

**FOR IMMEDIATE RELEASE**

January 14, 2011

Fort Lauderdale, Florida. On January 13, 2011, a jury awarded damages of \$476,200.00 against Kenneth Wayne Ryals, a landlord who had serially spied on his young female tenants by means of a micro video camera hidden in a DVD player he provided with the rental. Mr. Ryals, who is an Internal Revenue Service agent, had confessed to the Davie Police Department that he had watched Plaintiff for his "viewing pleasure." In response to discovery in the civil suit, Mr. Ryals repeatedly asserted his Fifth Amendment right against self-incrimination. Further, despite the pendency of the lawsuit, Mr. Ryals willfully destroyed all the physical evidence in the case, eleven pieces of electronic equipment, including the spy cam that he had hidden in the plaintiff's bedroom.

The jury trial was held before the Honorable Michele Towbin Singer in Broward Circuit Court. The plaintiff was represented by Walter J. Mathews and Patricia Wallace of Mathews Wallace LLP, formerly Walter J. Mathews, P.A., of Fort Lauderdale, Florida. The plaintiff filed the suit in hopes that her suit would appeal to Mr. Ryals' conscience and encourage him to stop preying on young women like herself. Mr. Ryals, however, has never shown any remorse for his conduct. Within a week of his arrest by the Davie Police for video voyeurism on September 14, 2007, he was soliciting new female renters through the website Roommates.com. He has sought to push the blame for his conduct onto the Davie Police Department and the plaintiff herself. He even filed a separate lawsuit against the plaintiff alleging defamation for bringing her lawsuit and for aiding and abetting the Davie Police trespass on his property when they arrested him. Although the Davie Police Department had obtained Mr. Ryals' consent to search his property and vehicle for electronic surveillance equipment, that equipment, not including the camera installed in the plaintiff's room, was suppressed as evidence in the misdemeanor action pending

against Mr. Ryals in County Court. Mr. Ryals was represented in the misdemeanor matter by J. David Bogenschutz. Subsequent to the suppression of evidence order, the criminal charges were not pursued.

Mr. Mathews, the plaintiff's attorney, stated that he believed that the jury was intent on sending a clear message to Mr. Ryals. According to Mr. Mathews, "the jury verdict reflected the jury's disgust with Mr. Ryals and their not believing his testimony or excuses. A person's bedroom is one of the most intimate of private spaces. Mr. Ryals shamelessly violated that sacrosanct space." The jury award included \$275,000.00 in punitive damages. "The punitive damages," said Mr. Mathews, "should deter Mr. Ryals and others from engaging in this kind of conduct. We hope that the damages award will also deprive Mr. Ryals of any ability to purchase more spy equipment in the future."

Invasion of privacy claims based on landlords' use of spy cams to view their tenants are receiving increased media attention, and attorneys Mathews and Wallace, as well as their client, hope that the publicity of this case will both encourage renters to be more circumspect in their housing choices and discourage landlords from engaging in such heinous conduct. Ms. Wallace, a privacy attorney, explained that detection of some video cameras is extremely difficult and in some instances nearly impossible without the aid of a camera-detecting device. Ms. Wallace noted that invasion of a person's most private space by surreptitious video voyeurism is so violative that it is tantamount to rape. "Renters need to be aware of this growing phenomenon and take steps to protect themselves," Ms. Wallace said. "Imagine how you would feel to know that your landlord sat around watching you while you got undressed, or while you were in bed. To this day, I doubt whether our client can dress anywhere outside of her closet or in total darkness after having been subjected to this kind of personal invasion."

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