

Judge Criticizes Police Agency In Bias Case Brought by Officer

By BENJAMIN WEISER

A federal judge sharply criticized the New York Police Department yesterday for apparently failing to adequately investigate an officer's claims that she was discriminated against for being gay.

"It is outrageous," said Judge Lewis A. Kaplan of United States District Court in Manhattan, if a police sergeant's testimony about the failure to investigate was true.

The judge's remarks came after lawyers for the officer and the city agreed to an out-of-court settlement, halting a trial that had begun this week. The terms were confidential, lawyers for both sides said. The city had not yet presented its case.

Officer Elizabeth Bryant, 35, who had been assigned to the 42nd Precinct station house in the Bronx, testified that she had been mocked and harassed by other officers and her supervisors after she and another officer, Marilyn Trapanotto, held what they called their wedding in Central Park in 1997, attracting the news media's attention.

Other officers refused to ride with her, she said, and she found sexually graphic posters in the station house of a male bodybuilder on which her face had been superimposed. But her complaints to the department's Office of Equal Employment Opportunity were not investigated properly, she said. The testimony of an investigator from that office, Sandra Williams, appeared to support the offi-

cer's claim.

That testimony prompted Judge Kaplan's criticisms of the police in the presence of the jury, as he revealed that the trial had been settled.

Officer Bryant, who is resigning from the force, said yesterday: "I'm happy that it's over with so I can get on with my life. It's just been a big battle." She added, "It brought me to tears, what the judge said."

Her lawyer, Joseph Tacopina, said he was ecstatic with the settlement but could not discuss it because of the confidentiality agreement. He added, "But I could not have said it better than Judge Kaplan did this afternoon."

A lawyer for the city, Patricia Miller, said the city was "happy with the result" but also refused to elaborate. As for the judge's criticism, she said, "The judge did not hear all the evidence in the case."

Asked why a settlement using taxpayers' money was confidential, a lawyer in the Corporation Counsel's office, Lorna Goodman, said, "There are often good reasons for keeping a settlement confidential."

The trial was monitored by an employee of the office of Mary Jo White, the United States attorney for the Southern District. In 1998, the Police Department agreed to overhaul its system for investigating harassment complaints, as part of a settlement with that office. A spokesman for her office declined to comment on this case.