

No federal charges in police killings of two unarmed Philadelphia men

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US Attorney Michael Stiles has announced that no federal criminal charges will be filed in two police shootings which drew widespread protest from civil rights and community groups, including the NAACP and the American Civil Liberties Union (ACLU), in Philadelphia. Stiles stated that the decision not to prosecute the three officers involved was made after a year's review because there was no evidence that the officers "intentionally used force that they knew was excessive under the circumstances."

In one case, Officer Charles DiPasquale and his partner approached a car driven by Donta Dawson, 19, shortly after 1 a.m. on October 1, 1998. Dawson had stopped his car with the engine running in a traffic lane. Dawson did not speak or raise his hands as ordered by the police. According to police, when he leaned forward and abruptly raised his left hand, DiPasquale shot him in the eye. No weapon was found in the car.

Philadelphia District Attorney Lynn Abraham twice brought charges against DiPasquale for voluntary and involuntary manslaughter, maintaining the shooting of Dawson was unjustified. City judges dismissed the charges both times after preliminary hearings. Last month, Common Pleas Judge Gwendolyn Bright ordered DiPasquale rearrested on third-degree murder charges. This was the result of a private complaint filing by attorney Michael Coard, who charged that District Attorney Abraham should have charged DiPasquale with murder rather than manslaughter. District Attorney Abraham has appealed Bright's decision.

Last July, Dawson's family filed a federal civil rights suit against the City and the Police Department for Dawson's death. The city settled the suit for \$712,500.

DiPasquale was fired from the police force and is seeking reinstatement through arbitration.

In the second case, Kenneth Lee Griffin, 26, was shot and killed by two state parole officers. Pennsylvania Parole Agents Isaac Hickson and Robert Martinez entered the darkened basement of Griffin's mother's row house at about 6 a.m. on September 26, 1997. Griffin was wanted for fleeing a halfway house a year and a half earlier and was a suspect in a recent armed robbery. Hickson and Martinez claimed they shot Griffin when he fired at them, but investigators found no weapon other than the two parole officers' 9mm pistols. Griffin's girlfriend Melissa Bosworth, who was in the basement with Griffin and their two children, ages 2 and 7, at the time of the shooting, told investigators Griffin was unarmed and his shooting was unprovoked.

Philadelphia DA Lynn Abraham filed charges before a city investigating grand jury, but the grand jury did not indict either parole agent. The Griffin family has filed a federal civil rights lawsuit against the city. The case is still pending.

Attorney Leon Williams has also brought a private criminal complaint against the two agents who shot Griffin. Responding to the decision of the US Attorney not to file federal criminal charges against the three officers, Williams said he would press his case, stating, "It doesn't matter what the feds do. It actually follows a long-term tradition of police officers getting away with murder."



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