake 911 calls and admit to—as they put it—snuggling up with a naked intoxicated woman they were dispatched to assist. We can’t have cops on the force who admit they take naps and watch TV while on assignment and are convicted of official misconduct for entering New York City apartments without permission.”

NOW-NYC is also calling for the judge to hold these officers accountable to the full extent of the law. Ossorio said, “Mata and Moreno should be given the maximum sentence allowable of one year for the charges of official misconduct on which they were convicted. Anything short of that would be irresponsible.”

On behalf of the women of New York City, NOW-NYC applauds the victim in this case for her fearlessness in reporting the crime and seeking justice, despite this devastating outcome. Not only did she have the resolve to bring this case to court, but she bravely confronted Officer Moreno while wearing a wire, and successfully recorded him admitting to wearing a condom in hopes of getting a conviction. Ossorio says, “I want her to know that her story gives NOW-NYC and rape survivors more resolve than ever to continue our fight to make sure that rape is taken seriously. We won’t let this case get swept under the rug.”

Nearly 18% of women in the U.S. have survived a completed or attempted rape. That’s almost one in five women. It’s estimated that only 39% of rapes are reported nationwide and only 6% of rapists will spend any time in prison. In the fall of last year, NOW-NYC launched a Take Rape Seriously campaign to hold the justice system accountable for enforcing the law and carrying out justice on behalf of survivors of rape and sexual assault. A large part of the effort is also aimed at changing public attitudes and addressing unbalanced media coverage of rape.

Ossorio says, “Again and again, this victim was deemed an accuser in the news media—a loaded term that suggests lying. Rape victims don’t just have to prove their story, but they need to overcome overwhelmingly strong cultural attitudes that put them on the defensive from the minute they come forward. As a society, we need to send the message that rape is never acceptable. Unfortunately, that’s not what happened today.”

The National Organization for Women is the nation’s largest organization working to advance women’s rights and improve women’s lives. The New York City Chapter of NOW, founded in 1966, is the largest chapter in the country with 5,000 members locally and 35,000 statewide. NOW-NYC works to promote women’s reproductive rights, secure women’s economic empowerment, and end violence and discrimination against women. ###

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