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Woman wins judgment of \$1.5 million for rape

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Lupe Castillo was nervous entering the Travis County Courthouse on Wednesday morning. She had done what few rape victims do — she had sued the man who raped her 2½ years ago. She wasn't sure what the judge would decide.

Judge Paul Davis later stunned the Williamson County woman, awarding her \$1.5 million in damages.

Castillo may never collect a cent; her lawyer isn't aware that the rapist, Charles Condran, has any assets. But the judgment has let

her strike back at the man who attacked her.

Now, Castillo said, "he'll think of me as much as I think of him."

Kevin Madison, Castillo's lawyer, said the judgment will prevent Condran from securing loans or owning property. If he acquires property or anything of value, Madison said, "we're going to go after it."

"We want to haunt him for the rest of his life, because what he did to my client is going to haunt her for the rest of her life," Madison said. "We may never get anything, but we're going to try to make sure

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Lupe Castillo was awarded \$1.5 million in damages Wednesday after suing the man who raped her 2½ years ago. Even if she never collects the money, Castillo says, the judgment helps: "He'll think of me as much I think of him"

Ted S. Warren/AA

Woman awarded damages for rape

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he doesn't get anything." Castillo, who was raped in May 1995, sued Condran in March for mental anguish after growing tired of waiting for the justice system to conclude the criminal case.

Condran, 28, pleaded guilty to sexual assault June 27 before District Judge Mike Lynch. As part of the plea bargain, he received a five-year prison sentence, with credit for almost 16 months he had spent in jail awaiting trial.

Wednesday, Davis awarded Castillo \$500,000 in actual damages and \$1 million in exemplary damages, also known as punitive damages, which are tacked on to punish "intentional and malicious" conduct.

Jamie Avila, acting executive director of the Austin Rape Crisis Center, said it's rare for rape victims to sue their attackers.

"I don't think a lot of survivors even consider that option," Avila said. "But maybe it will become more common, since she got such a good judgment."

While rape victims don't often sue rapists, Judge Davis said, it's not uncommon for crime victims to turn to the civil courts seeking

"It's an ancient theory to sue for damages as a result of being assaulted or otherwise injured," said Davis, who presides over the 200th District Court.

Condran, now in prison in Collin County north of Dallas, was not present for Wednesday's trial, so Davis entered a default judgment.

Bennie Kay, an Austin lawyer who represented Condran before recently withdrawing from the civil case, said he doubts that Condran was aware of the court date. "If you're in jail and you get sued, you're going to lose," he said.

Madison said Condran was notified of the hearing and apparently decided not to request transportation back to Travis County.

Castillo, who was raped as she walked from her car to her South Austin apartment, said she's still afraid to be alone outside at night and still thinks about the attack.

Castillo said she doesn't question Condran's sentence, but she's not happy about the thought that he will be released in about four years.

But Castillo said she pulled herself out of a "downward spiral" with help from her fiancé. Her life has changed for the better; she had her second child, a daughter, in December.

"I'm doing very well. I have a full-time job and a full-time baby, and I should be married soon," she said. "Everything's looking very good."