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### **\$54 Million Awarded to Victim of Rape in Group Home**

November 19, 2009, by [Collins & Collins](#)

An Albuquerque jury delivered a huge \$54 million verdict on December 1, 2009 sending a message to ResCare, Inc. that their behavior would not be tolerated.

The case involved a severely mentally disabled man who was raped by of the staff members working at the facility where he lived. [Compensatory damages](#) were awarded in the amount of \$4.95 million. The remainder of the verdict was for [punitive damages](#) against ResCare, Inc. and ResCare New Mexico.

ResCare had denied responsibility and liability throughout the case and throughout the trial. The attorney for the defense argued in closing that sometimes bad things just happen no matter what you do. The jury didn't buy it, and sent a message that such an abrogation of corporate responsibility for the acts of its agents is intolerable.

It is hoped but doubtful that nursing homes and group home management companies will take note. Instead, it is more likely that these entities will continue to dodge responsibility at every turn. Rather than accepting responsibility for their corporate acts and the acts of their agents, that are by the way highly profitable, they will instead deny responsibility or liability from the outset in every case of abuse no matter how atrocious and clear the liability. They will likely continue to shield their true ownership making such filing a lawsuit and getting the right parties named and served a indecipherable labyrinth.

Yes the jury did send ResCare and the industry a message. The real question is was the message received. It is doubtful and the coming days of appeals and continued dodging will provide the answer.

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