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# Rape victim hopes court victory sends notice to landlords

ODESSA (AP) — A 36-year-old rape victim who won nearly \$1 million in damages from an Odessa apartment management firm says she hopes landlords get the message to provide secure surroundings.

The victim, who was sexually assaulted at knife point in August 1985, sued the owners and managers of Winwood Apartments because her assailant entered her apartment through a patio door she says she asked the landlords as many as nine times to fix before the attack.

"I really think (the jurors) sent a message to apartment managers," the victims said. "Hopefully, this will prevent someone else from getting raped."

An all-male jury in 70th District Judge Gene Ater's court heard four days of testimony and deliberated more than nine hours before awarding the victim \$956,000 in damages Monday.

"I hope it does make them aware of their responsibilities," said the victim, who put her head in her hands and cried for several minutes after the verdict was read. "I think right now I'm probably more in shock than anything."

In a 10-2 verdict, jurors ruled that Benchmark Properties Inc. of Midland failed to use ordinary care, but Landmark Properties Inc., a company involved in the construction of Winwood, and the victim were cleared of any negligence that may have contributed to the sexual assault, the *Odessa American* reported.

Jurors awarded the victim \$100,000 for past physical suffering, mental anguish, emotional distress, shame, embarrassment and humiliation, \$25,000 for future sufferings, \$3,000 for past medical and psychological care, and \$3,000 for future care.

But the bulk of the award — \$825,000 — came in "additional damages" designed to penalize Benchmark, which manages about 3,000 apartment units in the Odessa-Midland area.

The victim said she hopes the case sets a precedent.

"I really think (the jurors) sent a message to apartment managers," she told the *American*. "Hopefully, this will prevent someone else from getting raped."

Benchmark defense attorney Ray Stoker Jr. would not say whether the firm would appeal the verdict.

"We are satisfied with the compensatory damages but certainly not the punitive damages," Stoker said.

The victim's attorney, Jim Osborn, said jurors worked hard "to make the world a better place to live. I hope it makes (apartments) safer."

Jurors heard from about two dozen witnesses during the trial, including the victim, her husband, police officers, private investigators, a psychologist, former Winwood tenants and employees, and Sandy Cox, Benchmark Properties' president.

Big Spring defense attorney Ivan Williams, who represented Dallas-based Landmark Properties Inc., said he was "obviously pleased but not surprised" that jurors cleared Landmark of charges that it failed to provide adequate lighting at the complex.

Williams said the complex was constructed by Sunnyside, which later merged with several other companies to form Landmark Properties Inc. before the complex was finished.

## In Advance

**'Stun gun' demonstration offered tonight**

A presentation on "stun guns" will be given by Nova Technologies Austin representative Charlotte Clemmons **Thursday at 7:30 p.m. at the College Station Community Center.**

The presentation is to promote "stun guns" as a legal, non-lethal weapon for personal protection.

Clemmons will present a video on their use and effects and a takedown demonstration. For more information contact local representative Gayle Brown at 776-4013.

## What's Up

**Wednesday**

**STUDENT Y:** will have "Food for Thought" with Dr. John Koldus at 7 p.m. at Red Lobster. Sign up now in 211 Pavilion.

**MUSIC PROGRAM:** will have a brown bag concert at noon in 402 Academic.

**AGGIE DEMOCRATS:** will elect officers at 8:30 p.m. in 510 Rudder.

**UNITED CAMPUS MINISTRIES:** will have an Aggie supper at 6 p.m. at A&M Presbyterian Church.

**TRIATHLON CLUB/PREDICT YOUR TIME 5K RUN:** All are welcome to participate in this 5K run at 6 p.m. at the Research Park.

**DATA PROCESSING MANAGEMENT ASSOCIATION:** Gerald Wagner will speak at 7 p.m. in 710 Rudder.

**RECREATIONAL SPORTS:** will have registration from 8 a.m. - 5:30 p.m. for the canoe trip and the rock climbing trip.

**AGGIE SPELEOLOGICAL SOCIETY:** will meet and elect officers at 8:30 p.m. in 504 Rudder.

**PHI BETA LAMBDA:** will elect officers at 7:30 p.m. in 120 Blocker.

**TAMU SAILING CLUB:** will have elections, a skippers class and an awards ceremony at 7 p.m. in Rudder.

**PHILOSOPHY CLUB:** will speak with Richard Stadelmann at 3:30 p.m. in 404 Rudder.

**NARCOTICS ANONYMOUS:** will meet at 8:30 p.m. Call the C.D.P.E. at 845-0280 for more information.

**ALCOHOLICS ANONYMOUS:** will meet at noon. Call the C.D.P.E. at 845-0280 for more information.

**AGGIE BLOOD DRIVE COMMITTEE:** will have a blood drive through Friday at the following locations: the Commons 10 a.m. - 8 p.m., Sblisa 10 a.m. - 6 p.m., MSC 10 a.m. - 6 p.m. and the Medical Sciences Library 10 a.m. - 6 p.m.

**ROTARACT:** will have an organizational meeting and an adoption of a constitution at 8 p.m. in 127 Kleberg.

**AGGIELAND:** Staff applications are available in 230 Reed McDonald through April 19.

**THE BATTALION:** Editorial Board and Staff applications are available in 216 Reed McDonald. Editorial Board applications are due April 13, and Staff applications are due April 20.

**Thursday**

**WOMEN'S STUDIES/DEPARTMENT OF SOCIOLOGY:** Dr. Gisela Hinkle will speak about "Post-Modernism and Feminist Theory" at 3 p.m. in 204C Sterling C. Evans Library.

**PHI BETA LAMBDA:** will have big brother-little brother game night at 7 p.m. at Rob's house.

**MACINTOSH USER GROUP:** will have a MS Word 4.0 sneak preview at 7:30 p.m. in 101 Herman Heep.

**MSC HOSPITALITY:** will have a lost and found auction from 10 a.m. - 1 p.m. at Rudder fountain.

**TAMU MICROBIOLOGY SOCIETY:** Dr. Tom Huber will speak about "Diagnosis of Disease from Koch's Germ Detection to Gene Detection" at 7 p.m. in 510 Rudder.

**STUN GUN:** will have a stun gun presentation at 7:30 p.m. at the College Station Community Center. There will also be a live "takedown" demonstration. For more information call Gail Brown at 776-4013.

**SOCIETY OF PROFESSIONAL JOURNALISTS:** will meet to discuss the convention and to elect officers at 7 p.m. in 214 Reed McDonald.

**STUDENT Y:** will have T-shirt day today.

**NARCOTICS ANONYMOUS:** will meet at 8:30 p.m. Call the C.D.P.E. at 845-0280 for more information.

**ADULT CHILDREN OF ALCOHOLICS:** will meet at 6 p.m. Call the C.D.P.E. for more details.

**ALCOHOLICS ANONYMOUS:** will meet at noon. Call the C.D.P.E. at 845-0280 for more information.

Items for What's Up should be submitted to The Battalion, 216 Reed McDonald, no later than three business days before the desired run date. We only publish the name and phone number of the contact if you ask us to do so. What's Up is a Battalion service that lists non-profit events and activities. Submissions are run on a first-come, first-served basis. There is no guarantee an entry will run. If you have questions, call the newsroom at 845-3315.

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