

Judge to decide how much ex-Lauderhill cops sued over on-duty rape claims must pay

The women are seeking slightly more than \$3 million, their attorney, Greg Lauer, said before the hearing.

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Because ex-Lauderhill cops never responded to claims of on-duty rape in federal lawsuit, they must pay damages

Two fired Lauderhill cops who are being sued in federal court will soon find out how much they owe in damages to two women who claim they were sexually battered by the on-duty officers.

In a sealed hearing in Miami Wednesday, Jane Doe 1 and Jane Doe 2 testified before U.S. District Judge Kathleen Williams about the night they were pulled over by a Lauderhill cop, led to a dark location behind a closed business, joined by another officer and sexually battered.

GPS data supported the women's claims that the encounter took place behind a closed tire shop on Commercial Boulevard in May 2012 and lasted more than 90 minutes, according to the federal lawsuit.

Williams had previously ruled that because neither Franklin Hartley, 36, nor Thomas Merenda, 37, retained lawyers or responded in any way to the claims in the civil suit, the allegations are taken as truth. The ex-cops had no legal representation at Wednesday's hearing.

The hearing was for the judge to hear from the victims and decide how much they are due in damages for battery, intentional infliction of emotional distress and civil rights violations.

The women are seeking slightly more than \$3 million, their attorney, Greg Lauer, said before the hearing. The judge did not issue her ruling Wednesday, online court records show.

Because ex-Lauderhill cops Franklin Hartley (left) and Thomas Merenda (right) never responded to claims of on-duty rape in a federal lawsuit, they must pay damages, a judge has ruled.

(Broward Sheriff's Office/courtesy)

Before the alleged rape, Hartley, 36, of Margate, had served five years as a cop, and Merenda, 37, of Sunrise, had served 11 before being fired.

Hartley and Merenda also face criminal charges in state court for the same incident. They have pleaded not guilty in Broward Circuit Court to the felony and misdemeanor charges.

Before the 10 a.m. hearing began, Williams ordered the courtroom to be sealed, prompting a Sun Sentinel reporter and two lawyers representing the city of Lauderdale to leave.

About 30 minutes later a man, later identified as Hartley, tried to enter the hearing, disrupting it by pounding on the locked courtroom doors, said Barry Golden, a spokesman for the U.S. Marshals Service.

Judge orders house arrest, ankle monitor for ex-Lauderhill cop accused of rape

Court security officers, unaware that the man was Hartley, informed him that the hearing was sealed and that he could not enter. He presumably left the building on his own after that, Golden said.

The incident did prompt the U.S. Marshals Service to provide escorts for Jane Doe 1 and Jane Doe 2 from the courthouse to their vehicles, Golden said.

Neither Hartley nor Merenda could be reached for comment Wednesday.

Because the judge had sealed the hearing, Lauer and his co-counsel Brad Cohen declined to comment afterward.

According to the lawsuit, the women were pulled over by Hartley in a Taco Bell drive-thru in Tamarac moments after their 4 a.m. departure from the Vegas Cabaret strip club in Lauderhill.

Hartley ordered the women, 29 and 31 at the time, to follow him. He led them to the back of a closed tire shop at 7300 W. Commercial Blvd., where Merenda soon joined them, the lawsuit said.

Hartley threatened to arrest Jane Doe 1 if she did not perform oral sex. Afterward he raped her on the hood of his patrol car. Investigators later found her underwear at the scene, the lawsuit says.

Meanwhile, Merenda "engaged [Jane Doe 2] in [bizarre] conversations about his family, wife and marital problems."

After the rape, the suit alleges that the officers swapped women and fondled their breasts and genitalia. They also coerced Jane Doe 2 to punch Merenda in the genitals to satisfy his alleged fetish for pain.

The officers released the women at 6 a.m., returned to the police station and ended their shifts at 6:30 a.m. GPS data shows that both patrol cars remained behind the tire shop for more than 90 minutes, according to the suit.

A month after the rape, Jane Doe 1 discovered she was pregnant. Fearing that the child was Hartley's, she terminated the pregnancy, suffered complications and had to undergo a second abortion, the lawsuit says.

DNA collected from the fetal remains did not end up matching Hartley's, but the ordeal emotionally scarred the woman, the lawsuit alleges.

Criminal charges were filed in August 2013. Last October, the Broward circuit court judge overseeing the case rebuked Hartley for calling Jane Doe 1 at the restaurant where she works.

Because Hartley had violated the terms of his release on bond by contacting her, the Broward judge ordered that he wear an electronic GPS monitor and placed him on house arrest. He is allowed to leave home for work and certain other activities.

State prosecutor Ryan Kelley said that after Hartley showed up in Miami Wednesday, he was contacted by the U.S. Marshals Service.

As a result, Kelley said his office is now "investigating [Hartley's] actions at the federal courthouse Wednesday morning."

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