

## “Crazy” Peruto Files Suit For Fees Defending Guard

By Claudia N. Ginanni

Attorney A. Charles Peruto Jr. went to Delaware County Common Pleas Court on Friday to do something friends have told him is “crazy.”

Peruto filed suit against the county on behalf of former Delaware County Prison guard Jamie Campbell, asking the county to pony up \$25,000 to pay Peruto for successfully defending Campbell against criminal charges that he inflicted cruel and unusual punishment on inmates.

Campbell, 23, was one of nine former guards charged in January with civil rights abuses in connection with a series of inmate beatings-and the only one cleared of all charges.

Five of the guards pleaded guilty in February, and four, including Campbell, were tried in April.

According to the suit, the county had a duty to defend Campbell because the former guard was “acting within the scope of his authority and on duty as a correctional officer at Delaware County Prison at all times relevant to the accusation contained in the indictment.”

“He was hired by the county,” Peruto said in a telephone interview Friday, so *respondent superior* liability makes the county responsible for defending him against all claims.

“If he were convicted, he wouldn’t have a leg to stand on, because it would have been outside the scope of his duties,” Peruto said, “But he was exonerated.”

The Lawyer acknowledged that the application of this principle to a criminal defense is a new twist.

“It’s never been done,” he said. “But I’ve prevailed before when everybody thought I was crazy.”