

\$1.5M for 2 cops hurt in broken-rail mishap

BY SCOTT SHIFREL
DAILY NEWS STAFF WRITER

TWO EX-COPS snagged \$1.5 million settlements yesterday for a career-ending 8-foot fall at a Brooklyn housing project.

Joseph Paradiso and Calvin Robinson were on a break in May 2003 when a rusted railing snapped at a police recruiting station in the Walt Whitman Houses.

Paradiso dislocated his shoulder and Robinson injured both knees. Both were eventually forced to retire.

"I'll be able to deal with this injury, but I'll never be able to deal with not being a cop," said Paradiso, an eight-year veteran whose father and uncle were also cops.

"It's a shame because both of them wanted to spend their whole careers as police officers," said Paradiso's lawyer, David Gould.

Paradiso, 38, and Robinson, 48, had stopped to chat with other officers and were leaning on the railing when it broke, flinging them backward.

"Cops face enough danger in the streets fighting crime; they shouldn't have to face this type of risk at their workplace," said Robinson's lawyer, Dominic DiPrisco. Even though the city settled, it claims it wasn't responsible for the injuries because it was never told about the defective railing.

sshifrel@nydailynews.com

NYPD Housing Authority Liable

Cops Get \$3 Million For Fall When Railing Broke

By MARK TOOR

Two retired city Police Officers split a \$3-million settlement March 22 for injuries they sustained when they leaned against the porch railing of a rickety police office building and it gave way, sending them plunging eight feet to the ground.

The officers fell seven years ago at 4 Auburn Place, Brooklyn, which was transferred from Housing Authority jurisdiction to the Police Department in 2005. The Housing Police Department was merged into the NYPD in 1994. The jury found the city and the Housing Authority shared liability for the fall.

The officers were awarded disability pensions of three-quarters' pay by the Police Department because of their injuries, said Garden City-based attorney Joe Decolator.

Platform Was Rusty

When the accident occurred on May 20, 2003, Police Officers Joseph Paradiso and Calvin Robinson of the recruiting unit were taking a break and standing on a metal platform that was in an obvious state of disrepair, covered in rust, with a large hole in the middle, Mr. Decolator said. The poor condition of the platform should

have alerted officials to inspect structural elements attached to the platform, including the railings, but no inspection was done, the attorney said.

"The guys suffered very serious injuries," Mr. Decolator said. Mr. Robinson needed surgery on both knees and suffered further degeneration, he said, and Mr. Paradiso had a tear in his shoulder.

Building's Condition At Issue

Much of the dispute at the trial was over who was responsible for the condition of the building. The Police Department had agreed to maintain it, Mr. Decolator said, but the structural problems went back to the period when the Housing Authority was responsible for it.

The jury in Brooklyn Supreme Court found the city 70 percent responsible and the Housing Authority 30 percent responsible. Under the settlement, the city paid \$2 million and the Housing Authority \$1 million, Mr. Decolator said.

It was reached before the penalty phase of the trial could start.

The building was eventually repaired "after the horse had left the barn," Mr. Decolator said.