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FRONT PAGE

FEDERAL JURY CLEARS 8 DETROIT POLICE OFFICERS OF RIGHTS VIOLATIONS

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DETROIT — A federal court jury Thursday acquitted eight Detroit police officers of violating the constitutional rights of drug dealers, pimps and prostitutes.

Jurors said they didn't think prosecutors proved their case beyond a reasonable doubt, and relied on questionable witnesses.

"Their witnesses scared the living bejees out of me," said one juror, a 67-year-old Detroit woman. Many witnesses admitted on the stand that they were involved in drugs or prostitution.

"They're all criminals. They're hard to believe," said another juror, who described herself as a 64-year-old Madison Heights real estate agent. She said she doesn't know how Detroit can rid itself of crime without aggressive police officers.

The verdicts, which came after a 34-day trial, testimony from more than 100 witnesses and 19 hours of jury deliberations, set off cheers and applause in the packed courtroom at U.S. District Court in Detroit and throughout the police force. The officers were accused of conspiring to violate the constitutional rights of criminal suspects by planting evidence, falsifying reports and lying in court to justify a series of illegal arrests in 2000-02.

The eight police officers hugged their lawyers. Family members wept. Supporters gave each other high-fives and breathed sighs of relief after Judge Avern Cohn announced that the jury had found the officers not guilty of all 36 counts.

"I hope they reinstate me as fast as they suspended me," Officer Matthew Zani, 37, of Detroit said after the verdicts.

Also acquitted were Jeffrey Weiss, 33; Christopher Ruiz, 30; Timothy Gilbert, 29; Mark Diaz, 28; Jerrod Willis, 33; Denny Borg, 32, and William Melendez, 35.

"Through God and his holy mother, that's how this happened," said Melendez.

His lawyer, David Lee of Detroit, said: "This is a great day for our clients and for the Detroit Police Department. ... Every police officer in this city now knows they can go out and do their job."

Lee and other defense lawyers had argued that most of the government's witnesses were lying to get honest, hard-working officers off the street so the witnesses could continue their illicit activities.

The lawyers also said police officers who had pleaded guilty and testified against the defendants in exchange for leniency couldn't be believed.

Assistant U.S. Attorneys Michael Bullotta and John Engstrom couldn't be reached for comment after the verdicts. U.S. Attorney Jeffrey Collins issued a statement saying, "We accept the jury's decision and thank them for their time and service to this case. We will continue to investigate all allegations of police corruption and will prosecute when the facts warrant."

Prosecutors alleged that Melendez, known on the street as Robocop, and Zani were ringleaders of a group of 19 officers who violated the rights of criminal suspects in more than a dozen incidents. They said the officers planted guns and drugs on suspects, broke into their homes without warrants, conducted illegal searches and lied about them in court to justify their arrests.

Prosecutors said some of the suspects spent time in prison for crimes they didn't commit. At least two were released from prison after the officers were indicted.

Detroit Police Chief Ella Bully-Cummings said she respected the jury's decision: "I think this is how the judicial system works."

The department will now decide whether the officers violated departmental policy and should be disciplined. A policy violation requires less proof than criminal charges do.

Bully-Cummings said she would do what's best for officers and residents, but welcomes the prospect of having more officers on the street.

Also unclear is whether other officers will be tried.

Nineteen were indicted last year. Three pleaded guilty in exchange for leniency and testimony against the others. Charges were dropped against one. Seven are to be tried later this year.

Courthouse observers said the acquitted officers would have a difficult time if they sued the department over the case, because they spent little time in custody and will likely receive back pay and return to their jobs.

One lawyer said the drug dealers and others who sued the city for alleged police harassment will have a tough time winning, given the officers' acquittals.

Another observer said the verdicts might make it harder to win rank and file cooperation to adopt changes required by a lawsuit settlement between the city and the U.S. Justice Department over civil rights violations.

Ron Scott of the Detroit Coalition Against Police Brutality said he was horrified by the verdicts.

Scott said the officers are no better than the U.S. military jailers in the prisoner abuse scandal in Iraq.

Marty Bandemer of the Detroit Police Officers Association praised the verdicts and said the union will push to have the officers reinstated, will defend them if the department tries to discipline them and is considering a lawsuit against the Justice Department to recoup the cost of defending the eight officers. One defense lawyer estimated the total for the eight officers at \$500,000 to \$1 million.

Legal experts said they weren't surprised by the verdicts.

"It's always a hard case to prove anything beyond a reasonable doubt when you don't have videotapes or other smoking-gun physical evidence," said David A. Moran, a Wayne State University law professor and appellate lawyer. Moran said it's especially difficult to get guilty verdicts "when you have to rely on the testimony of people who don't have a good track record of telling the truth."

"Citizens are sick of crime and they want active police officers who are doing something," said Steve Fishman, who represented Willis.