

Officer David Correia receives treatment following a fall from a ladder that took place at Empire Hyundai while he was chasing a suspect in 2004.

HERALD NEWS  
FILE PHOTO BY  
JACK FOLEY



## Former officer suing dealership for injury

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FALL RIVER — A former city police officer injured in 2004 during a foot chase that led him onto the roof at Empire Hyundai on Pleasant Street has filed a \$1.6 million lawsuit against the business, alleging company officials failed to maintain and inspect a safety ladder he fell from.

Officer David Correia, along with several other officers, was chasing a wanted man two years ago, and

while he was climbing down a ladder, a metal rung gave way.

The apparently defective ladder caused Correia to fall about 12 feet to a second roof. He suffered a serious compound fracture to his right leg, resulting in his early retirement from the police force.

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## Sue: Officer blames dealership

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The lawsuit, filed this week in Fall River Superior Court, alleges Empire Hyundai's negligence directly resulted in a career-ending injury to the 51-year-old veteran city cop.

"This suit is being brought because Officer Correia was performing his job in the line of duty and suffered such a severe injury to his leg that he had to retire. While police work is inherently dangerous, Correia's injury was due to the negligence of the owners of the property at Empire Hyundai," Correia's attorney, Steven P. Sabra, said. "My client has been left with a scarred leg and a permanent limp. He loved his job and had a number of years of service left to give the department."

Sabra said his client's medical bills have already totaled more than \$31,000, and will likely grow to about \$82,000.

Correia has also missed out on about \$93,000 in lost wages already.

Sabra said Correia was placed on accidental disability retirement after the March 2004 incident, meaning he receives 72 percent of what his base salary was at the time of the incident.

But Sabra added that in addition to missing out on 28 percent of his base salary every week, Correia has also lost the ability to obtain overtime and detail pay.

Sabra said he attempted to

negotiate a settlement with Empire Hyundai's insurance carrier, but claimed its response was "slow and inadequate."

When contacted Wednesday, Empire Hyundai's owner, Rick Torres, said he couldn't comment on the specifics of the case except to say the matter is out of his hands.

"This is out of our control and is being handled by the insurance company," Torres said. "But we do support our Police Department with regular donations and will continue to do so."

Sabra said his client's case is strong, and made a point to praise the Police Department for doing an "excellent job" in documenting the scene of the incident with

numerous photos.

"I've seen the photos of the ladder and the rung that failed. It was rusted and corroded," Sabra said. "It's clear to me that it wasn't maintained at all."

Sabra also said the city of Fall River will also benefit if Correia is successful in his lawsuit.

He said the city has a subrogation right to any award Correia receives because it paid him workers' compensation in the aftermath of the incident.

"If we win the case, we will be sitting down with the city's lawyer to negotiate how much money the city has a right to recoup," Sabra added.

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