

## **L.A. council OKs \$20.5-million settlement in Rampart suits**

### **Four LAPD officers contended that they were falsely arrested during corruption scandal.**

By Maeve Reston|January 29, 2009

The Los Angeles City Council approved a \$20.5-million settlement Wednesday to bring to a close lawsuits brought by four Los Angeles Police officers who alleged that they were falsely arrested and maliciously prosecuted during the city's Rampart police corruption scandal that began in the late 1990s.

City officials said they hoped the payout -- which comes as they face a projected \$433-million budget deficit next fiscal year -- would be the last major financial blow related to the Rampart scandal.

The city has already paid \$75.5 million to civilians.

Officials plan to borrow the money for the settlement reached Wednesday by issuing a bond.

Most of the settlement -- nearly \$19 million -- will go to resolve a federal jury verdict from 2006 that awarded \$5 million each to LAPD Officer Paul Harper, Sgt. Edward Ortiz and former Sgt. Brian Liddy.

A fourth man, former Officer Michael Buchanan, will share in a smaller settlement in another case. In all, the \$20.5 million resolves six cases involving the officers.

In 2007, Mayor Antonio Villaraigosa and a number of City Council members balked at paying \$16.85 million to settle cases brought by the four men.

At the time, the city was appealing the \$15-million jury award that was upheld last summer by the U.S. 9th Circuit Court of Appeals.

After approving the settlement with a 10-0 vote Wednesday, council President Eric Garcetti said the lessons learned as a result of the Rampart scandal were critical, but he called the judgment "a final aftershock."

"We've been told a number of times that the chapter's been closed and this time we're told -- it's really been closed," Garcetti said. "There was blame in the late 1990s to go around for everyone. It's clear within the department -- not only with guilty cops, but with innocent cops -- that the department reacted extremely badly. And the public, at a time when we need this money so badly, is paying the price."

Through an aide, Councilman Bernard C. Parks, the former police chief who was named in the some of the lawsuits, declined to comment.

The attorneys for the officers said the settlement vindicated their clients.

"I hope the city will learn from the mistakes that were done in this case and will recognize that policemen and individual lives should not be expendable for political purposes," said co-counsel, Joseph Y. Avrahamy, who called the years since the men were accused of breaking the law a "day-to-day ordeal."

The private attorney retained by the city to handle the cases did not return calls for comment Wednesday.

Harper, Liddy and Ortiz were arrested in April 2000 after being accused of wrongdoing by former LAPD Officer Rafael Perez.

Perez had been arrested on cocaine charges.

As part of a plea bargain, he became a police informant and accused many of his colleagues of routinely framing and mistreating suspects.

The allegations led to a department investigation that implicated many other police officers and overturned more than 100 criminal convictions.

The officers' lawsuit against the city that resulted in the \$15-million verdict grew out of the 1996 arrest of 18th Street gang member Allan Lobos.

Perez accused Harper, Liddy and Ortiz of framing Lobos on a gun charge. Jurors voted to acquit Harper, Liddy and Ortiz of charges related to that incident.

In their 2001 federal civil rights lawsuit against the city, Harper, Liddy and Ortiz charged that police and county officials maliciously prosecuted the officers based on false evidence.

They also charged that the arrests caused emotional distress, humiliation and permanent harm to their reputations.

When the city appealed the \$15-million verdict, the three-judge panel concluded there was evidence for the jury's finding that the Los Angeles Police Department violated their constitutional rights by arresting them on the basis of an incomplete investigation.

The panel noted that former Los Angeles County Dist. Atty. Gil Garcetti testified that his office had been "hounded" by the LAPD to prosecute officers.

In a separate incident that led three of the officers to file another civil rights lawsuit, charging violations by city officials, Liddy, Ortiz and Buchanan were convicted of conspiring to frame two gang members.

The officers were accused of fabricating a story that they were hit by a pickup truck driven by the gang members in an alley.

Those convictions were overturned by a judge, who said jurors had erroneously based their verdict on a misreading of police jargon.

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