

One hundred frame-ups admitted in widening Los Angeles police scandal

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For the past six months, the Los Angeles Police Department (LAPD) has been wracked by a mushrooming scandal. A former officer, Raphael Perez, has revealed details of widespread frame-ups and brutality as part of his own plea bargain to escape punishment for stealing 8 pounds of cocaine from an LAPD evidence locker.

On Tuesday a local judge overturned the convictions of 10 innocent people, bringing the total number of admitted LAPD frame-ups to 23. But this apparently only scratches the surface. Police Chief Bernard Parks announced Wednesday that at least 99 people were framed by Perez and his associates, and proposed that their criminal cases be dismissed "en masse."

Most of the convictions involved charges of possession of drugs or firearms. All arose from arrests made by Perez and his partner Nino Durden. They were assigned to an anti-gang unit called "CRASH," operating out of the LAPD's Rampart Division, which services a densely populated, largely immigrant working class area west of downtown. According to Perez, the pair and their CRASH cohorts regularly planted drugs and weapons and then lied on their reports and in court to secure convictions. At least one victim was shot in the head by officers and then left for dead.

For all but 3 of the 99 frame-up victims, the exposure came too late as they had already served their sentences. Two of these three were ordered released from custody Tuesday.

LAPD investigators have interviewed 52 of the victims. One is dead, and several others have not been located. Many were deported to Central America as a result of their false convictions.

Octavio P. Davalos, a 41-year-old upholstery worker who served 91 days in jail on a drug charge, was

present in court when his conviction for possession of cocaine was ordered overturned. His case was typical. He pled guilty to a crime he did not commit because under California's draconian sentencing law, he could have been sent to state prison for eight to sixteen years if the officers' lies had been believed by a jury.

Although the Rampart investigation remains largely shrouded in secrecy, there have already been verified reports of shootings, beatings, drug dealing, witness intimidation, planting of evidence, false arrest, perjury, and at least one armed bank robbery tied directly to LAPD officers. Already 20 LAPD officers have been terminated or relieved from duty in the scandal.

District Attorney Gil Garcetti announced that the review of another 30 to 40 cases is almost complete. Garcetti admitted that the volume of tainted cases is so great that he is going to have to add prosecutors to the Rampart task force, which already consists of seven lawyers, acknowledging that the corruption "is not confined to Rampart."

Head Public Defender Michael Judge says that there may be as many as 4,000 more cases affected by the scandal which still need to be reviewed. A Los Angeles civil rights attorney, Stephen Yagman, obtained from the District Attorney's office a list of 9,845 potentially tainted cases, which he plans to post on the Internet.

Perez was scheduled to be sentenced last month for his role in the cocaine theft, but the hearing was delayed because he has so much information to divulge about corruption in the LAPD.

Meanwhile, no more officers have been arrested or prosecuted for their criminal activity, and only three are even being considered suspects. The double standard is obvious. Given the staggering volume of evidence of criminal conspiracies, if the suspects were anyone but police officers, they would have been locked up long

ago.

The LAPD Rampart corruption scandal exposes the corrupt relationships that exist between police, prosecutors and judges. The most alarming aspect of this affair is that virtually all the people falsely convicted pled guilty to crimes they did not commit, rather than risk exercising their democratic right to a jury trial. Only one of the twenty-three convictions reversed so far involved a jury trial. In that case, according to the defense attorney, an LAPD sergeant lied to cover up Perez's perjury.

Those familiar with the criminal justice system know that everyone involved, especially the judges, prosecutors and police supervisors, tolerate widespread lying and manipulation of evidence by street officers. Represented by overworked public defenders and facing biased juries, criminal defendants face overwhelming pressure to "cop pleas" in exchange for more lenient sentences. The fraudulent convictions are then used to enhance the penalties available in subsequent cases.

At the same time, reactionary appellate judges continue to erode procedural protections for those who choose to run the gauntlet of a criminal trial. The Miranda rule, protecting people against self-incrimination, may not survive the year. Just last week the Supreme Court, in *United States v. Martinez-Salazar*, upheld the conviction of a man even though both sides admitted the trial judge wrongfully refused to remove an obviously biased prospective juror during the selection process. In another case, *Weeks v. Angelone*, the Supreme Court upheld a death sentence even though the jury admitted it was confused by the jury instructions and applied the wrong standard.



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