



NEW YORK CITY LAW DEPARTMENT  
OFFICE OF THE CORPORATION COUNSEL

Michael A. Cardozo, *Corporation Counsel*

Press Release

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*For Immediate Release*

**CITY'S BRONX TORT DIVISION PREVAILS IN FALSE ARREST CASE  
WHERE COUPLE HAD KEPT DAUGHTER CHAINED TO A RADIATOR**

***BRONX JURY REJECTS CLAIM OF PARENTS WHO HAD CHAINED  
THEIR DAUGHTER TO KEEP HER OFF THE STREETS;  
VERDICT IS THIRD BRONX TORT WIN IN A WEEK***

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New York, Nov. 25, 2004 – After a monthlong trial, a Bronx jury late yesterday returned a verdict in favor of New York City in a case brought by two parents who claimed they should not have been arrested for keeping their teenage daughter chained in their apartment. With this verdict, the New York City Law Department's Bronx office has prevailed in three straight cases in the last week.

Maria and Eliezer Marrero were arrested on Sept. 13, 1991, because they chained their 15 year-old daughter to a radiator in their apartment to keep her off of the streets. The arrests were made after a visiting nurse reported the chaining to a child abuse hotline. When child welfare workers and police got to the apartment, they, too, observed the child in chains. The daughter had been using drugs for two years, and the parents justified their action – which they admitted having been doing for two months – as a desperate measure designed to protect her.

The plaintiffs asked the jury to find that their conduct was not criminal and to award them \$900,000. Yet, after deliberating for only two hours, the jury returned with a verdict in favor of the City, resulting in no award.

Assistant Corporation Counsel Lavanya Pisupati, who represented the City, said, "The officers did exactly what they were supposed to do. The child was chained inside her apartment, unable to get out in case of an emergency, for example. The parents' actions – no matter how well-intentioned – resulted in an unreasonable situation that supported police intervention at the time." After the arrests occurred, the Marreros were held in jail for three days before bail was reduced. The daughter was placed in a drug treatment program. The charges against her parents were later dismissed.

In addition to the Marrero jury verdict, the Law Department prevailed in two "trip and fall" cases in the Bronx in the last week. The Law Department's web site includes a press release covering these verdicts as well.

The New York City Law Department is one of the oldest, largest and most dynamic law offices in the world, ranking among the top three largest law offices in New York City and the top three largest public law offices in the country. Tracing its roots back to the 1600's, the Department's 650-plus lawyers handle more than 90,000 cases and transactions each year in 17 separate legal divisions. The Corporation Counsel heads the Law Department and acts as legal counsel for the Mayor, elected officials, the City and all its agencies. The Department's attorneys represent the City on a vast array of civil litigation, legislative and legal issues and in the criminal prosecution of juveniles. Its web site can be accessed

through the City government home page at [www.nyc.gov](http://www.nyc.gov) or via direct link at [www.nyc.gov/html/law/home.html](http://www.nyc.gov/html/law/home.html).

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