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**Erie Times-News (PA)**

**\$2.5 million awarded to victim**

February 13, 2002

Tag: 0F1AC3D70E942870

Section: Front Page Page: 1 GERRY WEISS

Staff writer

A 75-year-old Corry man convicted of molesting a 10-year-old mentally disabled girl he was baby-sitting in 1997 must now pay the victim \$2.5 million in damages.

The jury award in the civil lawsuit against Walter C. Spitman is one of the largest in Erie County Common Pleas Court history, according to the plaintiff's lawyer.

The victim, now 15, and her parents, all of Corry, sued Spitman for "past and future pain and suffering, and embarrassment and humiliation" that Spitman caused to their family, said Erie lawyer **William Weichler**, the family's attorney.

The names of the plaintiffs are listed in court records, but it is the policy of the Erie Times-News not to identify victims of sexual assault.

Spitman, jailed at a state prison near Scranton, never responded to the lawsuit, **Weichler** said.

Spitman was not in court for the one-day civil trial or when the Erie County jury reached its verdict late Monday. The jury awarded \$1 million in compensatory damages and \$1.5 million in punitive damages, court records indicated.

**Weichler** said he doesn't know how much money the family will collect from the judgment, or when they would start collecting.

"We still need to look at (Spitman's) assets, but we know this guy was not without means," **Weichler** said. "We certainly hope we can satisfy some of this judgment for this little girl."

The victim's father said the money did not matter to him.

"Money is not the issue. Money doesn't take care of what (Spitman) did to my daughter. Money won't give back what she lost," he said, adding that his daughter was diagnosed with having mild mental retardation when she was 4.

"But we feel that someone who does something like this to a 10-year-old girl doesn't deserve anything anymore," the father said. "That man deserves nothing."

Spitman, who lived about six miles from the family's home, spent much of

Spitman, who lived about six miles from the family's home, spent much of his life as a dairy farmer in Warren County, the victim's father said.

"He might still own the papers on that farm," he said.

The victim's father said any damages his family receives would go into a trust fund for their daughter. "We're looking more to punish (Spitman) than to award (the girl)," he said.

**Weichler** would not say how much of the jury award will go toward legal and court costs.

The attorney did say he believed the verdict was completely justified.

"To prey upon a child with a mental disability is the worst type of behavior imaginable," **Weichler** said. "For the family, I hope this gives them some level of vindication above and beyond (Spitman's) conviction."

Spitman was convicted during a non-jury trial in January 1999 of molesting the girl while Spitman was baby-sitting her on consecutive Sundays in April 1997.

Spitman was a friend of the victim's family, and had been watching the child and her 7-year-old brother at Spitman's house.

Police had accused Spitman of having intercourse with the girl, fondling her and trying to force her to perform a sex act on him. Spitman testified in 1999 that he never touched the girl, and said he suffered from sexual impotence.

Judge Shad Connelly found Spitman guilty of attempted involuntary deviate sexual intercourse, indecent assault, indecent exposure and corrupting the morals of a minor. The judge acquitted Spitman of rape.

Connelly sentenced Spitman in March 1999 to serve two and one-half to five years in prison. Spitman appealed the conviction, and was free on bond pending an appeal of the verdict, until the state Superior Court upheld the conviction on Jan. 12, 2000.

Spitman turned himself over to police on Jan. 18, 2000, and has been jailed in the state prison system ever since. Court officials on Tuesday would not say when Spitman could be paroled.

GERRY WEISS can be reached at 870-1884. Send e-mail to [gerry.weiss@timesnews.com](mailto:gerry.weiss@timesnews.com).

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