

Wednesday, February 14, 2007

Employee leaked photos, CHP says

The family of a crash victim whose pictures went public seeks \$20 million.



Nicole "Nikki" Catsouras

Courtesy of the Catsouras family

By GREG HARDESTY
 The Orange County Register

LADERA RANCH – The California Highway Patrol has acknowledged that one of its employees is responsible for leaking onto the Internet graphic pictures of a Ladera Ranch teen's nearly decapitated body after she died in a high-speed car crash last fall.

The agency has written a letter of apology to the parents of Nicole "Nikki" Catsouras, 18, who died instantly after losing control of her father's Porsche on a toll road in Lake Forest on Oct. 31.

The images have circulated to thousands of Web sites worldwide and have prompted a \$20 million claim against the state for emotional and punitive damages. The pictures have turned up in e-mails and text messages sent to Nikki's parents and other relatives.

"This is at least a step in the right direction," said Lesli Catsouras, Nikki's mother.

The California Victim Compensation and Government Claims Board is expected to deny the family's legal claim at a hearing next week, paving the way for a possible civil lawsuit, said the family's attorney, Tyler D. Offenhauser of Bremer Whyte Brown & O'Meara in Newport Beach.

The Catsouras family hopes to settle with the CHP in the coming weeks and avoid litigation, he said.

"We will be using that number (\$20 million) as a starting point," Offenhauser said of settlement talks.

In its letter to the Catsouras family, an official with the CHP's Orange County Communications Center said it identified the employee who leaked the images after a "thorough and complete" internal investigation.

"Appropriate action has been taken to preclude a similar occurrence in the future," said the three-paragraph letter, dated Jan. 26 and received by the family Friday.

A CHP spokesman in Sacramento would not comment on the fate of the employee.

"Any discipline that may have been handed out is a personnel matter, and we're precluded from talking about it," CHP spokesman Tom Marshall said.

An investigating officer with the CHP leaked the photos to a friend – a dispatcher with the agency – who then e-mailed them to the public, according to the claim.

Accident-scene photos are supposed to be used only for investigative purposes, and it is against CHP regulations to make them available to the public.

The CHP and a private company hired by the Catsouras family, Reputation Defender, have been requesting Web site operators to remove the offending images, which include color close-ups of a nearly decapitated Nikki.

Nikki has three younger sisters who have been banned from using the Internet out of fear they will run across the images, the Catsourases said. One sister was so upset she stopped going to school and is being home-schooled.

She was traveling more than 100 mph on the Foothill (241) Toll Road in Lake Forest when she clipped a car going about 70 mph and lost control of the Porsche, slamming into a toll booth, the CHP said.

Nikki had never driven her father's car before and took it without permission, said her father, Christos.

"We can only hope that this type of devastating and disturbing conduct by the CHP will never again happen to another family," Offenhauser said.

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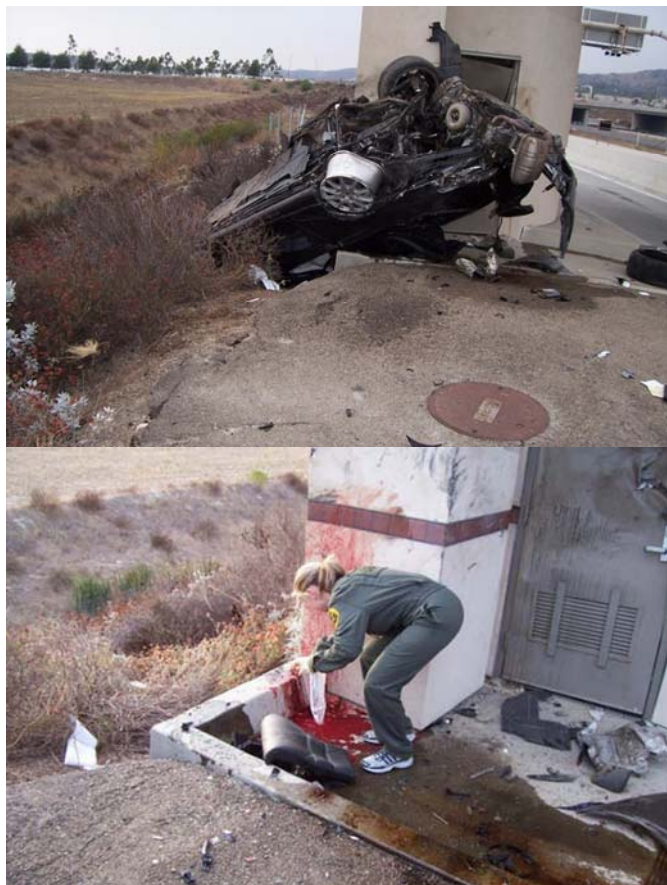
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