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'I'd give everything ... to have her back'; \$1.05 million settlement little comfort to family of murdered teen

Author(s): By Bill Bird **Date:** May 24, 2006 **Section:** LOCAL NEWS

Frank Racibozynski let fly eight years of bottled-up rage and heartbreak, and, when he did, it boomed like a cannon in a cathedral, Tuesday afternoon.

"You're darn right a million dollars isn't enough," the Naperville resident roared in response to a question concerning a jury's \$1.05 million award in the wrongful death lawsuit filed on behalf of his murdered daughter, Andrea Racibozynski.

"Life is priceless," Racibozynski continued with a slight quaver in his voice. "I'd give everything and another million to have her back." Seated around a conference table at **The Collins Law Firm** in Naperville with his wife, Sharon, the couple's surviving daughter, Christina, and their lawyers, Racibozynski reflected Tuesday on his family's remarkable financial gain and incalculable emotional loss in the wake of Andrea Racibozynski's slaying.

A bright and energetic member of Naperville Central High School's class of 1997, Andrea would not live to participate in her 2001 graduation ceremonies at Knox College in downstate Galesburg.

Her freshman year immersion in college Bible studies, dance and work with the campus radio station would mean little to Clyde Best - her classmate and killer - who beat Andrea about her head and face so savagely on March 28, 1998, that the murder weapon - a brick - literally broke in two.

Authorities in 1998 said Andrea and Best bumped into one another that night following a fraternity party. They apparently planned to return to the party with another classmate, after first going to Best's dormitory room to drop off a jacket.

The third person elected not to return to the party, and Andrea, 19, did likewise, authorities said. That apparently ignited a quarrel between her and Best, in which Best pummeled the screaming woman and

knocked her to the floor of a stairwell in the college student union.

Best then retrieved the brick from his room and returned to the stairwell, where he beat Andrea "many, many, many, many times," in the words of a forensic pathologist who would testify two years later in the case.

Murderer serving 60 years

Best, now 26 and formerly of Las Vegas, ultimately entered a plea of guilty but mentally ill in Andrea's murder. A Knox County Circuit Court judge, in September 1999, sentenced him to 60 years in prison.

The Racibozynski family later filed a civil lawsuit against the college, maintaining school officials had failed to provide a safe environment for Andrea.

Ed Manzke, the family's chief attorney, said Tuesday the stairwell in which Andrea was attacked "allows for natural surveillance at night when it's properly lit." On the night of the assault, however, 20 bulbs that should have been illuminated were either turned off or burnt out, Manzke said.

College officials also were derelict in failing to have adequate and properly trained security guards on campus, Manzke said. Of the three guards on duty that night, one had been assigned to watch the school's computer room and another to the student cafeteria, he said.

The college's legal team maintained school officials had done everything they could to protect students, and that no one could have predicted Best's murderous intentions.

A Knox County jury early Monday evening concurred with the Racibozynskis' contentions, returning a \$1.05 million judgment against the college. Manzke said it is believed to be the highest civil lawsuit award in the county's history.

Money 'didn't mean anything'

The Racibozynskis maintained Tuesday that their lawsuit was never about money, rather, it was about compelling colleges and universities to provide proper security for their students.

"This is a story that needs to be told," Manzke said. "Our hope is that ... Andrea's death will not have been in vain," and that "schools across the country will understand that campus safety must be a priority," he said.

Sharon Racibozynski was not in court for last week's trial, saying she

would have found the testimony too painful to relive.

And although she later found herself "surprised and just elated" with the verdict, Sharon Racibozynski said that reaction was tempered with the realization "that nothing can bring Andrea back. So in that case, it didn't mean anything."

"College students don't have a lot of laws to protect them," Frank Racibozynski added. "(But) this jury saw the same things we did, saw the negligence. That made it all seem as if it was worth it."

College considers appeal

Karrie Heartlein, Knox College's director of public relations, said Tuesday school officials are considering an appeal of the jury's verdict.

"As we've always maintained, we have only the most sincere sympathy for the Racibozynski family and their loss," Heartlein said. "Andrea's family remains in our thoughts today."

"But this was an unforeseeable tragedy. The college maintains changes in lighting and security would not have prevented Clyde Best's sudden and violent act."

Heartlein said while the college "continues to update its policies and procedures on a regular basis" in the area of campus security, "there haven't been any real, specific changes that are a direct result of this particular incident."

Christel Urback, who had been Andrea's coach on the Naperville Central flag corps team, said Tuesday she found it "just wonderful that they won the case."

"I think about Andrea a lot," Urback said. "I think about what a tragic thing it was for the family."

"She was really a great person, girl, student, friend. I don't have one negative thing to say about her."

The Racibozynskis, for their part, have not decided what they will do with the award should it stand, although Sharon Racibozynski vowed that it will go toward keeping her daughter's memory alive.

"Whatever it is, it's going to be in memory of Andrea, and what a wonderful young woman she was."

Staff writer Karl Stampfl contributed to this report.

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