Memorandum

To : SAC, LOS ANGELES (44A-LA-119954) Date 3/26/91

From : SA [redacted] b6 b7C

Subject: LAURENCE M. POWELL, ET AL, OFFICERS, LOS ANGELES, CALIFORNIA POLICE DEPARTMENT; RODNEY GLENN KING, AKA-VICTIM;
CIVIL RIGHTS

Due to the volume of paper being processed in this case, the following sub files should be opened:

302's - A
Investigation by outside agencies - B
Medical records - C
News clippings - D
Public correspondence - E
TED J. BRISENO - F1
STACEY C. KOON - F2
LAURENCE M. POWELL - F3
TIMOTHY EDWARD WIND - F4
Police interviews FD-302's - G

This memo is to remain attached to the top file cover in each respective file.

JDD/ymj
(2)

44A-LA-119954 Sub D-1

SEARCHED INDEXED
SERIALIZED FILED
MAR 26 1991
FBI — LOS ANGELES

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Videotape of arrest prompts LAPD probe of misconduct

By Beth Laski
and Jaxon Van Derbeken
Daily News Staff Writers

Los Angeles police said late Monday that they are investigating allegations of misconduct by their officers in connection with an arrest that was videotaped by a Lake View Terrace resident.

The incident in question occurred Sunday morning in Lake View Terrace when Los Angeles police from the Foothill Division used batons to subdue a man, who was arrested on suspicion of evading arrest, said Los Angeles police Capt. Tim McBride.

The investigation was prompted by the videotape of the incident in the 11700 block of Foothill Boulevard, officials said.

The officers responded to a radio call at about 1 a.m. from California Highway Patrol officers requesting assistance, McBride said.

"We started our investigation (Monday)," said McBride, commander of the Foothill station. "The fact that someone videotaped it (the incident) provides us with additional evidence for investigation," he said.

"Anybody who would look at the (video tape) . . . would be concerned and would want to do an investigation," McBride said.

"It was initially a CHP attempt to stop someone and a pursuit after he failed to stop," McBride said. He said the suspect had apparently driven past CHP officers at speeds in excess of 100 mph.

McBride said the investigation is being conducted by the Los Angeles Police Department's Internal Affairs Division at the request of Police Chief Daryl Gates.

Police Captain John Mutz said the investigation concerns the conduct of several officers.

"Every use of force and every pursuit, we investigate," McBride said. "We saw a tape where a monadnock (baton) was utilized on a suspect."

Police said the suspect was treated at a local hospital after the arrest.

(Indicate page, name of newspaper, city and state.)

DAILY NEWS
Date: TUES. MARCH 5, 1991
Edition: Front Section, Page 5

Title: VIDEOTAPE OF ARREST PROMPTS LAPD PROBE OF MISCONDUCT

Character: CIVIL RIGHTS
or
Classification: 44-LA-119954
Submitting Office:
LOS ANGELES

Indexing:

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SERIALIZED_____ FILED_____

MAR 12 1991

FBI — LOS ANGELES

44A-LA-119954-D-2

FBI/DOJ

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Video Showing Beating by L.A. Officers Investigated

By FAYE FIORE
and PHILIPP GOLLNER
TIMES STAFF WRITERS

Los Angeles police officials are investigating a videotape filmed by a Lake View Terrace man that shows a group of police officers brutally clubbing a man about the head and back with nightsticks, then kicking and beating him some more after he appears to be face down on the ground.

The contents of the powerful tape, shot over the weekend by amateur photographer George Holliday, 31, have been referred to the Police Department's Internal Affairs Division for investigation of possible excessive use of force by officers from the Foothill Division, according to Deputy Police Chief William Booth.

Holliday said he was looking out his window in the 11700 block of Foothill Boulevard at 1 a.m. Sunday when he saw about 10 police cars pull over a white sedan across the street after what appeared to be a pursuit.

From their second-floor apartment balcony, Holliday said he and his wife saw the driver get out of the car and lie face-down on the pavement, apparently following the officers' instructions. Two passengers, both men who appeared to be in their mid-30s, remained in the car, he said.

Holliday grabbed his newly purchased video camera, went to the balcony and began taping the scene.

A copy of the tape, which Holliday provided to KTLA Channel 5 news, was viewed by a Times reporter Monday night. It shows what appears at first to be three officers surrounding the man, swinging their nightsticks. The tape slowly comes into focus and the beating accelerates, with one officer swinging his stick wildly back and forth as the man hunches on his knees, attempting to cover his face and head.

The heavy-set black man, dressed in light pants and a dark T-shirt, then rolls to the ground on his stomach. Several officers continue whacking him across the back of the legs, the kidney area, the neck and about the head.

At one point, the man is surrounded by what appears to be as many as 10 officers, most of whom stand and watch their colleagues. At no time does the man appear to offer any resistance.

Mostly, the man rolls about, as though in pain. He appears to be crying out. He is still for several seconds, then one officer stomps his head with a foot and kicks the man. Other officers join in.

At one point, another officer appears to attempt to intervene, but without success.

"The policeman seemed to try to pull another one of them away, sort of gesturing, 'Stop, that's enough,' but the other person kept on hitting him," Holliday recalled.

Another officer could be seen holding a wire that appeared to be attached to the man's neck. Officers then "hog-tied" him, binding his ankles and wrists behind his back, Holliday said, and left him that way on a lawn until an ambulance arrived to take him away.

The two passengers were handcuffed and driven away in police cars, Holliday said.

The incident takes up at least 1 minute, 50 seconds of videotape.

Police on Monday did not identify the man they took into custody nor explain the reason he was stopped. The Foothill Division watch commander would not comment on the matter.

Booth, too, said he knew none of the particulars about the man. He said a copy of the tape has been turned over to internal affairs investigators. Officials of the department could not be reached Monday night.

Police spokesman Lt. Fred Nixon told KTLA that the police report "indicates the arrestee, not like the men in his car, did not go along willingly. It is impossible to look at a video and see what the situation was." That, he said, would be the subject of the investigation.

"Before they started hitting him he was pretty much cooperative," Holliday said. "It was a weird feeling. I was trying to think what could he have done to deserve that? I was thinking, it's terrible that that's happening, I was feeling for the guy. . . . But I didn't know what the guy did."

(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
Edition: TUES. MARCH 5, 1991
FRONT SECTION, Page28

Title: VIDEO SHOWING BEATING BY L.A. OFFICERS INVESTIGATED

Character: CIVIL RIGHTS
or
Classification: 80-33B
Submitting Office: LOS ANGELES

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MAR 12 1991

FBI — LOS ANGELES

44A-LA-119954-D-3

FBI/DOJ

Scene from videotape shown on KTLA-TV shows officers surrounding a man with their nightsticks.

D-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

FBI will probe LAPD beating of Altadenan

From staff and wire reports

LOS ANGELES — The FBI and the District Attorney's Office began an investigation Tuesday into what appeared to be a brutal nightstick beating of an Altadena motorist by Los Angeles police, an assault that was captured on videotape by a nearby resident and described as shocking by Los Angeles Mayor Tom Bradley.

"This is something we cannot and will not tolerate," Bradley said after viewing the video showing a group of police officers clubbing and kicking 25-year-old Rodney Glenn King as he lay on the ground. "I am as shocked and outraged as anyone."

A copy of the videotape, shot by a Lake View Terrace man early Sunday, was turned over to the Police Department's Internal Affairs Division for an investigation of whether officers used excessive force, Deputy Police Chief William Booth said.

FBI agents also entered the probe Tuesday to investigate possible civil-rights violations, FBI spokesman Fred Reagan said.

The incident started about 1 a.m. Sunday, when California Highway Patrol officers tried to stop a car traveling in excess of 100 mph near the intersection of the Foothill (210) and Simi Valley (118) freeways, said police Capt. Thomas McBride, commander of the department's Foothill Division.

At the request of CHP officers, Los Angeles police joined the chase, and the motorist was pulled over on Foothill Boulevard in Lake View Terrace.

The videotape shows an apparently handcuffed King on the ground with three officers striking him repeatedly with their batons. At one point, one officer kicked King.

King, who was treated at a nearby hospital, was booked for investigation of a felony count of evading police officers. He remained in custody Tuesday at the County-USC Medical Center jail ward on a "no bail" hold.

Officer Don Lawrence, a spokesman for the Los Angeles Police Department, said he had no information about King's condition.

King's brother, Ron, told television station KCAL Channel 9 that police had broken his brother's leg.

"Why would they beat someone like that? They beat him and beat him and beat him," he told KCAL.

Officials with both the Altadena and Pasadena chapters of the NAACP said they would investigate the incident.

"My blood's boiling," said Altadena NAACP President Tony Stewart. "It's terrible to think this kind of thing can happen in America."

The videotape drew outrage from black groups and civil libertarians.

"The time has come to take a very deep look at what the department does," said Ramona Ripston, executive director of the Los Angeles chapter of the American Civil Liberties Union.

(Indicate page, name of newspaper, city and state.)
P. 1
Star-News
Pasadena, California
Date: Edition: 3/6/91
Daily

Title: FBI WILL PROBE LAPD BEATING OF ALTADENAN

Character: CIVIL RIGHTS
or
Classification: 80-33B
Submitting Office: Los Angeles

Indexing:

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SERIALIZED FILED
MAR 20 1991
FBI — LOS ANGELES

UNA-LA-119954-D-4

FBI/DOJ

The police chief "must be held responsible for this kind of brutal response."

Ripston claimed police brutality is common in the city.

"The difference this time is we have the proof. We have it on tape," she said.

Altadena community activist Ralph McKnight, who was elected this weekend as co-chairman of the Rainbow Coalition state caucus along with state Sen. Maxine Waters, D-Los Angeles, called for Gates' resignation and the dismissal of the officers involved.

"I'm so furious about this thing I can barely think or talk cordially," McKnight said. "The most tragic part of this whole thing is we don't know how many of these types of incidents go on all the time."

The beating was recorded by George Holliday, 31, who said he videotaped the incident from his apartment balcony. His tape was broadcast repeatedly Tuesday night on national news networks and local television stations.

Holliday said he and his wife watched as a white sedan was pulled over by about 10 squad cars. The driver got out of the car and was lying face down on the pavement when three officers began striking him, Holliday said.

The beating continued for more than a minute, he said.

During the beating, two passengers remained in King's car. They were not identified by police.

"Before they started hitting him, he was pretty much cooperative," Holliday said. "It was a weird feeling. I was trying to think, 'What could he have done to deserve that?'

"I was thinking, it's terrible that that's happening, I was feeling for the guy . . . But I didn't know what the guy did."

Police Lt. Fred Nixon said a police incident report "indicates the arrestee, not like the men in his car, did not go along willingly. It is impossible to look at a video and see what the situation was."

CHP Officer Glen Dominguez said two CHP officers were at the scene of the arrest but did not participate in the beating. He said their role in the action was being reviewed.

D-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

FBI probes beating of motorist

From staff and wire reports

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The videotape drew outrage from black groups and civil libertarians.

"The time has come to take a very deep look at what the department does," said Ramona Ripston, executive director of the Los Angeles chapter of the American Civil Liberties Union. The police chief "must be held responsible for this kind of brutal response."

Ripston claimed police brutality is common in the city.

"The difference this time is we have the proof. We have it on tape," she said.

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(Indicate page, name of newspaper, city and state.)
P. 1
San Gabriel Valley Tribune
West Covina, California
Date: 3/6/91
Edition: Daily

Title: FBI PROBES BEATING OF MOTORIST

Character: Civil Rights
or
Classification: 80-33B
Submitting Office: Los Angeles

Indexing:
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SERIALIZED ____ FILED ____

MAR 20 1991

FBI — LOS ANGELES

FBI/DOJ

4UA-LA-119954-D-5

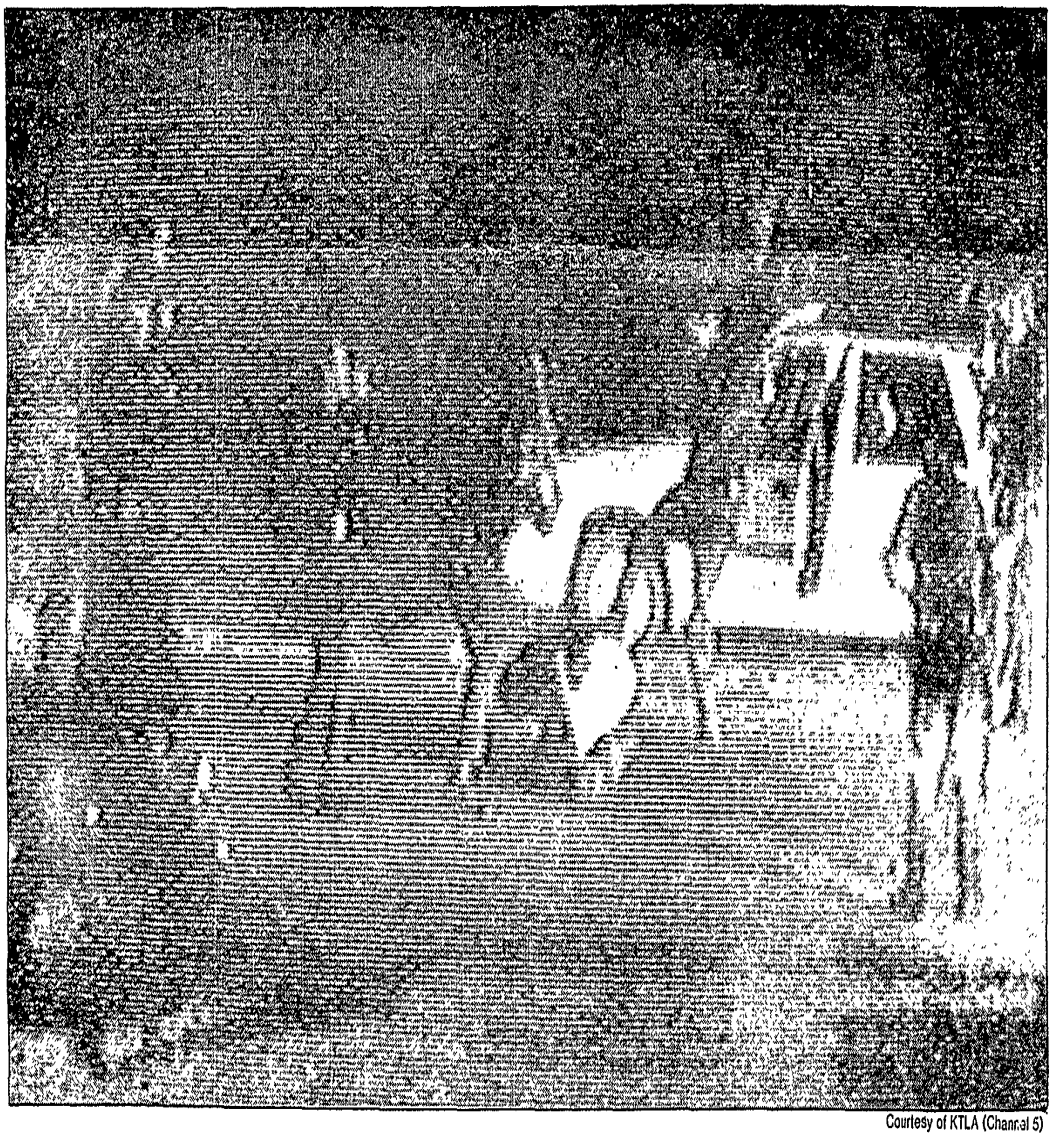
44A-LA-119954-D-6

SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____

MAR 1991

FBI — LOS ANGELES

FBI probing police beating



Courtesy of KTLA (Channel 5)

A photo taken from the videotape of the arrest of a motorist Sunday shows Los Angeles police officers kicking and beating the man.

Videotaped attack called 'outrageous'

By Jaxon Van Derbeken
Daily News Staff Writer

LAKE VIEW TERRACE — The FBI opened an investigation Tuesday into the conduct of Los Angeles police officers who were caught on a home video repeatedly beating and kicking a motorist after a high-speed chase.

Mayor Tom Bradley, other city officials and civil-rights groups condemned the officers' conduct during the arrest of the black man as "outrageous."

Police Chief Daryl F. Gates pledged a full investigation but cautioned against judging the officers prematurely.

"Anyone who has viewed the tape certainly would probably hasten to make a judgment, and I would just caution them in doing that," Gates said. "We don't train our officers to do this type of thing and we don't tolerate it.

"If we determine that the officers were indeed out of line, it is

See BEATING / Back Pg.

probe of officers

BEATING / From Page 1

an aberration," he said. "It is not the kind of conduct that we have normally from our officers."

The FBI said it would conduct an investigation to determine whether police violated the civil rights of Rodney Glenn King, 25, of Altadena, when they arrested him in Lake View Terrace early Sunday.

"We have opened a case," said FBI spokesman Jim Neilson. "The FBI is investigating allegations of someone's civil rights being violated, we investigate allegations in civil-rights matters."

The incident also is being investigated by the Los Angeles County District Attorney's Office, the LAPD and the California Highway Patrol, whose unit started the pursuit of King but turned it over to the Los Angeles police.

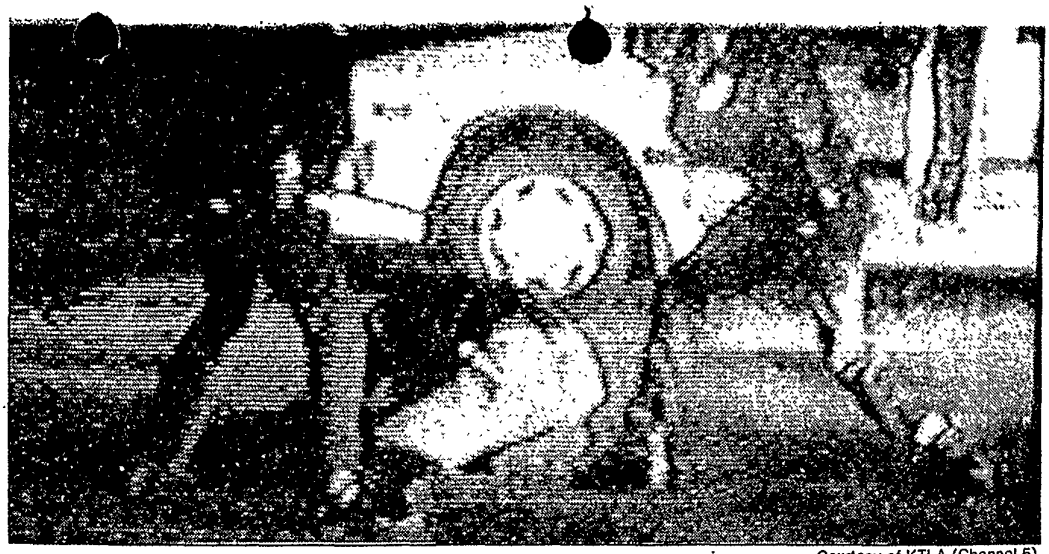
A videotape of King's arrest was shot by George Holliday, 31, from the balcony of his Lake View Terrace home. The two-minute tape shows the man being kicked and beaten repeatedly by officers before he was handcuffed while lying on the pavement in the 11700 block of Foothill Boulevard.

Holliday turned the videotape over to KTLA Channel 5, which aired the dramatic footage on its newscasts Monday night, and turned a copy over to the LAPD Monday evening. Copies of the tape were then played throughout the day Tuesday by other local TV stations and Cable News Network.

Holliday, a manager of a North Hollywood plumbing company, said he and his wife were sleeping when they heard the commotion in front of their home. Outside his balcony, Holliday said he saw a man spread-eagled on the hood of a white car and then decided to test out his new video camera.

"I wondered, what did this guy do that it would get to the point that he would be hit like that?" Holliday said. "I couldn't tell if he could walk or not because he was lying face down — the force of the blows was very hard."

Holliday said he was interviewed about the details by three internal affairs investigators for 90 minutes. "They told me I did the right thing by taping it," Holliday said.



Courtesy of KTLA (Channel 5)

George Holliday of Lake View Terrace captured the violent arrest of Rodney Glenn King on tape.

Bradley told reporters at City Hall that he was outraged by the incident and promised that "appropriate action" would be taken against any officers found to have used unreasonable force.

"This is something we cannot and will not tolerate. I am as shocked and outraged as anyone," Bradley said after viewing the videotape.

The mayor praised LAPD officials for their speed in starting an investigation.

"The Police Department quickly moved on this issue," he said. "When they witnessed that tape they immediately, at the chief's office through (Assistant Chief) Bob Vernon, sent investigators out there to be sure that they gather all the information.

Gates, while admitting it was "shocking to see those tapes," said he hoped the public would not judge the department harshly.

"One incident doesn't indict an entire department," he said. "There are many officers out there working in a very dangerous occupation ... and they show great restraint time and time again."

Police officials declined to identify the officers involved in King's arrest. But a spokesman for the California Highway Patrol said the LAPD officer in charge was Sgt. Stacy Koon.

Koon, a 15-year veteran, could not be reached for comment.

CHP Sgt. Mike Brey said the incident began at about 1 a.m. Sunday, when Highway Patrol officers spotted a white sedan traveling at more than 100 mph on the westbound Foothill Freeway (210) at Sunland Boulevard.

> *"Anyone who has viewed the tape certainly would probably hasten to make a judgment, and I would just caution them in doing that. We don't train our officers to do this type of thing and we don't tolerate it."*
>
> **— Daryl F. Gates**
> Los Angeles police chief

CHP officers gave chase, and said the car left the freeway at Paxton Street and ran through four red lights before being stopped at Osborne Street and Foothill Boulevard.

After the car stopped, the CHP officers relinquished authority to LAPD officers — who arrested two passengers in the car without incident but scuffled with King, who had been driving.

LAPD spokesman Lt. Fred Nixon said that King "was not cooperative" with the officers, who first tried to subdue him with a Taser, a device that fires electrically charged darts at a suspect.

Nixon said officers also "used (their) batons prior to taking Mr. King into custody." The other two suspects were released.

Prosecutors have not filed any charges against King pending further investigation, officials said. King was being held Tuesday without bail at the Los Angeles County Jail after being treated at County-USC Medical Center.

Lt. John Kilbasa, field operations supervisor for the CHP Verdugo Hills office, said there was no evidence that the CHP officers were involved in beating King.

But CHP officials said they would review whether their officers acted properly in witnessing and reporting the incident.

The District Attorney's Office opened its own investigation Tuesday of the arrest of King, said Sandi Gibbons, spokeswoman for District Attorney Ira Reiner.

"Our special investigations division, an independent unit that conducts investigations of such things as possible officer misconduct, has launched an investigation," Gibbons said. "It's an investigation of the action of the Los Angeles police officers during the arrest."

King was on parole after conviction in a 1989 robbery in Monterey Park, Gibbons said.

The tape of King's arrest sparked widespread anger among community and civil rights leaders on Tuesday.

"The tape itself appears to leave little room for the viewer to doubt his own eyes regarding excessive force," said City Councilman Ernani Bernardi.

Daily News Staff Writers Patrick McGreevy, Dawn Webber, Rick Orlov, John Polich, Beth Laski and Denis Wolcott contributed to this story.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Tape of L.A. Police Beating Suspect Stirs Public Furor

■ Law enforcement: Mayor says he's 'outraged.' The department, FBI and district attorney are investigating.

By HECTOR TOBAR
and LESLIE BERGER
TIMES STAFF WRITERS

A bystander's videotape that captures Los Angeles police officers repeatedly striking a prone, apparently defenseless man, stirred a public furor Tuesday, with Mayor Tom Bradley declaring himself "shocked and outraged" by the incident, widely broadcast on national television.

The FBI and Los Angeles County district attorney's office announced that they had opened investigations into the officers' actions, which followed a high-speed car chase in the northeast San Fernando Valley. The Los Angeles Police Department's Internal Affairs Division also is investigating.

The homemade video, shot early Sunday morning in Lake View Terrace, depicts at least a dozen officers surrounding the man after he left his car, kicking him and inflicting more than 40 blows with nightsticks as he lay on the pavement. The tape, shot from a nearby apartment balcony, recorded no sound.

It was first broadcast Monday night by a Los Angeles television station and was shown nationwide Tuesday by Cable News Network.

The violent images produced an immediate public outcry and brought the Police Department under intense criticism.

At a Los Angeles Police Commission meeting Tuesday afternoon, Police Chief Daryl F. Gates called the tape "shocking," but said he would withhold judgment until the incident had been investigated.

Gates added: "One incident doesn't indict an entire department. I would hope the public on this one case not make a judgement on the Los Angeles Police Department."

Civil rights and police watchdog groups said the incident was only one in a string of unprovoked beatings by officers.

Bradley, along with other public officials, was unequivocal in his response.

"This is something we cannot, and will not, tolerate," the mayor said. "It's now a matter of our identifying and finding witnesses. . . . I assure you that once that's done, appropriate action will be taken by the department and the Police Commission."

FBI spokesman Jim Neilson said the bureau had decided to investigate the incident as a possible civil rights violation.

The man shown being beaten on the tape is black. He was identified as Rodney Glen King, 25, of Altadena, who was released from prison in December after serving time for a second-degree robbery conviction. Members of his family said King, unemployed since leaving prison, had been scheduled to begin a construction job Monday, the day after the beating.

Sandi Gibbons, spokeswoman for Dist. Atty. Ira Reiner, said the prosecutor's Special Investigations Division is investigating the case.

"We want to determine if there is a criminal case [against the officers]," she said. "We're going to proceed on this very quickly."

New details of the incident emerged Tuesday, as police and witnesses offered conflicting versions.

At about 12:30 a.m. Sunday, King's 1988 Hyundai was clocked by California Highway Patrol officers at speeds of up to 115 m.p.h., west on the Foothill Freeway. Los Angeles officers joined the pursuit when King left the freeway and entered surface streets, running several red lights, said CHP spokesman Sgt. Mike Brey.

Richard Talkington, Police Department traffic detective, told The Times that reports written by the officers involved said that King ignored several requests to leave his car after it was pulled over in the 11700 block of Foothill Boulevard.

Talkington, assigned to investigate the initial traffic violation, said the officers' reports indicate that King placed his left hand in his pants pocket when he stepped out of the car—a movement that Talkington surmised heightened the officers' concern that he had a weapon.

(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
Edition: WED. MAR 6, 1991
Front Section, Page 1

Title: TAPE OF L.A. POLICE BEATIN SUSPECT STIRS PUBLIC FUROR

Character: CIVIL RIGHTS
or
Classification: 80-33B; 44A-LA-11995

Submitting Office:
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MAR 12 1991

FBI — LOS ANGELES

FBI/DOJ

44A-LA-119954-D-9

King finally lay down on the ground at the officers' orders, Talkington said, but resisted being handcuffed, causing Officer Laurence Powell to lose his balance and fall.

"That's when the fight started," Talkington said.

King charged toward Powell, and Sgt. Stacey Koon fired a stun gun dart at King, hitting him in the back, Talkington said. Although momentarily incapacitated, King recovered and charged toward the officers again, the detective said. Powell and Officer Timothy Wind then drew their batons and struck King on the arms, legs and torso.

Talkington said King continued to kick and swing but was subdued by several officers, using a method Talkington called "the swarm technique."

The video—shot by amateur photographer George Holliday—shows no indication that King attempted to hit or charge the officers.

Three witnesses who live in the same building as Holliday—directly across the street from where King's car was stopped—said Tuesday that they did not see King fight the officers.

"I never saw him offer any resistance," said Eloise Camp, 65, a retired school teacher.

Dorothy Gibson, 52, a nurse, said she saw one officer wal[illegible] King with two hands o[illegible] and swinging it like a ba[illegible] onto the man's back. The[illegible] said she could hear King pl[illegible] "'Please stop, please stop.'"

Afterward, Gibson said the cers "were all laughing and chu[illegible] ling, like they had just had a party."

Camp and neighbor Josie Morales, a service representative with the Department of Water and Power, said they saw the entire incident and watched as King emerged from the car. At no point, they said, did they see him resist.

Police spokesman Lt. Fred Nixon offered no explanation for the incident, saying only that it is under investigation. He said that, to his knowledge, none of the officers had been disciplined, or relieved of duty.

Two passengers in King's car cooperated with officers and were released, police said.

King was being held Tuesday for investigation of a parole violation at the Los Angeles County Jail. No charges have been filed against King.

After his arrest, he was treated at two hospitals, including the jail ward at County-USC Medical Center. Hospital officials declined to comment on the extent or nature of his injuries.

King's wife, Crystal Waters King, said Tuesday she visited her husband for five minutes at the jail ward Sunday. She said her husband has a broken leg and the right side of his face is disfigured.

Crystal King said her husband told her he was going fast on the freeway, but that he slowed down when told to pull over by police. He stepped out of the car "and all of a sudden they started beating on him," she said. "He said he didn't do anything. That's all he kept saying.

"I thought the police were supposed to protect us," the woman said. "It was a traffic violation. Why couldn't they just arrest him, or fine him, or something?"

At KTLA, which originally broadcast the tape Monday night, news director Warren Cereghino said the newsroom had received nearly 300 calls from viewers by late Tuesday. He said the callers responded to the tape with "total shock, anger and disgust."

KTLA provided a copy of the tape to Cable News Network.

By any measure, it was a dark day at Parker Center, the downtown police headquarters, where phone operators were also deluged with calls from angry citizens. At the department's press relations section, Nixon sat in his office with a stack of five videotapes on his desk—copies for senior police officials.

Police Commissioner Melanie Lomax said the incident was only the latest involving alleged abuses against African-Americans.

"It is a clear case of outrageous police behavior. . . . This whole incident can only be termed disgraceful," she said, adding that "beatings like this tend to result in the loss of confidence of citizens in the police. The department needs to act immediately to restore public confidence."

Civil rights groups and police watchdog organizations—among them the National Assn. for the Advancement of Colored People, Southern California Civil Rights Coalition and Police Misconduct Lawyers' Referral Services—joined the American Civil Liberties Union in calling for an independent investigation of the Police Department and suspension of the officers involved.

"[This] is not an isolated incident," declared Ramona Ripston, executive director of the Southern California chapter of the ACLU. "The difference this time is that we have the proof. . . . on tape."

Samuel Paz, who serves on the Hispanic Advisory Council to the Police Commission, said that the Police Department has "routinely ignored and disobeyed" commission policies for investigating brutality complaints.

Of the video, he said: "What you've seen is evidence of a de-

partment's failure in any way to prohibit the excessive use of force. . . . This is a typical street justice scenario. . . . That is, unfortunately, standard fare for the Los Angeles Police Department."

Court records show that King was arrested Nov. 13, 1989, in the Nov. 3 robbery of a Monterey Park grocery store. Grocer Tae Suck Baik testified that King threatened him with a tire iron. King was charged with robbery and assault and later pleaded guilty to second-degree robbery. He was sentenced in February, 1990, to 2½ years in prison. Credited for time already served, he was released in December.

After serving six months in prison, King wrote a letter to Superior Court Judge Lillian M. Stevens, asking that his sentenced be reduced. The request was denied.

"I have seriously been thinking about what happened," King wrote, "and I think if it is possible that you can give me another chance, your honor, I have a good job and I have two fine kids who wish me home."

Times staff writers Tracy Wood, Steve Padilla, Ashley Dunn, Sheryl Stolberg and Faye Fiore contributed to this report.

LAPD'S USE OF FORCE POLICY

Here is the Los Angeles Police Department's use of force policy as contained in the department's official governing manual.

"In a complex urban society, officers are daily confronted with situations where control must be exercised to effect arrests and to protect the public safety. Control may be achieved through advice, warnings and persuasion, or by the use of physical force. While the use of reasonable physical force may be necessary in situations which cannot be otherwise controlled, force may not be resorted to unless other reasonable alternatives have been exhausted or would clearly be ineffective under the particular circumstances. Officers are permitted to use whatever force that is reasonable and necessary to protect others or themselves from bodily harm."

U4A-LA-119954-D-8

MAR 1991

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(Indicate page, name of newspaper, city and state.)

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Title: FBI JOINS LAPD PROBE OF TAPED POLICE BEATING

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MAR 12 1991

FBI — LOS ANGELES

FBI joins LAPD probe of taped police beating

By Howard S. Gantman
COPLEY NEWS SERVICE

Already rocked by the resignation of several top staff members and commissioners, the Los Angeles Police Department was jolted Tuesday by the nationwide broadcast of officers beating a man with nightsticks as he hunched over on the ground.

In addition to an investigation already begun by the LAPD's Internal Affairs Division, the FBI and District Attorney's Office on Tuesday announced independent probes of the beating.

Police Chief Daryl Gates said he found the violence "shocking," but defended the department's record.

"Anyone who views the tape would probably hasten to make a judgment," Gates told the city's Police Commission at its weekly meeting. "But even if we determine the officers were indeed out of line in this case, it is an aberration."

Mayor Tom Bradley said he was "as shocked and as outraged as anyone" by the event, which occurred early Sunday morning in the Lake View Terrace district of the northeast San Fernando Valley.

"This is something that we cannot and will not tolerate," Bradley said. "It is now a matter of our identifying and finding witnesses — developing the information. I assure you that once that's done, appropriate action will be taken by the Police Commission."

A home video made by amateur photographer George Holliday shows Rodney King, 25, a heavy-set man dressed in light pants and a dark T-shirt, being beaten and kicked by a group of police officers after they pulled him out of a car.

The tape was first aired Monday night on independent television station KTLA and subsequently broadcast Tuesday throughout the nation.

The officers used their nightsticks to strike King on the back of his legs, the kidney area and the head while several others watched.

Lt. Fred Nixon, a police spokesman, said initial reports indicated King "did not submit willingly to arrest." Nixon also noted that a Taser stun gun had been used to try to subdue King.

The altercation occurred after California Highway Patrol officers sought assistance from Los Angeles police in the chase of a car driven by King that had been speeding on the freeway at more than 100 mph, Nixon said.

Late Tuesday, Los Angeles police said King had been booked at the jail ward at County-USC Medical Center and was being held on an alleged parole violation.

Several civil rights groups, who have often tangled with Gates in the past, called on Bradley to order an independent city probe of the incident.

"The time has come to take a very deep look at what the department does," said Ramona Ripston, head of the Los Angeles chapter of the American Civil Liberties Union.

"Chief Daryl Gates must be held responsible for this kind of brutal response. We know from complaints we receive in this office that brutality takes place frequently in the city," Ripston said.

Police Commissioner Melan[illegible] Lomax, a black community [illegible]tivist, said she saw no [illegible] evidence the attack was [illegible] motivated, but said "so[illegible]cal and serious quest[illegible] been raised." King is bla[illegible]

"I think an incident of this nature causes a tremendous loss of confidence in the citizenry about the behavior of the Police Department," Lomax said.

The new controversy came while the 8,400-member department is reeling from an unprecedented series of violent acts against officers last month, including the fatal shooting of Tina Kerbrat, the first female LAPD officer killed on duty.

After Kerbrat was slain, Gates described her killer, who was himself shot and killed by police, as "an El Salvadoran drunk — a drunk who doesn't belong here."

The remarks were called racist by several civil rights leaders who demanded an apology from Gates. While the chief conceded he did not mean "good Salvadoran people" should be held accountable, he refused to apologize.

Commissioners resign

In other developments, Police Commission President Herbert Boeckmann and board member Reva Tooley resigned Monday rather than disclose their financial assets under the new ethics law.

At the same time, Assistant Chief Jessie Brewer — the city's highest-ranking black officer — has retired, and Gates' heir-apparent, Deputy Chief William Rathburn, has taken the police chief's job in Dallas.

The moves by Rathburn and Brewer were part of a continuing trend of top brass leaving the LAPD because of a lack of advancement opportunity while Gates, who has been chief for 13 years, remains in office.

The department also has been sued by the state's Fair Employment and Housing Department for allegedly failing to promote a sufficient number of Hispanics and blacks to higher-level positions.

Last fall, concerned that the Police Commission was doing an inadequate job overseeing the LAPD, Bradley appointed Lomax and attorney Dan Garcia to the panel, replacing two veteran members.

The shake-up was seen partly as Bradley's reaction to complaints about Gates' remark that "casual drug users ought be taken out and shot" and a police drug raid that resulted in the beating of a group of inner-city residents and the ransacking of their apartments.

But it was also seen as Bradley's attempt to pressure Gates from the job and perhaps have him replaced by Rathburn, who earned high marks for guiding anti-gang efforts in South-Central Los Angeles and had been recently named the city's new "drug czar."

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Title: VICTIM'S ACCOUNT OF THE POLICE BEATING

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Victim's Account of the Police Beating

The following is an edited transcript of Rodney King's account of his beating and the events that led up to it. It was delivered to the media Wednesday from jail before his release. King opened with a short statement, which was followed by questions from reporters.

I got pulled over by an officer. He said, "Pull the car over." Shortly after that, I got off the freeway and I pulled to the slow lane and I pulled over toward the curb and stopped the car.

He said, "Put your hands where I could see them. . . ." I put my hands up towards the front windshield. . . . They said, "Take your left hand, open up the car door." I took my left hand and I opened up the car door. And I left my left hand outside the car door [and] put my other hand outside the car door . . . where they could see it. . . .

They said, "Get out of the car, lay down." I got out the car and I laid down. They said, "Face down on the pavement, face down. . . ."

They already had their guns out and everything and they walked over, they handcuffed me and tied me and then they shocked me . . . with some kind of device . . . and they struck me across the face.

After they shocked me the first time, they paused for a minute and then they struck me across the face real hard with a billy club. . . . I was laying face down with my hands tied and they shocked me again on the other side of my shoulder. . . .

I could hear some kind of little rumbling back in the back, something like, "Turn your head, turn your head. Turn around, turn around." And after that, they continued to pound on me and beat on me, all over my body, all over my body.

My ankles, they beat where it hurt in my ankles. They beat my whole body where it hurt. You know how it feels when you get your ankles or your knees hit in football? It hurts. It hurts real bad, 'cause it was hit with a stick. And the same with my face, my jaw.

I was scared. I was scared. I was scared for my life. So I laid down real calmly and took it like a man.

King was asked if he resisted the officers or struck back.

No, no, no. I wouldn't strike back. . . . No one would strike back against four or five guns aimed at him. When I went to move the other hand out the car, immediately I was looking down a barrel of one of the officer's guns. I could tell you how much lint was in the barrel.

He was asked about police accounts that he led them on a 115-m.p.h. chase.

There was no chase. I didn't see any police lights until I got off the freeway and got a few blocks down. That's when I noticed the police [were] in back of me, pulling to the side and then pulling to the curb. There was no chase.

Why, then, did he think police stopped him?

I may have been speeding just a little bit. The speed limit is 40, uh, 35. And I was going maybe 40, 45 miles an hour.

What did he hear during the incident?

I couldn't hear. . . . I heard a little bit of yelling and . . . they beat me so bad I could not pay attention to what they were saying.

King was asked what he thought of the police.

They consider themselves different humans than we are. . . . They're all a family. And they're a big family and they're one family, and we're another family.

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(Mount Clipping in Space Below)

Chief Gates Must Step Aside

Police Chief Daryl Gates has consistently set a tone for his department that is a primary cause of its unfortunate record of violent and abusive behavior. In the early 1980s, he scoffed at the fact that several black men had died in police custody from police choke holds. His explanation? Blacks didn't have "normal" windpipes, and were more susceptible to such damage. In 1989, Gates replied to a finding that an innocent Latino family had been beaten by police by saying that the family was lucky that their beating had not been worse. Just a few months ago, Gates suggested that all casual drug users be shot. Then he disparaged the entire Salvadoran community because of the criminal behavior of one Salvadoran man.

RAMONA RIPSTON
Exec. Director, So. California American Civil Liberties Union

What happened Sunday morning was unfortunately not an aberration in the attitude and behavior of the Los Angeles Police Department. The consistent violent behavior exhibited by its officers, combined with blatant mistreatment of minorities, indicates a problem with roots deep and wide. A police force is only effective in preventing lawlessness when its own officers are not promoting lawless behavior.

We can't allow Daryl Gates to draw a circle around the 10 men who were present at the beating and pretend that the problem has been taken care of. The brutality that was exhibited Sunday is part of a much larger problem of leadership gone awry.

After years of controversy, after years of multimillion-dollar hospital and trauma bills being paid out to victims of police misconduct, there is only one answer to the problem facing Los Angeles today. In the interest of the department and the city, the time has come for Chief Gates to step aside.

(Indicate page, name of newspaper, city and state.)

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(Mount Clipping in Space Below)

Beating Victim Says He Obeyed Police

■ Law enforcement: He is freed from jail. D.A. files no charges against him.

By TRACY WOOD
and FAYE FIORE
TIMES STAFF WRITERS

Rodney Glen King, his face battered and one eye swollen half-shut, gave his version Wednesday of a beating he took at the hands of Los Angeles police officers, insisting he obeyed their commands and did nothing to provoke their ferocious attack.

"I was scared, I was scared for my life. So I laid down real calmly and took it like a man," King, clad

■ **RELATED STORIES:** B1

in a blue hospital smock, said from a wheelchair at County Jail hours before his release Wednesday night, more than three days after the attack.

A 25-year-old unemployed construction worker, King was freed after the district attorney's office announced there was not enough evidence to file criminal charges at this time.

Meanwhile, eyewitnesses continued to come forward with testimony that flatly contradicts what the officers involved contend was an effort to arrest a man who was combative and attempting to escape.

King was wheeled out of the Men's Central Jail severely bruised and in a leg cast, but waving and smiling to a crowd of reporters at 8 p.m. He had been in custody since shortly after the Sunday morning incident that was captured by an amateur photographer on videotape and subsequently sparked public outrage over the tactics of the Los Angeles Police Department.

Mayor Tom Bradley on Wednesday, in unusually strong terms, vowed that "justice will be meted out to those who deserve punishment." And he called for a broad investigation into what he termed a disturbing pattern of local police abuse, particularly against minorities.

"I am as shocked and as outraged as anyone," the mayor, himself a former police officer, said at a news conference. "This is something which we cannot and will not tolerate. . . .

"I assure you that every appropriate action will be taken by the Police Department and the Police Commission."

The mayor alluded to the alleged harassment of former professional athletes Joe Morgan, who recently won a $540,000 jury verdict against the city for the actions of an LAPD narcotics officer, and Jamaal Wilkes. The department has also been roundly criticized for its handling of the so-called 39th and Dalton case, in which four officers allegedly helped destroy property in several apartments.

The mayor said several officers who took part in King's beating have been relieved from field duty pending investigation of what appears to be a fierce attack of kicking, clubbing and shots from a stun gun delivered to a man who was lying on the ground, seemingly defenseless.

The Police Department, besieged by public criticism, shut down the release of any information about the attack and declined to say how many officers were put on restricted duty, or even how many were involved.

The videotape revealed that as many as a dozen officers surrounded King and at least three took part in the clubbing, while others stood by and watched.

"They are now working either at a desk or are on vacation," Bradley said of the officers. "They are on other assignments. They are not going to be working the streets and dealing with the public."

Police Chief Daryl F. Gates has ordered an expedited departmental investigation of the beating, which has fallen under intense criticism as the stunning tape continues to be played over and over by television networks across the country.

The mayor's office and the American Civil Liberties Union have been swamped with calls from people revolted by what they saw.

The Police Department contends that King was resisting arrest after a car chase they say hit speeds of up to 115 m.p.h. But prosecutors say police, so far, have failed to prove their case.

The officers who clubbed and kicked King on Sunday failed to interview available witnesses—including two passengers in King's car—or to conduct a thorough investigation to support their claims that King was combative and evading them, the district attorney's office said.

"We have sent the case back [to police] for further investigation," Deputy Dist. Atty. Don Eastman said. "There are a lot of things we want to look at and a lot of witnesses who were not interviewed."

Prosecutors did not rule out charges being filed against King in the future, alleging that he may have been drunk at the time. No chemical tests were conducted after his arrest because he was in need of immediate medical attention for his injuries, including severe bruises, blows that disfigured one side of his face and, according to his wife, a broken leg.

(Indicate page, name of newspaper, city and state.)

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FBI/DOJ

"It is not a rejection [of the case] forever, or an indication that we are going to file," said Roger Gunson, head of the district attorney's Special Investigations Division.

Meanwhile, accounts from the California Highway Patrol suggested that what should have been a relatively simple arrest at 12:30 a.m. Sunday morning escalated wildly out of control.

The pursuit of King's white 1988 Hyundai was initiated by CHP officers, who estimated that King's car was hitting speeds as high as 115 m.p.h. on the westbound Foothill Freeway. The CHP said they called for assistance and had pulled King over in Lake View Terrace in the San Fernando Valley when several LAPD officers "jumped into the mess," said a law enforcement source familiar with the report CHP officers filed with their supervisors.

When the sedan finally stopped in the 11700 block of Foothill Boulevard, King was ordered out of the car via a loudspeaker and he "appeared to be acting funny, but not violent—laughing and pointing up to the LAPD helicopter that was there."

The source said that a police sergeant told the CHP that his officers would handle things. Witnesses said King was already lying on the ground when a police officer shot him with a stun gun, delivering an electrical shock of 50,000 volts. Officers then clubbed him wildly. There was a brief lull and King lay silent until one officer stomped on his head.

One of the CHP officers at the scene exhorted the police officers to stop the beating but was told, in effect, to "stay out of it," according to the source.

"Basically, they beat the guy half to death," the source said.

King was later hogtied, with handcuffs around his wrists and ankles, then taken away in an ambulance.

As King talked about the beating Wednesday, his speech was slurred and repetitive. He seemed dazed. And his account of what led to the attack differed considerably from that offered by police.

"There was no chase," King contended, insisting that he was doing 45 m.p.h. in a 35-m.p.h. zone.

After he pulled his car to a stop, King said he was told to put his hands in full view and that he complied. Police told him to get out of the car and lie down, and King said he did.

"They shocked me . . . they paused for a minute and then they struck me across the face real hard with a billy club," King said, his face lopsided with swelling and a fresh scar on his right cheek. He lifted his hospital garb to show other marks, a large bruise on his chest, a fading one on his arm, part of his right leg in a cast.

"My ankles. They beat where it hurt in my ankles, they beat my whole body where it hurt. . . . It hurts real bad."

King, who stands 6-foot-3 and weighs 225 pounds, said he did not resist police.

"No, no, no. I wouldn't strike back," King said. "I don't think no one would strike back against four or five guns aimed at him."

King's attorney, Robert Rentzer, said some of King's teeth were knocked out. A doctor who treated him said King took at least 20 stitches, five of them in the mouth, and had so many cuts that he required antibiotics to prevent infection.

"He looked like he was run over by a freight train," Rentzer remarked. "He is in pain and has some problems with his memory. The word terrible doesn't describe how he looks."

The investigation into the alleged police brutality moved steadily forward Wednesday.

John R. Dunne, assistant U.S. attorney general for civil rights, said the Justice Department is conducting a parallel inquiry to ensure that local authorities do a proper job.

The violent images of white

police officers pounding an apparently defenseless black man have raised the ire of civil rights groups from the ACLU to the National Assn. for the Advancement of Colored People, and has brought one more embarrassing controversy to a Police Department recently saddled with plenty.

Former Laker Jamaal Wilkes alleges the LAPD detained him because of the color of his skin last December when he was pulled over and handcuffed by two officers.

Disclosure of Wilkes' complaint came on the heels of the federal jury award of $540,000 to former major league baseball player Joe Morgan, who alleged in a lawsuit that he was illegally detained and roughed up in 1988 by a Los Angeles police officer who had mistaken the Hall of Famer for a drug runner. Morgan was grabbed by the neck at Los Angeles International Airport, thrown to the floor and handcuffed before a crowd of onlookers.

In recent months, Bradley has moved to strengthen the civilian Police Commission that oversees the department, but lost two veteran members through resignations this week.

While Gates called the beating an aberration, Bradley said it points to a breakdown in leadership that begins with the chief himself.

"The supervision does, in fact, flow from the top of the department down—through his orders and instructions, through his training," the mayor said. "All of that is connected. We want to see where there was a breakdown, a departure from established orders and procedures in this case."

Neither Gates nor any other police official would comment on the King case, pending the outcome of the department's internal investigation.

Police contend King fought their attempts to restrain them. But the videotape made by amateur photographer George Holliday from the second-floor balcony of his nearby apartment—along with more than a dozen eyewitness accounts—have called into question the police officers' version.

Josie Morales, who was asleep in her apartment when she heard Sunday night's commotion, said about 10 police officers formed an irregular circle around the prone King. She said she saw an officer shoot him with the stun gun and then begin clubbing him. King tried to get up when two more officers struck him with batons.

"He didn't touch anybody. He got up and ran blindly, but not running at anyone, just trying to get away," Morales said. "We thought maybe they'd stopped him for guns or drugs or even murder. . . . There was nothing that the guy did that could warrant that kind of beating. . . ."

King, 25, from Altadena, had been working as a maintenance man at Dodger Stadium but was to start a construction job on Monday, the day after the incident with police.

He was released from prison in December after serving a year for second-degree robbery. A parole supervisor speculated that he might not have stopped because he feared a speeding ticket would jeopardize his parole. But King said he pulled over as soon as he saw the red lights.

"I may have been speeding just a little bit," he said Wednesday.

King's attorneys said they were preparing to file a civil rights suit against the LAPD.

"But for the tape I'm not sure justice would have been done," Rentzer said. "We don't know what the full extent of Mr. King's injuries are . . . it could be worth millions of dollars."

But King's family emphasized through their lawyers that their case would not be about racism.

"They are not looking to turn this into a racial crusade," Rentzer said. "His rights were totally violated [but] it's his rights, not the rights of a race or creed or a religion that's at issue here. It's the rights of a human being."

Times staff writers Leslie Berger, Richard Lee Colvin, Ashley Dunn, Nieson Himmel, Carl Ingram, Ronald J. Ostrow, Sheryl Stolberg and Lois Timnick contributed to this story.

Associated Press

Rodney King shows bruise on chest prior to being released from jail.

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(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

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FBI — LOS ANGELES

Bradley, lawmakers urge probe of brutality

By Howard S. Gantman
COPLEY NEWS SERVICE

With the outcry growing over a videotape showing Los Angeles police repeatedly beating a black man, Mayor Tom Bradley and two City Council members called separately Wednesday for probes of police brutality in the city and its possible racial motivation.

Bradley and other top officials were so "overwhelmed" by thousands of angry callers from all over the country who had seen the tape that the mayor drafted a letter that will be sent to them proclaiming his shock and outrage.

"I will stop at nothing less than learning the complete truth in this outrageous case," Bradley wrote. "Justice will be meted out to those who deserve punishment."

The mayor said he wants a Police Commission investigation to "go beyond" the individual beating and examine whether there has been a failure in leadership and training or even a racial motivation in several recent controversial incidents involving blacks or Hispanics.

Councilman Zev Yaroslavsky called for the Public Safety Committee to immediately hold hearings throughout the city to take public testimony on whether there is a pattern of excessive force by police and whether it is sparked by racial bias. A vote is expected next week on the motion.

"I am outraged by this incident, and the public is outraged," Yaroslavsky said. "There needs to be a hard look at what is going on in the department and what is going on in the streets of the city."

Councilman Michael Woo introduced a separate motion directing Police Chief Daryl Gates and the Police Commission to report to the council next week on the status of their probes.

In a related development, prosecutors rejected the police request to file charges of evading arrest and reckless driving against Rodney Glen King, 25, the apparently defenseless man struck by baton-wielding officers after a car chase early Sunday.

Sandi Gibbons, spokeswoman for District Attorney Ira Reiner, said prosecutors concluded a more detailed investigation was needed before any charges could be filed against the Altadena resident.

King, released from state prison in December after being paroled from a 2½-year sentence for robbery, had been held in jail without bail since Sunday on suspicion of violating parole.

But based on an interview with him and other circumstances, parole officials decided he should be released Wednesday, said state Department of Corrections spokesman Jerome DiMaggio.

Shortly before he was released, King held a brief news conference with pool reporters at County Jail and denied police allegations that he had resisted arrest.

"I was scared for my life," King said. "So I laid down, and I took it like a man."

Sitting in a wheelchair, King displayed the many cuts and bruises that covered his body, including a cast on his right leg, scars on his chest from a police stun gun, a battered face and a

44A-LA-119954-D-12

FBI/DOJ

THE ASSOCIATED PRESS

Rodney King shows a bruise on his chest during a news conference at County Jail. His wounds include many cuts, a battered face and a blackened eye.

blackened eye.

"I was in pain," King said, "but sometimes you get beat so bad to where you don't feel it no more."

King said he recalled no racial slurs from the arresting officers, but noted police "consider themselves different humans than we are. . . . They are one family, and we are another family."

A probe by the district attorney's Special Investigations Division into possible police misconduct during the arrest was proceeding "briskly," Gibbons said. She noted that a determination of whether criminal charges would be filed against the officers could be made within the week.

The FBI is also conducting an independent investigation of possible civil rights violations by the police officers, who have been taken off field assignments during the duration of the inquiries.

According to the district attorney, Los Angeles police believed King had been driving while under the influence of alcohol or drugs and evaded California Highway Patrol officers during a pursuit at more than 115 mph.

In an interview Wednesday on the "Today Show," Bradley said the officers in the video were "absolutely out of control."

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(Mount Clipping in Space Below)

Cameraman's Test Puts Him in the Spotlight

By STEVE PADILLA and LESLIE BERGER
TIMES STAFF WRITERS

George Holliday wasn't thinking about civil rights early Sunday when he aimed his new video camera at the street below his second-floor apartment and documented a scene that has shocked the nation.

Getting the gadget to work and capturing "just a bit of action on my new camcorder" were the chief concerns of the Lake View Terrace resident, who admits he was barely aware of what was unfolding as he filmed it.

Only when he popped the tape into his VCR a few minutes later did Holliday begin to appreciate what he had. Even then, he said Wednesday, he figured it might earn a short spot on the local news.

Instead, the tape he sold to television station KTLA for $500 was broadcast nationally by Cable News Network and other networks, its graphic portrait of police violence stirring a public outcry and prompting investigations by the Los Angeles Police Department, the county district attorney and the FBI.

"I really didn't think it was going to turn out this way," said Holliday.

Like many tenants of the Mountain Back Apartments at 11777 Foothill Blvd., Holliday, 31, was awakened by the sound of helicopters and went to his balcony where he saw an arrest taking place at the corner of Osborne Street.

Holliday, who manages a plumbing business in North Hollywood, had been taping just about anything to practice using his SONY Handicam—"a cat licking its paw," he said, giving one example. The same tape depicting the beating of Rodney Glenn King of Altadena includes footage Holliday shot at a neighborhood bar, where Arnold Schwarzenegger has been filming "Terminator II."

"By the time I got the camera on they were hitting him, and I just happened to get that action," Holliday said. "I guess I didn't realize until I watched it on TV that they were hitting him."

Holliday phoned the TV station the next day and was nonchalantly told to drop off his tape. An hour after he brought it in his phone rang: It was the station, saying "we want to talk to you right now."

The phone hasn't stopped ringing since—at work or at home.

"I haven't been able to do any work today," said Holliday, who seemed barely fazed by calls from TV stations as far away as Atlanta and Minneapolis.

Nor is he worried about possible repercussions.

"A lot of people are telling me, 'Hey, watch out!' I personally don't think anything's going to happen but my wife is afraid," said Holliday, who said he is reserving judgment on his now-famous tape.

"I didn't see what started the beating," Holliday said. "All I know is when I came out, this was going on."

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Metro Section, Page 1

Title: CAMERAMAN'S TEST PUTS HIM IN THE SPOTLIGHT

Character: Civil Rights
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MAR 20 1991

FBI — LOS ANGELES

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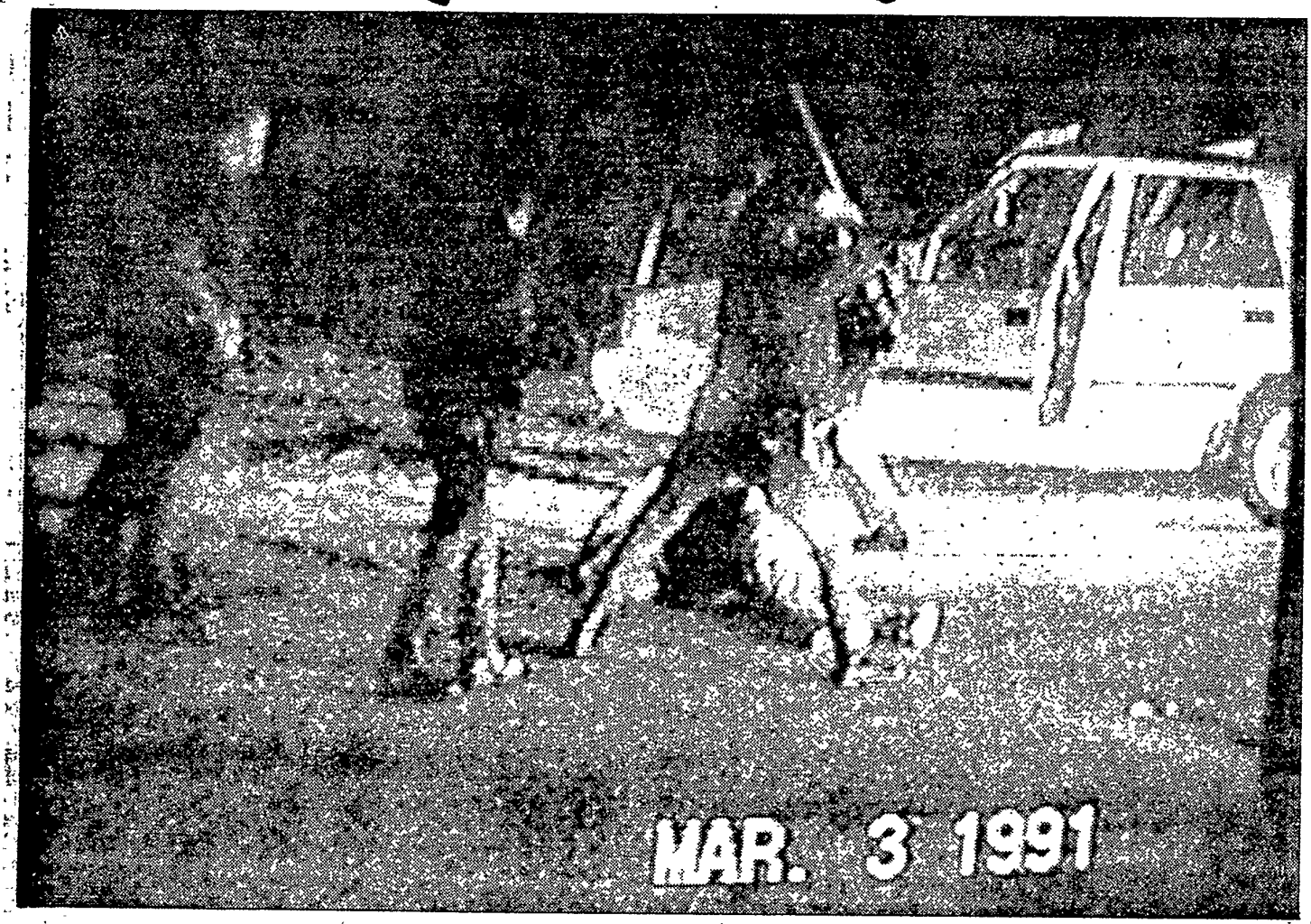
FBI/DOJ



KTLA

Shot taken from George Holliday's home video shows Los Angeles police officers hitting suspect on the ground.

HYUNGWON KANG / Los Angeles Times

'A lot of people are telling me, "Hey, watch out!" I personally don't think anything's going to happen but my wife is afraid.'

GEORGE HOLLIDAY

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
Date: THURS., MAR 7, 1991
Edition: METRO SECTION, PAGE 6

Title: THE INVESTIGATION OF A VIDEOTAPED BEATING

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MAR 20 1991

FBI — LOS ANGELES

The Investigation of a Videotaped Beating

Shocking incident leads to worrisome questions about L.A. police

The cops thought nobody was looking—but some folks made good use of a video camera, and now the whole world has seen a deeply disturbing and shocking vision: at least 10 officers, clearly out of control, wielding their batons like baseball bats, ferociously beating and kicking a black man who lay helplessly on the ground.

This shameful violence committed by Los Angeles police officers last Sunday night has drawn a collective national gasp of horror as the videotape has played time and again on television. The victim, Rodney King, was driving at speeds in excess of 100 miles per hour on the Foothill Freeway but refused to pull over, according to the California Highway Patrol. The CHP requested assistance from the Los Angeles Police Department when King drove from freeway to surface streets in the Lake View Terrace section of the San Fernando Valley. Whatever King's actions, there can be no justification for the brutality.

From George Holliday video

Videotape shows L.A. police officer about to beat suspect while others watch.

Mayor Bradley, a former cop, has strongly condemned the violence and the improper use of the batons. He has also called for additional training for officers and asked the department to determine if there is a pattern of excessive use of force against minorities.

So far Los Angeles Police Chief Daryl F. Gates, however, has tempered his remarks with a caution against a quick judgment until a high-priority internal investigation is completed. Fair enough, perhaps; the chief is upholding his obligation to respect the rights of his officers. But what about his obligation to reassure the citizens of this city? Where was his outrage over the patently inappropriate use of force by his officers?

Obviously the chief does not endorse police brutality. But through his occasional shoot-from-the-hip, insensitive remarks over the years (chokeholds and blacks versus "normal" people; Latino officers who were "lazy," and other such comments), has Chief Gates unwittingly sent the wrong message to his troops? Does departmental culture tacitly encourage macho cops to use whatever they can get away with in their "war" against crime?

Because the victim was black, the incident inevitably raises questions about police and race relations in Los Angeles. Is there a disparity between the treatment of minority men, blacks particularly, and others? Is there a link between the recent official state findings of discrimination against black and Latino officers within the department and the treatment of black and Latino men who are stopped by police?

Businessman and former Lakers basketball player Jamaal Wilkes complained recently that LAPD officers stopped him, ordered him out of

44A-LA-119954-D-14

FBI-DOJ

his car and handc[illegible] him because his re[illegible] tion was *about* to e[illegible] Baseball Hall-of-Famer Joe Morgan recently won a federal jury award of $540,000 because an officer mistook him for a drug courier, roughed him up and illegally detained him at Los Angeles International Airport. Similar suits and settlements involving police misconduct cost the city more than $8 million last year alone.

The Los Angeles County district attorney's office is investigating the King incident to determine if the police officers broke any laws. The FBI is investigating to determine if a civil rights violation took place. Did the supervisor at the scene order his men to stop? Did other officers attempt to stop their colleagues? What would have happened to King's complaints of abuse if the incident had not been videotaped?

The frightening images, captured by amateur cameraman George Holliday, are a grim reminder of a time and place when all black people were fair game for white cops. That is not the case today. The entire Los Angeles Police Department should not be smeared by the improper actions of the officers involved in the beating.

But until the extent of the problem is identified and the public is fully reassured that this violation of policy will not happen again, top Los Angeles Police Department management must understand that a hot, bright spotlight is now on them.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
Edition: THURS., MARCH 7, 1991
METRO SECTION, PAGE 1

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MAR 20 1991

FBI — LOS ANGELES

Witnesses Depict Relentless Beating

■ Police: Accounts of Rodney Glen King's arrest describe repeated striking and kicking of the suspect. LAPD officers said King's actions justified the treatment.

By HECTOR TOBAR and RICHARD LEE COLVIN
TIMES STAFF WRITERS

Rodney King's white Hyundai came to a stop on a busy San Fernando Valley street in front of a sprawling apartment complex.

It was 12:30 a.m. Sunday, and the flashing lights of several patrol cars illuminated the scene. A police helicopter circled overhead, and its thumping sound began to draw tenants to their windows. At least one of them reached for a home video camera.

In the next few minutes, King would be surrounded by at least a dozen Los Angeles police officers, some of whom beat him fiercely. The officers apparently were unaware they were being recorded on videotape.

The officers involved would report later that the beating was justified by King's threatening actions in the first seconds when he emerged from his car.

The videotape—which was broadcast nationally and fueled a public outrage—did not capture these first moments. But eyewitnesses who watched the beating later contradicted the officers' accounts.

What follows is a reconstruction of the brief but furious incident. It is based on interviews with eyewitnesses, investigators and others involved in the case.

It began on the westbound lanes of the Foothill Freeway, where King and two passengers—known to King's attorneys only as "Junior" and "Poo"—were speeding through Sun Valley, heading away from his Altadena home.

According to a California Highway Patrol report, King passed a patrol car at about 115 m.p.h, but then slowed to 80 m.p.h: after passing. The CHP officers, a husband-and-wife team named T.J. and Melanie Singer, gave chase, flashing red lights at the Hyundai, which slowed down but did not stop, said CHP spokesman Sgt. Mike Brey.

King would later tell a parole officer that he didn't stop because he feared that a speeding ticket would jeopardize his parole, sending him back to prison. He was convicted last year of second-degree robbery.

In a televised press conference before his release from jail, King acknowledged: "I may have been speeding, just a little bit."

The car left the freeway at Paxton Street, rolling through a stop sign at the bottom of the off-ramp at about 50 m.p.h., according to police accounts. The CHP officers were entering the jurisdiction of the Los Angeles Police Department, Brey said, and the Highway Patrol officer radioed the LAPD, which took up the chase.

King proceeded through surface streets, running red lights at speeds of up to 80 m.p.h., Brey said. The Hyundai finally stopped in the 11700 block of Foothill Boulevard, on a four-lane stretch of the road. On one side of the road was a sprawling, two-story apartment complex; on the other, Hansen Dam Recreation Area, notorious locally as a drug-dealing haven.

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FBI/DOJ

According to Brey, as the patrol cars came to a stop, the LAPD officers told the Highway Patrol officers that they would handle the arrest. One law enforcement source said an LAPD sergeant told the Highway Patrol officers, in effect, to "step out, we'll take it."

At the Mountainback Apartments on Foothill Boulevard, Sylvia Sales said she heard a voice over a loudspeaker that said, "Pull over at the light or you'll get hurt."

Another tenant, Josie Morales, 26, a service representative for the Department of Water and Power, was awakened by the noise. She and her husband, Heriberto, moved to their balcony and stood on a lawn chair, watching as the incident unfolded.

King's car and at least five police cars had come to a stop, Morales said. For a moment, no one in the cars moved.

A muffled shout from a police officer followed, Morales said.

According to a law enforcement source, King acted oddly but in a non-threatening manner when he got out. He looked up at the helicopter lights and began to laugh, the source said.

King stepped out and put his hands on the roof of his car. "He never moved his hands," Morales said. "Then I heard another voice yell. . . . The driver [King] moved away from the car and laid down. . . . He lay there 30 seconds more."

King later would recall a police officer telling him to place his hands on the windshield, then ordering him to open the door with his left hand.

"I got out of the car and I laid down," King said. "They said, 'Face down on the pavement. . . .' I laid down."

Morales watched as about a dozen police officers surrounded King. A few other officers were standing near their vehicles.

As King lay on his back, Morales said, one officer fired a shot at him from what apparently was a Taser stun gun, which transmits a powerful electrical charge into a suspect. The shot from the gun struck King on the chest, leaving a burn scar that he displayed to reporters Wednesday.

The officer who fired the gun began hitting King with a nightstick, Morales said. After being struck several times, King tried to get up and two other officers began to strike him as well.

Morales then noticed neighbors out on their balconies. Next door, George Holliday brought out his new video camera and began taping. By that point, Morales said, the beating had already been going on for at least three minutes.

About 10 other witnesses offered similar, though slightly varying accounts to Times reporters. One witness, Dawn Davis, reported seeing 10 officers pointing their guns at the car. None of the witnesses said they saw King fight back after the beating began.

Davis, 26, said she heard one officer yell, "Fighting!" Six of the officers then wrestled King to the ground and began to hit him with their batons.

"He was face down and he wasn't fighting or anything," Davis said, "and then they were still hitting on him."

Two or three officers carried on the beating, Davis said, interrupted only by a plainclothes officer who tried to stop them. Davis said he was shoved aside.

"We heard a cop say, 'Put your hands behind your back' and every time he'd move, they'd hit him again," she said. "I was crying. I was praying for the guy. . . ."

King said the beating began after he was shot by the stun gun.

"They struck me across the face with a billy club after I was laying face down with my hands tied," King said.

It does not appear on Holliday's videotape that King's hands are tied.

The tape begins with King on his knees as he receives 10 quick blows from an officer's baton. It shows about a dozen officers gathered around King, watching. King begins to stand up and lifts an arm, somewhat meekly it appears, in an attempt to ward off the blows. King then tumbles to the ground, falling on his stomach, as the officers continue to deliver blows against the back of his legs. King rolls over onto his back, and one officer strikes him across the midsection with a baton.

Throughout the tape, one officer holds a long metal wire that appears to be attached to King—most likely a line from a Taser stun gun.

King rises to his knees again, and an officer delivers several quick blows with a baton across his back. One officer kicks King, who falls to the ground. Another officer then stomps on King's neck, but King rises to his knees again.

In all, the officers hit the man at least 40 times on the tape. Finally, about six officers converge on King, and one appears to place handcuffs on him.

Witnesses said that as the beating unfolded, roughly 20 tenants stepped out of their apartments to watch. Some on the ground floor peered through a security fence. On the street, traffic slowed as drivers tried to see what was going on. Police had to urge them to drive on.

One woman, who asked not to be identified, said that two girls stood in front of the apartment and began to scream: "Oh my God, they're beating him to death. . . . What are they going to do, kill him?"

Dorothy Gibson, a 52-year-old nurse, said she heard King cry out: "Please stop, please stop."

Said another witness, who asked not to be identified: "They weren't beating him to subdue him; it was like they were really angry. One in particular kept hitting him and hitting him. The others just backed away."

Written reports submitted afterward by the officers told a much different story. According to LAPD Detective Richard Talkington, who reviewed the reports as part of his investigation into the initial traffic stop, the officers reported that King refused requests to exit the vehicle. When he finally stepped out of the car, King placed his left hand in his pants pocket, causing the officers to fear he may have a weapon.

The reports said King lay on the ground and attempted to stand up while being handcuffed, causing an officer to fall to the ground. A fight between King and the officers ensued, the report said.

King charged at the officers, the report said, and kicked and swung at them, even after they fired a Taser gun at him.

On Wednesday, King denied having fought the officers. "I wouldn't strike back. I don't think no one would strike back against four or five guns aimed at him."

Eventually, the reports said, King was subdued by the officers. Paramedics were summoned and King was transported to a Sun Valley hospital.

King would later tell his attorney, Robert Rentzer, that moments after the beating stopped he thought he must be dead because

some officers had taken a sheet and threw it over his head. King, according to Rentzer, said he wondered: "If this is what it is being dead, why do I feel this way?"

A second apartment tenant videotaped the incident in its latter stages. The tape shows King on the ground with his arms tied behind his back and officers milling about as they wait for an ambulance.

King was bleeding badly when he arrived at Pacifica Hospital of the Valley. Dr. Antonio Mancia, an emergency room physician, treated him. The doctor said he was startled by the injuries, which included a large bruise to the chest. King also had numerous cuts to the face requiring 20 stitches, including five on the inside of his mouth.

"I was surprised there were so many lacerations," Mancia said. "There were so many lacerations I gave him intravenous fluids and antibiotics" to prevent infections and help with his blood loss.

"I asked if he had fallen or what had happened," Mancia said. King did not answer, but police officers responded that King was high on PCP, according to Mancia.

"But it didn't look like drugs to me," the doctor added. "He was very quiet . . . very cooperative . . . not aggressive. He was a very good patient to take care of."

Mancia said that after he treated King—stitching him up, checking his blood pressure and administering the intravenous fluids and antibiotics—the patient was transferred to County-USC Medical Center.

Back on Foothill Boulevard, witnesses said that after the ambulance left and the police cars drove off, one police officer remained with King's Hyundai until a tow truck came and hauled it away. For the apartment building tenants, the incident was over. In all, it had lasted about 30 minutes.

At about 1:15 a.m., Josie Morales and her husband went to bed. Neither was able to sleep all night, she said.

"We were so disturbed by it, we couldn't do anything," she said. "I was just numb. I lay in bed and thought about what had happened. If it could happen to him, it could happen to anybody."

The next day, figuring they would be questioned about what they had seen, they wrote it all down. So far, no investigator has asked for their version of the events.

Times staff writers Ashley Dunn, John Johnson and Claire Spiegel contributed to this report.

ELLEN JASKOL / Los Angeles Times

Rodney Glen King was released from County Jail Wednesday.

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(Mount Clipping in Space Below)

Incident Gives City a National Black Eye

■ **Image:** Old memories of free-swinging cops are revived. Some compare situation to actions of Saddam Hussein's security forces in Kuwait.

By FRANK CLIFFORD and JOHN L. MITCHELL
TIMES STAFF WRITERS

The shadowy scene of police officers last Sunday clubbing the prone body of Rodney Glen King, who was stopped for speeding, aroused shock and disbelief across the country and revived old and painful memories of a city patrolled by free-swinging cops.

The widely watched video, which was aired on network television, also brought warnings from residents of other cities, such as Miami and Philadelphia, who have seen their cities pay a high price, in dollars and blood, when police-community relations reach a flash point.

In Dallas, Police Chief William Rathburn, a former Los Angeles police official, condemned the beating incident as "gross criminal misconduct," according to Dallas Mayor Annette Strauss. Rathburn left the Los Angeles department last year to take over a Dallas department racked by accusations of excessive force.

Drew Days, a Yale law professor and former assistant attorney general in charge of civil rights enforcement under President Jimmy Carter, criticized Los Angeles Police Chief Daryl F. Gates for not immediately condemning the conduct of the officers involved in the beating. "It is astounding that anybody could look at that film and not conclude that those police officers were violating someone's civil rights," Days said.

Los Angeles officials acknowledged that airing of the videotape has set off a storm of criticism. "There has been a widespread, extremely negative reaction that spans the United States and Canada," said attorney Dan Garcia, a member of the Los Angeles Police Commission and a confidant of Mayor Tom Bradley.

"We've even had callers compare the situation with the activities of Saddam Hussein's security forces in Kuwait," Garcia said. "People saying how ironic it is that just as we are congratulating ourselves for getting rid of the Iraqi tyrant, we are confronted with images of our own police doing similar things right at home."

Estimating that the Police Commission has received more than 100 calls about the beating, Garcia said he thought it was unfair for people to conclude, on the basis of one incident, that "there seems to be an inability to control police excesses in this city. . . . But clearly," he said, "that is the impression out there."

"We are receiving calls from all over the country from people expressing shock, outrage and disgust," said Philip J. Depoian, special counselor to Bradley. "These were not just calls from Los Angeles, but from San Francisco, Canada, New Hampshire, Hawaii and all over the place. I have two lines in my office and we took more than 150 calls."

"An incident like this doesn't help the city," said Michael Collins, spokesman for the Los Angeles Convention and Visitors Bureau. "Anything that can be portrayed as more than an isolated incident can have a terribly damaging impact on the city. Something like this needs to be resolved very quickly."

Collins said his office has also received calls from around the country from people who saw the police beating on television. "People are very angry," he said.

Others close to the mayor said it is important for Bradley to emphasize that the beating of King was an extraordinary departure from normal police practices.

"What the city needs to do is characterize it as an aberration," said one of Bradley's advisers who asked not to be named. "The big issue is going to be just how typical this is of local police conduct with the ACLU, the media and others dredging up all the old cases."

The beating of King, however, was not regarded as an isolated incident. Indeed, early-morning viewers of NBC's "Today Show" on Wednesday were treated to an impromptu conversation between anchorman Bryant Gumbel, co-host Joe Garagiola and other Today regulars about three other instances of alleged police misconduct in Los Angeles and Long Beach. The behavior of Los Angeles police was implicitly compared with that of police in the South, notorious in the past for mistreatment of blacks and civil rights workers. The conversation followed an interview by Gumbel with Bradley and the playing of the videotape of the King beating.

The notion that Los Angeles is a town of tough cops did not originate on the "Today Show."

"I learned something about the image of the Police Department 30 years ago," said Harry Usher, a partner in an executive search firm who was the general manager of

(Indicate page, name of newspaper, city and state.)

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the 1984 Los Angeles Olympics. "Back in 1959, long before Daryl Gates was police chief, I was a cook on the Santa Fe Railroad between Chicago and L.A. and the rap then was that you had better watch your Ps and Qs when you got to L.A. because the police were pretty overbearing."

Days, who directed the prosecution of hundreds of civil rights cases against police officers accused of misconduct, said he was not surprised by what he saw on the videotape.

"My sense is that Los Angeles long has promoted a permissive attitude with respect to police use of excessive force," said Days, now a professor of constitutional law at Yale.

Los Angeles Police Commissioner Melanie Lomax said she is not convinced that what happened to King was an isolated event.

"I'm not convinced this is an aberration [as Gates suggested Tuesday]. Many people in minority communities say it happens all the time. Black and Hispanic men have been singled out for a different form of justice by the police.

In other cities, where police conduct has ignited community outrage, officials and other observers warn of the consequences.

"For years, the African-American conventions would not come to Boston in the wake of the school busing controversy," said Neil Sullivan, chief policy adviser to Mayor Raymond L. Flynn.

Sullivan said the conventioneers watched how police handled demonstrators protesting school segregation and concluded that the city was a hostile place for black people.

Columnist Acel Moore, a 30-year-veteran of the Philadelphia Inquirer, said the image of a city can suffer for years after a police-community crisis has been resolved.

"The Philadelphia Convention and Tourist Bureau did a survey that found that a lot of groups didn't want to come because of a perception of the city as kind of police state, long after the reputation wasn't warranted," Moore said.

In Dallas, said Mayor Strauss, a series of police shootings in 1987 resulted in racial tension that "tore at the fabric of the city."

In homes across America, many were outraged as they turned on their television sets and saw the pictures of the police actions.

Some of those who called Bradley's office were interviewed.

Edward Viens, a 48-year-old antique dealer in Coventry, R.I., said he was so angry he called Bradley's office.

"It was the most disgusting thing I ever saw," he said. "I couldn't believe what I was seeing. Everyone of those cops should have their badges taken away and they should be thrown in jail.

"I love Los Angeles. My niece just moved out there but I'm nervous about her being there now," he said. "When I saw those pictures I kept thinking that the only thing those police were lacking were the white robes."

Elizabeth Hart, a cashier in a family restaurant in Rutland, Vt., said: "It's ironic that after watching atrocities in Kuwait, we get to turn on the television to see atrocities in our back yard in Los Angeles.

"In Vermont, we treat animals more humanely in death than this man was treated by the Los Angeles police," she said. "Here in Rutland there is a great deal of outrage about this."

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(Mount Clipping in Space Below)

Gates targets officers in beating

(Indicate page, name of newspaper, city and state.)

THE OUTLOOK
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FBI — LOS ANGELES

An LAPD commander expressed concern over the public reaction to the taped beating of a man by group of officers./**A5**

By Howard S. Gantman
COPLEY NEWS SERVICE

Saying the entire Los Angeles Police Department was outraged and demoralized by the beating of a motorist, Chief Daryl Gates announced Thursday he would seek felony charges against the three officers who clubbed and kicked the man at least 60 times.

Twelve others face disciplinary proceedings for failing to stop the beating, which could range from a reprimand to firing, Gates said at a news conference in Parker Center police headquarters.

Mayor Tom Bradley, who has tried to stem growing fears that the beating was racially motivated, welcomed the chief's announcement and sought to assure the thousands of concerned residents who had inundated his office with calls that the issue "will not be swept under the rug."

Chief Daryl Gates voiced outrage.

"We are determined that the message will go out: Los Angeles will not tolerate rogue cops, will not tolerate improper conduct on the part of any of our police officers," Bradley said following a meeting with Gates and two members of the Police Commission.

Gates declined to identify the three officers pending the filing of charges by the District Attorney's Office, which he said could include assault with a deadly weapon and assault under the color of authority, both felonies.

The names of the other 12, including a sergeant with 15 years on the force who had been responsible for supervising the arrest, also were withheld until the conclusion of the disciplinary hearings.

Sandi Gibbons, a spokeswoman for District Attorney Ira Reiner, said the office had opened its own investigation following the portrayal of the incident in an amateur videotape broadcast on local and network television earlier this week.

Gibbons said prosecutors welcomed the police evidence but would reach their own independent conclusion on what charges to file. She expected an announcement in the next few days.

Bradley accused the 15 officers of "damaging" the reputation and integrity of the force and possibly igniting ethnic division in Los Angeles.

Mayor Tom Bradley reassured citizens.

"It is devastating," Bradley said. "I think it will take years for the Police Department to recover and, in turn, it will take a long time for the city to recover from this incident."

The mayor, who served on the force for 20 years before entering politics, said he had directed the commission to investigate whether racism was behind a number of recent controversial police actions involving minorities.

"There is a need to look at the various incidents that have occurred within the minority community to see if there is a pattern involving some kind of racial implications," Bradley said.

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But both Bradley and Gates downplayed complaints by black community groups, including the Brotherhood Crusade, that the beating proved the department was rife with racism.

"That issue has been raised here, whether or not there was any racial effect or cause involved in this," Gates said. "We can turn up absolutely nothing except that the officers were white and the suspect was black."

The mayor also noted that both the motorist, Rodney Glen King, 25, of Altadena, his family and his attorneys have discounted racism in the behavior of the officers.

But Bishop E. Lynn Brown of the Christian Methodist Episcopal Church, and other Brotherhood Crusade members accused Gates of setting a tone of racism throughout the department, which led to the beating. They called for him to resign or be fired.

'Klan-like action'

"Mr. Gates created an atmosphere and created the incentive for this kind of Klan-like action to take place in the city," Brown said. "We demand that Chief Gates be fired."

Bradley noted, however, that the chief was protected by civil service regulations and could not be fired unless there was evidence of major wrongdoing. Although he has sparred with Gates in the past, the mayor praised the chief's quick investigation of the beating.

And as he has often done during past controversies, Gates said he would step down at a time of his own choosing and not give in to pressure.

"I have absolutely no thoughts of resigning," Gates said. "Please let all my friends out there know, who think this is the time. I am not going. I'm going to be here. If anything, this is a time for strength of leadership. I provide that leadership in this organization."

Gates said the incident was "an aberration" that has demoralized the department considered a model law enforcement agency throughout the world. He called on the public to show support for the 8,300-member force.

"You've got a lot of police officers out there whose morale has been harmed seriously by this," Gates said. "They feel it. They look at those tapes, too.

'Casts a shadow on them'

"They are as outraged as you are, as outraged as the public. And they want something done, because it casts a shadow on them and they are really down."

A police analysis of a videotape shot by a witness found the officers struck King at least 53 times with their batons, Gates said. They also kicked him seven times.

One of the three officers was a rookie, a second had served three years on the department and had been brought up on excessive force charges but had been acquitted in a police Board of Rights hearing, Gates said. The third had nine years experience and had been disciplined for brutality.

The chief said the officers told investigators they had been frightened when they confronted King because they believed that he was under the influence of PCP and, like some who abuse the drug, had "super-human strength."

Blood and urine tests had been taken following King's arrest but the final results were not ready, Gates said.

But he noted that investigators now believe King had been driving under the influence of alcohol when he was pulled over early Sunday morning in the Lake View Terrace section of the San Fernando Valley following a high-speed chase by LAPD and California Highway Patrol officers.

Gates said officers involved in a pursuit need careful supervision when they pull a motorist over and are filled with Adrenalin and "pent-up animosity."

Sergeant blamed

He vented some of his harshest words against the sergeant who should have kept the officers under control.

"Unfortunately we had a total human failure on the part of that sergeant and many other officers who should have interceded," Gates said. "If they really loved their brother officers, they would have stepped in and grabbed them and hauled them back and said, 'Knock it off.'

"That is what every officer should have done and my judgment is that it is a cowardly thing, it is not keeping faith with the tenants of being a good partner ... to stand there and allow people to get themselves in this kind of trouble."

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(Mount Clipping in Space Below)

Tape shocks Westside police commander

By Jennifer Lewis
STAFF WRITER

A Westside LAPD police commander expressed shock Thursday at the videotaped beating of a suspect by Foothill officers and worried that it may damage the reputation of the force.

Capt. Stephen Moede of the Pacific Division said he is withholding judgment of the officers involved until an investigation is completed, but he said, "Personally, I was stunned by what I saw on the videotape ... the incident has tarnished our badge and our reputation and affected our family and friends."

Rodney King, 25, was released from jail Wednesday in a wheelchair, his face battered, his leg in a cast and one eye swollen half-shut. At least three officers who took part in the clubbing Sunday in Lake View Terrace face felony charges.

Moede, commander of the patrol division, made his remarks at a noon luncheon of the Airport Lions Club in Westchester.

Moede said he was worried that the beating might chip away at the community's trust in the police department and its ability to objectively investigate the incident.

Pacific Division, he said, has received several telephone calls from people so incensed about the beating they've threatened to kill officers.

"Damage done to the police department is a major concern," he said.

The captain promised a thorough, impartial and swift investigation, and assured the business leaders that his officers are "honest and of the highest integrity."

Moede also cited the youth of the department's uniformed ranks, many of whom only have five to seven years experience. As patrol commander, he is emphasizing officer training this year.

On Sunday, the officers may have "overreacted," he said. Supervisors at the scene also may have lost control.

Behind every police scandal nationwide, Moede said, is "the failure of a supervisor to do his job."

Moede asked the public's help in restoring faith in police.

"We need your support and confidence," he said.

(Indicate page, name of newspaper, city and state.)

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Front SEction, Page 5

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Photo / Associated Press

Rodney King discusses beating / A4

Video stirs emotions, controversy

Camcorder lauded as tool for police, citizens

By Pamela Medve
Staff Writer

Just as residents reacted with horror, local police and sheriff's departments were upset to see a videotape that shows Los Angeles police officers repeatedly beating a prone, apparently helpless man. The videotape originally was aired on national television Monday night.

"It was upsetting to everyone . . . from every rookie officer to the chief of police," said Azusa police Captain Bob Garcia. "It was too bad it happened. It was very difficult to watch."

The homemade videotape, filmed by a bystander early Sunday morning in Lake View Terrace, depicts at least a dozen officers surrounding a black man after he left his car, kicking him and pounding more than 40 times with nightsticks as he lay on the pavement. The tape was shot from a nearby apartment balcony.

The FBI and the District Attorney's Office are investigating the beating of Rodney Glenn King, 25. Civil rights activists branded the beating part of a pattern of police misconduct in the nation's largest city.

The American Civil Liberties Union may file a suit against the LAPD or launch a public campaign demanding the ouster of Police Chief Daryl F. Gates, said Director of Communications Linda Burstyn. The ACLU averages about 75 calls a day alleging LAPD misconduct, she added.

"Many of the phone calls have to do with minority victims," Burstyn said. "There seems to be a particular disregard for minorities."

Spokesman from several San Gabriel Valley law enforcement agencies polled spoke favorably of the growing role of video cameras as a law enforcement watchdog.

"I have noticed where more and more private citizens are videotaping incidents involving the police," said Baldwin Park police Chief Carmine Lanza. He added, in defense of the law enforcement community, "The vast majority of police officers are honest and hard-working and uphold the high standard that law enforcement is entrusted with."

Officers legally are restricted to using only force that is reasonable and necessary to make an arrest, authorities said. Any force beyond that point might be considered brutality.

Though all complaints of brutality are investigated, a videotape can strongly bolster a complainant's case, said Lt. Michael Muravez of the Walnut Sheriff's Station.

"It's like when children are accused of doing something wrong," Muravez said. "Sometimes it's difficult for a parent to make a decision if the child denies it. If the parents saw a photo of the child doing something, they would believe it."

But Glendora police Chief Brad Posey said videotapes could be misinterpreted by the viewer.

"Any time an officer is using reasonable force to effect an arrest may seem unreasonable to the outside viewer," Posey said. "If someone is violently resisting arrest, someone may come in in the middle of a situation and that could be seen as the police being aggressive."

Police also use camcorders in their work. Baldwin Park police officers bring along a video camera when they execute search warrants to aid in their defense if residents allege that police left their home a shambles.

"It really has cut down on complaints," Lanza said.

Covina police tape demonstrations in case they get unruly to identify how exactly they got out of hand and who was responsible, said Sgt. Richard Hastert. The Walnut Sheriff's Station tapes large parties.

Video cameras also are used in police surveillance and certain investigations.

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MAR 20 1991

FBI — LOS ANGELES

Why a Federal Probe Is Still Needed

Chief Gates moves quickly in videotaped-beating case, but major questions remain

Los Angeles Police Chief Daryl F. Gates is not a man who likes to apologize. So he deserves some credit for apologizing on Thursday—although he hardly had a choice after the strong reaction from television viewers nationwide who saw the videotape of LAPD cops beating a black man. Rodney King, clubbed and kicked repeatedly by a group of officers, "didn't deserve to be whacked around like that, and I'll be the first to apologize to him for that," Gates said. That's fine, as far as it goes. In the wake of an incident that has shocked the nation, the chief is willing to fully acknowledge that a few officers used excessive force and should be punished. But he is still missing the crucial larger issue: the systemic problems that appear to exist within the department.

A review of the tape, according to Gates, showed policemen struck King with their batons 53 times and kicked him seven times when taking him into custody after a high-speed chase prompted by a traffic violation.

The three officers seen beating and kicking King while he lay on the ground are expected to be charged criminally. Every officer who witnessed the horrific beating and did not intercede will be disciplined internally, the chief said.

Gates reserved his severest criticism for the sergeant who failed to stop the officers. Department rules require the presence of a supervisor at the conclusion of a high-speed chase to prevent "pumped-up" officers from violating procedures. Proper procedure wasn't followed, Gates said, due to "human failure."

That failure of leadership, however, is indicative of more than individual error. It calls into question the training, the disciplinary procedures and the very culture of the LAPD. Why would a group of officers believe they could beat up a suspect and get away with it without any consequences? Their actions—and the inaction of the officers who watched—suggest that something may be terribly wrong within the LAPD.

The department has turned up no evidence of a racial element to the incident, in spite of community concerns that race played a part. Those concerns must be taken seriously, because of a long and bitter history of discrimination charges against the LAPD—including some recent complaints by high-profile black athletes. It would be easy to dismiss this incident as an aberration, as the chief has. But that would be a grave mistake.

The FBI is investigating to determine if King's civil rights were violated. The U.S. Department of Justice is closely monitoring the case. That federal scrutiny is welcome, if for no other reason that it should pressure local authorities to follow through on what is sure to be a painful but essential probe.

44A-LA-119954-D-20

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Grim Gates Faces Heated Questions

■ Media: The chief seems to know that the news conference on police beating might be the most significant of his stormy tenure.

By DAVID FERRELL
TIMES STAFF WRITER

Police Chief Daryl. F. Gates arrived 20 minutes late, knifing his way into a warm, stuffy conference room that seemed more like a lion's den, jammed with 17 television cameras and more than 70 news media members.

He appeared ruddy and strained, despite his dapper blue suit and a red tie spangled with tiny American flags.

The news conference Thursday—amid a nationwide uproar over the beating of black construction worker Rodney G. King by several Los Angeles police officers—was perhaps the most

■ **MIXED REACTION**
Residents of Lake View Terrace expressed mixed views about the incident that occurred in their community. B3

significant of Gates' stormy 13-year reign and he seemed to know it.

He stepped to a lectern bearing the official department seal and motto—"To Protect and to Serve"—and emphatically announced that three officers will face criminal charges for their role in Sunday's incident. A sergeant, and as many as 11 other officers who stood by and watched the beating, could face administrative charges, Gates added.

"It shows that if you want to, you can stir up a lot of interest on a subject," a grim Gates told the gathered throng, which peppered him with questions. "[But] on this . . . [the attention] is probably very well justified."

Media members raised questions not only about King's beating, but about a number of incidents involving officers and blacks over the years. Gates was even asked to comment on the widely publicized 1979 shooting death of Eulia Love, a 39-year-old black woman who was gunned down by officers as she appeared ready to throw a knife at them. Officers had gone to her home after she reportedly struck a gas company employee who was shutting off service because of an unpaid $22.09 bill.

He also was asked about recent incidents involving Hall of Fame baseball player Joe Morgan and former Lakers basketball star Jamaal Wilkes. Morgan was awarded $540,000 in damages by a federal court jury after he complained that he was roughed up by a police officer who mistook him for a drug courier. Wilkes was pulled over on his way home from work, ordered out of his car and handcuffed by officers who gave him conflicting reasons for having stopped him.

Gates, who noted that the city is appealing the Morgan case, denied that the department exhibited racism in its handling of minorities.

He went on to call King's beating, which has drawn fire from civil rights groups, "a great disap-

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LOS ANGELES TIMES
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FBI/DOJ

pointment, [a] tremendous disappointment" that never should have happened.

While declining to release names of any of the 15 officers at the scene when King was beaten, Gates directed much of his anger at a sergeant whose responsibility, under Police Department guidelines, was to ensure that the emotion and adrenaline of the officers involved in the car chase did not lead to violence.

"We've put into our . . . procedures—and we have over and over stressed it—that we want a supervisor at the end of these pursuits to prevent this kind of thing from happening," Gates said. "That supervisor was there. . . . Unfortunately, we had a total human failure on the part of that sergeant and many other officers who should have interceded."

Gates said the failure to intervene was a "cowardly" course taken by every officer present and vowed to take every possible step to prevent it from occurring again.

"I preach—I mean I really preach—to every single person who graduates from the Police Academy about the law and their need for a reverence of the law," he said. "What they should have done, if they really loved their brother officers . . . [was to] have stepped in and grabbed them and hauled them back and said, 'Knock it off!' That's what the sergeant should have done [and] that's what every officer there should have done."

At times during the hour-long press conference, questions were shouted all at once. Tempers flared when the Rev. Heber Jentzsch, president of the Church of Scientology International, asked about the Police Department's alleged role in infiltrating citizen watchdog groups after the Eulia Love shooting. Jentzsch described himself as someone who had closely followed the Love shooting as part of a ministers group called The Gathering and later noted that he had clashed previously with Gates over the issue.

"How will we be assured [in this case] that the same situation will not [occur]?" Jentzsch demanded of Gates.

Gates, staring at the floor in obvious annoyance, answered: "Well, much has gone under the bridge. Any other questions?"

As the press conference continued, an angry Deputy Chief William Booth approached Jentzsch off to the side of the room, challenging his assertions about police spying.

"You're really a liar," Booth whispered.

"I'm not a liar," Jentzsch replied.

"Yes, you are—the biggest one I've seen."

"You're a liar," the Scientology official retorted.

"You're a liar!"

"You're a liar!"

Apparently unaware of the exchange, Gates was asked to comment on City Councilman Nate Holden's proposal for additional training and psychological testing of new officers.

"Once again, this is a model department," Gates insisted. "Everybody's clamoring and saying, 'We ought to do this, we ought to do that.' People across the nation in law enforcement follow what we do. We have psychological examinations. . . . We have a month of cultural training . . . [and] a long period of training on the use of force.

"This [incident] is an aberration," Gates added. "This is something that should never have happened."

JOE KENNEDY / Los Angeles Times

Police Chief Daryl F. Gates talks about beating incident at tough news conference with more than 70 journalists.

MARSHA TRAEGER-GORMAN / Los Angeles Times

Helen Harris was among speakers at news conference called by community leaders to criticize Police Department.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Gates Wants 3 Officers Prosecuted in Beating

■ Police: Chief calls incident an aberration caused by 'total human failure.' Bradley also presses investigation.

By HECTOR TOBAR
and SHERYL STOLBERG
TIMES STAFF WRITERS

Los Angeles Police Chief Daryl F. Gates, reacting to controversy that has prompted calls for his dismissal, recommended felony prosecution Thursday for three officers who participated in the videotaped beating of a man. The chief also promised to discipline a sergeant and as many as 11 other officers who watched.

Gates called the violent incident Sunday morning an aberration and he attributed it to a "total human failure." He singled out a sergeant who apparently failed to stop officers as they kicked 25-year-old Rodney G. King and beat him with nightsticks.

The decision on whether to pursue criminal prosecution rests with the Los Angeles County district attorney. That decision could be made today, officials said.

Mayor Tom Bradley appeared pleased with Gates' call for disciplinary actions, but the mayor also ordered the city's Police Commission—a civilian oversight panel whose members he appoints—to press forward with a comprehensive look into possible deficiencies in the department's training, supervision or what the mayor termed "our command structure."

Bradley, emerging from a private afternoon meeting with Gates and the Police Commission, seemed eager to calm a city unsettled by repeatedly televised images of white officers savagely pummeling a prone black man.

Gates and Bradley have said the incident, which occurred after a traffic stop, did not appear to have racial overtones.

"There is a need for all of us," Bradley said, "to recognize that the city draws its strength from its diversity, and that we will not let an incident of this kind divide us or cause a problem based on our neighborhoods or backgrounds."

Bradley said he would not attempt to remove Gates, as some civil rights groups have demanded. But the mayor stopped short of declaring support for the chief, saying that it is not up to him to decide whether Gates should resign or retire.

The mayor said the city's reputation has been tarnished and predicted that it would take years for Los Angeles and the Police Department to recover. But, Bradley said, Gates' actions were an important first step.

"We have stopped the blood from flowing and now it is important to restore the vitality, the health of the body of the Police Department of this city," Bradley said.

■ **RELATED STORIES:** B1

Gates announced his recommendation for prosecution at a midday news conference at Parker Center. The chief also revealed new details about the attack on King, saying that he had been struck 53 to 56 times—significantly more than earlier estimates—and had been kicked seven times.

JOE KENNEDY / Los Angeles Times
Chief Gates at press conference.

(Indicate page, name of newspaper, city and state.)

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King, an Altadena resident who was released from prison in December after serving a one-year sentence for robbery, is an unemployed construction worker. He was confronted by the officers early Sunday after what police said was a high-speed car chase.

At his one-hour news conference, Gates said the sergeant at the scene should have prevented routine arrest from escalating into an uncontrolled beating.

"That supervisor was there, the process was followed," Gates said. "Unfortunately, we had a fatal human failure on the part of that sergeant and many other officers who should have interceded. There was one officer who tried to intercede just briefly, but it was far too brief."

In a move clearly intended to restore confidence in the department, Gates announced the decision to seek prosecution, which resulted from departmental inquiries into the events. One is a criminal investigation by the Major Crimes Unit and the other is a review by the department's internal affairs unit.

"If they really loved their fellow officers they should have stepped in and grabbed them and pulled them back and said 'Knock it off!' " Gates said of the officers. "That's what every officer should have done. In my judgment it's a cowardly thing . . . to stand there and allow people to get themselves in this kind of trouble."

The chief said the department's 8,300 officers are upset about being painted with the same "broad brush" as those involved in the attack.

"You will not find a police officer in this city that will in any way attempt to justify what those officers did," Gates said.

Although the district attorney will determine any specific charges, Gates said the three officers could be charged with assault with a deadly weapon or assault "under the color of authority."

The three officers and the sergeant have been taken off field duty but are still on the department payroll, Gates said. They will also be charged administratively and may be suspended without pay at that point.

Gates did not identify any of the officers involved, including the sergeant. However, a police report on the incident identified the sergeant as Stacey Koon, 40, a father of five and a 14-year veteran.

"I'd like to talk to you, but this is not an appropriate time," Koon told a reporter while standing in the front yard of his home in Castaic.

Capt. Tim McBride, head of the Police Department's Foothill Division, confirmed that Koon and three other officers—Laurence Michael Powell, 28, Ted Briseno and Timothy Wind, 30—have been relieved of field duty.

Gates earlier did not identify the three officers who he has recommended be prosecuted. He did say, however, that two of them beat King with their batons. Gates said one is a rookie and the other is a three-year veteran. The third officer, according to the chief, kicked King; he has been on the force nine years.

At least one of the officers had been disciplined before for excessive force, Gates said. Koon also had been disciplined for reasons Gates did not specify.

Gates said the criminal cases against three officers will be presented to the district attorney no later than today.

All three officers apparently were recorded on a videotape shot by an amateur cameraman and televised nationally by the major networks. Outraged viewers have flooded police telephone lines with calls, and Bradley told reporters he has received 1,000 complaint calls.

After the beating, King was booked by police for evading arrest and held for four days. He was released from Los Angeles County Jail on Wednesday after the district attorney's office cited lack of evidence to prosecute him.

King told reporters he did not resist the officers. He said he feared for his life during the beating.

Separate investigations into the incident are being conducted by the district attorney and the FBI.

Ramona Ripston, executive director of the American Civil Liberties Union of Southern California, said Gates' response did not go far enough. She reiterated her call for Gates to resign.

"He still says that this is an aberration and I don't believe this is an aberration," she said. "Instances similar to the one we have on videotape happen all the time."

Gates brushed aside this and other calls from community organizations that he step down.

"I have absolutely no thoughts of resigning," he said. "Please let my friends out there know who think this is the time, I'm not going. I'm going to be there. If anything this is a time for strength of leadership."

At a news conference Thursday, religious and community groups, including the Brotherhood Crusade, an African-American service organization, pledged to raise $50,000 for civilian patrol teams armed with video cameras to monitor police activities.

"We need a peacekeeping force to watch over LAPD," said Danny Bakewell, president of the Brotherhood Crusade. "When they have someone on the ground, we want people to rally around them and observe. Take a snapshot, don't let them intimidate you."

Bakewell was joined at the news conference by representatives of the Los Angeles chapters of the NAACP and the Southern Christian Leadership Conference.

Gates said, "We can turn up absolutely nothing that would suggest [a racial motive], except for the officers were white and the suspect was black."

King's attorneys said he spent Thursday with family and friends, visiting private doctors to receive treatment and establish an independent record of his injuries. According to a doctor who first treated him at a Sun Valley hospital, King's lacerations required 20 stitches to the face and mouth. Attorneys for King said he also may have suffered a broken ankle.

Los Angeles City Councilman Richard Alatorre, chairman of the council's Public Safety Committee, called for a public hearing Tuesday on the Police Department's policies on the use of force.

In Sacramento, Senate President Pro Tem David A. Roberti (D-Los Angeles) reintroduced a bill vetoed in September by then-Gov. George Deukmejian that would prohibit a peace officer from using more force than reasonable in making an arrest, preventing an escape or overcoming resistance.

Times staff writers Leslie Berger, Sam Enriquez, Andrea Ford, Jane Fritsch, Carl Ingram, John Johnson, Charisse Jones John L. Mitchell and Tracy Wood contributed to this report.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

No sympathy for brutal cops

Patricia Burnett

In an orange glow of streetlights a policeman raises his baton and hits the lump of a man on the ground. The man writhes, barely.

The baton comes down again.

Another cop takes a swing.

He'll stop now. He's *not* stopping. I can't look any longer, but I can't get

L.A. police officers did this. One shot him with an electronic Taser gun, one beat him with a baton, one stomped on his face. Twelve fellow officers watched.

Sixty blows to the man lying still on the ground.

"I was scared," Rodney King said. "I was scared for my life. So I laid down real calmly and took it like a man."

And all of L.A., and the nation, saw it in rerun after rerun of a videotape made by a shocked citizen from the balcony of his apartment Sunday.

It was sick-to-the-stomach wrong, way past that line between Right and Wrong for a nation that George Bush just described as "caring and good and generous in all we do."

So while we know all about innocent-until-proven-guilty, the fact is, this beating was on videotape.

I saw it. The nation saw it.

Pay the man.

My prediction is that Rodney King and his lawyers are about to be very rich. Though I might be judged crass to say so, my prediction is $6 million, and this one won't be dragged out in the courts forever, either.

It's not worth debating whether $6 million is the right amount, and irrelevant that the victim was a convicted armed robber. That's the ballpark of jury awards, and LAPD hardly qualifies for "first offense" leniency:

■ Four officers will stand trial this month on charges of criminal vandalism in the "39th and Dalton" street case, and the department faces a $10 million civil suit. In a raid on apartments in a black community, ax-wielding officers allegedly destroyed furniture, appliances and walls.

■ Baseball all-star Joe Morgan, who is black, won a $540,000 federal jury award after being roughed up by an LAPD officer at the airport.

■ Basketball great Jamaal Wilkes, also black, has filed a complaint that he was pulled over and handcuffed by patrol officers because his automobile registration was *about* to expire.

■ And the police chief himself was held liable for $170,000 in damages in a brutality case involving a Hispanic man.

The chief was not present when the man's nose was broken and his daughter was thrown to the ground, but his leadership was judged a factor.

Whatever the pricetag on the Rodney King case, we are lucky — that he lived.

We will be luckier still if Los Angeles seizes the opportunity to change the leadership and the leadership's demands on the men women of the LAPD.

The cops on the street risk th lives for our safety.

They need all the support ar protection we can provide. Tr back-up, communications, w

They also need to know absolutely — that bigotry a

(Indicate page, name of newspaper, city and state.)

THE OUTLOOK

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brutality will get them booted out of their jobs fast and, in cases like this one, thrown unsympathetically to the district attorney and FBI and ACLU and NAACP.

On Thursday the chief said he would seek felony charges against three officers, and disciplinary action against the others. Three days after the tape aired first on TV. About time.

A police chief from another city, a black man, once told me that he believed brutality, racism and sexism existed on police forces everywhere for two different reasons:

One, he called "The Old School." The problem wasn't so much that officers of "The Old School" were the TV stereotype of loner tough-guy, but that, for whatever reasons, they couldn't change as fast as society did. It's like they were always two or three years out of "fashion," only it was equality at stake. They had to be ordered to treat people right.

The second reason was "The Wrong Recruits." Police work today requires a social maturity that is rare among those who think they want to be cops. It is rare because of all the usual negative forces — poverty, the disintegration of the family, the imperfect education system. And then there is the problem of recruits who know how to hide their hatreds and power-trip needs right up to the moment of crisis.

When we finally learn who held the batons, who shot the Taser and who kicked Rodney King, perhaps we'll also get clues to where the LAPD went wrong with them.

From the few facts we know so far, my guess today is a lot of "Old School," including in the chief's seat, and a smattering of "Wrong Recruits."

D-350 (Rev. 5-8-81)

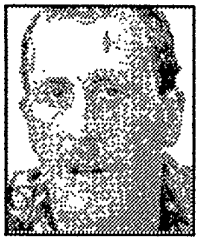
(Mount Clipping in Space Below)

Civilians' video cameras undoing rogue officers

Associated Press

LOS ANGELES — Civilians who happen to be on the spot with video cameras are proving the undoing of some rogue officers, capturing them on videotape skimming drug money or beating suspects.

Videotapes have become the basis for lawsuits seeking millions from police departments accused of harboring overzealous officers.



Holliday

George Holliday's test of his new video camera early Sunday captured officers using a stun gun and repeatedly clubbing Rodney King, a motorist stopped for a traffic violation. The tape made the news on all the networks this week.

King, who is black, said he didn't hear any racial slurs during the beating, and Rentzer said race wouldn't be a major issue in the case.

But King said that, as a black man, he was leery of police.

"They consider themselves different humans than we are. They are a family, a big family. We are another family," King said in a jailhouse interview before his release Wednesday night.

Without the video of King's beating, TV network news producers said they doubted it would have become a national story.

"It's a picture medium," said Steve Friedman, executive producer of NBC's nightly news. "If you have a fire and you have no pictures of the fire and no one got killed, you don't mention it. If you have great pictures of flames leaping out, you use it."

Cameras have been responsible for the undoing of other officers.

Home video cameras captured New York City police during a bloody 1988 riot with demonstrators in Tompkins Square Park. Authorities said the videos showed officers, some of them with badges covered to keep from being identified, apparently using excessive force.

In another California case, trial is under way for two Long Beach policemen charged in the case of black activist Don Jackson, who was beaten during a traffic stop in 1989.

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(Mount Clipping in Space Below)

'It turned my stomach when I saw it'

By Kevin Uhrich
Staff Writer

Local residents interviewed Thursday characterized the beating of Altadena resident Rodney King at the hands of Los Angeles police officers as disgusting and called for the immediate dismissal of the officers involved.

While a dozen people said most local officers are professional — one man said Pasadena officers even smile while writing traffic tickets — others said they don't believe the use of excessive force by police is uncommon.

Meanwhile, top Pasadena police officials, including Chief Bruce Philpott and Commander Gary Bennett, shared the overriding public sentiment.

"That's the ugliest thing I can remember seeing," Philpott said Thursday, a few hours after Los Angeles Chief Daryl Gates announced plans to recommend that the District Attorney's Office prosecute three officers for the beating. "It's an outrage. It's just disgusting to me. It turned my stomach when I saw it."

Philpott said there is a difference between the necessary use of force in potentially dangerous situations and the excessive use of force under what he called "the color of authority." He said he doubted such behavior has occurred in the Pasadena Police Department.

"This is in a different realm. To say it has happened in the Pasadena Police Department, it's beyond my comprehension, my reality to say that is possible," Philpott said.

Bennett said the department devotes a lot of time to developing policy and training officers to control their emotions in pressure situations.

"That's not something that happens here, especially to that degree," Bennett said. "That's why we have policies that limit the number of officers in pursuit, so you don't have a crowd of officers when it's all over."

Both Bennett and Philpott said the actions of the 14 LAPD officers involved in the King incident will taint the credibility of law enforcement everywhere.

"The use of excessive force is not something you can equivocate about," Bennett said. "Those who engage in it aren't fit to wear the badge."

In 1988, the city of Pasadena settled a claim filed by community activist Michael Zinzun, who was seriously injured in an altercation with Pasadena police officers. The city settled the claim out of court for $1 million.

"We've come a long way since then," Pasadena Mayor Jess Hughston said. "We don't want those kinds of allegations in our city."

"It's hard to put into words," attorney Al Moses said when asked to react to the video, which has been broadcast nationwide since early this week. "It was that type of incident. And so graphic. I also think if it were not for that camera being there, there would have been charges against Mr. King. I can't think of anything that gentleman could have done that would have justified that kind of beating. I think the video clearly speaks for itself."

Cynthia Cooper, a 32-year-old Altadena resident, called for the immediate firing of the officers involved.

"I think they should be protecting us, not trying to kill us," Cooper said.

Ron Glenn, 48, of Pasadena said police officers throughout the region are edgy following recent shootings of LAPD officers.

"I know some officers from the Pasadena area, and they're pretty nice guys, and they're pretty courteous about giving out tickets too," Glenn said.

Other persons interviewed said the beating was horrible, but not completely surprising.

"I think it was very wrong, but I've seen similar abuse like that," said 20-year-old Kimberly Madison, who has lived in Pasadena for 17 years. "I saw the pictures four or five times, and there's no way around it. I think the police officers involved should be dismissed from the force, even the ones who stood by and watched. My mom cried when she saw it."

Edward Richards, 39, said minorities, especially blacks, are targets of police abuse.

"I don't think it's an aberration," Richards said. "I think it's normal for police to use excessive force when it comes to African-Americans."

However, Richards said he is not personally aware of similar incidents in Pasadena or Altadena.

Virginia K. Fox, 65, who has lived in Pasadena off and on for 50 years, said she believes police brutality has been going unnoticed for years, and not just against blacks.

"I think it's time they are catching up with incidents like this. It's been going on a long time, not just with the black race, but with others," she said.

Sandi Lines, a 10-year resident of Pasadena, said she believes police routinely abuse their positions of authority.

"It happens in Pasadena. I have no idea how often. I don't have any facts to back it up, but I think it happens to minorities, blacks particularly, and I've heard homosexuals say it happens to them."

(Indicate page, name of newspaper, city and state.)
P. 1
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MAR 14 1991

FBI — LOS ANGELES

FBI/DOJ

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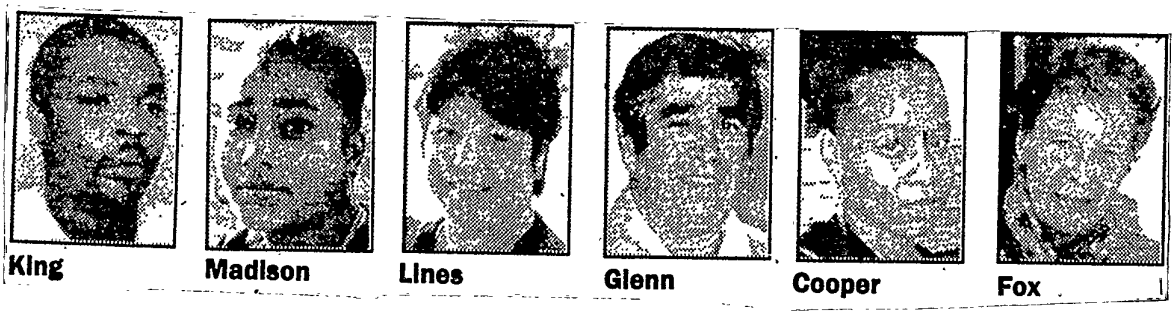
King
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Fox

D-350 (Rev. 5-8-81)

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P. 1
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FBI — LOS ANGELES

Gates will ask for charges in beating

Victim won't take part in protests

By Kevin Uhrich
Staff Writer

The mother of Rodney King, the Altadena man whose beating at the hands of Los Angeles police fueled a national uproar, said Thursday she is trying to distance her son from the many protests spawned by the incident and police handling of the case.

King made her statement the same day Los Angeles Police Chief Daryl Gates said he will ask the District Attorney's Office to file criminal charges against three of the officers involved in the beating of King on Sunday morning in Lake View Terrace. Later in the day, Los Angeles Mayor Tom Bradley said the Police Commission would review the King case and other reported incidents of police brutality and look for possible patterns of police violence, especially in the city's minority communities.

"We need to get the message across that this city will not tolerate that kind of conduct by its police officers," Bradley said.

The King family has kept a relatively low profile since the controversy began. On Thursday, Odessa King, Rodney King's mother, said the family it is not supporting any protests against police behavior in the incident.

"We are not supporting any types of those (protests). We don't want that," Odessa King said in an interview Thursday morning. "We know that could be very dangerous. We are mellow people. We are not really looking for that type of thing. People could get hurt. We are not backing any of that."

In a news conference Thursday morning, Gates said he would ask prosecutors to file felony charges against three officers directly involved in the beating. He said 11 other officers involved in the incident, including the ranking sergeant at the scene, will be charged internally.

The homemade videotape of King being kicked, shocked and beaten by club-wielding police officers has been broadcast around the country.

Locally, the Pasadena and Altadena chapters of the NAACP plan a rally at Parker Center in downtown Los Angeles from 9 a.m. to noon Saturday to protest King's beating.

However, Gates stood behind the officers' decision to stop King as he was driving on Foothill Boulevard in Lake View Terrace after California Highway Patrol officers spotted him allegedly speeding on the Foothill (210) Freeway at about 1 a.m. Sunday. Gates said King was driving at an "excessive speed," probably was under the influence of alcohol and failed to stop when ordered to do so.

"Beyond that, we believe the officers used excessive force in taking (King) into custody, and that's why we are seeking charges," Gates said.

An LAPD spokesman, Lt. Fred Nixon, said the names of the three officers Gates recommended for prosecution cannot be released until charges are filed against them or until they are judged by an internal board of rights.

But in an interview Wednesday, LAPD Traffic Detective Richard Talkington named three officers involved in the beating: Officer Laurence Powell, who allegedly put his knee on King's back to keep him down; Sgt. Stacy Koon, who allegedly fired a stun gun at King; and Officer Timothy Wind, who along with Powell allegedly drew his baton and struck King on his arms, legs and torso.

King, 25, has denied the allegations against him.

FBI/DOJ

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D-350 (Rev. 5-8-81)

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Doctor lists injuries of beaten man

By Kathy Braidhill
Staff Writer

Los Angeles police officers involved in the videotaped beating of Rodney G. King broke his leg and bones around his eye, cracked a tooth, knocked fillings loose, and gave the Altadena man a severe concussion, King's doctor and attorney said Friday.

"None of the POWs taken by Saddam Hussein came back beaten this badly," attorney Steven A. Lerman said at a Beverly Hills news conference as he and Dr. Edmund Chein discussed King's injuries. "He'll never be the same Rodney King he was before this happened."

> **None of the POWs taken by Saddam Hussein came back beaten this badly.**
>
> **Steven A. Lerman**
> King's attorney

The doctor showed close-up photographs of the Altadena man's swollen face, purplish bruises, stitched cuts and burns allegedly from a Taser device, which delivers an electrical shock to subdue a person.

Some of the injuries to his brain and right eye could be permanent, Chein said.

In other developments:

■ The District Attorney's Office said it will consult the Los Angeles County Grand Jury in seeking an indictment against the police officers responsible for King's injuries.

The proceedings, held in secret, are expected to begin Monday. There is no estimate for how long the grand jury meetings might take. If the grand jury indicts the officers, the case would move to trial more swiftly because it would eliminate what is expected to be a lengthy preliminary hearing.

■ Prosecutors are trying to obtain a second videotape made by a second bystander showing King after the assault, according to City News Service. Although the video does not show the beating, prosecutors want to look at it anyway.

■ Attorney Lerman said he intended to amass a "war chest" of information before filing a lawsuit against the city on behalf of King, but did not say how much he would ask for in monetary damages.

King, a 25-year-old construction worker, is recuperating at an undisclosed location, Lerman said, after suffering an assault at the hands of police officers at 12:50 a.m. Sunday.

King allegedly led California Highway Patrol Officers and Los Angeles police on a high-speed chase on the 210 Freeway. He exited on Paxton Avenueand stopped his car in the 11700 block of Foothill Boulevard in Lake View Terrace.

After getting out of his 1989 Hyundai, King was shocked by an officer with a Taser device and kicked and beaten by police with their batons. At least three officers appear on the videotape to be actively beating King, and another dozen officers can be seen standing around.

When CHP officers began the alleged pursuit of King, they called for backup, and 15 LAPD officers responded to the call, said Officer Don Lawrence, an LAPD spokesman.

King told reporters that there was no chase and that he obeyed the officers' orders because "they had big guns out and everything."

Los Angeles Police Chief Daryl Gates said 11 officers and one sergeant have been relieved of active duty. He asked Thursday that the District Attorney's Office file criminal charges against three officers.

Chein, an orthopedic and neurological specialist, said a preliminary examination of King reveals several severe injuries:

■ The thin, fragile bone cavity encasing the eyeball was cracked top and bottom. Such damage is irreversible, Chein said. Bleeding from the injury is swelling King's eye socket and constricting the optical nerve and could result in vision impairment or injury to the muscular function of the eye.

■ King's right cheekbone was broken on both ends and is free-floating, requiring immediate surgery. However, Chein said his face is too swollen from his other injuries to operate now.

■ A concussion caused an internal bruise, resulting in damage to one side of his brain, slurred speech, memory lapses and mental dysfunction. The slow-healing tissue could take years to recover, Chein said.

■ Two facial nerves were injured, causing partial paralysis and sensory loss to the right side of his face.

■ The right shin was fractured.

■ About a dozen burn marks show where the Taser was applied and where the electricity charred King's skin as it exited his body.

Although the Los Angeles Police Department has completed its investigation into the incident, the District Attorney's Office has launched its own probe, spokeswoman Sandi Gibbons said.

"We feel the scope of our investigation is a little broader than theirs," she said. "We're looking at the actions of all 15 LAPD officers at the scene."

Gibbons said the felony charges against the officers for excessive force would be the charges most likely under consideration.

No decision has been made whether to file charges against King, Gibbons said. If charges were filed, Gibbons speculated that it probably would be a vehicle code violation for evading police and reckless driving.

(Indicate page, name of newspaper, city and state.)
P. A 1
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Pasadena, California

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Daily

Title: DOCTOR LISTS INJURIES OF BEATEN MAN

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MAR 20 1991

FBI — LOS ANGELES

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LA-LA-119954-D-29

Gates has said there was no evidence that the beating of King, who is black, was racially motivated, and he asked the public not to condemn the 8,300-member force for the actions of a few.

Gates said officers swung nightsticks at King between 53 and 56 times and kicked him at least seven times.

Gates also commended Holliday, who videotaped the incident, "for having the presence of mind to do this videotape. . . . And I want to particularly commend him for recognizing that this is an incident that needed attention."

Associated Press

Pictures don't lie: Attorney Steven Lerman shows photograph detailing Rodney Kings's injuries.

FD-350 (Rev. 5-8-81)

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(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
Edition: Sun, Mar 10, 1991
Opinion Section, Page 1

Title: THE ONLY WAY LOS ANGELES CAN CLEAR ITS NAME OF POLICE BRUTALITY

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MAR 20 1991

FBI — LOS ANGELES

The Only Way Los Angeles Can Clear Its Name of Police Brutality

■ **LAPD:** Silence about law-enforcement abuses is routine in Los Angeles, unlike in other major U.S. cities. The problem is that oversight institutions are weak.

By Jack Katz

Police in Los Angeles may well be more brutal than those in other large U.S. cities, but we may never know because they are far less subject to control. The most significant aspect of the disgraceful beating of Rodney G. King is its subtle revelation of the routine silence about law-enforcement abuses in our community.

In virtually all U.S. jurisdictions, people presumed by the police to be criminal offenders are widely treated with verbal disrespect and are often subject to physical mistreatment. The public rarely learns about the problem, because the victims usually have much more to fear from the police than a beating. As in the King case, the victim's first thought as the police approach is not about brutal cops but about probation status or about vulnerability on the charges that the police may bring. Many street criminals would welcome a beating that would compromise the police's ability to send them back to prison. Bear in mind that the King incident came to light not because he or his passengers approached the media, but because, by very odd chance, a bystander had on hand a new video camera that he was eager to try out.

Jack Katz is professor of sociology at UCLA.

What is more distinctive about Los Angeles is an institutional weakness in the professional constituencies of the police. Other communities have at least three supports for oversight, all of which are lacking here.

First, legal academics, bar associations and judges in Southern California are stunning in their silence. Lawyers in this part of the country have broken with a national, century-old tradition in which civic-minded groups of lawyers periodically document and denounce such local problems as political corruption and law-enforcement abuses, risking pompous self-righteousness in the name of a selfless commitment to professional ideals.

Second, our local prosecutors are routinely silent. Having suffered his own extraordinary series of fiascoes, L.A. County's prosecutor has hardly been in a position to undertake a vigorous grand-jury or undercover investigation of police brutality. Our expectation of competence has not been shattered at the federal level, but then, Los Angeles seems to have no expectations about its federal prosecutor other than that he or she will periodically surprise us with a drug case so large that it ironically reveals the hopelessly massive size of illegal drug markets.

■ **VIDEOTAPED BEATING:** Other commentary on the beating of Rodney G. King by LAPD officers on Op-Ed, Page 5.

We could expect more. Several years ago, when conducting observation research within the U.S. Attorney's office in Brooklyn, I was impressed by the leadership's sense of responsibility repeatedly to initiate federal civil-rights criminal cases, even when

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conviction seemed quite chancy, out of an awareness of the importance of avoiding the appearance of Establishment complicity in official racial oppression—and these prosecutors were conservative Republican appointees.

Third, and somewhat paradoxically, the weakness of local political organizations tempts law-enforcement leaders to pursue their own images in media reflections, undermining their agencies' professionalism. Where strong political organizations control the routes to higher office, they also block the narcissistic antics to which we have become accustomed. When L.A.'s top cop and prosecutor insist that we examine their personalities by issuing histrionic, divisive statements and incompetently managing cases, there is no political organization to be embarrassed.

The embarrassment is left for the community as a whole to suffer. In other communities, a "bad apple" resolution, in which the miscreants are prosecuted as deviant cases, might work. In Los Angeles, the only possibility for effectively expressing indignation about such thuggery of our police as that in the King case, indeed the only way for us to avoid complicity in it, is for the public to insist that the chief resign. □

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Edition: SUN, MARCH 10, 1991
OPINION SECTION, PAGE 5

Title: IT'S SAFE STREETS VERSU
URBAN TERROR

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MAR 19 1991

FBI — LOS ANGELES

COLUMN RIGHT/
LLEWELLYN H. ROCKWELL

It's Safe Streets Versus Urban Terror

■ In the '50s, rampant crime didn't exist because offenders feared what the police would do.

If you offer a small boy one candy bar now or 10 tomorrow, he'll grab the one. That's because children have what economists call a "high time preference." They want it, and they want it now. The future is a haze.

The punishing of children must take this into account. One good whack on the bottom can have an effect. A threat about no TV all next year will not.

As we grow older, this changes. We care more, and think more, about the future. In fact, this is the very process of maturation. We plan, save, invest and put off today's gratification until tomorrow.

But street criminals, as economist Murray N. Rothbard points out, have the time preference of depraved infants. The prospect of a jail sentence 12 months from now has virtually no effect.

As recently as the 1950s—when street crime was not rampant in America—the police always operated on this principle: No matter the vagaries of the court system, a mugger or rapist knew he faced a trouncing—proportionate to the offense and the offender— in the back of the paddy wagon, and maybe even a repeat performance at the station house. As a result, criminals were terrified of the cops, and our streets were safe.

Today's criminals know that they probably won't be convicted, and that if the are, they face a short sentence—someday. The result is city terrorism, though we are seldom shown videos of old people being mugged, women being raped, gangs shooting drivers at random or store clerks having their throats slit.

'Today's criminals know they probably won't be convicted. If the are, they face a short sentence—someday.'

What we do see, over and over again, is the tape of some Los Angeles-area cops giving the what-for to an ex-con. It is not a pleasant sight, of course; neither is cancer surgery.

Did they hit him too many times? Sure, but that's not the issue: It's safe streets versus urban terror, and why we have moved from one to the other.

Liberals talk about banning guns. As a libertarian, I can't agree. I am, however, beginning to wonder about video cameras.

Llewellyn H. Rockwell Jr. is president of the Ludwig von Mises Institute, an economics think tank in Auburn, Ala.

FBI/DOJ

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D-35 (Rev. 5-8-81)

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300 protest beating of Rodney King

(Indicate page, name of newspaper, city and state.)
P. A 1
Star-News
Pasadena, California
Date: 3/10/91
Edition: Sunday

Title: 300 PROTEST BEATING OF RODNEY KING

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MAR 20 1991

FBI — LOS ANGELES

By Janice Luder
Staff Writer

LOS ANGELES — An angry crowd of about 300 primarily black protesters gathered outside the Los Angeles Police Department headquarters Saturday for a round of speeches, marches and shared stories of racial indignities in support of Altadena resident Rodney G. King.

The treatment of King, a 25-year-old unemployed construction worker from Altadena, at the hands of Los Angeles police March 3 has sparked outrage nationwide.

In a home videotape filmed from a nearby apartment balcony that has stunned the nation, King is shown handcuffed and prone while police officers beat, club, kick and torture him with an electric stun gun. The beating followed a freeway pursuit by California Highway Patrol officers.

King sustained a broken leg, broken eye socket, shin fracture, damaged facial nerves, broken cheek and a dozen burn marks from the stun gun.

On Friday, the District Attorney's Office said it will consult the Los Angeles Grand Jury in seeking an indictment against the police responsible for King's injuries.

"A number of demands will be made, and I think it's important to move forward with them now, because of the strong feelings that surround (the beating).

Ralph Poole
King's Villages tenants organization

Participants in Saturday's protest said they are moving quickly to push for police reforms while the outpouring of revulsion for the incident is strong.

"A number of demands will be made, and I think it's important to move forward with them now, because of the strong feelings that surround (the beating)," Pasadena resident Ralph Poole said. Poole is a member of the Black Males Forum and chairman of Pasadena's Kings Villages Tenants Union Organization.

The most vehement demand voiced among Saturday's participants was the immediate removal of Los Angeles Police Chief Darryl Gates.

"I hope today marks the beginning of the end for Gates," said Clay Tee White, treasurer of the Los Angeles chapter of the NAACP.

The half-day protest was sponsored by the Altadena, Los Angeles and San Fernando Valley branches of the NAACP and by the Los Angeles and Pasadena urban leagues.

Tony Stewart, president of the Altadena NAACP, said more than three bus loads of protesters met in Altadena early Saturday morning to travel together to the police headquarters at Parker Center in downtown Los Angeles.

"We want to let the country know we're not going to take it anymore," Stewart said.

"The LAPD has lost its perspective. It feels it's job is to persecute minorities. I hope this will be the beginning of a groundswell of all people of good will who will join with us to fight that," Stewart said.

Homemade signs, many bearing color photographs of black men and women in military uniform or black men with cuts and bruises, revealed the anger and frustration of the protesters.

"Wanted by LAPD — Minorities, 12 Years and up, for Death," read one sign. "To Serve, Protect and Break a Brother's Neck" was painted on another.

FBI/DOJ

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Leon Jackson of Los Angeles, carrying a placard, said he was incensed at King's treatment. "You don't even see this kind of thing happening in South Africa," he said.

As marchers traveled up and down Los Angeles Street in front of police headquarters, one protester rolled along in his wheelchair, chanting through a portable microphone, "Stop Gates' goons!"

On a nearby grassy knoll, two white protesters from Orange County waved signs but stood slightly back from the crowd.

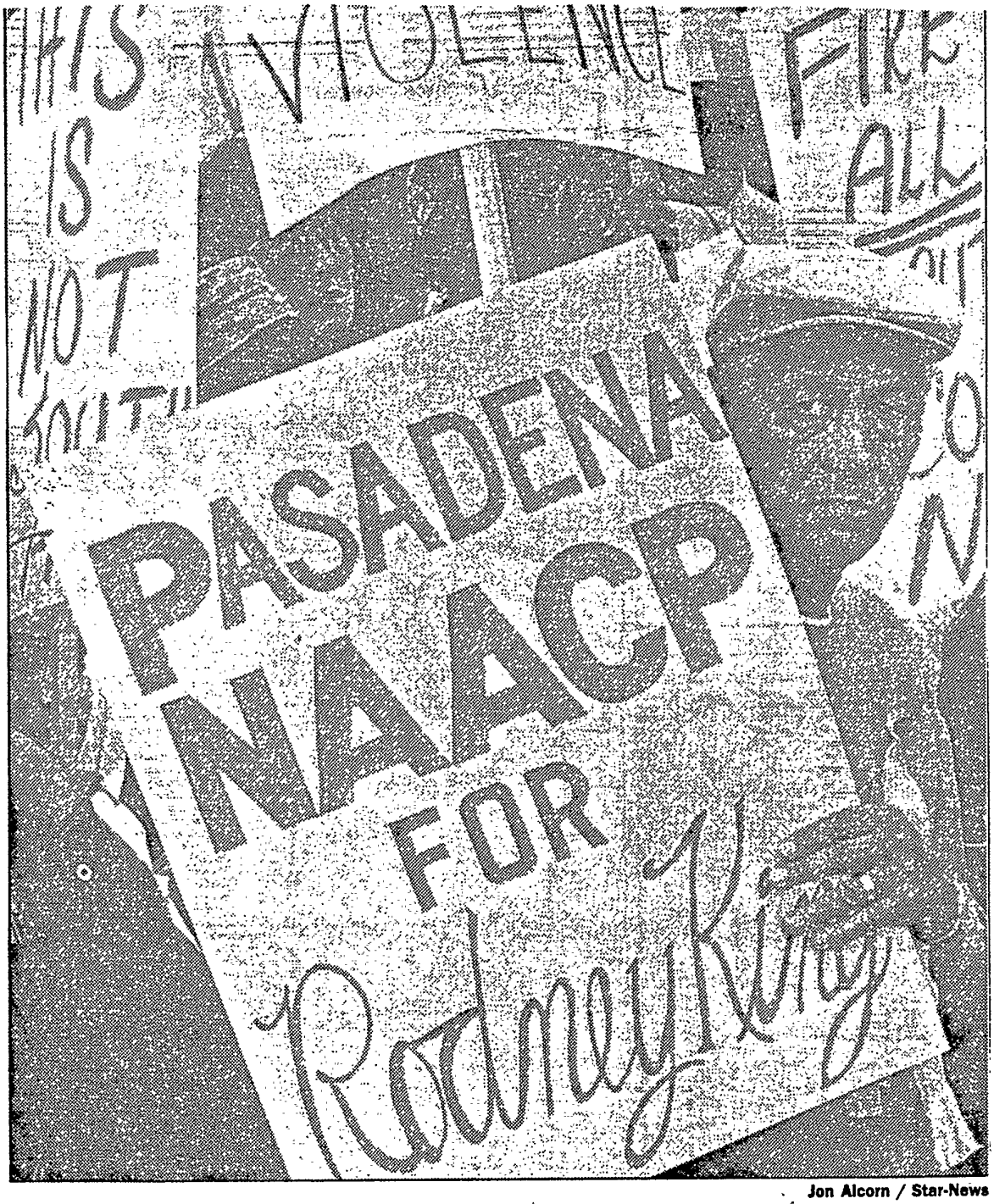
"I wonder why you don't see many whites here," said Clark Thompson, a student at Fullerton College. "Maybe they're afraid to come down."

A few police stood on the perimeters of the crowd, while others gathered just inside the headquarters, grimly watching through the locked glass doors.

Lydia Fernandez-Palmer, executive director of the Pasadena-based El Centro De Accion Social Inc., a social services agency, said she was troubled by Gates' definition of the police brutality as "human failure."

"Almost any crime could be excused as 'human failure.' In this situation, I think it is all being sanitized because the men doing it were wearing uniforms," Fernandez-Palmer said.

Stewart and Palmer were among the Pasadena representatives participating in the half-day event. Others included Shirley Adams, director of the Pasadena Urban League and William Broadous, pastor of Calvary Baptist Church in Pasadena.



Jon Alcorn / Star-News

Demonstration: Charles Johnson, first vice president of Pasadena NAACP, holds a sign Saturday at protest against the Los Angeles Police Department and Chief Daryl Gates.

Jon Alcorn / Star-News

Flood Gates: A protester carries a sign against L.A. Police Chief Daryl Gates at demonstration Saturday.

LAA-LA-119954-D-31

FD-350 (Rev. 5-8-81)

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THE TIMES POLL

Majority Says Police Brutality Is Common

By TED ROHRLICH
TIMES STAFF WRITER

Los Angeles residents overwhelmingly believe that police used excessive force in arresting Rodney G. King and that instances of police brutality are commonplace, a Los Angeles Times Poll has found.

Nearly two-thirds of those polled, including a majority of Anglos, said they believe incidents of brutality by Los Angeles police are common, with 28% saying such incidents are very common.

One out of four of those surveyed said that in the last five years they had personally seen or been involved in an incident in which a Los Angeles Police Department officer used excessive force. One of three blacks said they had seen or been a party to such an incident.

The poll found widespread belief among Anglos, blacks and Latinos that King was beaten because he was black and that police generally are tougher on blacks and Latinos than they are on Anglos.

Los Angeles Police Chief Daryl F. Gates has apologized for the beating of King, calling it an "aberration." The incident last week prompted scattered calls for the chief's resignation by some civil rights and community activists.

More than half of those polled said that they disapprove in general of the way that Gates is handling his job. But only one of eight residents believe that the chief should resign immediately over the beating of King, which was videotaped by an onlooker.

The poll found extremely strong sentiment in favor of setting up a civilian board to review alleged cases of misconduct by Police Department officers. Three out of four city residents said they favored such a board.

While the poll found that three of four Los Angeles residents have confidence in the ability of the police to protect them from crime, it also found substantial distrust of the department.

Asked, "When it comes to being honest, what is your impression of the Los Angeles Police Department?" 50% of respondents said they had an unfavorable impression and 44% had a favorable impression.

This expression of distrust was higher than the 38% recorded in 1979 when The Times Poll asked the same question after a controversial incident in which police shot to death a black woman, Eulia Love, outside her house.

Eighty-six percent of those surveyed in last week's poll said they had seen the often-televised videotape, which shows King being repeatedly kicked and clubbed more than 50 times by uniformed officers.

THE TIMES POLL

The beating occurred after police said King had led them on a high-speed chase that ended with him refusing to leave his car. Police said that when King emerged they thought he might have a weapon.

King, however, has said that he pulled his car over as soon as police requested and that his manner was cooperative.

Asked whether they believed King's version or the police's, respondents favored King's by a margin of 52% to 15%. The rest were unsure.

Blacks were most distrustful of the police account, declaring belief in King's version by a margin of 78% to 2%.

Whether they believed King resisted arrest or not, an overwhelming majority of those polled—92%—believed police used "too much" force against King.

Even 89% of those who believe King resisted arrest said officers used excessive force.

The poll was taken by telephone Thursday and Friday nights, as officials were reacting to the incident.

On Thursday, Gates told a news conference that he was asking the district attorney's office to file felony charges against three of the 15 officers at the scene, and planned to administratively discipline the sergeant who was present and to discipline as many as 11 other officers.

On Friday, the district attorney's office announced that it would take the case before the county grand jury Monday and that more than three officers might be criminally charged.

Despite moves to prosecute those responsible, the poll found that only 28% said they were very confident that "justice will end up being done." Another 30% were somewhat confident; 23% were somewhat doubtful and 14% very doubtful. The rest were not sure.

In their assessment of how common police brutality is, 63% of all surveyed said it was common, with 28% saying it was "very common" and 35% "fairly common."

(Indicate page, name of newspaper, city and state.)

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Among Anglos, 19% said it was very common and 39% fairly common.

Among Latinos, 33% said it was very common and 27% fairly common.

Among blacks, 44% said brutality is very common and 36% fairly common.

A plurality of those surveyed said they believe that the problem of Los Angeles police officers striking suspects because they think the suspects will not be dealt with appropriately by the courts is increasing.

Forty-seven percent said such incidents of "street justice" have increased over the last 10 years.

By contrast, only 3% of Los Angeles officers polled by The Times last summer said street justice had increased; 67% said it had decreased.

Despite the evident gulf between citizens and police on perceptions of police brutality and honesty, residents still have considerable confidence in their Police Department's ability to protect them from crime and help them in other ways.

Overall, 54% of those surveyed reported some confidence, and an additional 22% reported "a lot" of confidence that police will protect them from crime.

A majority of Latinos and Anglos and a plurality of blacks reported a somewhat or very favorable impression of the Police Department "when it comes to holding down crime." Among all respondents, 39% reported a somewhat favorable impression and 13% a very favorable impression of the department's crime-fighting ability.

Moreover, 44% reported a somewhat favorable impression of the police "when it comes to helping citizens." An additional 15% said they had a very favorable impression.

But in response to the comprehensive question, "Do you approve or disapprove of the way the Los Angeles Police Department is doing its job?" city residents were nearly evenly split, with 46% saying they approved and 47% reporting that they disapproved.

This represented a nose-dive from a measurement taken in 1988, when The Times Poll found that 74% of city residents approved of the job the department was doing.

In last week's poll, Anglos were evenly divided on the department's performance. Latinos approved by a margin of 51% to 41%. Blacks disapproved by a margin of nearly 3 to 1.

Gates' approval rating has also plummeted.

Thirty-three percent said they approved of the job the chief was doing. Fifty-five percent said they disapproved.

■ **GATES UNDER FIRE**
Several hundred people rally at Parker Center to demand Daryl F. Gates' resignation. B1

Approval was highest among Anglos—with 36% pleased with the chief—and lowest among blacks, with 23% endorsing his performance.

By contrast, the 1988 Times Poll found that 61% of city residents, including a majority of blacks, approved of the job Gates was doing.

However, there is minimal support for his immediate resignation, favored by 13% of those polled last week; and only moderate support, an additional 27%, for his resignation if an investigation proves there was wrongdoing by police. Slightly less than half of those polled said he should not resign.

Mayor Tom Bradley appears to have weathered the King incident unscathed, with 61% of city residents approving of the way he is doing his job.

The Times Poll is directed by John Brennan. In conducting this poll, The Times interviewed 718 residents in the city of Los Angeles.

The overall margin of error is plus or minus 4 percentage points. The margin for subgroups is higher. For Anglos, the margin is plus or minus 6 points; for blacks it is plus or minus 8 points. For Latinos, the margin is plus or minus 9 points.

Assistant Times poll director Susan Pinkus contributed to this story.

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(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
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OPINION SECTION, PAGE 5

Title: COMPLAINTS MEETS A WALL OF SILENCE

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FBI — LOS ANGELES

COLUMN LEFT/
CAROL A. WATSON

Complaints Meet a Wall of Silence

■ The only unique thing about King's beating is the fact that it was captured on videotape.

The clubbing and use of a Taser stun gun on a man lying helpless on the ground by Los Angeles police officers was promptly characterized by Chief Daryl F. Gates as an aberration.

But this atrocity is unique only in that it was captured on videotape. It is an aberration only in the sense that at least three of the 12 officers face criminal prosecution.

The truth is that any person who tries to evade officers is more likely than not to be beaten, shot or mauled by police dogs. Typically, he will then have to defend himself against charges of assaulting an officer, commonly referred to as "cover charges," based on a falsified police report.

The chief's claim that this kind of conduct is unusual is the height of hypocrisy. It is well-known in law-enforcement circles that the end of a chase is one of the occasions when officers have a propensity to use excessive force, although in Los Angeles County it is routine behavior, whether or not there has been a pursuit.

Any conscientious police administrator knows from numerous sources that unnecessary police violence is commonplace and increasing.

City Council members approve settlements and pay judgments arising out of lawsuits over police beatings, but they rarely raise a whimper about the huge expenditures of taxpayer money that could have been avoided if they had performed their oversight duties properly.

Written claims required in the filing of a lawsuit against a public employee are also available, as are citizen complaints against police officers. But there is little or no effort to use these resources to monitor police performance.

Karol Heppe, executive director of the Police Misconduct Lawyer Referral Service, reports a dramatic increase in complaints against law-enforcement officers that the organization received in 1990. Of 2,654 received last year, 616 were complaints against Los Angeles police officers, including eight assigned to the Foothill Division, where King's alleged attackers were stationed. According to Heppe, in the first two months of 1991, the organization has received 531 complaints, of which 127 were against Los Angeles police officers, seven of whom were assigned to the Foothill Division.

The failure to discipline officers engaged in violence, or who are dishonest about violence, and the refusal of prosecutors to file charges against such officers allow miscreants to be secure in the knowledge that no penalty will imposed on one who beats a person who may have committed a crime or who may have been less submissive than officers desire.

'It is clear that the officers who beat Rodney Glenn King felt no threat of exposure.'

The code of silence, adhered to by any officer who intends to remain on the job, provides a virtually impenetrable layer of protection for violence-prone officers. It is clear that the officers who beat Rodney Glenn King felt no threat of exposure from the aiders and abettors who stood by and watched. And it is highly unlikely that the rookie officer would have engaged in such brutal behavior if his training officer had not implicitly shown approval by his silence. Such conduct perpetuates the corruption that undermines public confidence in law enforcement.

To cut his political losses, Gates announced that he will recommend prosecution of three of the officers. The public should recognize this as an attempt to

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make the issue vanish while giving the impression that someone is minding the store. He used the same tactic to defuse the outcry that followed the Dalton Street incident, in which officers trashed two South-Central Los Angeles apartment buildings, by offering up a few sacrificial lambs for prosecution on misdemeanor vandalism charges while ignoring the beatings that took place and the crimes of the more than 70 other officers who were involved.

Daryl Gates is unfit to lead the Los Angeles Police Department. His initial equivocation in the beating of King and his attempts to justify it by accusing King of being intoxicated demonstrate his lack of professional standards. But this is merely one in a series of events that should have led to his ouster. Previous statements by Gates—racist, violent and militaristic—set the tone for his troops. At best, he is an embarrassment; at worst, a menace and threat to the safety of the community.

The public should demand a special prosecutor to investigate and prosecute police crimes and should demand an end to the secrecy that shrouds the records showing police misconduct.

As tragic as the treatment of King was, it would be an even greater tragedy if the public were deceived into believing that his treatment at the hands of LAPD officers was an isolated incident.

Carol A. Watson is president of the Los Angeles Chapter of the National Lawyers Guild and a member of the board of directors of the Police Misconduct Lawyer Referral Service.

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Hundreds of Protesters Demand That Gates Resign

■ **Police:** Angered at the beating of a black motorist, demonstrators at Parker Center vow to rally each weekend until the head of the LAPD steps down.

By SHERYL STOLBERG
TIMES STAFF WRITER

Vowing to demonstrate each weekend until they force Los Angeles Police Chief Daryl F. Gates to resign, several hundred protesters converged on the Police Department's downtown headquarters Saturday morning in an outpouring of anger over the beating of a black motorist by white officers.

"Now it's Daryl Gates against the people," declared Rep. Maxine Waters (D-Los Angeles), as the crowd gathered around her cheered. "We'll see who steps down."

Organized by chapters of the National Assn. for the Advancement of Colored People and the Urban League, the protest drew calls not only for Gates to step down, but also for the dismissal of all 15 police officers who were at the scene of the beating and for changes in the way the department handles brutality cases.

Some changes may already be on the way: State Sen. Diane Watson (D-Los Angeles) announced Saturday that she has introduced legislation that would require police officers to intervene when they witness acts of brutality by other officers, and to report such acts to their superiors.

Meanwhile, Waters said members of the Congressional Black Caucus plan to meet with FBI Director William S. Sessions on Tuesday to discuss the beating, and intend to hold hearings in Los Angeles at a later date.

Saturday's rally, which drew a primarily African-American crowd, was peaceful. Speaker after speaker exhorted the throng not to let up the pressure on the chief. They asserted that the beating of Altadena resident Rodney G. King, who was struck more than 50 times with batons while an amateur photographer captured the scene on videotape, was not an aberration, as Gates has said.

"This is not an isolated incident!" thundered Jose De Sosa, the rally's organizer and president of the San Fernando Valley chapter of the NAACP. "This is the type of thing that occurs under the cover of darkness throughout our city."

The protesters picketed Parker Center for more than three hours, chanting "Gates must go! Gates must go!" and waving signs. "To serve and protect, and break a brother's neck," read one. "Beware of LA's rabid police dogs. Lock 'em up," read another.

A young black USC student complained he cannot walk to class without being harassed by Los Angeles police. "They made me late for school," said 22-year-old Dwayne Washington. "It was totally ridiculous and totally uncalled for."

A lawyer for the American Civil Liberties Union gathered signatures on a petition calling for Gates' ouster. "He

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needs to know that the community has lost confidence in his leadership," said Mike Subit, who is white.

A Culver City mother brought photographs of her 22-year-old son, who she said was beaten severely by police when he was 17. The photographs showed the boy's face, swollen and bruised. The woman, Barbara Beasley, who is black, complained that an all-white jury in Santa Monica refused to hold the officers liable for civil damages.

Many agreed with John Mance, a member of the NAACP's national board, when he said that, despite Gates' insistence that the beating was not racially motivated, it looked to him like "a lynching." Another NAACP activist, Tony Stewart, said soberly that she and her colleagues could not help but think that minorities bear the brunt of police misconduct.

"Coming from slave grandparents, and knowing that the treatment is still going on, we realize that we are still hurting," said Stewart, president of the NAACP chapter in Altadena. "Every time I say the pledge of allegiance to the United States, I hurt. I hurt every time I have to say 'One nation under God, With liberty and justice for all.' That's a lie!"

As the protesters marched and spoke, a similar—albeit much smaller—demonstration was going on at the Police Department's Foothill Division in the San Fernando Valley, where the officers involved in last Sunday's incident are stationed. About 20 people attended that demonstration.

Among them was Sabrina Norman, a nurse who lives in the Wilshire district. "They are not the kind of gentlemen we want patrolling the streets," she said of the officers involved. "They are legal criminals."

The videotaped images of three police officers hitting King repeatedly with their batons while 12 other officers watched have sparked an outcry over police misconduct in Los Angeles. On Monday, the district attorney's office will begin presenting evidence to a grand jury in an attempt to seek indictments of some of the officers.

While Gates has recommended that three officers be prosecuted, the county grand jury may go beyond the chief's recommendation. According to Sandi Gibbons, a spokeswoman for the district attorney office, an investigation showed that more than just three officers could be prosecuted, although she would not say how many.

Many at Saturday's protest complained that Gates' recommendations did not go far enough. But despite their calls for him to resign, the chief—who could not be reached for comment Saturday—has said he will stay on.

"I will never leave when there is controversy," he said last week. "I will leave when I choose to leave."

Times staff writers Jack Cheevers and John L. Mitchell contributed to this story.

RANDY LEFFINGWELL / Los Angeles Times

Protesters object to police beating and demand resignation of Chief Gates.

FD-350 (Rev. 5-8-81)

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Gates insists he will stay, rebuild LAPD

By The Associated Press

Los Angeles Police Chief Daryl F. Gates has taped a video in which he vows to punish all officers involved in the relentless beating of a black motorist and assures that his faith in the Police Department remains unshaken.

Gates made his comments on a 15-minute videotape first shown to officers during roll calls Friday. The tape will be shown to the entire department.

On his video, Gates said he would not step down. "It'd be easy for me to pack up and go away," he said. "But I didn't put 42 years into this job to see it blow up in smoke. I'm not going to resign. I'm going to be here to make sure that what I say is done."

State and federal authorities launched investigations into the beating.

(Indicate page, name of newspaper, city and state.)

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Police chief says beating shattered LAPD's image

By Rose Ana Berbeo
Associated Press

LOS ANGELES — Chief Daryl F. Gates has taped a video in which he vows to punish all officers involved in the relentless beating of a black motorist and assures that his faith in the Police Department remains unshaken.

"We've been the model, the LAPD," he said. "Those thoughtless officers, in those couple of minutes, destroyed that image and it's going to take us a long time to rebuild that image."

Gates made his comments on a 15-minute videotape first shown to officers during roll calls Friday. The tape will be shown to the entire department.

On March 3, plumber George Holliday stuck his new camcorder out the window of his Lake View Terrace apartment and videotaped the beating of Rodney Glen King after a traffic stop.

The tape of King's beating has been broadcast repeatedly nationwide. It shows King, 25, being clubbed more than 50 times and kicked seven times by uniformed officers.

Thousands of angry calls have flooded the Police Department and Mayor Tom Bradley's office. On Saturday, more than 300 people protested outside police headquarters downtown and demanded Gates' ouster.

On his video, Gates said he would not step down.

"It'd be easy for me to pack up and go away," he said. "But I didn't put 42 years into this job to see it blow up in smoke. I'm not going to resign. I'm going to be here to make sure that what I say is done."

In his message to the force Gates spoke gravely, almost reproachfully, into the camera.

"With those two minutes of videotape . . . two minutes that will go down in infamy in the history of this department," Gates said, "the work of thousands of people who have put their very best efforts forward to make this department the very best in the world — those have shattered that image.

"There's not a man or woman in this department that does not feel betrayed. We're going to prosecute three of the officers and discipline all of the officers who were involved. It is absolutely essential that we do it."

State and federal authorities have launched investigations into the beating, and the mayor scrambled to calm the city and salvage its reputation.

Gates said King's beating is the second time in recent history that a superior officer failed to step in and stop officers from acting out of line.

"We protect one another from getting into trouble," he said in his video. "How in the world a sergeant can not step forward and take the action necessary to keep them out of trouble, I cannot understand.

"I've said that it is absolutely essential that you police officers in this city . . . have a reverence for the law. And the law says that you will only use that force that is necessary.

"People look to you for that protection, they look to you for that service. They don't look to you for a beating.

"There are going to be situations . . . where you have to use force," Gates said. "Use it, but use it in a necessary and reasonable fashion and only in that."

Gates told his officers the majority of city residents "like you. They support you.

"People want to see you in their neighborhood. It gives them a good feeling. I'm not so sure it gives them a good feeling right now and what a shame that is."

On Sunday, petitions were circulated on Venice Beach and in the First African Methodist Episcopal Church demanding Gates' resignation.

City Council candidate Kermit Maddox told the AME congregation "the time is now for action."

"Let me tell you, this is not Mississippi 1955. This is not South Africa. We're not slaves. We're tired of this treatment."

Ninety-two percent of 718 city residents polled by the Los Angeles Times Thursday and Friday said police used too much force in King's beating.

Among those polled, blacks were most distrustful of the police version of the beating, which is that King refused to leave his car after leading police on a high-speed chase. Blacks said 78 percent to 2 percent that they believed King's account — that he pulled over as soon as police requested.

Of those polled, 63 percent said police brutality was common, 28 percent said it was very common and 35 percent said it was fairly common.

Asked whether they approved how the police department was doing its job, 46 percent of those polled approved and 47 percent disapproved.

More than half of those polled said they disapproved of how Gates is handling his job.

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Chief Daryl Gates
'We've been the model'

We're to prosecute three of the officers and discipline all of the officers who were involved. It is absolutely essential that we do it.

Daryl F. Gates
Los Angeles police chief

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Police Commission once again asked to restore confidence

By Howard S. Gantman
COPLEY NEWS SERVICE

With the Los Angeles Police Department's reputation devastated by the brutal beating of a black motorist at the hands of white officers, a civilian review board has been charged with the responsibility of ferreting out patterns of racism and brutality and restoring public confidence in the force.

Although the Police Commission has been relatively passive in its oversight of the department in recent years, its role in controversial matters is not foreign.

Often at odds with Police Chief Daryl Gates, the panel in the past has ordered an end to the use of chokeholds to subdue suspects — an issue that got the chief in trouble when he said blacks reacted differently to the chokeholds than "normal people."

IN ADDITION

Law enforcement analysts claim many high-profile police pursuits end in assault and even death./**A3**

Chief Daryl F. Gates videotapes a message for police department officers./**A3**

The panel also laid down new rules limiting police use of guns in the wake of the Eulia Love shooting in 1979 and ordered the abolishment of the Public Disorder Intelligence Division, which was at the center of a police spying scandal.

Now in an effort to ease public concerns about the savage pummeling last week of Rodney G. King, Mayor Tom Bradley has directed the commission to carry out the wide-ranging investigation and recommend any needed changes.

"We have agreed it is clear that we need to take quick and immediate action to reassure our residents that our Police Department is there to protect and to serve everyone equally," Bradley told the panel.

"With your leadership, I am confident we can restore the luster to our Police Department's badge of honor."

Dan Garcia, an influential lobbyist and civil rights attorney appointed by Bradley to the panel last November, said the commission's staff was asked Friday morning to begin a comprehensive analysis of racial factors in lawsuits and abuse complaints over the past decade.

As a result of the recent beating, Gates has recommended the three officers accused of clubbing and kicking King while he hunched to the ground should be charged with assault and the other 12 at the scene face disciplinary actions for failing to stop it.

But the District Attorney's Office has chosen to take the matter to the Los Angeles County grand jury beginning today, a procedure that could speed the ultimate criminal proceedings and also could result in criminal charges against the others for aiding and abetting.

Garcia said the panel would review "as much information as anybody would want to see if there is a pattern" to the lawsuits, complaints and disciplinary problems.

"We also will examine if there are any institutionalized reforms needed to develop a system that gets rid of the bad apples," Garcia said.

A full report ready for commission action and public hearings should be available by early April, Garcia predicted.

In a related development, Garcia said he and fellow commissioner Melanie Lomax plan to attend a hearing Tuesday by the City Council's Public Safety Committee into the police policies on excessive force and the adequacy of training programs to prevent brutality.

Coincidentally, the City Attorney's Office released a report Friday that showed the legal cost of Los Angeles police abuse cases has escalated dramatically since 1972.

The city paid out at least $553,340 in

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THE OUTLOOK
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settlements, jury verdicts and court orders against the department in 1972; $2,652,455 in 1982; and a record $8,069,431 in 1990, according to the city attorney's report. It does not include some major recent cases on appeal.

City Councilman Zev Yaroslavsky, chairman of the Budget and Finance Committee, also has begun a review of the lawsuits, which he believed would show that a preponderance of victims were black or other minorities.

"What is troubling is that in many of the cases, a disproportionate number of people of color are in the receiving end of this department's violent action," Yaroslavsky said.

While the commission's inquiry will provide a public forum for much of the anger being expressed in minority communities, the move also was seen by City Hall observers as an attempt by Bradley to gain political advantage over Gates.

But despite mounting public pressure for Gates to retire, Bradley said he did not have the power to force the chief out of office. He refused to publicly ask Gates to step down.

Unlike many other municipalities, the Los Angeles police chief's job is protected by civil service regulations, which have helped Gates withstand many earlier controversies. He is one of the longest-serving chiefs of any major city in the country; his 13th anniversary as the head of the LAPD is March 24.

While the city Charter gives the chief the power to promote and discipline his officers, Gates must answer to the commission, which has final authority over most law enforcement policy matters. The panel, whose five members are appointed by the mayor and confirmed by the council, has had stormy dealings with Gates and some of his predecessors, including former chief Ed Davis.

But since the mid-1980s, as gangs and drugs proliferated, the commission has worked much more cooperatively with Gates, seeking to stem the growing tide of street violence.

Displeased with commission members who had refrained from criticizing the chief, Bradley replaced Commission President Robert Talcott and member Steven Yslas with two close political supporters: Garcia and Lomax, a former legal counsel for the NAACP.

In what was seen last fall as a move by Bradley to try to pressure Gates from office, the mayor directed the new appointees to make the commission an "active, progressive" board of overseers and return control of the department to the civilian commission.

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MAR 20 1991

FBI — LOS ANGELES

Beating Case Considered by Grand Jury

■ Police: The county panel watches the videotape. At least three witnesses testify, including a Highway Patrol officer involved in the pursuit.

By TRACY WOOD
and SHERYL STOLBERG
TIMES STAFF WRITERS

With a crush of reporters and TV cameras gathered outside closed doors, the Los Angeles County grand jury Monday began hearing testimony about the controversial police beating of an Altadena man.

The 23-member citizens panel, which may hand down indictments by the end of this week, heard testimony for about two hours Monday afternoon. There were at least three witnesses: George Holliday, the amateur photographer who videotaped the beating; Josie Morales, a neighbor who witnessed it, and Melanie Singer, a California Highway Patrol officer who was involved in the original pursuit of motorist Rodney G. King early March 3.

Holliday—who like the others was ushered through a rear door to avoid reporters—said he also saw a second officer waiting to testify. Holliday said he was the first to give his account. He said his testimony included answering questions from a prosecutor and grand jury members and lasted about 30 minutes.

"It was real quick," he said.

According to authorities, King was pulled over after a chase that reached in excess of 100 m.p.h. on the Foothill Freeway. Los Angeles police became involved after King drove his car onto surface streets. Authorities have said that at that point, King was driving up to 80 m.p.h. and running red lights.

Law enforcement officials who have heard police radio communications of the chase said King was traveling at a top speed of 65 m.p.h on the surface streets and that he stopped at least once at either a red light or a stop sign.

During the next few days, prosecutors from the district attorney's office will attempt to reconstruct the pursuit and beating, in which King was struck between 53 and 56 times with the officers' batons. The incident has brought national notoriety to the Police Department, as well as calls for Chief Daryl F. Gates to resign.

Gates has recommended prosecution of three of 15 officers who were at the scene when King was beaten. District attorney's officials, saying they believed that more officers could be charged, decided to present the case to the grand jury instead.

By law, the grand jury conducts its business in secret, and the prosecutor running the proceedings, Deputy Dist. Atty. Terry White, declined comment Monday.

Assistant Dist. Atty. Curt Livesay said last week that the panelists would likely begin their work by viewing the videotape of the beating. At 8:15 a.m. Monday, a television and videocassette recorder were wheeled into the meeting room on the 13th floor of the Los Angeles Criminal Courts Building. Holliday said the tape was aired during his testimony in the afternoon.

Sources familiar with the proceedings say that prosecutors expect to call fewer than 20 witnesses, and that King will not be among them. According to one source, prosecutors are not eager to have King testify because he might provide contradictory statements that could damage the case when it goes to trial.

King's lawyer, Robert Rentzer, said he received a letter from prosecutors telling him that King would be excused from testimony because of his medical condition.

King suffered a variety of injuries as a result of the beating after he was stopped by police in Lake View Terrace in the San Fernando Valley. The 25-year-old unemployed construction worker, who is on parole after serving a one-year prison sentence for robbery, was stunned with a dart from an electric Taser gun before being kicked and hit repeatedly.

King's doctor has said preliminary tests show he may have sustained permanent brain damage from repeated blows to the head and that he is suffering from confusion and memory lapse. In addition, Dr. Edmund Chein said the bones in King's right eye socket were fractured beyond repair.

A Police Department investigation into the incident showed that three officers participated in the beating while 12 more—including a sergeant—watched and did nothing.

Law enforcement officials, including prosecutors and police, have already said that the officers who participated in the beating could face charges of assault with a deadly weapon, or assault "under color of authority."

It is not clear whether prosecutors will be able to seek indictments against the officers who watched. Sources involved in the grand jury proceedings said those officers may have committed federal civil rights violations. King is black; the officers are white.

In related developments, the American Civil Liberties Union of Southern California—which has

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been extremely critical of Ga announced a "multilevel paign" to seek the chief's o The campaign began today w full-page paid advertisement i Los Angeles Times under headline, "Who Do You Call V the Gang Wears Blue Uniform

The ad will appear in seven newspapers—including Daily riety, Los Angeles Sentinel Jewish Journal—at a cost to ACLU of about $65,000. It incl a letter, calling on Gates to s down, which readers are asked to clip out, sign and send to the ACLU for delivery to the chief.

"It's an opportunity for people who feel strongly about this to become part of a movement to have him resign," said ACLU executive director Ramona Ripston.

In Washington, members of the Congressional Black Caucus announced that they plan to meet today with FBI Director William Sessions to "seek reassurances" that the officers involved in the case will be punished.

Prosecutors hope that by senting their case to the co grand jury they can proceed qu ly to trial. A law passed by Cal nia voters last year allows pr cutors to bypass preliminary hearings—which can last week months—by taking their case grand juries for indictments.

The grand jury is a citizens p that meets to investigate crim cases and recommend ways improve county-run prog such as foster care and jail

Times staff writers L and Lois Timnick contribu story.

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LOS ANGELES TIMES
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MAR 20 1991
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PERSPECTIVE ON POLICE

Unwrapping the Chief's Cloak of Immunity

Los Angeles is unique in giving its top cop freedom from accountability to the public. That's not difficult to remedy.

By MEIR J. WESTREICH, R. SAMUEL PAZ and JOSEPH H. DUFF

On a recent talk show, ABC correspondent Sam Donaldson, discussing the Los Angeles Police Department, wondered why there appeared to be no public accountability for the chief of police. This is indeed a question that many city residents are now asking.

The incidents of public figures losing their jobs because of insensitive or intemperate comments, or official wrongdoing, are well known. A baseball executive was fired because of public outrage over his comments that African-Americans "lack the necessities" to be managers and lacks the special "buoyancy" to make them good swimmers. A gambler was dropped from his network job as a sports commentator when a public furor resulted from his suggestion that African-Americans are better athletes because they have been "bred" for those characteristics. A secretary of the interior was forced out because of public anger about his racial jokes. A judge lost his job over making sexist remarks about a rape victim. A President was forced from office over spying on his political enemies and covering up his involvement.

Here in Los Angeles, Chief of Police Daryl Gates has suggested that the anatomy of African-Americans is why they died more frequently from police chokeholds; that Latinos are lazier than other people; that casual drug users should be shot; that federal immigration authorities cause the murders of police officers by failing to keep undocumented immigrants from entering the country. He has spied on political opponents and ridiculed federal judges and juries when they found officers guilty of civil-rights abuses.

Despite this history, the people of Los Angeles have been unable to hold their chief of police accountable for anything—not his racial slurs or racial stereotyping; not his openly expressed contempt for the public, juries and the Constitution he is sworn to uphold; not his tolerance of police abuse; not his spying on his political enemies or the cover-up of that espionage. Nor has he been accountable for his provocative and intemperate comments presented under the guise of "free speech."

These statements and attitudes, and the law-enforcement philosophy they represent, filter through the ranks and damage public confidence in the Police Department. Thus there appears to be mutual contempt between many officers and members of the public, undermining law enforcement. Los Angeles residents are routinely brutalized and many minority neighborhoods feel terrorized by police. Many innocent officers are tarred by those other officers who abuse the public, and the danger to officers is increased by a perceived warlike atmosphere. Taxpayers have paid many millions of dollars in legal costs, court judgments and settlements.

In spite of these continuing problems, Los Angeles residents and their elected representatives are helpless to take any corrective action. There is no recourse through the political system because of the city's unique charter provision that gives a chief of police lifetime tenure and complete protection from any form of accountability to the public or constitutional checks and balances.

Virtually no other chief law-enforcement officer in California or elsewhere in the United States has the lifetime tenure that Chief Gates enjoys. Sheriffs are generally elected to terms of four years. Chiefs of police are most often appointed to office by the local chief executive and/or city council, and serve at their discretion; they in turn are subject to the democratic will of the people through regular elections.

Indeed, no significant policy-making or chief-executive official in the United States, whether in law enforcement or otherwise, is beyond the pale of the democratic process—except, it seems, the chief of police of Los Angeles.

Any solution therefore must begin with a charter amendment that would apply to Gates' successors. Specifically, the amendment should provide for a fixed, renewable term of office for the chief of police, with substantial and formalized public input at the earliest

44A-LA-119954-D-38

possible stage of the selection process.

A five-year term would be sufficient to permit implementation of a management philosophy and to ensure that a police chief will administer the department in accordance with the public will and the Constitution. Making it five years would keep the process out of the normal election cycle and minimize partisan political influence.

The essence of our constitutional form of government is the system of checks and balances. The power given to an official by the people must be equaled by the power put into checks and balances to protect against abuse of that official power. A limited term of office would restore to Los Angeles some institutional and democratic checks on the enormous authority delegated to the chief of police.

Under such a charter amendment, the people could expect a chief who is disposed to respecting the Constitution and the public he or she is sworn to serve, and who would provide exemplary leadership to the entire Police Department and law-enforcement community. Equally important, the public could then expect a chief who is interested in providing sensitive and thoughtful comment, and who refrains from racially insensitive and senselessly provocative "free speech."

Such a reform would also provide Los Angeles residents, through their democratically elected representatives, with the means to select a new chief of police at the end of his or her term of office, should the people's will be ignored.

Meir J. Westreich and R. Samuel Paz are civil-rights attorneys in Los Angeles; Paz is a member of the Hispanic Advisory Commission. Joseph H. Duff is president of the Los Angeles Branch of the National Assn. for the Advancement of Colored People.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

When Human Rights Are Violated

Did race play a role in the brutal beating of Rodney King, the black man who was stopped, then ferociously clubbed and savagely kicked by a group of white police officers following a chase prompted by a traffic violation?

In the wake of the shocking beating, which was videotaped by an amateur cameraman and broadcast nationally—and other recent incidents involving black athletes—a growing number of civil rights leaders are accusing the LAPD of a pattern of disparate treatment against minorities. Those charges, of course, must be investigated fully.

Los Angeles Police Chief Daryl Gates has said the department can turn up absolutely no racial evidence in the case of King, except for the fact that the 15 officers were white and the suspect was black. No racial epithets were recorded, according to Gates, and the victim has said he didn't believe the beating was racially motivated.

The jury is out, so to speak, on whether there was some racial motivation in the King beating. But it's important to remember that a beating doesn't have to be racial to violate civil rights. If a white person believed officers used excessive force against him, he would be entitled to pursue a civil rights complaint.

All Americans enjoy federally recognized and constitutionally based civil rights to due process and equal protection under the law. These protections, which evolved after the Civil War and take precedence over state policies, are not race-based.

The right to due process is at the heart of police brutality complaints. That federal protection guarantees a suspect will be arraigned, tried, acquitted or convicted and sentenced in a court of law. When police brutality is alleged, however, the victim is charging, in effect, that police officers tried and punished him on the spot.

The U. S. Department of Justice has at least 2,000 complaints pending against law enforcement officers. The FBI investigates these complaints, but the Justice Department waits until state actions are completed. The Los Angeles County Grand Jury is currently weighing the evidence against officers who participated or watched the King beating without interceding. But a few local prosecutions will not put an end to the outcry, nor should they.

Two prominent, elected Los Angeles officials, Rep. Maxine Waters, an African-American, and Councilman Richard Alatorre, a Latino, plan to hold hearings regarding the police and excessive force. During the hearings, there will be much talk about civil rights. But it would be a mistake to define civil rights issues solely as minority concerns. Civil rights are human rights—that's why the horrified reaction to the King videotape has been so universal.

(Indicate page, name of newspaper, city and state.)

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MAR 19 1991

FBI — LOS ANGELES

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Grand jury begins police brutality case

By Dawn Webber
LOS ANGELES DAILY NEWS

The Los Angeles County grand jury has begun hearing evidence behind closed doors against as many as 15 Los Angeles police officers under investigation in the beating of an unarmed motorist.

Prosecutors announced last week that they would seek an indictment against those involved in the March 3 beating of Rodney Glenn King to avoid a lengthy preliminary hearing that is required if a criminal complaint is filed.

Hearings before the grand jury — a panel composed of private citizens selected by judges to sit for a one-year term — often are quicker because prosecutors present their evidence without the scrutiny of defense attorneys.

In addition, passage of Proposition 115 last June mandates that defendants who are indicted do not have a right to a preliminary hearing and must go straight to trial in Superior Court.

On Monday, Sandi Gibbons, a spokeswoman for District Attorney Ira Reiner, refused to discuss the King case, saying it had gone to the grand jury.

The evidence presented to the panel is certain to include a home videotape made by a Lake View Terrace resident of the King arrest. The tape shows several officers beating King with their batons and kicking him at least 50 times while other officers stood watching.

Legal authorities said Monday that they have no doubt the grand jury will return an indictment.

"They are going to the grand jury because they need a very quick indictment ... to send the message to the public ... that the system really is responsive to the public needs," said Peter Arenella, professor of law at University of California, Los Angeles.

"Because of the public pressure involved, they want to placate the public, and the prosecution can do it quick and dirty" before the grand jury, which is its "rubber-stamp," Arenella said.

But Ramona Ripston, executive director of the American Civil Liberties Union of Southern California, which is one of the groups leading the call for action in the King case, questioned how Reiner could restore public confidence by opting for a procedure that takes place behind closed doors.

"He may be interested in restoring public confidence," Ripston said, "but I think there are other ways. We oppose grand jury indictments because they are done in secret ... and the accused are not permitted to be represented by counsel.

"That would hold true for police officers (who are accused), as well as other citizens," she said.

Before passage of Proposition 115, the grand jury rarely was used to issue criminal charges because defendants still could request a preliminary hearing of the evidence in Municipal Court after their indictment.

Proposition 115 barred post-indictment preliminary hearings, and mandated that defendants who are indicted by the grand jury go straight to Superior Court for a trial.

"In the past, we had to do a preliminary hearing afterward, so it didn't speed up the process — it actually added a step to it," said Clifford Klein, special assistant for Reiner.

"Since Proposition 115, we have been using the grand jury more often," Klein said.

(Indicate page, name of newspaper, city and state.)

THE OUTLOOK
Date: TUES. MAR 12, 1991
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Title: GRAND JURY BEGINS POLIC BRUTALITY CASE

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FBI — LOS ANGELES

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FD-350 (Rev. 5-8-81)

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Binkley backs Gates' claim

■ LONG BEACH — Police Chief Lawrence Binkley on Monday night supported Los Angeles Police Chief Daryl Gates' claim that the recent videotaped beating of an unarmed suspect was an "exception and not the rule."

Speaking via telephone to the host of a local cable talk show, Binkley called LAPD officers "really great cops."

"I think it's the consensus among law enforcement leadership that this incident is terrible (but that it is) really the exception; 99.9 percent of LAPD (officers) are the best in the world," said the Long Beach chief, who was a member of the LAPD for 24 years.

In an interview on "We The People" Monday night, Binkley said his experience with Gates regarding racism in the department was that "he would not tolerate that kind of thing."

Binkley's comments came the same day a county grand jury opened hearings on the incident and opening statements were made in the trial of two former Long Beach police officers, one of whom allegedly shoved a man into a plate-glass window.

(Indicate page, name of newspaper, city and state.)
B1, Press Telegram
Long Beach, CA

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Edition:

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D.A. puts beating case on fast track to court

By Janice Luder
Staff Writer

The secret grand jury probe that Monday began looking into the actions of Los Angeles Police Department officers involved in the beating of Altadena motorist Rodney G. King may shave months off the laborious criminal court process.

"Because of the public outcry we want to assure people we are extremely serious about this case. We want this thing tried quickly and we're not just sitting on our hands," said Sandi Gibbons, a spokeswoman for the District Attorney's Office.

Taking the case straight to the Los Angeles County grand jury could mean bypassing the snarl of preliminary municipal court proceedings and saving up to nine months' time, Gibbons said. Municipal court proceedings can include an arraignment and preliminary hearing.

It was Proposition 115, the speedy trial initiative passed in June 1990, that paved the way for such streamlined trials. But the volatile King case isn't the first or the highest profile issue handled by the grand jury since the measure passed.

Last year, the jury indicted Charles H. Keating Jr., former owner of Irvine-based Lincoln Savings and Loan. The case involved a $2.6 billion S&L bailout, the most expensive in U.S. history.

The grand jury was expected to review the videotaped beating and evidence the LAPD gathered against at least three of its officers.

In the explosive home videotape, three police officers are seen kicking, beating and shocking King, 25, with a stun gun following a March 3 freeway chase by the California Highway Patrol.

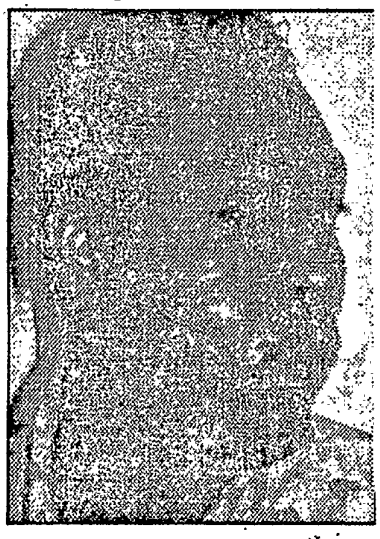
As King begged the men to stop, a dozen other officers watched and failed to intervene. Meanwhile, a nearby apartment resident filmed the early morning incident.

On Monday, Gibbons said the film has been shown worldwide, from viewers. Despite the high visibility of the case, Gibbons said the decision to seek grand jury indictments wasn't a political one.

"Politics has nothing to do with it," she said. "Obviously, because of the videotape and worldwide response, we feel (the grand jury probe) is appropriate."

Los Angeles Police Chief Daryl Gates has recommended that felony charges be filed against a sergeant and two officers involved in the beating. But Gibbons said, "We're looking beyond the three officers. We're looking at all 15 police officers involved."

Gibbons declined to list specific felony indictments that could be filed against the officers.



Rodney G. King
beaten, shocked by police

(Indicate page, name of newspaper, city and state.)
P. A 1
Star-News
Pasadena, California
Date:
Edition: 3/12/91
Daily

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Law enforcement image takes beating after arrest videotape

By Jennifer Lewis
STAFF WRITER

Another casualty of the videotaped beating of a suspect by Los Angeles police last week is the reputation of law enforcement, Westside police officers say.

"We tell them it wasn't Santa Monica who did it, and they say, 'We don't care. You police officers are all the same,'" said Santa Monica police Sgt. Bill Brucker, commenting on the angry calls his department has received.

"The larger issue is the damage those officers did to law enforcement across the nation," added Santa Monica police Sgt. Russ Martin. "It's right up there with the damage done when sheriff's investigators were indicted on narcotics racketeering charges. We all take the bad rap for it."

The beating has dominated local squad meetings and hallway conversations. Reactions have ranged from outrage to disappointment to embarrassment.

Rodney King, 25, a convicted robber, was clubbed and kicked more than 50 times by Foothill Division officers March 3 in Lake View Terrace.

"When I first saw it, I couldn't believe it," recalled Santa Monica police Officer La Verne Davis on Monday. "I thought, what did he do? Is he a murderer or what? But even if he were, there was still no justification for it.

"It feels good when someone goes to jail who deserves it, but you don't have to stomp them to get them there," she said.

Police also expressed concern that the beating is undermining the public's trust in law enforcement.

(Indicate page, name of newspaper, city and state.)

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Beverly Hills police Lt. Frank Salcido, right, says the incident makes his job harder and Officer La Verne Davis, left, was shocked by the tape.

"People should have confidence in the police," said Beverly Hills police Lt. Frank Salcido. "An incident like this makes our job so much more difficult. Any time there's a scandal, it takes a long time to heal those scars."

Some officers cautioned against prejudging their peers. Santa Monica police Officer Mike Beautz said he was disturbed by the quickness of his colleagues to condemn the LAPD officers before an investigation was completed.

'Hang out to dry'

"I'm a little amazed that a lot of my fellow officers are willing to let them hang out to dry," he said. "Everybody is willing to give the criminal the right to be considered innocent

until proven guilty, but everybody's determined that these guys are guilty."

The incident has spawned the use of cameras by amateurs who witness arrests. In Santa Monica, for instance, two witnesses to the arrest of a robbery suspect Monday afternoon whipped out a video camera and a still camera and started filming, noted Officer John Callahan.

Most Culver City police refused to discuss the impact of the LAPD incident.

"Our position is we don't have any comment," Sgt. Dan Irvin said. "It has nothing to do with our agency."

But one officer, Lt. Greg Smith, who works with children in the anti-drug DARE program, conceded, "I don't see anything positive in this. It's definitely a negative in the way people perceive the police."

Culver City police are currently embroiled in a controversy of their own. They are fighting a lawsuit in U.S. District Court over their policy of refusing to take complaints of police brutality when the incident is detailed in other police reports.

But one thing, Westside officers agree, is certain.

"The lives of everyone involved will never be the same," Salcido said.

Staff writer Rick Cziment contributed to this article.

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Hard Questions for Chief Daryl Gates

Thursday's hearing must yield some honest answers

The Los Angeles Police Commission is scheduled to hold a special session on Thursday in response to the videotaped police beating of Rodney King. Among the many urgent issues the commission must address is the job Chief Daryl Gates is doing—or not doing.

Here are some of the questions the Police Commission must ask:

1. Is there a pattern of harsh and unequal treatment directed at minorities in Los Angeles?

If there is, what has Chief Gates done to change the behavior of those officers who have betrayed their colleagues and the people they are sworn to protect and serve? Gates rose through the ranks during his 42 years on the LAPD. He has been the chief for 13 years, which is certainly long enough to get the right message across about his expectations of how the department should operate and how the officers under his command should conduct themselves—including the all-important issue of when to use force.

That beating—captured on videotape by an amateur cameraman and televised repeatedly—has provoked a growing national outrage, most notably among minorities. Those shocking images have also disgusted some like-minded people, including many big-city cops and business leaders who privately—and a few publicly—have expressed distress over the King incident and how it affects the city's image and commerce.

2. Can Gates do anything now to counterbalance his history of inflammatory statements?

In the wake of the uproar over the King beating, the chief has begun to aggressively preach against police brutality. In his own videotape played during weekend roll calls for all officers, Gates sounded like a stern father as he told his officers: "When the law says you will use only that force which is necessary, you will only use the force that is necessary. People look to you for protection. They don't look to you for a beating."

But, after more than a dozen years at the helm, why was it necessary for the chief to make such an obvious point after all this time?

The lecture surely came too late for King, who was savagely beaten by LAPD officers following a police chase prompted by a speeding violation. By Gates' own tally, officers clubbed King as many as 56 times with nightsticks wielded high over their heads like baseball bats.

Is such behavior part of a pattern, a problem the chief has helped foster? Why has he continued his inflammatory style of leadership despite repeated criticism? What message was given when Gates said black people were more likely to die from chokeholds because they didn't react the way "normal people" did? What conclusions were drawn when Gates said a Latino father was "probably lucky" that he had only received a broken nose during a raid by police officers who suspected the man's son was a gang member?

To what extent has the chief been sending two very different messages— the official and the unofficial? To what extent have his off-the-cuff remarks encouraged those cops to take the law into their own hands?

3. To whom, if anyone, is the police chief of Los Angeles accountable?

Chief Gates is responsible for inflammatory comments, for the actions of his officers and for the $8 million in taxpayer money paid out last year to satisfy complaints against the department. But because of rigid civil service protections, the police chief is not accountable to the mayor, the City Council or to the city's voters.

In the aftermath of King's beating, the chief must answer to the Police Commission. He must also answer on Friday the questions of civil rights leaders who look at LAPD history and don't believe that this police beating was an aberration. Will Gates' answers silence the growing chorus of calls for his resignation? Or further inflame a controversy that won't go away?

(Indicate page, name of newspaper, city and state.)

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METRO SECTION, PAGE 6

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Pressure grows for Gates to quit

Grand jury hears testimony on King beating to support indictments

Associated Press

LOS ANGELES — Police Chief Daryl Gates was under mounting pressure Tuesday to resign as a grand jury heard testimony to support indictments against officers whose beating of a motorist was captured on home video.

The 23-member citizens' panel, which could hand down indictments as early as this week, began a second day of closed-door hearings in the case of Rodney Glen King, the victim of the bone-shattering March 3 beating.

According to published reports, the grand jury already heard testimony from George Holliday, who shot the video, witness Josie Morales and Highway Patrol Officer Melanie Singer, who was involved in the King pursuit.

Authorities said King, 25, was stopped after a 100 mph-plus CHP chase on the Foothill (210) Freeway. Police joined in the pursuit after King left the freeway and began running red lights through the Lake View Terrace area of the San Fernando Valley, officers said.

Gates

What followed was a brutal beating by police officers using batons and an electric stun gun, an incident that horrified television viewers worldwide and blackened the eye of the 8,300-officer Police Department.

Gates has labeled the beating "an aberration" and has said he will not resign. An amendment to the City Charter, fixing a term of office, would be necessary to change the lifetime tenure of the police chief.

In a letter to the City Council on Tuesday, Mayor Tom Bradley urged the council to draw up a June ballot referendum requiring contract renewals every five years for all city department heads and general managers.

The American Civil Liberties Union took out a full-page ad in the Los Angeles Times with a photograph of a baton-wielding officer and the headline, "Who do you call when the gang wears blue uniforms?"

The advertisement featured a return coupon urging Gates to resign.

"In the interest of the city and the Police Department, the time has come for Police Chief Daryl Gates to resign," the ACLU said. "Join in demanding the resignation of Chief Daryl Gates. We need your help to convince him."

There were these other developments in the King case Tuesday:

- **Black and Latino congressional leaders** met with FBI Director William Sessions in Washington to seek reassurances that the officers involved in the case will be punished. Afterward, the lawmakers said Sessions promised a thorough probe of the incident.
- **Bradley met with members** of the Brotherhood Crusade, National Association for the

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Al, Press Telegram
Long Beach, CA

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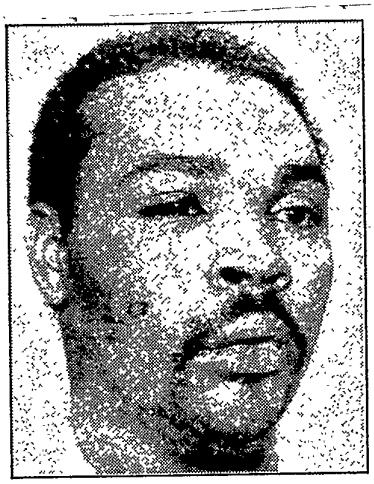
Advancement of Colored People, and Southern Christian Leadership Conference and other ecumenical leaders to discuss the King beating.

- **The City Council's Public** Safety Committee held a public hearing on the Police Department's use of force and officer training.

- **A coalition of Latino organizations**, including the Mexican-American Political Association and the Chicano Caucus Democratic Party, demanded Gates' resignation and urged formation of a citizens' review board to examine questionable police encounters with the public.



Rodney King
ACLU weighs in with ad

FD-350 (Rev. 5-8-81)

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(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
Edition: WED MAR 13, 1991
Metro Section, Page 6

Title: LETTERS TO THE TIMES
TAPED BEATING OF RODNEY KING CIVIL RIGHTS

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Letters to The Times

Taped Beating of Rodney King

■ On behalf of the Los Angeles Urban League, we are outraged over the sadistic and barbaric incident involving the police mob that brutalized Rodney Glen King.

The only acceptable course of action is to fire all of them—the three animals who savagely beat King and also the sergeant and others who stood around as cheerleaders. The video and eyewitnesses provided the necessary evidence.

In addition to their terminations, the Urban League urges that criminal charges be brought against all of the officers, i.e., those who stood by and did nothing to restrain their cohorts, because they are co-conspirators and parties to the crime.

The Urban League is alarmed over an apparent trend of racist brutality particularly against African-American males.

We recently transmitted a written complaint to the Police Department regarding another less violent, but nevertheless very serious and racist act of police harassment inflicted against Jamaal Wilkes by two other police officers. There are major factual discrepancies between Wilkes' version of the incident in contrast to the officers, who apparently provided false accounts in an attempt to cover themselves. The LAPD administrative action, to date, remains unacceptable.

It appears that increasing numbers of Los Angeles police officers have declared open season on anyone with a black face and feel that they can get away with it. They must understand that this vigilante and Ku Klux Klan behavior will not be tolerated. It also points out the need for better training, especially along racial and cultural lines.

JOHN W. MACK, President
Los Angeles Urban League

■ The videotape of officers beating King will prejudice public opinion of the Police Department beyond measure. But before emotion distorts the big investigations to follow, let's keep in mind a few undisputed facts:

1. King led officers on a chase on the freeway and on surface streets risking his own life, as well as the lives of the officers in pursuit and other motorists.

2. King was convicted of a 1989 robbery in which he threatened a grocery store clerk with a tire iron.

3. A policewoman was shot and killed recently after stopping to question a man.

King is clearly no Boy Scout. He deserved to be treated fairly by the arresting officers, though. However, the real question is: How "reasonable" can we expect our police to be, given these circumstances?

RICH GROWTHER
Los Angeles

■ There's cruel irony in witnessing the sadistic beating of an African-American by members of the LAPD for a speeding violation at the same moment that Kuwaiti sovereignty is being restored half a world away. It's almost as if the "new world order" has meant the restoration of the same old order of racial and gender hierarchies, sanctioned lynchings and the like. Without his uniform and medals, Joint Chiefs of Staff Chairman Gen. Colin Powell would've suffered the same fate as King.

VICENTE L. RAFAEL
La Jolla

■ First off, let me say that I'm no bleeding heart; if an offender is seriously putting up resistance to arrest, a few pops might be necessary, but this latest incident of wanton brutality, committed seemingly for sport, is outrageous. This is the kind of action that implants into impressionable kids the notion that policemen are bad and that authority is the enemy. This is how a society breeds criminals, not deters them!

Police Chief Daryl Gates should resign. Why? Because, unfortunately, this approach to job performance starts at the top, and when something of this magnitude occurs the resultant stain is too great to wipe away. Burn the house down. Prosecute to the fullest extent the sadistic perpetrators, as well as the impotent onlookers. Then, bring in a competent administrator who knows the meaning of the LAPD motto "To protect and to serve."

DAN JENSEN
San Clemente

FBI/DOJ
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■ I am shocked and outraged at yet another example of LAPD officers' violence against citizens, and do not believe it to be the "aberration" cited by Chief Gates. I am even more shocked, however, to learn that we, the taxpayers of this city, paid over $8 million last year for settlements involving police misconduct!

I have a suggestion that might stop police violence and/or racism overnight: Institute a policy of deducting all of this year's police brutality suit/settlement costs from the salaries of all LAPD officers in 1992. Any such costs incurred in 1992 could be deducted in 1993, and so on. I suspect that no only would the reports of brutality diminish considerably, but that fellow officers witnessing events such as the one videotaped wouldn't be so inclined to stand around, idly watching the "show."

CLYDE KUNZ
Los Angeles

■ The brutal beating of King by a gang of LAPD officers must be the last under the regime of Gates. It is a sad day when the citizens of Los Angeles must fear for their lives when being pulled over for speeding.

If not for a bystander with a video camera, this incident would be just another footnote inside a police report. The millions of dollars in judgments already paid to victims represent only the tip of the iceberg. The tone for police conduct is set by Chief Gates and the nature of that conduct suggests it is time for Gates to go.

CRAIG A. NELSON
San Diego

Associated Press

Rodney King shows his bruised chest.

■ Is the beating of King an aberration? If I, a black man, and some black friends were not stopped, roughed up, handcuffed and ankle-cuffed and detained for two hours while walking back to my car after a late show in Westwood, then I, too, would have thought the beating was an isolated incident. Chief Gates should resign.

DARREN HAYLOCK
Van Nuys

■ The March 6 article quotes Gates, "One incident doesn't indict an entire department." If the police chief expects the public to believe that, then I'd guess that for every "El Salvadoran drunk that doesn't belong here that kills a cop," there are at least a dozen LAPD officers prepared to perform the "swarm technique" on a defenseless citizen. Swarm technique? Looks like a blitzkrieg to me.

JORGE LUIS DIAZ SR.
Los Angeles

■ Cameraman George Holliday's videotape shows that the videocam is mightier than the nightstick.

GERRY FALLON
San Marino

■ Words cannot express the emotions I felt upon seeing the videotape of the unfortunate human being, Rodney King, who was enduring inhuman treatment at the hands of those who vowed to serve and protect. I flinched and my stomach turned. I couldn't believe how long the beating lasted. Only animals in a feeding frenzy would act as those so-called "men" did.

I, along with thousands of citizens, am watching to be certain justice is done for this poor soul. My gratitude to the brave Mr. Holliday, who filmed this outrage and left no doubt as to the actual facts.

DIXIE MITCHELL
Irvine

■ As a human being, my heart goes out to Rodney King. As an African-American male, I feel angry because I know very well that it could have been me.

As a street intellectual, I find it interesting that "responsible" people (i.e., white) are surprised at how cowardly and brutal their "police force" can be.

As a black nationalist, I wonder when African-Americans will wake up and see that: (1) we are still the unpopular color in a color-conscious society; (2) that no amount of integration, miscegenation or acculturation is ever going to change that, and (3) that ultimately we still only have what we had when we first came to this cruel land—each other.

ALVIN VINCENT GRIMES
Los Angeles

■ Does the beating of King portray a few bad apples or a rotten barrel, as Jerome Skolnick suggests (Commentary, March 7)? A case could be made, from a statistical point of view, that the chance that a few bad apples converged on the scene, from a "random" assortment, at the same time is possible, but not probable. An alternative viewpoint would suggest that there may be an underlying pattern of behavior within the department that encourages such brutality by the officers.

Last year Los Angeles shelled out $8 million to victims of police brutality. In our age of high-tech innovations, couldn't that amount of money be allocated for the purchase of camcorders that could be installed in police cars to record the interactions between officers and suspects? This arrangement would offer visual evidence in support of the officers in incidents such as drunk drivers, suspected felons, etc., and maintain the "sunshine" of truth which may suppress such future outrageous behavior.

MICHAEL W. SMITH
Mammoth Lakes

The Numbers

■ **Police beating:** The Times has received 573 letters so far on the videotaped police beating of Rodney King; 532 letters were critical of the Los Angeles Police Department; 41 letters reserved judgment about the incident or supported Police Chief Daryl F. Gates.

■ I would like to commend the nine "police experts" who were able to condemn the Los Angeles Police Department and its chief for police brutality on the March 7 Commentary page.

They were able to draw their final conclusion regarding this 20-minute incident by viewing the last 2 minutes of it on videotape.

HYME SCHAFFER
Westminster

■ If I were driving the freeway at midnight and saw a Hyundai speed past me at 115 m.p.h., I would rub my eyes, shake my head and get a strong, black cup of coffee.

LINDA M. GILMORE
Long Beach

■ It may be that some of his men have not served Chief Gates well! However, Chief Gates has served our community very well! He's earned our support!

ELLEN ERICKSON
Santa Monica

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
Date: WED. MAR 13, 1991
Edition: METRO SECTION, PAGE 7

Title: DARYL GATES IS THE COPS' OWN WORST ENEMY

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MAR 20 1991

FBI — LOS ANGELES

GEORGE F. WILL

Daryl Gates Is the Cops' Own Worst Enemy

■ His tolerance of failure in the ranks translates as a political failure; who wants to pay for this brand of crime-fighting?

Try this. Slam a sofa cushion with a baseball bat. Now do it 55 more times. Is your arm weary?

Three Los Angeles officers shared the labor of administering to their victim at least 56 blows with clubs, hard enough to cause fillings to fly from his teeth, fracturing his eye socket, smashing his cheek bone, causing a skull concussion and facial nerve damage and breaking a leg. He also suffered burns from a stun gun and damage to internal organs. He will never fully recover and may have brain damage.

Daryl Gates, the Los Angeles police chief, says he is distressed. What distresses others is the fact that he is still chief. Apparently the principle of accountability, never strong in American government, has become attenuated to the point of disappearance.

Gates can be called the Eight-Million-Dollar Man. Just in the last year that sum has been awarded to victims of Los Angeles police misconduct. There will be two commas in the sum awarded to the man whose savage beating by some of Gates' men was recorded by a citizen with a video camera.

After almost committing homicide, but before they knew they had been filmed, Gates' officers compounded their criminality by filing a report filled with lies. They said the victim had been driving 115 m.p.h. in his Hyundai. The manufacturer says that car can't go that fast. The officers wrote that they used force to stop the victim from fighting. Witnesses and the camera say that the victim was passive while being clubbed and stomped for two minutes by three officers as 12 others watched.

So Gates "apologized." Sort of. "In spite of the fact that [the victim] is on parole and a convicted robber, I'd be glad to apologize."

"In spite of"? Gates' ugly intimation is that a police mini-riot is at least a little bit justified if the victim has a bad enough past.

Gates once said that perhaps the reason several blacks had died after being subdued by police choke holds is that blacks are more vulnerable than "normal" people to such holds. Gates may not be at his best when thinking and talking, but the problem is not that he is no Pericles. It is that his department is demonstrably guilty of an intolerable level of abuse, much of it resulting from racism.

'Gates has long been a special pinup of the kind of conservatives who cotton to primitivism.'

Gates sees no racial aspect to the videotaped beating. But when three white men club and stomp a black man while a dozen other white men watch, well, people will talk.

They did when Jamaal Wilkes, who is black and a former star with the Lakers, was handcuffed because his auto registration was about to—yes, about to—expire. Joe Morgan, who is black and a Hall of Fame second baseman, was thrown to the ground and handcuffed when cops decided he looked like a drug dealer. (Later the cops said "oops!" and a court said: Pay Mr. Morgan $540,000.)

How many beatings and other indignities are being suffered by Los Angeles citizens who are neither famous nor fortunate enough to have their experience of police misconduct videotaped? The burden now rests on the Police Department to disprove the assumption shared by 54% of all respondents to a Los Angeles Times poll that blacks are particularly subjected to brutality.

FBI/DOJ

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Gates has long been a special pinup of the kind of conservatives who cotton to primitivism, as in his thought that casual drug users should be shot. But he is a special problem for thoughtful conservatives who are having a hard enough time persuading Congress to expand some police powers.

Every officer at the scene of that police crime should, at a minimum, be fired. Some, probably most, perhaps all, should go to jail. And what of Gates, who is paid ($168,793, by the way) to produce a police force better than his Los Angeles department is?

Police work is frequently dangerous and even more often unpleasant. It can be desensitizing and demoralizing—literally de-moralizing. It requires special strength of character to do this indispensable work right, day by day and night after night, without succumbing to callousness, disgust and rage.

Most police officers lead lives of heroic resistance to these weaknesses. Minimizing those weaknesses is a test of police leadership. Gates has failed that test too often. His department is illustrating, redundantly, an iron law operating throughout American government and business: When there is no penalty for failure, failures proliferate.

George F. Will is a syndicated columnist in Washington.

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FBI — LOS ANGELES

ALEXANDER COCKBURN

Police Abuse: Fronting for the Haves

■ War in Iraq, war on drugs—it's all the same exercise of power.

"Rogue cops" overstep the line from time to time. What this actually mostly means is that officers ordinarily engaged in the execution of their duties get caught, as in the case of Rodney King, who was on the receiving end of a nightstick, boot and stun gun.

When they do get caught there's a hullabaloo, with calls for indictments of the offenders, better supervisory powers, eviction of the police chief and so forth. But the real function of these unpleasant incidents is to affirm the system.

In our society the police operate under a social mandate. If society—meaning in this instance the Haves, the Overdogs and kindred beneficiaries of present political arrangements—truly found the sort of violence exercised upon King unacceptable, it would have stopped long ago.

It wasn't as though we had to wait for George Holliday to focus his video camera on King's assailants from the Los Angeles Police Department to disclose what law enforcement often adds up to in practice. The blotter is replete with evidence of institutionalized police violence.

Not long before Daryl Gates was sworn in as police chief in 1978, the so-called "Masked Marvel," a white ex-cop who had served five years in the 77th Street division, appeared on local TV programs to describe the violent and racist rampages of his colleagues.

Gates ridiculed "liberals" upset by the allegations. Soon thereafter he was busy defending the 12 bullet holes left by his men in the body of Eulia Love, a 39-year-old black woman in default on her gas bill.

Most of the many exculpations since then offered by Gates have been equally as hollow, but the message also offered by his flourishing career is that he has been proceeding along the right lines. The "ugly incidents" serve to remind people of what the police feel themselves empowered by society to do.

Though he's deemed it prudent to throw three or four of them over the side, Gates would have been eminently justified in claiming that his men, along with himself, were acting under orders. President Bush himself, fragrant and glowing from a blood bath of Iraqi lives designed to banish the "Vietnam syndrome," let the other boot drop by publicly commending Gates' efforts against crime—at just about the time King was being beaten—and by calling for abundant new death penalties in the war

'If the Haves truly found the sort of violence exercised upon King unacceptable, it would have stopped long ago.'

against the dangerous classes.

Now these are "war aims" to which those Los Angeles liberals now denouncing Gates have long since subscribed, never more exuberantly than in the "drug war." "Tonight we pick 'em up for anything and everything," an LAPD spokesman announced on April 9, 1988, the start of Operation Hammer in South-Central Los Angeles. Gates himself announced that "We want the message to get out to the cowards out there . . . that we're coming in to get them." By 1990, Operation Hammer had picked up 50,000 suspects. Obviously more than one ethnic group was involved, but there are only 100,000 black youths in Los Angeles.

In August, 1988, 88 police from the Southwest Division raided a group of apartments in the 3900 block of Dalton Avenue, destroying them and forcing 32 captives to run a gauntlet of fists and long

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steel flashlights. But by then liberals, with a few heroic exceptions, had abandoned all pretense of a search for any progressive agenda on crime. They had become choristers for the "drug war" and any other war designed to keep the Have-Nots in their place.

If Gates were straightforward, he'd simply distribute to reporters some elementary statistics about the city and its economy. The press release would include details of the destruction of the Los Angeles labor market for young black men, the surge of unemployment in South-Central by nearly 50% since the early 1970s while purchasing power has fallen by a third, the drainage of money from social programs, the decay of the school system.

Then Gates would be able to say, with considerable justice, that the manner of law enforcement is consequent upon decisions with which—beyond vigorous lobbying for a bigger police budget—he had little to do. Do nothing about youth unemployment in South-Central and sooner or later cops inevitably will become rogues.

In the end, police act upon their estimate of what the Haves want, whether it is search-and-destroy missions in South-Central, conspicuous deterrence by random violence, beatings of striking janitors or, to go back 70 years, the arrest of Upton Sinclair in 1921 for reading the Declaration of Independence in public. In this version of democracy we get the police the Haves want, at least until the Have-Nots force something different.

Alexander Cockburn writes for the Nation and other publications.

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(Mount Clipping in Space Below)

Black Caucus Urges Broadened U.S. Inquiry Into LAPD Beating Case

By RONALD J. OSTROW
TIMES STAFF WRITER

WASHINGTON—The Congressional Black Caucus on Tuesday urged federal officials to broaden their inquiry into a March 3 beating incident involving the Los Angeles Police Department to include a federal investigation of "systemic" police brutality in the city and the nation.

When FBI Director William S. Sessions said the FBI lacks the authority to conduct the expanded inquiry, Rep. John Conyers Jr. (D-Mich.), a senior caucus member, asked for a meeting today with Atty. Gen. Dick Thornburgh.

"There are hundreds of these cases [in Los Angeles] that will have to be reviewed," Conyers said, referring to the beating by Los Angeles officers of motorist Rodney G. King, 25, of Altadena.

Thornburgh's chief spokesman, Dan Eramian, indicated that federal officials can investigate only specific allegations and cannot conduct a general investigation of Los Angeles Police Department operations.

"If anyone has evidence of other such incidents, they should bring it to the attention of the bureau," he said.

He added that the department is trying to arrange a meeting between Conyers and Thornburgh.

California Rep. Don Edwards (D-San Jose) said Tuesday that the House Judiciary subcommittee on civil and constitutional rights will open hearings March 20 on police brutality and the federal response. Edwards, who heads the subcommittee, made his remarks after attending a 90-minute meeting between the Black and Hispanic caucuses, Sessions and other FBI officials.

A second subcommittee hearing will take place in Los Angeles the first week of April, Edwards said.

"We think it's an epidemic," Edwards said, referring to police brutality in Los Angeles.

Conyers said the beating of King, which was videotaped by an amateur photographer, has "created an international outrage."

A House staff member who attended Tuesday's meeting said a separate federal investigation of the King case is important because it would open the possibility of using a federal conspiracy civil rights statute to charge several police officers who watched the beating and did nothing to stop it. The staff member, who declined to be identified, said this element was not discussed at Tuesday's session.

Rep. Maxine Waters (D-Los Angeles), who attended the meeting, challenged Los Angeles Police Chief Daryl F. Gates' description of the incident as an aberration. She contended that such police action is "the order of the day in Los Angeles" and evidence of the "siege mentality" that she believes exists there.

"Men [and] sometimes women have been brutally attacked and beaten and even killed by the Los Angeles Police Department, and this has been going on for years," Waters said. "It's time for the Justice Department to step in . . . and take serious action."

Rep. Julian C. Dixon (D-Los Angeles) emerged from the meeting and charged that Los Angeles police officers are "intimidated and encouraged not to report violations of law by fellow officers. . . . We have a serious problem of police brutality within the department . . . and officers who do not report those crimes."

Rep. John Lewis (D-Ga.), a leading civil rights activist whose skull was fractured in the Selma-to-Montgomery civil rights march in 1965, said the Los Angeles beating of King exceeded any police brutality against an individual that he had seen in Mississippi, Alabama and Georgia during more than 30 years as an activist. Lewis said he has watched the videotape of the King beating "over and over again."

Conyers said Sessions "indicated he is outraged and vigorously acting in this matter. On that one case, we have no quarrel."

He said Sessions assured the caucus members that he would relay their comments and enthusiasm for an expanded investigation to the Justice Department and Thornburgh. An FBI spokesman said Sessions did so later Tuesday.

Los Angeles police had no immediate comment on the allegations raised during Tuesday's session.

(Indicate page, name of newspaper, city and state.)

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FBI — LOS ANGELES

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(Mount Clipping in Space Below)

Mayor to Seek Power to Oust Top Officials

By SHERYL STOLBERG and JOHN L. MITCHELL
TIMES STAFF WRITERS

Amid the furor over the Los Angeles police beating of an Altadena man, Mayor Tom Bradley attempted to seize the political initiative Tuesday and press an issue that he has supported for years: gaining the authority to fire the police chief and other Civil Service department heads.

At a City Hall news conference, the mayor proposed that the chief and all other department managers be subject to a performance review and possible dismissal every five years. He said he has asked the City Council to put his proposal to the voters in the form of a charter amendment, although it is not clear whether that could be done in time for the June ballot.

"I have long supported the idea of all city ma agers being subject not only to appointment and confirmation," Bradley said, "but that they be subject to guidelines that would permit the mayor to have authority to remove them."

Bradley has tried three times in the past 10 years to obtain the power to remove city department heads. In each case, the voters have turned him down, rejecting proposed City Charter amendments. Even if such an amendment passed, there are legal questions about whether Bradley could use it to oust Police Chief Daryl F. Gates.

The mayor's announcement came as the Los Angeles County grand jury convened for the second day of its criminal investigation into actions of Los Angeles police officers who were involved in the March 3 beating of a motorist. The 23-member citizens panel, which conducts its proceedings in secret, heard testimony for four hours Tuesday.

Also, law enforcement sources familiar with the investigation say that the grand jury inquiry is expected to last longer than the original estimate of one to three days and that it will be more extensive than the one conducted by the Police Department.

"The scope is ever-expanding," one source said. The source described the Police Department investigation—which Gates cited in recommending that three of the 15 officers at the scene be prosecuted—as "limited."

Altadena resident Rodney G. King, an unemployed construction worker who was on parole after a robbery conviction, was pulled over after allegedly leading authorities on a high-speed chase through the San Fernando Valley. The incident, captured on videotape by an amateur photographer, showed several Los Angeles police officers kicking King, who had been shot with a Taser stun gun and striking him up to 56 times with their batons.

The beating sparked a public outcry over police misconduct in Los Angeles, as well as numerous calls for Gates' resignation. At noon Tuesday, a small group of protesters gathered in front of Parker Center, the Police Department's headquarters downtown, to call for the chief's ouster.

Since the beating, Bradley has insisted that he is not trying to pressure Gates to step down, saying that he would leave the decision to the chief. When pressed by reporters, the mayor dodged the issue, saying that he did not want to get into a confrontation with the chief.

Nonetheless, Bradley made it clear that Gates was on his mind.

"I get letters from all over the country from people saying that I should fire Daryl Gates," Bradley told reporters. "But they don't understand that it can't be done. The charter doesn't permit it."

Gates has repeatedly said he has no plans to leave office. He could not be reached for comment Tuesday on Bradley's proposal.

The idea for a charter amendment was recently suggested to Bradley by members of the Southern Christian Leadership Conference, the National Assn. for the Advancement of Colored People and other civil rights groups, all of which have been extremely critical of Gates since the beating of King, who is black. The officers involved in the beating are white.

At a meeting Tuesday of the City Council's Public Safety Committee,

(Indicate page, name of newspaper, city and state.)

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leaders from those groups said they would favor a fixed, five-year term for all future police chiefs.

"It will become like any other job," said R. Samuel Paz of the Police Commission's Hispanic Advisory Council. "If the council is not satisfied with the chief's performance, they can ask him to leave and appoint somebody new."

To achieve that change, city officials say voters would have to alter the City Charter in at least two ways—by exempting the police chief from Civil Service protection and by relaxing the strict criteria for his removal, as spelled out in the charter.

Under the current charter, the board of Civil Service commissioners holds the authority to remove top-level city employees. These employees can be dismissed only "for cause," which amounts to a finding that the employee is not "fit and suitable" to perform the essential duties of the job, according to Diane Wentworth, assistant city attorney for employee relations.

Traditionally, these criteria—which have been in place since 1937—have been seen as a way of protecting top-level city employees from being removed for purely political reasons.

As the charter now reads, department heads who are being threatened with removal have the constitutional right to a hearing before the Civil Service Commission. "I am not sure you can take that right away from an incumbent officeholder," Wentworth said.

As the political debate continued in City Hall, the county grand jury Tuesday was hearing from another round of witnesses in the King case. Law enforcement sources said the citizens panel, which is expected to consider assault charges against the officers, will also look into possible violations of state civil rights laws.

Four witnesses were on hand Tuesday: California Highway Patrol Officer Melanie Singer, who participated in a car chase involving King; Los Angeles Police Sgt. John Amott, a traffic officer who was not present during the beating but who said he handled some of the paperwork; and two Los Angeles Unified School District police officers who were at the scene of the beating.

The wife of one of the school police officers said in an interview Tuesday evening that her husband, Paul J. Beauregard, was not watching while the beating occurred.

"I don't know why they're grilling him," she said.

Her husband declined comment.

Times staff writers Leslie Berger, Glenn F. Bunting, Frank Clifford, Scott Harris, Lois Timnick, Hector Tobar and Tracy Wood contributed to this story.

D-350 (Rev. 3-8-81)

(Mount Clipping in Space Below)

Pressure mounting for LA police chief to quit

By Jeff Wilson
Associated Press

LOS ANGELES — Police Chief Daryl Gates was under mounting pressure Tuesday to resign as a grand jury heard testimony to support indictments against officers whose beating of a motorist was captured on home video.

The 23-member citizens panel, which could hand down indictments as early as this week, began a second day of closed-door hearings in the case of Rodney G. King, the victim of the bone-shattering, March 3 beating.

The grand jury already heard testimony from George Holliday, who shot the video, witness Josie Morales and California Highway Patrol Officer Melanie Singer, who was involved in the King pursuit, the Los Angeles Times reported.

There was no indication of the extent of the evidence given to the county grand jury, which conducts its proceedings in total secrecy.

Authorities said King, 25, was stopped after a 100 mph-plus CHP chase on the Foothill Freeway. Police joined in the pursuit after King left the freeway and began running red lights through the Lake View Terrace area, officers said.

What followed was a brutal beating by police officers using batons and an electric stun gun, an incident that horrified television viewers worldwide and blackened the eye of the 8,300-officer Police Department.

Calls for Gates to resign have been building since Holliday's video began showing on television networks, including CNN. The cable network, with its global reach, still runs the stunning tape at any development in the case.

Gates labeled the beating "an aberration" and said he will not resign. An amendment to the City Charter, fixing a term of office, would be necessary to change the lifetime tenure of the police chief.

In a letter to the City Council on Tuesday, Mayor Tom Bradley urged the council to draw up a June ballot referendum requiring contract renewals every five years for all city department heads and general managers.

The American Civil Liberties Union took out a full-page ad in the Los Angeles Times with a photograph of a baton-wielding officer and the headline, "Who do you call when the gang wears blue uniforms?"

The advertisement featured a return coupon urging Gates to resign.

"In the interest of the city and the Police Department, the time has come for Police Chief Daryl Gates to resign," the ACLU said. "Join in demanding the resignation of Chief Daryl Gates. We need your help to convince him."

The ACLU said it was part of a "multilevel campaign" to seek the chief's ouster. The ad will appear in seven local newspapers, including Daily Variety, Los Angeles Sentinel and Jewish Journal, at a cost to the ACLU of $65,000. "It's an opportunity for people who feel strongly about this to become part of a movement to have him resign," said ACLU executive director Ramona Ripston.

(Indicate page, name of newspaper, city and state.)
P. A 3
San Gabriel Valley Tribune
West Covina, California
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LA TIMES
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Student Alleging Police Abuse to Testify in King Beating Probe

By SEBASTIAN ROTELLA
and JOHN JOHNSON
TIMES STAFF WRITERS

A black college student who said he and some friends were roughed up and insulted by Foothill Division police officers has been subpoenaed to testify before the grand jury investigating the beating of motorist Rodney G. King.

John Bray, 22, of Lake View Terrace, said district attorney's investigators interviewed him at his home Wednesday evening.

"They [the investigators] said it was on the King incident," said Bray's sister-in-law, Alberta Bray, 34, who was also interviewed.

John Bray said the investigators questioned him in connection with a report published Wednesday in a South Los Angeles community newspaper. The article described Bray's allegations that the students were mistreated by Los Angeles police officers Feb. 19 at a Pacoima service station, and that Foothill Division officers refused to take a complaint the following afternoon.

The published report quoted Capt. Tim McBride, division commander, as saying that one of the policemen implicated in the

Please see TESTIFY, B12

TESTIFY: Student Claims Police Abuse

Continued from B1

complaint was Laurence Michael Powell, 28, one of the three officers the Police Deparment has recommended for criminal prosecution in the March 3 beating of King.

However, McBride denied Wednesday that he made such a statement. He would not comment further on the Brays' allegations or the newspaper account, which he said he had not read.

Citing the secrecy of the Los Angeles County Grand Jury probe, district attorney spokeswoman Sandi Gibbons would only say that her office is looking into the Brays' allegations.

John Bray alleged in an interview that an officer with the name Powell on his name tag used racial slurs, pushed Bray with his baton and unfairly handcuffed Bray and his cousin, Los Angeles Valley College women's basketball player La Tisa Rush, during the Feb. 19 incident.

Bray, a Valley College student, said several squad cars went to the gas station at Osborne Street and Laurel Canyon Boulevard after he, Rush and two other women friends became involved in an altercation with a white couple. Bray said the officers did not let him explain his version of the events and took the side of the couple, forcing Bray and Rush to their knees and handcuffing them.

"He [Powell] used his billy club on my back to push me down," Bray said.

Bray said the officer named Powell, and others, used a racial slur and mocked him as he was placed in the back of a squad car.

"He picked me up by the handcuffs and tried to slam me into the car," Bray said. "He told me, 'Stop crying, you sound worse than the girls.' "

Bray said that the officers did not handcuff or harass the white couple, and that he and Rush were freed after about 15 minutes.

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(Mount Clipping in Space Below)

King suffered 9 skull fractures

LAPD officers support Gates

By Norma Meyer and Howard Gantman
COPLEY NEWS SERVICE

As a doctor disclosed Wednesday that police beating victim Rodney King suffered nine skull fractures, Los Angeles police officers closed ranks behind embattled Chief Daryl F. Gates, labeling those who have demanded his ouster over the assault a "lynch mob."

New details about the extent of King's injuries emerged as a county grand jury concluded its third day of a closed-door inquiry into the videotaped beating of the black motorist by three white police officers, who are expected to be indicted on felony charges.

In other developments:

■ A federal grand jury reportedly began issuing subpoenas as part of a civil rights probe into the March 3 incident, which was witnessed by a dozen other officers who did nothing to stop it. Some or all of those officers may also be indicted by either the state or federal jury.

■ A proposal for a June 4 ballot measure that would make it easier to fire police chiefs met resistance in the City Council, which scheduled the matter for committee hearings — seriously jeopardizing its chances of making the June 4 ballot.

■ Gates, who has condemned the beating and recommended charges be filed against the three officers who participated, is scheduled to answer questions about it today before the city Police Commission.

■ Civil rights groups and minority organizations plan to demonstrate outside the commission hearing room at the Police Department's downtown Parker Center.

The prospect of a large protest had some city officials worried about a possible volatile confrontation.

King's physician, Dr. Edmund Chein, told the City Council that tests revealed King had suffered worse injuries than originally thought.

X-rays showed the unemployed construction worker's skull was broken in nine places and the presence of enzymes indicated possible heart muscle damage from a Tasar stun-gun dart that officers had fired into his chest, Chein said.

'Surprised he lived'

"With the extreme fracture of the skull, I'm surprised he lived, brainwise," Chein said.

King is scheduled to have a steel plate inserted in his skull during surgery today to repair one fracture.

The doctor said King has been "confused" and has no control over his emotions as a result of being kicked and clubbed more than 50 times.

Gates, who later Wednesday testified in an unrelated federal civil trial challenging the Police Department's practice of hogtying some suspects, was saluted at a luncheon of police administrators.

A union representing most rank-and-file officers in the 8,400-member department also held a news conference to express confidence in Gates.

The chief again dismissed calls that he resign. After the annual luncheon gathering with 300 members of the Los Angeles County Peace Officers

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Association, Gates told reporters "there's no way I'm going to leave under a cloud of controversy."

Job security

Gates has civil service protection from firing, but could be removed for gross misconduct by the Police Commission, a standard commissioners have said is not met by the circumstances of the King beating.

Wednesday's luncheon at the Los Angeles Police Academy followed a show of support for the chief by fellow officers.

Lt. George Aliano, president of the Los Angeles Police Protective League — which has butted heads with Gates during labor negotiations — said his organization is taking out newspaper advertisements to counter the "sleaze ad" placed in publications by the American Civil Liberties Union to pressure Gates to resign.

'Lynch mob'

"We are gratified quite frankly that Chief Gates is not submitting to the lynch mob mentality," added LAPD Commander Lorne Kramer.

The City Council ordered Gates to appear at a City Hall hearing next week to explain how officers are disciplined for use of excessive force.

But the council fell three votes short of adopting an emergency motion requiring Gates to answer the panel's questions specifically about the King beating.

The failure of the motion — it received seven of the required 10 votes on the 15-member council — indicated that Gates still enjoys political support on the panel.

Accusing his main antagonizer, the ACLU, of "prejudice against police," Gates compared his detractors to those who criticized President Bush for sending U.S troops to the Persian Gulf.

"Most of the people who disliked George Bush and disliked what we were doing in the Middle East ... they're the same people who are attacking me," Gates said.

In insisting Gates leave office, the ACLU has been joined by groups such as the National Association for the Advancement of Colored People, the Mexican American Political Association, the Chicano Caucus Democratic Party Mothers of East L.A., and members of the Urban League.

The organizations accused Gates of fostering the atmosphere that led to King's beating by repeatedly making ethnically insensitive and inflammatory statements during his 13 years as chief.

Most of the people who disliked George Bush and disliked what we were doing in the Middle East. . . . they're the same people who are attacking me.

— Daryl F. Gates
Los Angeles chief of police

THE ASSOCIATED PRESS

Daryl F. Gates holds a pamphlet on "Human Relations in the Police Service" at his speech.

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(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

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METRO SECTION, PAGE 1

Title: OFFICERS OFFER SUPPORT FOR GATES AMID MORE ATTACKS

Character: Civil Rights
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MAR 20 1991
FBI — LOS ANGELES

Officers Offer Support for Gates Amid More Attacks

By SHERYL STOLBERG
TIMES STAFF WRITER

The Los Angeles Police Department closed ranks around Chief Daryl F. Gates on Wednesday, blasting his critics, praising his leadership and urging him not to submit to the "lynch-mob mentality" by resigning.

In a powerful show of support, nearly 60 commanding officers—among them Assistant Chief Robert Vernon and at least three deputy chiefs—held a news conference at the Police Academy to vigorously defend Gates' handling of the police beating of an Altadena man.

At one point, Deputy Chief William Booth defiantly held up an American Civil Liberties Union newspaper advertisement that calls for the chief to quit. Booth had drawn a red circle and a slash over the ad; waving it in front of television cameras, he urged residents to "tear it out and put your own little hieroglyphics on it and then mail it to Chief Gates."

The high-ranking officers were joined by the Los Angeles Police Protective League, a union that has often been at odds with Gates. The league's president, Lt. George Aliano, announced he is sending ballots this week asking its 8,200 members to issue a vote of confidence for the chief.

Gates was not on hand to hear the remarks, but he addressed the group afterward as the keynote speaker at the Los Angeles County Peace Officers Assn.'s annual "LAPD Day" luncheon. The chief, who was greeted with a 30-second standing ovation, used the platform to deliver a rousing speech that served as a morale builder for his officers.

Before the enthusiastic crowd of 300, Gates called the Police Department "the greatest department in the country" and ripped into his critics, particularly the press and the ACLU. He held up the department's handbook on human relations and declared that the civil liberties group had "violated every precept of human relations that we set forth."

Then, ticking them off one by one, Gates thundered: "Objectivity! Do you see any objectivity at all? . . . Courtesy! Anything courteous about them? Compassion! Have they shown one ounce of compassion? . . . Prejudice! They are so prejudiced against police. They hate us and clearly they hate me. I know that, and I don't blame them for hating me, but I blame them for hating you."

Meanwhile, civil rights leaders stepped up their attacks on Gates. With more than 200 letters calling for the chief's ouster before them, the ACLU and other civil rights groups announced "Operation Overhaul," a nine-point campaign to end police brutality and push Gates out of office. The first step, they said, will be to press for a blue-ribbon panel to conduct an independent review of the Police Department.

"We intend to keep up the pressure," said Ramona Ripston, executive director of the ACLU of Southern California. "We think that Gates must resign. . . . And to those people to say to me that he has steadfastly said that he won't resign, I remind you that Richard Nixon said the same thing."

As the barbs flew back and forth, the Los Angeles County Grand Jury met for the third day to consider evidence against the officers involved in the March 3 beating of Rodney G. King.

The beating of King, an unemployed construction worker who is on parole after a robbery conviction, touched off a nationwide furor after it was captured on videotape by an amateur photographer. The tape showed King, who had been pulled over by police in Lake View Terrace after allegedly leading them on a high-speed chase, being kicked by several officers, who also hit him as many as 56 times with their batons.

King is scheduled to undergo surgery today at an undisclosed hospital to repair injuries he suffered during the beating. His doctor, Edmund Chein, said new tests show that bones at the base of King's skull are broken in nine places on the right side and two on the left.

Chein said two of the five doctors who are treating King "have never seen this before. It's unusual even to us. The force of the blows was tremendous."

The Los Angeles Police Commission will conduct a special hearing today to gather community reaction about the King case. Commissioner Melanie Lomax said the panel, which has the authority to change departmental policies and practices, has been inundated with calls about the incident.

In their remarks Wednesday, Gates and the officers who sup-

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VIEWS ON POLICE BRUTALITY CASE

One out of every four Americans say their image of Los Angeles has been tarnished by the beating of Rodney G. King, according to a Los Angeles Times national poll conducted March 9 through 11. Some findings from the poll:

- The survey of 1,518 adults found widespread awareness of the incident across the nation, with nearly nine in 10 (88%) saying that they had heard or read something about the beating of King by Los Angeles police officers.
- Of those surveyed, about one-quarter (27%) of the public said the incident made them feel "less favorable" toward the city of Los Angeles. Half of the public (49%) said their feelings about Los Angeles were unchanged by what happened to King, while another 12% did not feel they knew enough about the situation to judge it. The other 12% said they were unaware of the incident altogether.

The survey has a margin of sampling error of plus or minus 3 percentage points.

ported him deplored the beating. The chief went so far as to apologize to other law enforcement agencies "because we have brought shame and dishonor on the police profession."

Cmdr. Lorne Kramer, president of the Los Angeles Police Command Officers Assn., a 96-member group made up of officers who carry the rank of captain and above, said policemen and women "deserve the community's support, for they too have been betrayed by a few of their own."

Kramer and Aliano, the Police Protective League president, said they would fight attempts by Mayor Tom Bradley to make police chiefs subject to dismissal by the mayor after a five-year performance review.

Gates, who also said he opposes the mayor's plan, seemed clearly touched by the show of support, especially from the union. As the crowd clapped, he opened his speech by remarking on the press conference:

"How does the song go? The wind beneath my wings? That's what you are. You are the wind beneath my wings. If I were a much stronger guy, I would break down and cry because that's the way I feel."

Times staff writers George Ramos, Lois Timnick, Hector Tobar and Tracy Wood contributed to this story.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Review of LAPD widens

Justice Department to probe beating claims

By James Rowley
THE ASSOCIATED PRESS

WASHINGTON — Attorney General Dick Thornburgh today ordered a Justice Department review of all reported complaints of police brutality in Los Angeles in the last six years to determine if there is a pattern of misconduct.

Thornburgh's announcement came after he met with two lawmakers who urged the Justice Department to broaden its investigation of the beating of a motorist by Los Angeles officers to include other allegations of brutality against the city's police.

The attorney general said in a statement that he had asked the Justice Department's civil rights division "to undertake a review of all official complaints filed in this area within the past six years to discern whether any pattern of misconduct is apparent."

Thornburgh also ordered the department's National Institute of Justice to determine if there is a correlation between police brutality and a lack of adequate training and internal disciplinary procedures.

The attorney general issued the statement after a breakfast meeting with Reps. John Conyers, D-Mich. and Edolphus Towns, D-N.Y., chairman of the Congressional Black Caucus.

Conyers said Thornburgh also agreed to examine any additional specific complaints of brutality that have not been reported to authorities over the last six years.

The six-year period covers the statute of limitations on federal civil rights crimes for which police could be prosecuted, Conyers said.

Conyers has called for a federal investigation to determine if there is a "culture of violence" in the Los Angeles police, as evidenced by the March 3 beating by three white officers of a black motorist.

The beating with police sticks was recorded on videotape by a passer-by and broadcast nationwide.

(indicate page, name of newspaper, city and state.)

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LOS ANGELES TIMES

★ FRIDAY, MARCH 15, 1991

U.S. to Review Complaints of Brutality

By RONALD J. OSTROW
TIMES STAFF WRITER

WASHINGTON—Triggered by the videotaped police beating of a Los Angeles motorist, Atty. Gen. Dick Thornburgh Thursday ordered an unprecedented nationwide review of police brutality complaints filed with federal authorities over the last six years to determine whether they show a pattern of police misconduct.

Law enforcement officers "must be among the first to assure the observance of the civil rights and civil liberties of all citizens," Thornburgh said after meeting with two senior members of the Congressional Black Caucus who urged him to investigate what they alleged is "systemic police abuse in Los Angeles."

John R. Dunne, assistant attorney general for civil rights, said that his division will conduct the review "in-house"—studying about 15,000 complaints brought to U.S. attorneys, the FBI and the Justice Department—without trying to examine files of police departments around the country.

Dunne said in an interview that a previous court ruling has established that "we had no authority to conduct a fishing expedition or convene a grand jury" to investigate a general allegation of systemic violations of civil rights.

He said, however, that the FBI is continuing with its investigation of the March 3 beating of Rodney G. King, despite a policy that such federal inquiries normally are suspended once it is clear that local authorities are proceeding vigorously in the case.

"This is not a standard case," Dunne said, referring to "what I saw in the full [video] tape of the beating." Another source close to the investigation said that the full-scale FBI involvement was justified by the case's notoriety and the tape's value as evidence.

The caucus members are understood to have pushed primarily for a Justice Department investigation of what they see as systemic police brutality in the Los Angeles area. But Thornburgh's announcement focused on a nationwide review because, as one source explained, he "did not want to target Los Angeles."

Thornburgh also directed the Justice Department's research arm to determine if any correlation exists between the incidence of police brutality and the presence or absence of police department training programs and internal procedures to deter such brutality.

Rep. John Conyers (D-Mich.), a senior member of the Congressional Black Caucus, expressed satisfaction with the attorney general's announcement.

Please see REVIEW, A31

REVIEW: Police Brutality Complaints

Continued from A3

Conyers and Rep. Edolphus Towns (D-N.Y.), caucus chairman, met Thursday with Thornburgh, Dunne and other Justice Department officials.

"We are on our way to relieving the crisis of confidence [in the police] that now exists," Conyers said. "I see this as a way to expunge a national problem from our law enforcement system. It isn't often we get a case that leaves so little to question, so few defenses to be raised."

In addition to the Justice Department review, Conyers said that he is asking Congress' investigating arm, the General Accounting Office, to examine police brutality and the federal response. Conyers is expected to meet with GAO officials today to discuss the scope of the inquiry.

Dunne said that the department, U.S. attorneys and the FBI have been receiving about 2,500 police brutality allegations annually and that only about 2% of them turn out to have sufficient evidence to be presented to a grand jury.

And only about two-thirds of that small percentage result in grand juries returning indictments, Dunne noted. Convictions "even then" are hard to come by, he said, "because men and women sitting in that [jury] box don't want to believe" that police officers would commit the alleged acts.

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At Least 4 Officers Indicted in Beating

LOS ANGELES TIMES

★★ FRIDAY, MARCH 15, 1991

■ **Police probe:** Grand jury goes beyond Gates' recommendation that three be prosecuted and 12 be disciplined.

By LESLIE BERGER
and TRACY WOOD
TIMES STAFF WRITERS

At least four Los Angeles police officers were indicted Thursday by a county grand jury investigating the videotaped attack on a motorist who had been stopped for speeding.

The indictments were sealed and the precise allegations and number of indictments issued by the grand jury were not known.

According to their attorneys and a law enforcement source, four of the 15 officers present at the beating were indicted and were ordered to surrender in court today.

The 23-member panel began hearing evidence Monday in the case, which came to light when a bystander at the early morning March 3 incident in Lake View Terrace presented a homemade videotape to a Los Angeles television station.

The images of uniformed officers repeatedly kicking and striking a prone, unarmed man have sparked outrage nationwide and prompted calls for the ouster of Los Angeles Police Chief Daryl F. Gates.

At least 400 people turned out Thursday for a Police Commission hearing, heckling Gates and cheering a succession of black community leaders and residents who called for his dismissal. Gates, who sat somberly through the session, later repeated his intention to remain as chief of the 8,300-member department.

■ **RELATED STORIES:** A3, A31

All 15 officers present at the assault on Rodney G. King, a 25-year-old Altadena construction worker who is on parole after a robbery conviction, have been re-

Please see BEAT, A31

Continued from A1

moved from active field duty by Gates. On Thursday, King's doctor and city officials denied a widespread rumor, spread largely by word of mouth, that King had died during surgery.

Federal officials, meanwhile, said the FBI is pressing ahead with its investigation of the incident despite what appears to be a vigorous local inquiry.

John Dunne, assistant U.S. attorney general for civil rights, said that although the FBI usually suspends investigations into such matters as the King case if local law enforcement response is strong, "this is not a standard case," based on "what I saw in the full tape of the beating."

The case has carried racial overtones because King is black and the attacking officers white. King suffered numerous injuries in the attack. He was held in custody for three days before prosecutors determined there were no grounds to press allegations that he had evaded police in a high-speed chase.

The grand jury acted on evidence presented in secret sessions by Deputy Dist. Atty. Terry White. Witnesseses included the man who made the videotape from a nearby balcony, bystanders from the same apartment building, a Los Angeles Unified School District police officer who was present, and at least two Los Angeles police officers.

The central piece of evidence, however, is the videotape. In the two-minute tape, the sergeant is shown holding a stun gun from which a barb had been shot into King early in the incident. As he and others watch, at least three officers appear to take turns kicking King and beating him with nightsticks. Gates said the man was struck more than 50 times.

The grand jury exceeded the scope of Gates' recommendation that only three officers be prosecuted. Although Gates had singled out the sergeant with the stun gun for criticism—saying that he should have controlled his officers—and vowed to take administrative disciplinary actions against all 15 officers, the chief did not believe there was cause to criminally prosecute the 14-year veteran.

According to their attorneys, the officers ordered to appear in court are Sgt. Stacey Koon, 40; veteran Officers Ted Briseno, 38, and Laurence Powell, 28, and Timothy Wind, 30, a rookie still on probation. A law enforcement source said all four were indicted, and attorneys for Koon and Powell confirmed that their clients face prosecution.

None of the four attorneys contacted by The Times said they had been told what charges would be pressed against their clients. All were told to report to Department 100 of the Los Angeles Criminal Courts building at 1:30 p.m.

"They just said be here," said Paul DePasquale, Wind's lawyer.

Whether any of the other 11 officers were indicted was not known. The four who were indicted had been identified earlier as the first officers to be removed from field duty after the incident.

The grand jury's action came hours after a tumultuous meeting of the Los Angeles Police Commission, a special session for which an open invitation had been ex-

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tended to anyone with an opinion on the King beating.

Gates sat stoically through the three-hour session, which was frequently interrupted by chants of "Justice! Justice!" and "Daryl Gates must go!" Later, the chief held an impromptu news conference, declaring some of the criticism "poppycock."

Although Gates has said there is no evidence that the beating was racially motivated, the long line of witnesses at the hearing was drawn mainly from the city's African-American community and its leaders.

"I'm here today as a black man," said Assemblyman Curtis Tucker Jr. (D-Inglewood), "and I'm here today to ask Chief Gates a question: How long? How long will this continue to go on in our community?"

Black people, Tucker said, are afraid when they are pulled over by the police: "They don't know whether justice will be meted out, or whether a judge, jury and executioner is pulling up behind them. . . . How can we respect a department that does not respect us?"

Danny Bakewell, leader of the civic group Brotherhood Crusade, received one of the crowd's many standing ovations when he declared: "The people are sick and tired of this! We are not going to let black people be brutalized in our community. . . . You take an oath to protect and serve but when you go to the black community all you do is abuse."

The meeting, held in the 450-seat auditorium at Parker Center, the Police Department's downtown headquarters, was standing-room only. Outside the Police Department building, several hundred protesters picketed, shouting through bullhorns and carrying signs such as one that read: "LAPD—Humans Need Not Apply."

Inside, while they were waiting for the commission and Gates to arrive, the crowd erupted into chants of "Hey, hey! Ho, ho! Daryl Gates has got to go!" The chanting continued, growing louder and louder until it became thunderous as Gates and the commissioners entered the room.

Later, they cheered wildly as a representative of an association of black lawyers told the commission that—despite the widespread belief that Gates is virtually immune to firing because of the city's Civil Service system—the panel does have the right to discipline, suspend or remove the chief.

Quoting from the City Charter, Geoffrey T. Gibbs, a lawyer with the John M. Langston Bar Assn., told the citizens panel that the board may remove Gates for "incompetency, dishonesty, discourtesy or neglect of duty." While noting that Gates is entitled to a hearing before the Civil Service Commission, Gibbs said the board may discipline the chief in the same manner that he disciplines his own officers.

"Rodney Glenn King is fighting to restore his eyesight and regain a normal life," Gibbs said as the crowd applauded. "We see no reason why the commission should hesitate to make Chief Daryl F. Gates fight to keep his job."

At his news conference, Gates made a plea for his supporters to send letters to the Police Department. The chief said he was worried that the rank-and-file officers would become demoralized after seeing the hearing on television.

"I'm not asking them to support me," Gates said. "I'm asking them to send in support for the Los Angeles Police Department. I can take care of myself."

There was no action by the Police Commission on Thursday, nor was any expected. Commission Vice President Melanie Lomax said at the outset that the meeting was intended to give the public a chance to voice its concerns about what she called "this tragic affair." At the end of the meeting, she said the commission would take more testimony at its regular meeting next Thursday.

The commission, which currently has two vacancies, is appointed by Mayor Tom Bradley and has the authority to change departmental policies and practices. Lomax said the community's views will become part of the commission's investigation into police training, tactics and whether a pattern of police brutality exists in minority communities. Bradley requested the investigation in the wake of the King beating.

Times staff writers Sheryl Stolberg, Hector Tobar and Lois Timnick contributed to this report.

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(Mount Clipping in Space Below)

False Rumor of King's Death Races Through City

By LOUIS SAHAGUN
and TINA ANIMA
TIMES STAFF WRITERS

In a phenomenal indication of the citywide attention riveted on the Rodney King case, an unfounded rumor that the police beating victim had died on a hospital operating table exploded across town Thursday, from homes to hospitals, from factories to high-rise stock brokerage firms.

The midday rumor, spread largely by word of mouth, was denied by King's doctor and by city officials.

It was not clear how the rumor started. King underwent surgery of an unspecified nature Thursday.

"As of 1:30 [p.m.], he was very much alive and well," said Dr. Alvin Reiter, a facial and neck surgeon who performed the operation.

The rumor's volatility was such that Mayor Tom Bradley at noon issued an extraordinary advisory discounting the report: "Mayor Tom Bradley . . . called Steven Lerman, Mr. King's attorney, who reports that the operation is finished and that Mr. King is presently in recovery in good condition."

Nonetheless, newspaper, television and radio newsrooms across the city were besieged by urgent inquiries. The Los Angeles Times alone received more than 100 calls between 11 a.m. and 2 p.m. from people ranging from rocket engineers to sheriff's deputies.

Some callers said they heard the rumor on two radio stations and one television news affiliate. Contacted by The Times, however, news directors at all three denied having reported that King had died.

A call to The Times from 41-year-old Jackie Smith of Watts was typical.

"A woman called me and said that Mr. King died on the operating table. Is this true?" asked Smith, who works as a volunteer at the Brotherhood Crusade office in South-Central Los Angeles. "The woman said she heard from a friend who heard it on the news."

A similar call to The Times came from Glen Stevens, 60, who said the rumor was "sweeping" through his stock brokerage firm in downtown Los Angeles.

"The rumor came through a broker who heard from a client that King died while undergoing restorative facial surgery," Stevens said. "I just thank dear God that it is not a hot August night."

(Indicate page, name of newspaper, city and state.)

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MAR 22 1991
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4 officers indicted in beating

By Paul Pringle
COPLEY NEWS SERVICE

A county grand jury indicted four officers Thursday in the videotaped beating of motorist Rodney King.

The indictments were sealed and specific allegations and number of charges issued by the grand jury were not known. The indictments were to be unsealed today.

The officers ordered to appear in court are Sgt. Stacey Koon, 40; along with Officers Ted Briseno, 38; Laurence Powell, 28; and Timothy Wind, 30, a rookie still on probation.

Word of the federal inquiry — which may examine an incident in Pacific Palisades — and the indictments came as hundreds of angry civil rights activists gathered in downtown Los Angeles to demand the ouster of Los Angeles Police Chief Daryl Gates over the beating of King, who is black, at the hands of white officers.

Prompted by the mounting national outrage concerning the King beating, Attorney General Dick Thornburgh announced in Washington, D.C., that the Justice Department's Civil Rights Division will pore over the estimated 15,000 police brutality complaints it received from across the country during the past six years.

The attorney general said rejected and pending complaints will be reviewed not for the purpose of filing charges in specific cases, but to "discern if any pattern of misconduct is apparent" in the police departments.

Typical of the complaints, other federal officials said, is one concerning the ejection last year of 31 black and Latino teen-agers from Will Rogers State Park in Pacific Palisades by Los Angeles police and state rangers. The officers allegedly ridiculed the youths and told them to "go back to their own parks," according to Los Angeles attorney Carol Watson, who represents the teens in a lawsuit.

Another local complaint involves the 1987 death of Stewart Vigil, 29, of Lomita, who died outside County Harbor-UCLA Medical Center after a struggle with a dozen police officers. The officers allegedly choked and shocked Vigil with Taser stun guns while he was handcuffed.

Vigil, whose body showed traces of methamphetamine, had been picked up for wandering

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through a busy intersection.

The Coroner's Office later ruled Vigil's death a homicide. A civil lawsuit on behalf of his survivors is set to go to trial this fall, said attorney Stephen Yagman, who added that the Justice Department never responded to his complaint alleging civil rights violations.

Other than the Los Angeles Police Department — which one black legislator said Thursday includes "urban terrorists" in its ranks — the local agencies whose conduct will be examined in the inquiry were not identified by Thornburgh nor other federal officials. But it was believed that most big-city police and sheriff's departments are on the list.

The Justice Department probe is the broadest yet to follow the March 3 attack on King, who suffered 11 skull fractures, a broken leg, numerous cuts and possible damage to his heart muscle and brain.

After being stopped for speeding in the San Fernando Valley, King was clubbed and kicked more than 50 times, shocked with a Taser gun and hogtied. Three officers used their nightsticks and feet on King while 12 others watched.

Surgery successful

The 25-year-old construction worker, who is on parole for robbery, underwent successful surgery Thursday for one of the skull fractures.

The county grand jury investigating the beating since Monday returned the indictment late Thursday. District Attorney Ira Reiner scheduled a news conference today to discuss the grand jury probe.

The key evidence examined by the 23 grand jurors is the two-minute home videotape shot by plumber George Holliday, who witnessed the King beating from across the street.

Thornburgh did not say whether the Justice Department inquiry would focus on contentions that police brutality often is motivated by racism, although several pending complaints do involve charges of police enmity for blacks and Hispanics.

Thornburgh said individual criminal allegations of federal civil rights violations by police — including the King case — will continue to be investigated separately by the FBI.

During a boisterous Los Angeles Police Commission hearing on the beating, civil rights activists and black legislators charged Thursday that the incident reflected a longstanding pattern of racism-fueled brutality by the LAPD, for which they squarely blamed Gates. The 3½-hour hearing was broadcast live by Cable News Network.

"Daryl Gates needs to go!" declared John Mack, president of the Los Angeles Urban League.

The 300 people who jammed into the commission hearing room, along with 200 other placard-waving demonstrators, who gathered outside, cheered wildly in agreement when Mack said there is a "brutality by some — not all, but some — police officers against African-American males in particular."

Gates, who has condemned the King beating and termed it an "aberration," sat in grim silence at the commission dais, his eyes often downcast. Afterward, he repeated his vow not to resign the job he has held for 13 controversy-filled years.

"Anyone who thinks I'm going to slink away is absolutely wrong," Gates said, describing the raucous hearing "an interesting experience."

Assemblyman Curtis Tucker Jr., D-Inglewood, who is chairman of the Legislature's Black Caucus, told the commission that since the King beating, Los Angeles motorists stopped by police officers "don't know if justice will be meted out or if a judge, jury and executioner is pulling up behind him."

Others at the hearing ranged from a 68-year-old man who claimed he was beaten by police during a traffic stop 33 years ago to anti-abortion activists who have accused the LAPD of roughing them up during protests.

"These are conservative white faces!" Susan Carpenter McMillian, spokeswoman for the Right to Life League of Southern California, screamed at Gates, who is white and active in Republican politics. "This is a pro-life Republican demanding you step down!"

Only two of the 39 people who testified before the commission defended Gates, but they were quickly shouted down. One, 66-year-old Lynn Exe, left the podium to catcalls and accusations that she "burned crosses on folks' lawns!"

The mayor-appointed police panel supervises Gates, but the chief enjoys civil service protection from firing unless he is found to have engaged in gross misconduct.

Commissioners have said the circumstances of the King beating do not meet the legal standard for Gates' dismissal, although groups like the National Association for the Advancement of Colored People disputed that Thursday.

NAACP leaders at the hearing said Gates has engaged in gross misconduct by failing to supervise the use of force by officers as well as by making "intemperate statements" during the years.

The local NAACP president, Joseph Duff, appealed to Gates to "become the leader for peace in this community, not the leader for war."

In the past, Gates has sparked public outrage when he said black suspects may die from police chokeholds because they do not breath like "normal people," that Hispanic officers may be "lazy," and that casual drug users should be summarily shot. He also has ridiculed federal juries for awarding monetary damages to victims of police abuse.

The city has paid $10 million in such awards in the past year, and King is expected to file a multimillion-dollar lawsuit.

Gates said after Thursday's commission hearing that "there's no cause to fire me," adding "I resent the implication that I am somehow a racist. I have always resented that. I am not."

The chief also said he welcomed the Thornburgh-ordered review. "Bring on his investigators," Gates said. "Take a look. We've very proud of what we have done."

Contributing to this article were Copley News Service writers Norma Meyer and Gale Holland.

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(Mount Clipping in Space Below)

U.S. to Review Complaints of Brutality

By RONALD J. OSTROW
TIMES STAFF WRITER

WASHINGTON—Triggered by the videotaped police beating of a Los Angeles motorist, Atty. Gen. Dick Thornburgh Thursday ordered an unprecedented nationwide review of police brutality complaints filed with federal authorities over the last six years to determine whether they show a pattern of police misconduct.

Law enforcement officers "must be among the first to assure the observance of the civil rights and civil liberties of all citizens," Thornburgh said after meeting with two senior members of the Congressional Black Caucus who urged him to investigate what they alleged is "systemic police abuse in Los Angeles."

John R. Dunne, assistant attorney general for civil rights, said that his division will conduct the review "in-house"—studying about 15,000 complaints brought to U.S. attorneys, the FBI and the Justice Department—without trying to examine files of police departments around the country.

Dunne said in an interview that a previous court ruling has established that "we had no authority to conduct a fishing expedition or convene a grand jury" to investigate a general allegation of systemic violations of civil rights.

He said, however, that the FBI is continuing with its investigation of the March 3 beating of Rodney G. King, despite a policy that such federal inquiries normally are suspended once it is clear that local authorities are proceeding vigorously in the case.

"This is not a standard case," Dunne said, referring to "what I saw in the full [video] tape of the beating." Another source close to the investigation said that the full-scale FBI involvement was justified by the case's notoriety and the tape's value as evidence.

The caucus members are understood to have pushed primarily for a Justice Department investigation of what they see as systemic police brutality in the Los Angeles area. But Thornburgh's announcement focused on a nationwide review because, as one source explained, he "did not want to target Los Angeles."

Thornburgh also directed the Justice Department's research arm to determine if any correlation exists between the incidence of police brutality and the presence or absence of police department training programs and internal procedures to deter such brutality.

Rep. John Conyers (D-Mich.), a senior member of the Congressional Black Caucus, expressed satisfaction with the attorney general's announcement. Conyers and Rep. Edolphus Towns (D-N.Y.), caucus chairman, met Thursday with Thornburgh, Dunne and other Justice Department officials.

"We are on our way to relieving the crisis of confidence [in the police] that now exists," Conyers said. "I see this as a way to expunge a national problem from our law enforcement system. It isn't often we get a case that leaves so little to question, so few defenses to be raised."

In addition to the Justice Department review, Conyers said that he is asking Congress' investigating arm, the General Accounting Office, to examine police brutality and the federal response. Conyers is expected to meet with GAO officials today to discuss the scope of the inquiry.

Dunne said that the department, U.S. attorneys and the FBI have been receiving about 2,500 police brutality allegations annually and that only about 2% of them turn out to have sufficient evidence to be presented to a grand jury.

And only about two-thirds of that small percentage result in grand juries returning indictments, Dunne noted. Convictions "even then" are hard to come by, he said, "because men and women sitting in that [jury] box don't want to believe" that police officers would commit the alleged acts.

(Indicate page, name of newspaper, city and state.)

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FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

At Least 4 Officers Indicted in Beating

■ Police probe: Grand jury goes beyond Gates' recommendation that three be prosecuted and 12 be disciplined.

By LESLIE BERGER
and TRACY WOOD
TIMES STAFF WRITERS

At least four Los Angeles police officers were indicted Thursday by a county grand jury investigating the videotaped attack on a motorist who had been stopped for speeding.

The indictments were sealed and the precise allegations and number of indictments issued by the grand jury were not known.

According to their attorneys and a law enforcement source, four of the 15 officers present at the beating were indicted and were ordered to surrender in court today.

The 23-member panel began hearing evidence Monday in the case, which came to light when a bystander at the early morning March 3 incident in Lake View Terrace presented a homemade videotape to a Los Angeles television station.

The images of uniformed officers repeatedly kicking and striking a prone, unarmed man have sparked outrage nationwide and prompted calls for the ouster of Los Angeles Police Chief Daryl F. Gates.

At least 400 people turned out Thursday for a Police Commission hearing, heckling Gates and cheering a succession of black community leaders and residents who called for his dismissal. Gates, who sat somberly through the session, later repeated his intention to remain as chief of the 8,300-member department.

■ **RELATED STORIES:** A3, A31

All 15 officers present at the assault on Rodney G. King, a 25-year-old Altadena construction worker who is on parole after a robbery conviction, have been removed from active field duty by Gates. On Thursday, King's doctor and city officials denied a widespread rumor, spread largely by word of mouth, that King had died during surgery.

KEN LUBAS / Los Angeles Times

LAPD Chief Gates at hearing.

Federal officials, meanwhile, said the FBI is pressing ahead with its investigation of the incident despite what appears to be a vigorous local inquiry.

John Dunne, assistant U.S. attorney general for civil rights, said that although the FBI usually suspends investigations into such matters as the King case if local law enforcement response is strong, "this is not a standard case," based on "what I saw in the full tape of the beating."

The case has carried racial overtones because King is black and the attacking officers white. King suffered numerous injuries in the attack. He was held in custody for three days before prosecutors determined there were no grounds to press allegations that he had evaded police in a high-speed chase.

The grand jury acted on evidence presented in secret sessions by Deputy Dist. Atty. Terry White. Witnesseses included the man who made the videotape from a nearby balcony, bystanders from the same apartment building, a Los Angeles Unified School District police officer who was present, and at least two Los Angeles police officers.

The central piece of evidence, however, is the videotape. In the two-minute tape, the sergeant is shown holding a stun gun from which a barb had been shot into King early in the incident. As he

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and others watch, at least three officers appear to take turns kicking King and beating him with nightsticks. Gates said the man was struck more than 50 times.

The grand jury exceeded the scope of Gates' recommendation that only three officers be prosecuted. Although Gates had singled out the sergeant with the stun gun for criticism—saying that he should have controlled his officers—and vowed to take administrative disciplinary actions against all 15 officers, the chief did not believe there was cause to criminally prosecute the 14-year veteran.

According to their attorneys, the officers ordered to appear in court are Sgt. Stacey Koon, 40; veteran Officers Ted Briseno, 38, and Laurence Powell, 28, and Timothy Wind, 30, a rookie still on probation. A law enforcement source said all four were indicted, and attorneys for Koon and Powell confirmed that their clients face prosecution.

None of the four attorneys contacted by The Times said they had been told what charges would be pressed against their clients. All were told to report to Department 100 of the Los Angeles Criminal Courts building at 1:30 p.m.

"They just said be here," said Paul DePasquale, Wind's lawyer.

Whether any of the other 11 officers were indicted was not known. The four who were indicted had been identified earlier as the first officers to be removed from field duty after the incident.

The grand jury's action came hours after a tumultuous meeting of the Los Angeles Police Commission, a special session for which an open invitation had been extended to anyone with an opinion on the King beating.

Gates sat stoically through the three-hour session, which was frequently interrupted by chants of "Justice! Justice!" and "Daryl Gates must go!" Later, the chief held an impromptu news conference, declaring some of the criticism "poppycock."

Although Gates has said there is no evidence that the beating was racially motivated, the long line of witnesses at the hearing was drawn mainly from the city's African-American community and its leaders.

"I'm here today as a black man," said Assemblyman Curtis Tucker Jr. (D-Inglewood), "and I'm here today to ask Chief Gates a question: How long? How long will this continue to go on in our community?"

Black people, Tucker said, are afraid when they are pulled over by the police: "They don't know whether justice will be meted out, or whether a judge, jury and executioner is pulling up behind them. . . . How can we respect a department that does not respect us?"

Danny Bakewell, leader of the civic group Brotherhood Crusade, received one of the crowd's many standing ovations when he declared: "The people are sick and tired of this! We are not going to let black people be brutalized in our community. . . . You take an oath to protect and serve but when you go to the black community all you do is abuse."

The meeting, held in the 450-seat auditorium at Parker Center, the Police Department's downtown headquarters, was standing-room only. Outside the Police Department building, several hundred protesters picketed, shouting through bullhorns and carrying signs such as one that read: "LAPD—Humans Need Not Apply."

Inside, while they were waiting for the commission and Gates to arrive, the crowd erupted into chants of "Hey, hey! Ho, ho! Daryl Gates has got to go!" The chanting continued, growing louder and louder until it became thunderous as Gates and the commissioners entered the room.

Later, they cheered wildly as a representative of an association of black lawyers told the commission that—despite the widespread belief that Gates is virtually immune to firing because of the city's Civil Service system—the panel does have the right to discipline, suspend or remove the chief.

Quoting from the City Charter, Geoffrey T. Gibbs, a lawyer with the John M. Langston Bar Assn., told the citizens panel that the board may remove Gates for "incompetency, dishonesty, discourtesy or neglect of duty." While noting that Gates is entitled to a hearing before the Civil Service Commission, Gibbs said the board may discipline the chief in the same manner that he disciplines his own officers.

"Rodney Glenn King is fighting to restore his eyesight and regain a normal life," Gibbs said as the crowd applauded. "We see no reason why the commission should hesitate to make Chief Daryl F. Gates fight to keep his job."

At his news conference, Gates made a plea for his supporters to send letters to the Police Department. The chief said he was worried that the rank-and-file officers would become demoralized after seeing the hearing on television.

"I'm not asking them to support me," Gates said. "I'm asking them to send in support for the Los Angeles Police Department. I can take care of myself."

There was no action by the Police Commission on Thursday, nor was any expected. Commission Vice President Melanie Lomax said at the outset that the meeting was intended to give the public a chance to voice its concerns about what she called "this tragic affair." At the end of the meeting, she said the commission would take more testimony at its regular meeting next Thursday.

The commission, which currently has two vacancies, is appointed by Mayor Tom Bradley and has the authority to change departmental policies and practices. Lomax said the community's views will become part of the commission's investigation into police training, tactics and whether a pattern of police brutality exists in minority communities. Bradley requested the investigation in the wake of the King beating.

Times staff writers Sheryl Stolberg, Hector Tobar and Lois Timnick contributed to this report.

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PERSPECTIVE ON POLICE

Who Says They Can't Fire the Chief?

The Police Commission does have the power and the grounds to discipline Gates. All it really needs is the will.

By GEOFFREY TAYLOR GIBBS

The following is from a statement made on behalf of the John M. Langston Bar Assn., which represents about 900 African-American attorneys in the Los Angeles area, at Thursday's Los Angeles Police Commission hearing.

We believe that the law of this city clearly states that Chief Gates does not enjoy civil-service protection with respect to the commission's ability to discipline him or remove him from office, but instead that Chief Gates is subject to basically the same disciplinary process as a rank-and-file officer. Moreover, we believe that the commission may reasonably take such action.

The authority for our belief is in the Los Angeles City Charter and Administrative Code and in the 1991 official Police Department Manual.

Section 199 of the City Charter states that the police chief is subject in appointment to the charter's Civil Service provisions, but that the separate provisions regarding police officer discipline "shall apply to the chief of police with respect to his right to office . . . and the proceedings for his removal, suspension and discharge."

Section 22.216 of the administrative code sets forth specific grounds for the discipline of the chief of police and provides that the commission has sole power to determine those grounds. "Failure on [the chief's] part to comply with [the commission's] instructions or incompetence, dishonesty, discourtesy or neglect of duty, as determined by the commission, shall constitute adequate grounds for [the chief's removal] . . . ."

Members of the commission, we ask: Can you not reasonably find that Daryl Gates has been discourteous to the citizens of Los Angeles?

Allow us, then, to argue to the commission that if you so choose, you may reasonably discipline—remove, suspend or otherwise punish—Chief Gates for violation of the specific laws of this city.

We were pleased to share this information with a few community leaders Wednesday and we are pleased to share it with the entire city of Los Angeles today. This, members of the commission, is the case against Daryl Gates.

First, the commission may reasonably determine that Chief Gates has failed to follow its instructions. In 1982, this commission officially reprimanded Chief Gates for remarking that "some blacks" may be more susceptible to chokeholds than "normal people." A reprimand is also an instruction to avoid repeating the censured behavior. Chief Gates has made so many similar statements since 1982 that we will not bother to recite all of them here. He has therefore clearly failed to follow the commission's instructions.

Second, the commission may reasonably determine that Chief Gates has demonstrated incompetence in the management of the department. The taxpayers had to pay more than $8 million in claims against the Police Department last year. The State Department of Fair Employment and Housing found that the department discriminates against its Latino officers.

Chief Gates has created a climate in which brutality by a small minority of his department is tolerated, if not encouraged. The commission has the right to ask whether these facts are consistent with the competent management of the department.

Third, the commission may reasonably conclude that Chief Gates has demonstrated discourtesy to the citizens of Los Angeles, who he is sworn "to serve and to protect." Chief Gates' statement that a man arrested for the killing of Officer Tina Kerbrat "was an El Salvadoran drunk . . . a drunk who doesn't belong here" clearly violates Section 240.15 of the police manual, which states that "discourtesy under any circumstance is indefensible."

Fourth, the commission may reasonably conclude that Chief Gates has neglected his duty according to Section 270.25 of the police manual, to only make statements after using considered judgment. Representing the city of Los Angeles, Chief Gates testified before the U.S. Senate that casual drug users "should be taken out and shot." He later insisted that he was not being facetious.

Finally, the commission has no choice but to conclude that Chief Gates has neglected his duty, according to Section 320 of the police manual, to respect the individual dignity of others. As this city and the nation reacted in shock to the brutal beating of Rodney G. King and Mr. King lay in grave condition, perhaps suffering permanent brain damage, this was Chief Gates' apology to Mr. King: "He's on parole. He's a convicted robber. In spite of the fact that he's on parole and a convicted robber, I'd be glad to apologize."

This statement in itself, implying that the Police Department may attach a lesser value to the life of a citizen if he is a parolee, is so patently outrageous and so wholly inconsistent with the duties of a chief of police that the commission must take action against Chief Gates for no other reason than that he would think he could make the statement.

We believe that the commission does have the power to discipline Chief Gates and does have the grounds upon which to do so. We recognize that Chief Gates has the right to a hearing and the right to appeal in court any disciplinary action that the commission may take. But that is no reason to abdicate your responsibility to initiate such action if you believe as representatives of the people of Los Angeles that it is warranted.

Thank you.

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Reassuring a Troubled Citizenry

Welcome involvement by U.S. attorney general in police brutality issue

A broad, federal civil rights investigation of police brutality complaints is exactly what Los Angeles and other cities need in the wake of the horrific videotaped beating of a motorist suspected of speeding. The unprecedented national inquiry ordered by U.S. Atty. Gen. Dick Thornburgh Thursday is necessary to help determine if, as Los Angeles Police Chief Daryl Gates insists, this action by a few brutal cops is an aberration—or a symptom of a systemic institutional problem.

The federal review comes on the heels of the FBI's announced high-priority probe of the March 3 beating. Traffic-violation suspect Rodney King was clubbed and kicked by three officers while a dozen, including a sergeant who was supposed to keep things from getting out of control, watched without interceding.

Thornburgh's order is designed to effect a comprehensive review of all federal police brutality complaints filed within the past six years; an average of 2,500 are filed annually. The scrutiny will cover 15,000 federal complaints, including those that have been dismissed.

That's good, but locally an equally comprehensive investigation of complaints filed against the LAPD must be undertaken by the Los Angeles Police Commission as part of its probe of the savage beating of King.

At the Police Commission's first public hearing Thursday on the shocking beating, hundreds of elected officials, civic leaders and ordinary citizens expressed their fury at the beating, which was captured on video by an amateur cameraman and televised repeatedly.

The commission does not have full leeway in its power over the department and the police chief, of course, but its members, appointed by the mayor, are charged with overall oversight of the Police Department. It is vital that they do their job expeditiously, fairly and professionally.

Police abuse of force in the course of an arrest is not limited to Los Angeles, as Thornburgh's order rightly suggests. That's one reason why the attorney general also ordered the Justice Department's research division to examine the effectiveness of police training and procedures designed to deter misconduct. How well are they working?

The attorney general's attention is welcome because it goes well beyond business as usual in police brutality cases, which, in the absence of videotape, are typically difficult to prove. Thornburgh's order should help reassure black Americans who learned during the civil rights movement to depend on the federal government for protection.

The Thornburgh investigation is warranted and welcome. But can it restore public confidence in the leadership of the LAPD in the wake of a police beating watched by the world?

That's the sad—and hard—question.

FBI/DOJ

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Officers From Diverse Backgrounds

Profiles: Of the four who were indicted, two have faced disciplinary action while two others are recalled by neighbors as always willing to help.

By LESLIE BERGER
and JOHN JOHNSON
TIMES STAFF WRITERS

A high school honors student, a devoted father of five, a small-town cop from Kansas and a kid brother who followed his older brother across the country—these are the four Los Angeles police officers indicted in the beating of Rodney G. King.

At least two have histories of disciplinary action and two have some time in college. One joined the department less than a year ago. One was raised by parents who brought multiracial foster children into their home.

Now they are bound by a three-minute encounter on a dark San Fernando Valley street, an incident that could end their careers.

Criminally charged in the assault of King, an Altadena motorist, are: 14-year veteran Sgt. Stacey Cornell Koon, 40; nine-year veteran Theodore Joseph Briseno, 38; three-year Officer Laurence Michael Powell, 28, and his partner, rookie probationer Timothy Edward Wind, 30.

□

Koon, who joined the Los Angeles Police Department in August, 1976, racked up his experience in one of the toughest areas of the city—the 77th Street Division—before joining the Foothill Division in the Northeast Valley.

In 1989, he shot and wounded a suspect while on duty in the 77th. But the Los Angeles Police Commission, which reviews all officer-involved shootings, found that Koon's actions were justified when he fired his department-issue, .38-caliber revolver at Victor C. Robbins, hitting the 27-year-old man three times in the chest, hip and forearm.

According to a Police Commission report, Robbins, a suspect in a drive-by shooting, fired an AK-47 out his bathroom window when Koon and several other officers surrounded his home early on an August morning.

Deputy Dist. Atty. James R. Hickey wrote in a March 27, 1990, report to the Police Commission: "It is our estimation that a reasonable person would conclude that they are in danger of great bodily injury or death and that Sgt. Koon's responsive act of using lethal force was reasonable."

Koon also was suspended for five days, sources said. He did not appeal to the department's Board of Rights, so no public record of the case is available.

Koon, a muscular man with a stern demeanor, has declined to discuss the King case.

"I'd like to talk to you, but this is not an appropriate time," Koon said recently, standing in front of his new tract home in Castaic.

Former neighbors in nearby Valencia, where Koon is active in church and youth activities, referred to him as "standoffish" and unsocial, a man whose limited encounters with them were often unpleasant.

Although described as a devoted father who often took his five children to a nearby park and occasionally invited neighbors' children along, he was also remembered for threatening a neighbor's pet with a gun. The dog owner, who asked that his name not be used, said his dog once jumped a fence and went into Koon's house.

"He said he would shoot and kill my dog if he ever came over there again," the man said.

Another woman remembered Koon standing in front of his home, waving his nightstick the night a teen-age party got out of hand.

Although Koon and his wife, Mary, a nurse who worked at Henry Mayo Newhall Memorial Hospital, moved from Valencia two years ago, they still regularly attend Our Lady of Perpetual Help Roman Catholic Church. During Mass last Sunday, none of the other parishioners approached a solemn Koon and his family, and the family drove straight home.

□

Briseno followed his older brother from their hometown in Mattoon, Ill., to Southern California, and followed him in becoming a police officer.

Because of Ted Briseno's lack of military experience and his slightness—5 feet, 9 inches tall and 140 pounds—his brother Michael said he had doubts that Ted would make it as a police officer. But he did well in the academy, according to Michael Briseno, an officer for the city Department of Airports, and he joined the Police Department's Foothill Division in 1982.

In 1987, Briseno was suspended without pay for 66 days after fellow officers testified during a police Board of Rights hearing that he hit a suspect with his baton and later kicked the man while he was handcuffed.

The board found Briseno guilty on four counts of using excessive force in the June 14, 1987, arrest of the man, suspected of beating a child: unnecessarily striking the suspect on the head with his baton, making improper remarks, kicking the suspect when he was handcuffed and attempting to persuade a rookie officer to deny that the incident occurred.

One officer testified that when the suspect said he wanted Briseno's badge number, Briseno waved his baton about nine inches from the suspect's nose and said, "I'll give you my badge number up your nose, buddy."

According to a transcript of the hearing, Briseno promised not to let it happen again.

"I got a little too aggressive out there, but I can assure you that it will not happen again ever," he said, "I apologize to the board for that."

Briseno was also accused in divorce papers of physically abusing his ex-wife, allegations that he denied. The couple had two children. He has since remarried and lives in Sepulveda with his second wife, Kathy, and their two daughters, ages 7 and 9.

His brother Michael said last week that Briseno had been the only officer who tried to stop King's beating.

"He's getting a raw deal. He's being persecuted," Michael Briseno said, charging that Ted Briseno handcuffed King and placed a foot on him only in an effort to subdue him and prevent further beating.

Briseno's attorney, John D. Barnett, also maintained that the patrolman "handcuffs Mr. King in the video but he doesn't kick him and

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doesn't hit him with the baton. He in no way abuses Mr. King."

□

Powell, a National Honor Society student at Crescenta Valley High School, joined the Police Department in June, 1987. Former neighbors in La Crescenta remember him as a round-faced, sandy-haired youngster and a quiet, hard worker who appeared to be taking college classes while holding down a job. A county marshal's son, Powell attended Cal State Northridge between 1984 and 1986, college records show.

Ben Schuck, who used to live across from the Powells on Pickens Canyon Road, recalled young Larry Powell as a responsible, mature teen-ager who was "always diligent about things."

"If I needed a hand, I could always ask him," said Schuck, a Santa Paula attorney. "I would have trusted him without any second thoughts."

Powell belonged to the Key Club and golf team at Crescenta Valley High School, according to a school yearbook. He made the National Honor Society and the California Scholarship Federation.

Powell's parents, Carleen and Edwin M. Powell, who have since moved to Valencia, are remembered well in their old neighborhood because they took in foster children after Powell and his three sisters were grown. The multiracial children were almost always infants, many of them born to drug-addicted mothers and suffering symptoms of withdrawal, neighbors recalled.

"She'd be up all night with them. I remember admiring her so much," neighbor Cara Volkmor said of Carleen Powell. Family members and Powell's attorney have declined to comment on the case.

□

Wind left a small police force in Kansas to join the Police Department in May. Tall and slim with dark brown hair, Wind wanted to work with the best in his field, said his attorney and a former colleague.

"Actually, the reputation in the profession of the LAPD is that it's the place for the best training and best equipment, a well-organized and well-run department," said attorney Paul DePasquale. "That was the rep he heard among his law enforcement peers."

Wind worked for eight years on the Shawnee, Kan., Police Department, a 54-member force in a suburb of Kansas City, Kan. He worked briefly for the Kansas City Police Department last year before accepting a job with the Los Angeles Police Department.

DePasquale said Wind had no history of excessive force, a description confirmed by Shawnee Police Chief Chet Hall and Kansas City Police Officer Rick Armstrong.

DePasquale said Wind, the married father of a toddler son, is distraught over the King investigation and eager to explain his side of the story. But DePasquale said he has advised Wind against talking for now because "he's much too upset and it would just be very much contrary to his interest."

Wind recently bought a home in the Santa Clarita Valley, waiting until he graduated from the Police Academy to make the purchase, his former landlord said.

Although some residents of the Santa Clarita condominium complex where Wind used to rent described him as a "real nice guy" who was proud to be a police officer, others complained that he was arrogant, in one case mistakenly accusing a resident of playing a stereo too loudly and ordering the man to turn it off. When it turned out the noise was coming from a different condominium, Wind never apologized, the resident said.

But another resident, who asked not to be identified, said: "Anybody who needed assistance in doing something, he was the first to volunteer. . . . Tim has the kind of disposition that is more helpful than aggressive."

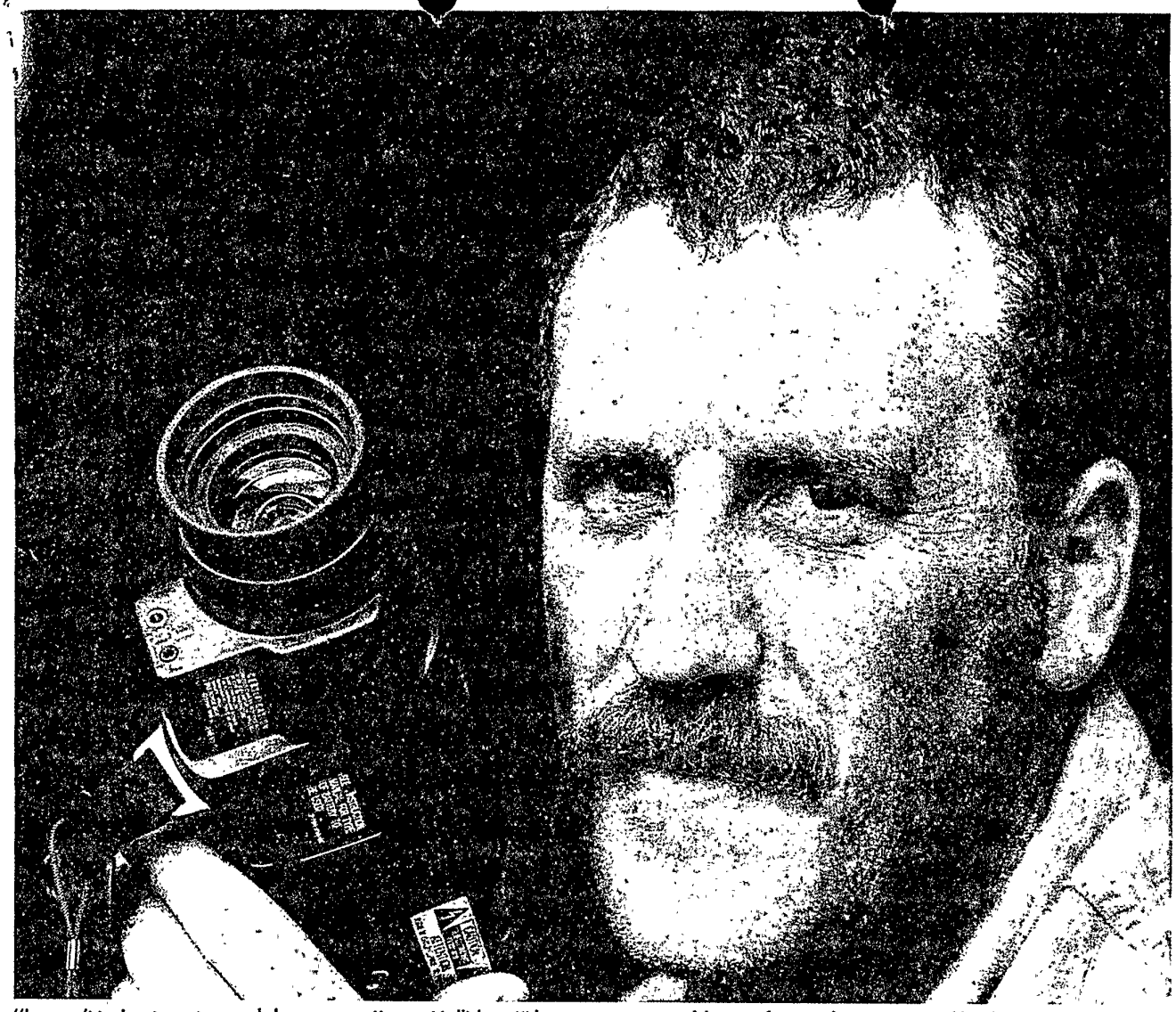
The resident added that he spoke to Wind after seeing the beating on television.

"He said he was involved," the man said. "He was frightened. . . . It was a short conversation because he was very adamant about not discussing his involvement. Tim is by no means a villain."

Armstrong agreed, recalling his old community college classmate's eagerness to work for a big police department.

"I think there's a big difference between being in a large city and being in a small city," Armstrong said. "The things that they offer aren't necessarily better than what's available here in smaller towns."

Times staff writers Sonni Efron, Tracey Kaplan, Amy Louise Kazmin and Tracy Wood contributed to this story.



"I wasn't trying to get a medal or money," says Holliday. "I hope anyone would come forward in a situation like this."

TROUBLE

WHEN L.A. COPS FURIOUSLY BEAT A BLACK MOTORIST, THEY DIDN'T KNOW THEY WERE ON GEORGE HOLLIDAY'S CANDID CAMERA

As he went to bed on March 2, George Holliday looked forward to attending the Los Angeles Marathon the next day and then a wedding. He planned to videotape both events with his new Sony Handycam. As it turned out, Holliday, 31, got to use his camera a lot sooner than he intended. At 12:30 A.M. Sunday morning he was jolted awake by the scream of police sirens and a helicopter buzzing over his San Fernando Valley apartment.

Rubbing the sleep from his eyes, he grabbed his camcorder and began to tape the nightmarish scene outside his second-story living room window: While more than half a dozen police officers stood by, at least three other cops were savagely beating and kicking a black man who lay helpless on the ground. At that moment, admits Holliday, he did not fully appreciate the brutality he was seeing through his viewfinder. "It was almost like I was watching something on a tiny television—images more than reality," he says.

Even for a day and a half afterward, Holliday didn't grasp the importance of what he had seen. Because he heard nothing on the local news about the incident, he assumed nobody would care about his tape. But on Monday at lunch, talking about the episode with his wife, Eugenia, who had witnessed part of the violence, he couldn't help thinking that something ought to be done. That afternoon he called his local police precinct, described the attack and politely inquired about the disposition of the case. The desk officer told him, in effect, to mind his own business. The brush-off convinced Holliday, who manages a plumbing business, to go public. "I believe in what's wrong and what's right," he says. "And what hap-

Photographs by John T. Barr/Gamma-Liaison

COURTESY KTLA NEWSFILM

▲ "[The police] looked like savages beating on a wounded animal," said one eyewitness.

◀ In the light of day, Holliday surveys the area where the assault took place.

▼ Doctors say Rodney King's concussion may have caused irreparable damage.

TROUBLE

pened out there was wrong." Though still skeptical that any news organization would be much interested, he called KTLA, a Los Angeles TV station, and dropped off the cassette. The broadcast of the tape that night on the 10 o'clock news quickly ignited the fire storm. (KTLA later paid Holliday the modest sum of $500 for the footage.)

Within a few days, as Holliday's indelible images began to appear again and again on network news shows, the entire country recoiled in horror. The *Los Angeles Times* called the tape "America's Ugliest Home Video." And even Daryl Gates, L.A.'s hard-line police chief, decried the incident as "two minutes that will go down in infamy." Gates did argue that the attack on Rodney King, 25, a construction worker who recently served time for a liquor-store holdup, and who police claimed had resisted arrest, was an "aberration." But critics of the LAPD, who have long accused the department of persistent brutality against minorities, vigorously disagreed. "It's not an aberration," says Don Jackson, a former Hawthorne, Calif., police officer who had his head smashed into a plate-glass window by Long Beach police after a routine traffic stop in January 1989. "It's an aberration only in that it was videotaped."

In defense of the officers, L.A. police officials contended that King, of Altadena, Calif., had been spotted going 115 mph in his Hyundai Excel on the Foothill Freeway. (A Hyundai spokesman says, however, that the unsporty Excel has never topped 100 mph.) When officers gave chase, police say, King took off. King insists there was no chase and that his only offense was going 45 mph in a 35-mph zone.

Whatever the case, the pursuing officers, none of whom were black, finally surrounded King in front of Holliday's apartment in Lake View Terrace. After King emerged from the car and lay down on the ground, say eyewitnesses, one cop jolted him twice, apparently with a Taser stun gun, which delivers a 50,000-volt electric charge. Then the beating began; all told, there were more than 55 blows struck with metal nightsticks, and as many as seven kicks. A team of doctors assembled by defense lawyers for King found that his injuries included a cracked eye socket, a fractured cheekbone, a broken right ankle and numerous facial lacerations. Many of the fillings had been knocked from his teeth.

Despite the outcry from civil-rights groups, King's wife, Crystal, sees the issue as more domestic than racial. "I feel if he was at home this wouldn't have happened," she says. A police investigation into the incident may find broader implications. The county district attorney's office initiated a grand-jury probe that should conclude within roughly a week. Lawyers for King are preparing a civil-rights suit against the LAPD, asking unspecified damages.

For Holliday, the episode and its aftermath have been oddly reassuring. "I've gotten over a thousand calls, and everybody has been so supportive and encouraging," he says (though he did receive one death threat). "Even the police told me that they are on my side." —*Bill Hewitt, Wayne Edwards and Nancy Matsumoto in Los Angeles*

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DAILY 25¢
DESIGNATED AREAS HIGHER

D.A. Vows Wider Probe of Beating as 4 Are Arraigned

Justice: The sergeant who allegedly did nothing to stop the attack and three patrolmen face felony charges. Reiner will investigate 11 other officers at the scene.

By SHERYL STOLBERG and LOIS TIMNICK, TIMES STAFF WRITERS

Four Los Angeles police officers were arraigned Friday on felony charges stemming from the controversial videotaped beating of an Altadena man, and the district attorney vowed to press ahead with a criminal investigation of 11 other officers who witnessed the incident but did not intervene.

The indicted officers—three patrolmen who allegedly participated in the beating and a sergeant who authorities say did nothing to stop it—were each charged with one count of assault with a deadly weapon and one count of unnecessarily beating a suspect under color of authority.

The five-count indictment also accuses Sgt. Stacey C. Koon and Officer Laurence M. Powell of filing a false police report. Additionally, Koon is charged with being an accessory after the fact for engaging in what Los Angeles County Dist. Atty. Ira Reiner termed "a cover-up to conceal from his superiors his own criminal conduct" and that of his colleagues.

"It is a terrible moment," Reiner told a televised press conference Friday, "and time for serious reflection when officers who have sworn to uphold the law are indicted for these most serious felonies."

In Washington, meanwhile, government sources told The Times that Justice Department civil rights lawyers are considering ways to bring federal charges

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against some of the police officers who stood by during the March 3 beating of Rodney G. King. The lawyers are studying whether to move against the officers on the grounds that they had an obligation to keep King free from harm.

The four officers arraigned Friday include Koon, 40, of Castaic; Powell, 28, of Valencia; Timothy E.

Please see POLICE, A24

POLICE: Reiner Vows to Expand Investigation in Beating of Motorist

Continued from A1

Wind, 30, of Canyon Country, and Theodore J. Briseno, 38, of Sepulveda. They did not enter pleas. Instead, at the request of their attorneys, Superior Court Judge Gary Klausner ordered the four to reappear next Friday to answer to the charges.

It was the first time the officers had appeared in public since King's beating.

They began their day in the district attorney's Special Investigations Division—the office that handles crimes committed by law enforcement officers—where they were photographed and fingerprinted. They looked grim, holding booking cards bearing the criminal case number 100-7020 beneath their chins.

Powell was accompanied by his father, who is a county marshal, and his girlfriend, who is also an LAPD officer. Wind arrived with his wife. Briseno and Koon were joined only by their lawyers.

Dressed conservatively in business suits, the officers and their attorneys filed past a throng of reporters and TV cameramen waiting outside Klausner's courtroom on the 13th floor of the downtown Criminal Courts Building. After entering the courtroom, Klausner called their names.

They stood silently as the judge read from the Los Angeles County Grand Jury indictment. Koon held his head high, his chin tilted upward. Wind, a rookie officer still on probation, cast his eyes downward. Powell and Briseno stared straight ahead.

The hearing lasted about 10 minutes. Afterward, the four were taken to a holding cell, where they remained locked up for more than an hour as their lawyers made arrangements for bail: $30,000 for Koon, Powell and Wind, and $5,000 for Briseno. All made bail and were released.

Because the grand jury inquiry is continuing, prosecutors provided few details of the evidence against the officers. However, Deputy Dist. Atty. Terry White, who is prosecuting the case, said Powell and Wind used their batons during the beating, while Briseno allegedly kicked the victim once. Although the videotape does not show him striking King, Sgt. Koon is being charged with assault for aiding and abetting the crime.

If convicted, Koon and Powell could be sentenced to a maximum of seven years and eight months in state prison. Wind faces a maximum seven-year prison term, while Briseno faces a maximum of four years.

Lawyers for Koon, Powell and Wind declined comment after Friday's arraignment. Briseno's lawyer, John Barnett, said his client is innocent.

"He didn't kick Mr. King and he didn't commit any crime," Barnett said.

The beating, captured on videotape by an amateur photographer, has touched off a national furor over police misconduct, as well as calls for the resignation of Police Chief Daryl F. Gates.

Police initially said King, a 25-year-old unemployed construction worker who is on parole after a robbery conviction, was pulled over by Foothill Division officers after he led them on a chase that reached 115 m.p.h. on the Foothill Freeway and 80 m.p.h. on surface streets.

On Friday, the LAPD released a partial tape of radio transmissions of the chase along surface streets involving the California Highway Patrol, the LAPD officers and King. The six-minute tape reveals that King was described by CHP officers as traveling "about 55 miles an hour"—10 miles over the speed limit—as they followed on Glenoaks Boulevard in Lake View Terrace.

LAPD officers then took over the pursuit. They can be heard telling the dispatcher that the white Hyundai stopped at a red light on Van Nuys Boulevard but refused to yield for police. The officers said there were "two male blacks driving the vehicle" and then called for backup. The tape ends with the LAPD officers getting out of their cars on Foothill Boulevard and telling the dispatcher that "sufficient units" were on the scene. It does not include transmissions during the beating.

'It is a terrible moment and time for serious reflection when officers who have sworn to uphold the law are indicted for these most serious felonies.'

IRA REINER
District attorney

The videotape, replayed over and over again on television stations across the country, shows King being kicked repeatedly and struck as many as 56 times by officers wielding batons.

King was held in custody for three days before prosecutors determined that, in light of the conduct of the officers, they could not press charges against him. He suffered numerous injuries; his doctors said the bones that hold his right eye in its socket are permanently damaged, that he has suffered fractures in the bones at the base of his skull and remains confused in the wake of the attack.

The beating is being investigated separately by the FBI, and has also prompted U.S. Atty. Gen. Dick Thornburgh to order the Justice Department to conduct a nationwide review of 15,000 police brutality complaints.

In Los Angeles, the beating prompted Mayor Tom Bradley to order the Police Commission to investigate LAPD training and tactics, and determine whether the department has shown a pattern of brutality against minorities. The beating has carried racial overtones because King is black and the four indicted officers are white.

Responding to the indictment, the mayor said Friday: "The conduct of those officers on that scene that night is the most reprehensible thing that I've seen occur in this city. And I think that we are now on the road to bringing to justice those who committed the illegal acts."

Civil rights leaders, who have been highly critical of Gates and the LAPD, expressed satisfaction at the indictments but said they want more officers punished. "This is the first leg of a long journey," said Danny Bakewell, president of the Brotherhood Crusade, an African-American civic group.

The grand jury spent Monday through Thursday taking testimony in the case. Fourteen witnesses testified, among them the man who made the videotape from a nearby balcony, bystanders from the same apartment building, a Los Angeles Unified School District police officer who was at the scene, at least two LAPD officers and a California Highway Patrol officer who participated in the initial chase involving King.

The grand jury's indictment goes beyond recommendations put forth by Gates, who suggested several days after the beating that only the three patrolmen—and not Sgt. Koon—should face criminal charges. Rather than prosecution, the chief recommended administrative discipline for Koon and the 11 other officers who were at the scene.

At that time, Gates said his detectives, who conducted their own criminal investigation into the beating, could find no evidence that a false police report was filed, nor could they find any reason to prosecute Koon, a 14-year LAPD veteran.

But according to White, the prosecutor, the grand jury determined that Koon was an "aider and abettor." Under California law, that meant he could face the same assault charges as the others.

Although Koon fired a Taser stun gun dart at King, that was not cited in the indictment. White would not comment on the use of the stun gun Friday, saying it was confidential evidence before the grand jury. The indictment mentions only "batons and shod feet" as weapons.

Criminal law experts interviewed Friday termed the charges against the four officers tough but by no means excessive, considering the graphic videotape that serves as the heart of the case.

"You don't have to be a legal expert to have watched that tape and realized that probably wasn't a misdemeanor assault and battery taking place," said Loyola Law School Prof. Stanley A. Goldman. "But attempted murder—the next most serious charge in these kind of cases—seemed unlikely too."

Defense attorney Barry Levin, who frequently defends police officers in criminal cases, agreed that the charges "were appropriate and relevant to the conduct that's contained in the videotape."

Prosecutors said they took the King case to the grand jury because they wanted to bring it to a speedy trial, and White said Friday that he would like to go to trial within 60 days. Under Proposition 115, passed by California voters last year, prosecutors may bypass lengthy preliminary hearings by taking their cases to grand juries for indictments.

However, lawyers for the four officers said during Friday's arraignment that they may challenge the constitutionality of the indictments and press for a preliminary hearing.

"The constitutionality of [Proposition 115] has yet to be tested," Barnett said in asking the judge to permit the four to wait until next week to enter their pleas. "We need time to evaluate both the constitutional issues and the grand jury transcript."

Times staff writers Leslie Berger, Paul Feldman, Andrea Ford and Tracy Wood contributed to this story.

Federal Charges Being Considered in King Beating

■ Law: Justice Dept. lawyers are investigating whether his rights may have been violated by officers who failed to protect him from harm.

By RONALD J. OSTROW
TIMES STAFF WRITER

WASHINGTON—Justice Department civil rights lawyers are considering ways to bring federal charges against some of the Los Angeles police officers who stood by passively during the videotaped beating of a motorist, government sources told The Times on Friday.

While no decision has been made to go before a federal grand jury, the lawyers are studying the possibility of moving against the officers on grounds that they had a legal obligation to keep the victim, Rodney G. King, free from harm, according to the sources who declined to be named.

That theory, based on Reconstruction Era statutes, has been used primarily to prosecute jailers who allow prisoners to beat other inmates.

Meanwhile, responding to U.S. Atty. Gen. Dick Thornburgh's order to review police brutality nationwide, Justice Department civil rights division lawyers and paralegals began the prodigious task of sifting through about 15,000 federal files of brutality complaints to determine whether any systemic pattern of police abuses exists around the country.

Because the files—some computerized and some only paper records—are so voluminous, the review is likely to be time-consuming. And it is not likely to result in individual indictments.

In the Los Angeles case, three officers who allegedly took part in the beating of King, a 25-year-old Altadena construction worker who is on parole after a robbery conviction, and a supervising sergeant at the scene were indicted Thursday on state charges.

Federal civil rights lawyers and FBI agents, working independently of the nationwide review ordered by Thornburgh, are understood to be focusing on a number of the 11 other officers at the scene who allegedly did nothing to stop the prolonged beating.

Federal charges could be brought under two laws that date to the years immediately after the Civil War—one that bars conspiracy against the rights of citizens and another that forbids depriving individuals of their rights "under color of law," civil rights lawyers said.

Neither statute specifies what rights are protected, other than to note that they are rights or privileges secured or protected by the Constitution or laws of the United States. In past cases brought under those statutes by Justice Department prosecutors, courts have held that a person has a right to be kept free from harm and that beating someone without just cause violates this right.

Any federal prosecution could be withheld if the officers are charged by Los Angeles authorities, one source said. The source added that the federal laws may provide the best opportunity to prosecute the officers. But it is possible to proceed under both federal and state laws without violating double jeopardy protections, the source said.

Discussing the overall review of brutality, which will cover complaints filed with the Justice Department, the FBI and U.S. attorneys over the last six years, John R. Dunne, assistant attorney general for civil rights, described it as "a matter of priority" and said his division's "most experienced people" have been assigned to it.

But he declined to estimate whether the process would take days, weeks or even months.

Because the records are not kept by small enough geographical units, the first job is sorting them into areas that correspond with law enforcement departments. The file reviewers are starting with the most recent cases and working their way back, Dunne said.

"Our object is not to reopen any of these cases," he said, noting that only 2% of the roughly 2,500 complaints filed annually develop sufficient evidence to be presented to a grand jury, and that only two-thirds of those cases result in indictments.

Instead, the review will seek to determine whether the complaints, while in most instances not meriting prosecution, nevertheless reveal a pattern of police brutality. Such findings could lead to legislation or steps to help a police department undertake attitudinal changes or other training to curb abuse, Dunne said.

"In addition to punishing, we want to prevent [police abuse]," he said.

Thornburgh ordered the review Thursday after he met with two senior members of the Congressional Black Caucus, Reps. Edolphus Towns (D-N.Y.), who is caucus chairman, and John Conyers (D-Mich.). Conyers agreed with Dunne, saying: "Prosecution is not the only issue here. We're talking about training and racial sensitization—ending abuses before they occur."

If the review establishes a pattern of police brutality, it could lead Congress to adopt solutions ranging from unannounced FBI audits of suspect police departments to mandatory training to end abuses, a congressional source said.

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The Investigation of a Brutal Beating

Initial indictments only begin to suggest the full dimension of what happened

The first and, we trust, not the last indictments were announced Friday in the now nationally infamous police beating of motorist Rodney King. More indictments are expected, as the Los Angeles County Grand jury looks further into the disgraceful incident.

Citizens of Los Angeles and beyond continue to be deeply disturbed by the beating almost two weeks after it happened; that's a measure of the tremendous revulsion generated by the videotaped pounding.

The five indictments rightly go beyond what Chief Daryl F. Gates had recommended. Even so, descriptions of the charges do not do justice to that unforgettable image of gang-like assault now burned into the national consciousness; they tell only part of the story. Still, it is some story they tell.

Charge 1: Alleges that Officers Laurence Powell, Timothy Wind, Theodore Briseno and Sgt. Stacey Koon assaulted King by force likely to produce great bodily injury and with a deadly weapon. Charge 2: Alleges that officers Powell, Wind, Briseno and Koon "did willfully, unlawfully, under color of authority and without lawful necessity assault and beat" King. Charge 3: Alleges that Powell "knowingly and intentionally made statements in the [police] report which he knew to be false. Charge 4: Alleges that Koon intentionally made statements he knew to be false. Charge 5: Alleges that Koon knew a felony had been committed and "did harbor, conceal and aid" Powell "with the intent that he might avoid and escape from arrest, trial, conviction and punishment."

The investigation is ongoing and the evidence-gathering is proceeding. The other 11 officers present at the beating of King also should come under scrutiny for possible prosecution. At the federal level, Justice Department civil rights lawyers are considering ways to bring federal charges against some of the officers who stood by and watched; on some level, such inaction could be deemed to be as reprehensible as doing the evil deed.

The FBI and Justice Department already are aggressively investigating the beating to determine if any of the officers should be prosecuted on a charge of violating King's civil rights. Federal policy typically postpones action until state proceedings have been completed, but because of the outcry, parallel investigations are proceeding, as well they should.

Prosecutions are typically and often necessarily lengthy procedures. The defendants deserve their day in court. But justice must be done. Court action is one way.

FBI/DOJ

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Gates Battles to Restore His and the LAPD's Image

■ Law enforcement: Chief goes on offensive to defuse beating furor and its impact on the entire department.

By JESSE KATZ
TIMES STAFF WRITER

As soon as the black-and-white images of what he calls the "infamous incident" flashed across the nation's television screens, Daryl Francis Gates was back on familiar turf.

Many times in his turbulent 13-year reign as Los Angeles police chief he has been on the defensive: the "normal people" controversy, the "Aryan broad" gaffe, the "El Salvadoran drunk" furor, the casual drug users "ought to be taken out and shot" uproar.

This time, the stakes are higher.

Every day he has had to endure repeated telecasts of his officers beating an unarmed Altadena man; he has been mercilessly heckled and jeered; civil rights activists are trying to oust him; newspaper ads have branded his department a "gang," and many opponents have compared him to Richard M. Nixon in his final days.

So Gates, bolstered by a show of confidence from his fellow officers

■ RELATED STORIES, B1

and what he says are numerous cards and calls from citizens, has unleashed a public relations counteroffensive aimed at restoring his and the department's image during what is perhaps the most critical episode of his four-decade career.

Since the tape was first aired nearly two weeks ago, Gates has appealed for support at a press conference, issued a somewhat equivocal apology, made peace with the Salvadoran community, appeared on "CBS This Morning," "Prime Time Live" and "Face the Nation," and, to top it off, will address the Los Angeles chapter of the Public Relations Society of America on Thursday.

He has met with the mayor, huddled with his top commanders, welcomed a call of support from Los Angeles County Sheriff Sherman Block, and written a bewildered letter to columnist George F. Will after the right-wing wordsmith lashed out at Gates as a "special problem for thoughtful conservatives."

Those who have grown accustomed to sparring with him say he has appeared surprisingly cooperative, even docile, in his efforts to undo the damage and quiet the growing chorus calling for his resignation.

"He was not the blustery, argumentative, you know, swaggering Chief Gates," said Melanie Lomax, a member of the Police Commission who has spoken with Gates several times in recent days. "He appeared more conciliatory and somewhat worried."

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The few confidantes in Gates' extremely private world insist that the chief's resolve to keep his $168,000-a-year job has only been strengthened by the controversy. If at times he has seemed less hard-nosed, they contend, it is because he has been so heartbroken by the images of uniformed officers repeatedly striking a prone and apparently defenseless Rodney G. King.

"His press image is not the real Daryl Gates," said former Deputy Chief William Rathburn, who recently resigned to head the Dallas Police Department. "He's an amazingly compassionate man. I'm sure he's taking this very, very personally. Probably more personally than he should."

However, in his efforts to smooth things over, Gates has often fanned the flames. Those who know him agree that he thinks more like a soldier than a politician, relying more on hyperbole than prudence, and always speaking off the cuff and on the record.

When asked at a press conference about his much-publicized apology—which has been described as backhanded because Gates mentioned that King is a parolee—the chief restated the offending passage.

"You have to understand that the hardest thing there is for a police chief or a police officer is to apologize to a convicted armed robber with a long arrest history," he told reporters.

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"In spite of that," he added, "in spite of how difficult it is, he deserved that apology and I apologized. . . . Now that's the point I was trying to make, but like so many things that have been said today and all throughout my career, there has been an awful lot of misinterpretation."

Requests by The Times to interview Gates last week were declined. But the chief agreed to have a reporter present during a meeting with The Times' publisher and editors Thursday—a meeting instigated by Gates because of concern that the newspaper's editorials have been unfair.

During the hourlong conversation, Gates touched on a wide range of topics, from the problem of excessive force to the continuing integration of his department. Asked if under any scenario he could envision himself resigning now, Gates said he would first heed the advice of his wife of 21 years, Sima, whom he affectionately calls "Sam."

"You think it's hard on me?" said Gates, 64. "Actually, I can handle it. But, boy, it's really tough on her. . . . So, I asked her this morning. I said, 'Sam, would you rather I quit?' She said, 'Ab-so-lute-ly not. Ab-so-lute-ly not. You can't.' So that's my answer. Absolutely not."

Gates predicted that the department would degenerate into chaos if he were to leave, with morale plummeting and an exodus of top officers continuing. He will stay, he said, "because I need to stay."

"You know, in so many situations, I could be a good guy," said Gates, his voice dripping with sarcasm as he lingered on the last two words. "[But] my police officers would say, 'Oh, man, the chief is selling us out.' I could be a *great guy*. I could be very popular. . . . But that's not the way you develop confidence and respect from your personnel."

The difference between this and previous controversies, he said, is that few others have so greatly impacted the entire department. In most cases, officers are divided in their opinions. "There are no divided opinions in this one. They all know it's bad."

The bonfire erupted March 3, when amateur photographer George Holliday focused his new camcorder on the street below his Lake View Terrace apartment. On the tape he captured 15 officers, at least three of whom appeared to be taking turns kicking and clubbing King, a 25-year-old construction worker.

The video first aired March 4 on a Los Angeles television station, but Gates was in Washington, D.C., attending a meeting on crime with the U.S. attorney general and did not see it until the next day. By then, it had been shown on Cable News Network and the national furor had begun to brew.

Gates said he has now seen the tape "too many" times, "more than I would like to count." But the first time, he said, was the worst.

"It made me physically ill," he said.

Literally?

"Physically ill," he said. "Physically ill."

That first afternoon, at a meeting of the Police Commission, Gates called the tape "shocking." But when he added that he would withhold judgment until after the incident had been fully investigated, the furor quickly began to mount.

Steve Delsohn, a writer who is helping Gates with his autobiography, said that he spoke with the chief shortly after the incident and was certain that Gates intended to take action.

"As soon as he said the tape was 'shocking,' that word jumped out at me," said Delsohn, whose last book was a collaboration with former NFL running back and activist Jim Brown. "I know Gates. I knew that meant somebody was going to get nailed."

Two days later, in his first press conference since the tape was aired, Gates attributed the incident to "total human failure" and called for the criminal prosecution of the three officers who appeared to be beating King.

But by calling it "an aberration," he failed to resolve the issue for hundreds of critics who have insisted that excessive force is a commonplace occurrence, especially in the city's minority communities.

"Gates is simply not good at public relations," said Mark Ridley-Thomas, head of the local Southern Christian Leadership Conference and a candidate for the 8th District City Council seat. "He has exacerbated the 'us against them' mentality."

Still, during several recent exchanges, he has extended what some considered newfound warmth to those with whom he has traditionally been at odds.

In a private meeting with the mayor and several members of the Police Commission about the beating incident, Gates was "surprisingly cooperative," said one official in attendance who asked not to be identified. "He was a very different man."

Later that afternoon, Gates embraced leaders of the Salvadoran community, who last month had demanded an apology for what they called his racist remarks about the killer of a female Los Angeles police officer.

Although the meeting had been scheduled before the videotaped beating was aired, Gates up to that point had been "very angry . . . very unresponsive . . . on the defensive," said Madeline Janis, executive director of the Central American Refugee Center.

During the 45-minute gathering at the chief's Parker Center office, he agreed to all their demands, Janis said, including a public statement of regret, which he told Salvadoran leaders they could draft for him.

"We found a changed person," she said. "He was still Chief Gates, but he was attentive and responsive and he listened. We were flabbergasted, frankly."

His small circle of assistant and deputy chiefs insist that they have seen only "a tower of strength."

When Gates first called in his top commanders to announce some corrective steps—including both a criminal and internal investigation, a review of all training material and the preparation of psychological profiles of officers in excessive force cases—he was in total control, said Deputy Chief William Booth.

"He said, 'Here's your mission and yours and yours and yours,'" Booth said. "Then he said, 'Now I'll listen to comments and views . . . just don't anybody tell me we're not going to do it.'"

Assistant Chief Robert Vernon, head of operations, said: "We don't have pity parties. We do business."

Through it all, one thing Gates has been in no danger of losing is his sardonic, often self-mocking wit.

Last week, before running off to federal court to testify in a civil suit brought by a 22-year-old Latino man who has claimed that officers "brutalized" him in a 1989 incident in El Sereno, Gates quipped that the man's attorney apparently hoped that the chief's "bad publicity" would rub off on jurors.

Once on the witness stand, Gates acknowledged that he was not aware of many details of the lawsuit, which claims that the department has an unconstitutional policy of "hogtying" suspects by using a rope and handcuffs to bind their hands and feet together.

The plaintiff's attorney, John C. Burton, then asked: "Do you understand that you are a defendant in this case?"

Gates replied: "I understand I am a defendant in almost every case."

Clearly, the most publicly emotional moment for Gates came during a rousing speech last Wednesday to officers who had gathered at the Police Academy for an "LAPD Day" luncheon.

As his colleagues finished their grilled chicken and rice pilaf, Gates took the podium and spoke extemporaneously about the numerous recent shooting attacks on police. There were the two officers wounded in North Hollywood, he said, for one of whom the only concern was whether he had done the right thing in shooting the suspect.

The other, on his back in the hospital with a bullet lodged in his neck, told him: "Chief, I am just so proud to be a member of the Los Angeles Police Department," Gates said.

Then there was Tina Kerbrat, the first female officer killed in the line of duty, whose husband told Gates at the funeral, "Chief, she was so proud, so very proud. . . . I want to thank you and the department for what you have done."

Then, Gates, his voice beginning to boom, said: "This man, who just lost his wife, the mother of his children . . . wanted to thank the Los Angeles Police Department.

"Folks . . . if that does not encourage your heart, if that does not nourish your spirit, if that does not make you want to stand up and say proudly . . . 'We love the LAPD, we are proud to be part of the LAPD, and we hold our heads high'. . . ."

Then he paused, maybe eight seconds, the words hanging in the silent gymnasium where they were gathered.

"Thank you," he finally said, "for encouraging and nourishing my heart."

Times staff writers Sheryl Stolberg, Hector Tobar and Patt Morrison contributed to this story.

QUOTES FROM CHIEF GATES

Since he became Los Angeles' 49th police chief in 1978, Daryl F. Gates has made a number of controversial statements that have offended, in varying degrees, blacks, Jews, Latinos, women, casual drug users and even the State Department.

■ **1978:** He had been in office barely one month when he remarked to a Latino audience that some Latino officers were not promoted within the LAPD because they were "lazy." Gates said that he was only trying to encourage Latino officers to work harder and attain leadership positions.

■ **1979:** Gates casually commented at a news conference in England that if President Jimmy Carter could not rescue the 52 American captives in Iran, Gates could by sending in his SWAT squad. A short time later, "the State Department called and said, 'Chief, we'd appreciate it if you'd mind your own business,' " according to Gates. The chief said he was only trying to be witty.

■ **1980:** At a closed dinner meeting of deputy district attorneys, Gates called KABC-TV anchorwoman Christine Lund "an Aryan broad." Gates later apologized, saying the comment was meant "in jest" and was "in the spirit of a raucous evening."

■ **1982:** Gates angered many Jews by releasing an in-house report that suggested that the Soviet Union was sending criminals disguised as Jewish immigrants to Los Angeles to disrupt the 1984 Olympics. Gates went out of his way to make peace with Jewish leaders, saying that the report was purely speculative and that he had never expected the media to publicize it.

In an interview, Gates said he had instructed his staff to investigate "a hunch" he had about why so many blacks die from police use of the carotid chokehold, which cuts off the blood supply to the brain. "We may be finding that in some blacks when it [the carotid chokehold] is applied, the veins or arteries do not open up as fast as they do on normal people." The remark, Gates said, was no more than a careless choice of words.

■ **1984:** The City Council approved a ballot measure that would increase the city's power to discipline and fire department heads, such as Gates. Then the chief alleged that this would permit undue political influence by council members on the police and the rest of the city departments. Then in a statement that angered some council members, Gates said he was going to "rummage around in my mind" to cite examples of how council members ask the police to do "all kinds of things that are inappropriate."

■ **1988:** In an interview, Gates conceded that he is more "patient and sensitive" in his dealings with people. But, he added, "I can still be an arrogant bastard. I've grown harder and softer."

■ **1989:** In a videotaped message to LAPD officers, Gates used the term "pantywaists" to describe officers who opposed his Halloween deployment plan that was intended to prevent a recurrence of the near-riot that occurred in Hollywood the previous year.

■ **1990:** At a Senate Judiciary Committee hearing on the first anniversary of the Bush Administration's war on drugs, Gates said "casual drug users ought to be taken out and shot." His statement was aimed at those "who blast some pot on a casual basis and the damned hypocrites who go out and party on the weekends and snort cocaine."

Gates said Mayor Tom Bradley had written a "dumb letter" calling for an investigation of possible police improprieties in the defense of four officers charged with vandalism during a drug raid two years ago near 39th Street and Dalton Ave.

■ **1991:** In an angry statement after the shooting of rookie policewoman Tina Kerbrat, Gates referred to Kerbrat's killer as "an El Salvadoran drunk—a drunk who doesn't belong here."

In response to an outpouring of anger from Los Angeles residents over the videotape that captures LAPD officers repeatedly striking defenseless Rodney G. King, Gates offered an apology to King, but further enraged people when he added that he would apologize "in spite of the fact that [King's] on parole and a convicted robber."

Compiled by Times editorial researcher Cecilia Rasmussen.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Rev. Jackson Joins Call for Gates' Ouster, Scolds Bradley

■ **Protest:** The civil rights activist tells demonstrators at police headquarters that the mayor should speak out "more clearly and decisively" on the King beating controversy.

By ELAINE WOO
TIMES STAFF WRITER

The Rev. Jesse Jackson added his voice to those calling for Los Angeles Police Chief Daryl F. Gates' ouster Saturday, while at the same time urging Mayor Tom Bradley to speak out "more clearly and decisively" on the controversy surrounding the videotaped police beating of a black Altadena man.

Jackson addressed an anti-Gates rally attended by about 150 protesters outside police headquarters in downtown Los Angeles. He was accompanied by U.S. Rep. Maxine Waters (D-Los Angeles), who exhorted the crowd to "keep the pressure on" Gates to resign.

"This is no aberration," Jackson, speaking of the March 3 beating of Rodney G. King, told the crowd. "This is a history of behavior" fostered by past statements of Gates that have maligned blacks, Latinos and other minorities. "Mr. Gates must leave."

Jackson said Bradley "must speak out more clearly and decisively, using his moral authority to rally people" against police brutality and head off the possibility of more violent protests.

Although the mayor has expressed outrage over the incident, he has sidestepped questions about whether Gates should resign.

The King beating has racial overtones because the 15 officers who were present during the beating are white. Four of the officers were indicted by the Los Angeles County Grand Jury last Thursday on charges ranging from assault with a deadly weapon to unnecessarily beating a suspect under color of authority.

Federal charges also are being considered against some of the officers who watched the beating but apparently failed to intervene to stop it. White House spokesman Marlin Fitzwater said Saturday that President Bush considers the videotaped beating "a pretty shocking thing" and that he supports an investigation initiated by the Justice Department.

Earlier Saturday, actor Alec Baldwin (seen recently in "The Hunt for Red October") lent his voice to the protest against Gates that was held at police headquarters. He mingled with demonstrators from such groups as Veterans for Peace and the Socialist Workers Party while his roommate, actress Kim Basinger, watched the scene from a parked car.

"I'm here because I live a lot of the time in L.A. and I'm afraid," Baldwin said. "I believe the cliche—next time it could be me."

"I think Gates is bad for L.A. He's got to go."

Meanwhile, Peggy Rowe Estrada, estranged wife of Erik Estrada of the old "CHiPS" television series, said Saturday that she is helping to organize a pro-Gates citizens group. The group, which calls itself Citizens in Support of the Chief, is planning a support rally in front of the downtown police headquarters. No date for the rally has been set.

"I feel that [Gates] is a strong and honest leader," Peggy Estrada said. "The blame should remain on the officers [involved in the beating] and not on the other 8,000 officers of the LAPD, or on the chief of police. I don't think he ought to be taken down."

In other developments, King's physician, Dr. Edmund Chein, said Saturday that tests taken by doctors at County-USC Medical Center, where King was initially treated, showed that the Altadena man was not under the influence of PCP or alcohol at the time of his arrest. Early police statements said that King resisted arrest—which King has denied—and that his behavior suggested drug or alcohol abuse.

King is recuperating at an undisclosed hospital from surgery to repair broken cranial bones.

Times staff writers David Lauter and Tracy Wood contributed to this story.

(Indicate page, name of newspaper, city and state.)

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FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Searing image of Los Angeles police brutality

Etched in my heart and mind are pictures of an American soldier quieting and calming terrified Iraqi soldiers as gently as one would calm a frightened child. I was proud to be an American. I wept.

Other pictures of American soldiers gently binding the wounds of enemy soldiers and medical personnel ministering to injured Iraqi soldiers being airlifted to medical facilities made me so proud, I thought my heart would burst with pride.

Then, I saw another picture, forever etched in my mind, of Los Angeles policemen who appeared to beat and stomp to death a man who lay helpless on the ground.

I wept once again, but this time, I wept with shame.

Ann Wemp
Long Beach

We've all heard, "They also serve who only stand and wait."

How about, "They are also guilty who only stand and watch!"

Kay Peter
Long Beach

"I tried to think of the appropriate punishment for those officers and for a fleeting moment I came up with the 'eye for an eye and a tooth for a tooth' philosophy and imagined the officers left alone and unarmed in South Central Los Angeles for exactly one minute — the length of time this beating took."

— Kim Hogan
— Long Beach

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SSA MERCIER

FBI DOJ

I am a white, male cop somewhere in Los Angeles County.

Personally, I resent the stereotype that minority groups and the media portray of policemen as white-hooded brutes.

Does anyone really think that if the Rodney King incident were played out in exact same circumstances — a high-speed chase (which tends to get hairy), an alleged assault on an officer (a kick in the groin someone said) — that the conclusion would have been different if Mr. King had been white?

Well, let me tell you with first-hand knowledge that it wouldn't have been.

This is not to say that I condone what happened. But I take great exception to the claims that this incident was some random, racial attack on a hapless black motorist.

To all of you who hate cops, that's fine. It's your business. But just don't call 911 and bother me with your problems. When someone shoots you in the gut because you objected to him taking your car, don't bother me. When your grandmother is brutally murdered in her home, and you stumble on her body a week later, don't bother me. When your babies stop breathing in the middle of the night, please leave me out of it. When some drunk driver mows down your sister in a crosswalk one day, don't bother me, because I don't care.

It's just not worth it to me to keep getting sued every week or even facing time in a federal prison for simply doing my work. You people can do your own dirty work.

In the past, I've been involved in numerous, violent encounters with suspects. They all have had two things in common. One, while fighting, I never once gave the color of their skin any thought. Two, I always won.

Damian G. Karlo
Downey

I believe that, as in any large group of employees, the behavior and attitude of the workers is a direct reflection of the teaching and behavior of the leaders. It may be time for a change in leadership as the only way to purge the police force of those who believe they have a blank check when it comes to using force.

I'm not naive enough to believe that every police officer is bad any more than every police officer can be good; but, when we place our trust and physical safety in the hands of a group of people and give them almost total latitude in monitoring themselves, we must feel safe or our trust will never be realized.

The bottom line is that if we can't trust our public servants to do the right thing, than how can we totally trust them to stop the criminals from doing the wrong things?

Kelly Smith
Long Beach

We are told history repeats itself. Nothing could be truer of the dismal record of the Los Angeles Police Department. We have seen the results of choke holds, the beatings of celebrities, cruel and unusual punishment administered by curb-side justice. So why has it taken so long for the public to respond with the appropriate degree of righteous indignation?

Reporters have failed in their function as guardians of the public trust. The media have routinely played the role of peacemakers between an angry public and an embarrassed government agency. How many times are we expected to swallow that old, worn-out line that brutality is the "isolated action of a few" and should not be representative of the character of an entire department?

But as we have become acutely

Rodney King shows bruises suffered during beating.

"To all of you who hate cops, that's fine. It's your business. But just don't bother me with your problems. When someone shoots you in the gut because you objected to him taking your car, don't bother me. When your grandmother is murdered in her home and you stumble on her body a week later, don't bother me. When your babies stop breathing in the middle of the night, please leave me out of it. When some drunk driver mows down your sister in a crosswalk one day, don't bother me. You people can do your own dirty work."

—— Damian J. Karlo
— Downey

aware, evidence screams to the contrary. No one said a word of protest when the Los Angeles City Council voted 9 to 3 to use pain compliance on Operation Rescue members on Nov. 14, 1988. Where was the outcry when nearly 600 non-violent anti-abortion protesters were systematically brutalized by the LAPD on March 25, 1989. Apparently, the media chose sides and decided that brutality was warranted since those individuals were opposing abortion.

The Los Angeles City Council set in motion a very dangerous pattern of abuse by passing its 1988 resolution. When charges of brutality were subsequently made by the media, Mayor Bradley, the City Council, LAPD Internal Affairs and the city attorney's office promptly dismissed them as unfounded, not knowing what course of events they had set in motion.

While it is encouraging that at least three officers are facing felony criminal charges, what about those who encouraged the brutality by pretending it did not exist? The real criminals in this legalized tyranny are the professionals who refused to tell the truth; the media, and Los Angeles city government.

Rodney D. Guarneri
Long Beach

I'm tired of hearing people scream racism and prejudice over incidents such as this. The truth will launder out. Let's work together to better the system — not fight it by claiming injustice.

I do not subscribe to or promote this kind of poison. Are we the public going to continue to tie police officers' hands behind their backs and expect them to fight successfully?

This is the age of drugs, gangs and increasing criminal activity. Criminals don't abide by the law. If they did, they wouldn't be criminals.

Let's support the police as we have supported our troops in the Gulf War. The job they are asked to perform is much the same.

Do not condemn the LAPD prematurely. Looks can be deceiving. A short video tape does not show the whole picture. Obviously, other factors led up to this incident. Did this person threaten the officers, was this person in a sound state of mind or was he on PCP or some other mind-altering substance? This man was a felon, not just a motorist.

I cannot see such a large number of officers jeopardizing their careers. These men are trained professionals. Let's get the whole picture before condemning the LAPD and the officers involved in this incident. Mayor Bradley should realize that the L.A. in LAPD stands for Los Angeles. His inept leadership and publicized spats with Chief Gates are to blame for the public's low opinion of the police department. Rodney King's statements leave much to be desired.

D. Heetderks
Long Beach

I do not know what Rodney King did, but no one deserves that type of mistreatment. I cannot help but feel that the motivation behind this beating was of a racial nature. How often does this type of atrocity occur?

I tried to think of the appropriate punishment for those officers involved and for a fleeting moment I came up with the "eye for an eye and a tooth for a tooth" philosophy and imagined those officers left alone and unarmed in any neighborhood in South Central Los Angeles for exactly one minute — the length of time this beating took.

After asking forgiveness from my God for thinking this horrible thought, the most calming words came to mind: Vengeance is mine, and I will repay. Thus saith the Lord.

Kim Hogan
Long Beach

The Press-Telegram has received 17 letters regarding the Rodney King incident. Only one, published today, fully supported the police officers involved in the videotaped beating.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

The Man Swept Up in the Furor

Friends, Family Say King Was Sometimes Lost but Never Violent

By ASHLEY DUNN and ANDREA FORD
TIMES STAFF WRITERS

Even those who have elevated Rodney G. King's case to a *cause celebre* know little more about the man than what they saw in a grainy, homemade video showing him being bludgeoned, kicked and electrically stunned by Los Angeles police officers.

In his single public appearance after the incident, a battered and bruised King, seated in a wheelchair and with one leg in a cast, seemed bewildered and confused. He gave only one brief glimpse into his personality by noting that he took the beating "like a man."

But those who know him say that even if King were to lay open his life, there would be little anyone would call unusual or extraordinary. The King they describe is a man who sometimes seemed lost, but who was never violent or cruel.

His 6-foot-3, 225-pound frame makes him an intimidating sight, they said, but behind the bulk is a mostly passive human being, a "Baby Huey," as one friend described him.

Even King's one brush with crime seems typical of the way most of his acquaintances characterize him. The Monterey Park grocer who was robbed by King in November, 1989, said he did not believe King had the heart to hurt him.

"He just wanted the money," said Tae Suck Baik. "I hit him first. If I didn't hit him, he wouldn't have hit me."

Reporters have bombarded King and his attorneys with requests for interviews. People from as far away as Australia have tried to contact him, some offering to make donations.

But King has remained in seclusion. "He needs peace and quiet," said Robert Rentzer, one of King's attorneys. "He needs an opportunity to recover."

Associated Press

Rodney King, battered and bruised, at press conference just before his release.

Most family members also have refused to talk about King or the beating, as have the two men who were with King at the time—Bryant Keith Allen and Freddie Helms.

Nevertheless, some relatives, neighbors, lifelong friends and co-workers describe him as an essentially ordinary man caught in an extraordinary furor.

King was born in Sacramento but grew up in in a middle-class neighborhood on the west side of Altadena, surrounded by relatives who had begun migrating to Southern California in the 1960s, said an uncle, Phil King.

His father, who died four years ago, was a construction worker who sometimes did maintenance work around town and was a devout Jehovah's Witness, Phil King said.

At John Muir High School, King was put in special education classes because of difficulty with reading, according to teachers there. They remembered that he played on the school's baseball team but was not a standout.

He had no serious behavior problems, they said, but did have trouble making it to school every day. None of the teachers could remember the reason for his truancy.

By his senior year he was at least one year behind, his teachers said. In 1984, six months before he was scheduled to graduate, he dropped out, they said.

Cedric Hill, a car salesman who has known King since childhood, said King seemed to drift after dropping out. "All the Kings are really good people at heart," he said, "but Rodney at that time was running around, hanging out, being youthful."

The crowd Rodney ran with, Hill said, were not criminals, as far as he knew. "Singing on the corner, hanging out at the park," he said.

King and his wife, Crystal Waters, a friend from high school, live on Lincoln Avenue with her two young sons. Neighbors said that the couple never caused trouble or drew attention to themselves.

"They are always very polite," said Tony Fernandez, who lives next door.

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King's robbery conviction was the result of a guilty plea to the second-degree robbery of the Monterey Park store—a perplexing incident for his friends and relatives, many of whom only found out about the incident after his record was broadcast in the past few weeks.

"I didn't think he had that in him," said Anthony Beaty, a United Parcel Service supervisor who has known King since childhood.

Baik, the owner of the 99 Market, said King walked into the store, bought a single piece of bubble gum and then pulled a two-foot-long tire iron from his jacket. "Open the cash register," King told the store owner.

Baik was willing to let the robber take the cash, but when he reached for two checks, Baik moved to stop him. "You don't need the checks," he said.

In an impulsive burst, Baik grabbed the robber's jacket, pulled it off and began whipping his adversary with a three-foot-long rod he grabbed off the floor.

Baik said King could have hit him, but instead tried to pull away, dropping the tire iron.

Baik ran around the front counter to whip the robber some more, but by that time King had grabbed a metal pole. King hit the shop owner once with the pole and then fled with about $200.

He drove off in a white Hyundai, the same one he drove on the night he was beaten. Baik scribbled down the car's license plate number.

"I'm not mad," Baik said. "I held him and he didn't hit me. I hit him twice."

King was arrested 10 days after the robbery, and began serving a two-year sentence at the California Correctional Center in Susanville after pleading guilty to the charges.

While in prison, King wrote a judge asking for a reduction of his sentence:

"I have all good time work time. I have seriously been thinking about what happen and I think if it is possible that you can give me another chance, your honor. I have a good job and I have two fine kid who wish me home. Have so much at stake to lose if I don't get that chance. My job and family awaits me. So please reconsider your judgment, your honor. The sky my witness and God knows."

King's plea was rejected. He was paroled Dec. 27 after serving a year.

He has never publicly said why he robbed the store, but his parole agent, Tim Fowler, described it as an impulsive crime of desperation.

"He was unemployed and untrained," Fowler said. "It was something that wasn't planned, really. It was spur of the moment. The opportunity was there. He recognizes it was stupid."

Fowler said that by all appearances, King seemed motivated to set his life back on course. "He's been a good case," said Fowler.

A week after his release, King found temporary work as a laborer at Dodger Stadium—a dream job for a former high school ballplayer who loved to talk baseball with co-workers.

"You could set your watch by his timeliness," said Scott Dalgleish, superintendent of Gardner Building Co., which hired King for the stadium job.

"He was never late once, never missed a day, including two weeks when he had car trouble and rode the bus to Chinatown and walked over the bridge to Dodger Stadium.

"I told him when he gets well, to call us," Dalgleish said. "I'd take him back in a minute."

King has not said where he and his two friends were headed the night of the beating. But one source familiar with the case said the men "were just bored and took off on the Foothill Freeway headed north."

The source said King was frightened when he realized the police were following him, wrongly believing that a traffic violation could send him back to prison.

King's attorneys have said that the beating has left their client "emotionally and physically traumatized."

His memory of the incident is blurred. He has been plagued by nightmares, replaying the incident in his sleep, his lawyers say.

King underwent surgery Thursday to repair some of the injuries, which included a fractured eye socket, a broken cheekbone, a broken leg, bruises, facial nerve damage, a severe concussion and burns from a Taser stun gun, according to Dr. Edmund Chein, one of five doctors who have examined King.

Chein said the bones at the base of King's skull were broken in 11 places. The blows to his head were so severe that several tooth fillings were knocked out, Chein said, adding that King may never recover from some of his wounds.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Who's policing the police?

Commission's role in molding LAPD called into question by beating

By Patrick McGreevy
Daily News Staff Writer

With the beating of Rodney Glen King putting the Los Angeles Police Department under a harsh light, critics say the Police Commission has not performed its role under the City Charter to direct department policy and the actions of Police Chief Daryl F. Gates.

Lacking independent staff, the commission depends on Gates' own subordinates for advice.

A review of the board's public actions over the past year shows that much of the commission's time is spent issuing parade permits and liquor licenses.

Moreover, critics say the commissioners themselves have been reluctant to take on the Police Department and its outspoken chief.

"I do believe the Police Commission should have been more vigilant in their responsibility to direct Chief Gates and mandate standards for the department to meet," said Danny Bakewell, president of the Brotherhood Crusade, a group that benefits ethnic agencies and contributes to anti-gang and anti-drug work.

"They haven't overseen much of anything," agreed Thomas Beck, an attorney who has handled many of the police brutality cases against the city. "Technically, (Gates) works for the commission but, in fact, he controls them," Beck said.

Los Angeles Mayor Tom Bradley has acknowledged the need for change on the commission by appointing liberal activist Stanley K. Sheinbaum to the board Friday, and naming civil rights advocate Melanie Lomax and longtime confidante Dan Garcia to the board late last year with the direction to question department policy.

But critics say more is needed — including allowing the board to fire the chief without the need for proving misconduct, and granting the commission an independent staff and legal counsel. The commission's staff is made up of Police Department employees.

Ramona Ripston, executive director of the American Civil Liberties Union, said an independent staff will allow the public to exercise genuine civilian oversight of the department.

Ripston said the commission has had moments when it has shown its authority for setting department policy, such as when it outlawed the use of the choke-hold.

"But more often it has been very, very weak," she said.

Civil rights advocates and black community leaders are now clamoring for Gates' resignation in the wake of the police beating of the unarmed King following a traffic stop. Because King, a black man, was beaten by white officers, the incident has also fueled concerns about racism in the police force.

By law, the commission is the only body that can fire Gates. To answer critics who charge that he is unaccountable to the public, Gates himself pointed out last week that he answers to the Police Commission.

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"I have five bosses, the Board of Police Commissioners," Gates told reporters. "They are my direct bosses. They are the head of the Police Department. I take all the heat, but they are the head of the Police Department."

The City Charter declares that the Police Commission's powers include "to supervise, control, regulate and manage the department and to make and enforce all necessary and desirable rules and regulations. . . ."

But city officials, department critics and even police officers say that the commission has played a minor role at best.

"The commission is weak," said George Aliano, head of the Police Protective League, a rank-and-file group that issued a strong endorsement of Gates last week. "They've been quiet for 10 years. All the questions people are asking them now about what kind of discipline is imposed and how many cases there are, they should know. That information is available to them. Why haven't they seen it? Why don't they do routine reviews?"

Aliano blames the commission's inaction on the fact that it has been made up of citizen volunteers, who often have little grounding in police matters and are unsure of their authority.

Commissioner Sam Williams, who has served on the panel since 1973, denied that the commission has not fulfilled its responsibility in recent years.

He pointed to commission changes in department policy that followed the shootout with the Symbionese Liberation Army and the shooting death of Eulia Love, who was disputing a gas bill.

"We have been very actively involved in individual cases when called for," Williams said.

But Bradley has recognized the need for a more assertive Police Commission, which is evident in his most recent appointments to the commission, Deputy Mayor Mark Fabiani said.

On Friday, Bradley appointed Sheinbaum to the panel. A leading contributor to liberal causes, Sheinbaum is a businessman and chairman emeritus of he Southern California Chapter of the ACLU.

"The mayor has already begun to transform the commission so that it will be more active and progressive," Fabiani said. "The mayor is going to continue this process with the two vacancies so that we have a commission that is proactive and aggressively manages the department."

Bradley also proposed last week that the City Council put a measure on the ballot that would change the City Charter to have the police chief's civil service protections expire every five years.

The commission could then fire the chief without having to go through the lengthy and difficult civil service hearing process to prove gross misconduct or other grounds for the chief's dismissal.

While Gates has condemned the beating of King and has sought criminal charges against the officers involved, critics say Gates and the commission have not done enough to stem the rising tide of complaints and costly settlements from police use of excessive force.

The Daily News reported last week that the city paid more than $3.5 million last year to settle 18 lawsuits stemming from claims of excessive force and unnecessary shootings, and that complaints of excessive force were up 33 percent between 1984 and 1989, the last year for which records were available.

Under the charter, the police chief has the power to discipline other officers in the department. Complaints are investigated by the department's internal affairs division and decided on by the chief, according to Rich Dameron, the commission's executive officer.

At the end of each Police Commission meeting, the chief issues reports to commissioners on any disciplinary actions taken — but those reports are given in closed session to protect the privacy of the officers.

Moreover, Beck — who has obtained commission reports through the court discovery process in connection with lawsuits — claims that reports he has seen provide only a skeletal outline of excessive force incidents.

"They don't get all the information they need," Beck said.

Former commission president Bert Boeckmann disagrees, saying the commission thoroughly reviewed excessive force cases while he was on the commission.

"We looked at those very seriously," Boeckmann said. "Those (criticisms) are words from people who don't have the knowledge of what's going on."

A review of the public minutes of Police Commission meetings, however, shows that decisions on permits for dance halls, tow truck operators, late-night construction, picture arcades and locksmiths compose most of the panel's public actions.

Police officials say the last time the Police Commission took disciplinary action against Gates was in 1982, when the panel reprimanded him for saying that the choke hold may affect blacks more than "normal people."

The reprimand said he was not to issue inflammatory remarks in the future, Bakewell said.

Bakewell and other other civil rights leaders, including Urban League president John Mack said that the commission should have taken stronger action by now, based on several other controversies involving Gates, including:

- A statement in 1980, referring to KABC-TV anchorwoman Christine Lund as "an Aryan broad."
- A statement in 1978 that Hispanic officers in the department had not been promoted as rapidly as other officers because they were "lazy."
- A statement last month that angered the Hispanic community, in which Gates referred to the killer of a policewoman as "an El Salvadoran drunk that doesn't belong here."
- A statement to a Senate hearing last September when he suggested that casual drug users "ought to be taken out and shot."

The last statement angered City Councilman Robert Farrell enough for him to send a formal letter asking the Police Commission to in-

vestigate the matter and report back on the possibility that the comment could influence officers to use excessive force on the street.

Farrell was further angered when he received an informal letter from the commission's then-president Robert Talcott, saying the commission had received an adequate explanation from Gates and did not plan further action.

"He shined me on," Farrell recalled last week. "It was a letter that did not address my concerns."

Farrell said he believes the newly appointed commission will be more responsive to complaints and concerns.

But Bakewell said that will not happen unless it is given more independence.

"I believe the whole issue of complaints needs to be relegated to an independent body," Bakewell said. Ed Herrera of the Hispanic Advisory Committee to the commission said citizen complaints should be handled by an independent citizens panel or even the city's new Ethics Commission.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Where's the Outrage for Dead Police?

By GEORGE ALIANO

Who was Eulia Love? David Kubley? Paul Verna? Rodney G. King? O.J. Bryant? Gary Murikami? Tina Kerbrat? Danny Pratt? Most people will remember Eulia Love and, of course, Rodney G. King, the subject of the much-viewed videotape of his arrest.

There was a great deal of protesting, picketing, political rhetoric and news coverage over the shooting death of Love, as there is now over the force used against King. Where was this outcry for the cops killed protecting you? People will not even remember who they are, even though they died for you. There was no picketing in front of Parker Center. There were no special hearings by the City Council or the Police Commission. There were no community leaders or ACLU attorneys demanding that officers be provided more protection or concerned about why it happened. Where were the protesters? Where was their outrage?

And, just as important, the police officers of this city did not picket or demonstrate in various communities to protest the failure of those community leaders or parents or peers to adequately control those in their environment who committed such heinous crimes. We don't blame communities or a class or group of people for the acts committed by individuals, because we know that everyone is responsible for his or her own actions. Those who attempt to blame an entire group are playing a fool's game and trying to dupe the public.

Archbishop Roger Mahony, at the funeral of Officer Tina Kerbrat, said to the 4,000 law enforcement officers present, "We owe you an apology for not doing our job by allowing people to commit vicious crimes against you. We ask you to please forgive us." We do! We forgive because we understand human frailties and imperfections in others as we do in ourselves.

George Aliano is president of the Los Angeles Police Protective League, on whose behalf this is written.

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
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Title: WHERE'S THE OUTRAGE FOR DEAD POLICE?

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FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Bradley Urged Release of Transcript; Political Heat Rises

By GLENN F. BUNTING
TIMES STAFF WRITER

Before leaving City Hall at noon Monday for a business trip to Hawaii, Mayor Tom Bradley initiated yet another in a series of moves that is certain to crank up the pressure on Police Chief Daryl F. Gates to resign over the Rodney G. King affair.

The mayor ordered his appointees on the Police Commission to work with Gates to disclose potentially volatile radio and computer communications made by some officers in the minutes before and after King, a 25-year-old black man, was struck more than 50 times with nightsticks. Hours later, the Police Department released the transmissions.

Transcripts of the computer messages show that a police officer involved in the assault told another officer that he "hadn't beaten anyone this bad in a long time." Another message reveals that an officer referred to an earlier police call—involving a black family's domestic dispute—as "right out of 'Gorillas in the Mist.' "

Police Commissioner Melanie Lomax said she did not believe that Bradley's order was "politically motivated." Rather, she said that Gates put the mayor in a "very awkward position" by indicating the contents of the tape to Bradley and police commissioners last week, then refusing to release the messages to the public.

"I would predict that it [release of the tapes] will intensify the demands that [Gates] step down," added Lomax, a Los Angeles civil rights attorney.

Sources close to the mayor's office said that Deputy Mayor Mark Fabiani continues to direct a campaign intended to get Gates to resign. The effort picked up steam Friday when Bradley appointed Stanley Sheinbaum, a civil libertarian and Gates critic, to fill one of two vacancies on the Police Commission.

Last week, Bradley denied a Times report that Fabiani was in charge of an effort to oust Gates. "I have had no participation, no strategy whatsoever to force, to urge, to demand that Chief Gates retire or resign," Bradley told a news conference.

The mayor was criticized on Sunday by the Rev. Jesse Jackson for not publicly demanding that Gates resign. The remarks by Jackson only hardened Bradley's resolve not to become embroiled in a political controversy with Gates, said sources close to the mayor.

"He does not have a lot of respect for Jesse Jackson," said one source who spoke on condition of anonymity. "When people try to put pressure on Tom like that, it never works and it only serves to keep him pretty steadfast."

As political fallout from the King incident intensified Monday, Bradley flew to Hawaii to help the city of Los Angeles in its attempt to be named host of the Super Bowl in 1993. The mayor considered remaining in Los

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LOS ANGELES TIMES

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Angeles because of the King incident, but decided his appearance was needed in Hawaii, Fabiani said.

"The mayor can't be held hostage to this situation," Fabiani said. "He is only going to be gone two days. He is in constant contact with the office and is prepared to deal with any situation that arises. Winning the Super Bowl for the city is important economically as well as to the city's self-esteem."

The mayor and police commissioners first learned of the police communications last week when Gates told them privately that the tapes contained "information of public interest," said Fabiani and Police Commissioner Sam Williams.

Lomax said Gates initially told her there was no indication of any racial hostility on the part of the officers. But when the chief contacted Lomax at the end of last week to discuss the tapes, "Gates basically had to eat his words," Lomax said.

Gates could not be reached for comment.

Gates told the mayor's office last week that he had withheld the police communications based on the advice of Dist. Atty. Ira Reiner, according to Fabiani.

The mayor's staff spent many hours over the weekend considering whether to initiate the release of the police tapes, even though Bradley aides had not seen any transcripts, sources said.

On Monday morning, Reiner told Fabiani that he "never prohibited the release of the information at any point," Fabiani said. That is when the mayor decided to instruct the Police Commission to release the tapes.

"The last thing in the world the Police Department needs is an allegation that relevant information is being held back from the public," Fabiani said.

Bradley's order marked at least the third time since the King incident that the mayor has directed Gates to act. Earlier, at the request of Bradley, Gates pulled the 15 officers involved in the beating off the street and addressed his officers in an attempt to boost morale. More steps are planned to increase pressure on Gates, sources said.

"I think what you are witnessing is traditional Tom Bradley," said Mike Gage, a Bradley appointee on the Water and Power Commission and a former deputy mayor. "His response is very measured. It is evolving and trying to stay a little bit ahead of the curve. . . . He is incredibly proud of the city of Los Angeles and he sees this as a mark against the city. He is going to take the leadership steps to counter that."

Bradley's response to the Police Department crisis comes as he faces an ongoing investigation into his personal finances and official duties.

"I think it is important that somebody take leadership in this whole issue," said Ramona Ripston, head of the local American Civil Liberties Union chapter.

"I also think that in terms of his past difficulties, [Bradley] would like to show he can be a strong leader. This gives him the opportunity to show that he can be."

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Supporters Give Gates a Rousing Welcome at Work

By SHERYL STOLBERG
TIMES STAFF WRITER

In a show of support that brought tears to the eyes of Los Angeles Police Chief Daryl F. Gates, hundreds of Police Department officers and civilian employees lined the corridor to the chief's office as he arrived for work Monday, clapping, waving yellow ribbons and chanting, "Gates must stay!"

The greeting was intended to give the embattled chief an emotional lift as civil rights leaders and other public figures—from Jesse Jackson on the left to conservative columnist George Will on the right—have called for his resignation over the police beating of an unarmed motorist.

Meanwhile, a few blocks away, district attorney's investigators were pressing ahead with their criminal probe into the videotaped attack on Altadena resident Rodney G. King. After the indictment last week of four LAPD officers on felony assault charges, authorities are now gathering evidence for a possible case against 11 other officers who watched but did not intervene.

But at Parker Center, the Police Department's downtown headquarters, the mood was festive. Gates, looking a bit like a triumphant politician, beamed as he made his way along the sixth-floor corridor, stopping to exchange handshakes and hugs with employees, one of whom presented him with a dozen red carnations.

"I support him wholeheartedly," said civilian employee Cookie Longacre after handing Gates the bouquet. "Like the rest of the department, I care a great deal for him. He needs to know that people are behind him on this."

As he entered his corner office, Gates spotted his longtime secretary, Mary Miller, wiping tears from her eyes. Then his own blue eyes grew watery.

"Well," the outspoken chief later declared, "this is probably the first time in my entire life that I've been speechless. I did not expect this. I'm just overwhelmed by it."

The event was orchestrated by public relations man Michael Sands, who said he was contacted Sunday by high-ranking Police Department officers and civilian employees—as well as workers in other city departments—who wanted to surprise the chief with a show of support. Sands called it a "grass-roots" effort. He would not name his clients.

The greeting capped a weekend during which Gates received similar shows of support. On Friday night, at a dinner for police reserve officers during which entertainer Tony Orlando performed, Gates was serenaded by one of Orlando's backup singers. The song: "That's What Friends Are For."

On Sunday, Gates was honored with a "Medallion of Merit" award at the annual black-tie St. Patrick's Day dinner of the Society of the Friendly Sons of St. Patrick of Los Angeles, held at the Beverly Hilton.

Gates was among 40 dignitaries, from former Gov. Edmund G. (Pat) Brown Sr. to retired USC chancellor James H. Zumberge, seated at the head table. Each received a polite round of applause except Gates, who was given a rousing standing ovation by many in the crowd of 1,000.

"I find this to be an insightful night already," Gates said in accepting the award. "From what you've given me here, you are certainly the friendliest sons I've seen in a long time—certainly far different from the group that came to see me at headquarters the other day."

The remark was in reference to last Thursday's Police Commission meeting, during which hundreds of angry residents demanded Gates' resignation.

On Monday, at an impromptu press conference, Gates vowed once again not to step down and then took a few potshots at those who have called for him to do so, among them San Jose Police Chief Joseph D. McNamara and U.S. Senator Joseph R. Biden Jr. (D-Del.).

Of McNamara, Gates said: "I think he's a damn oddball."

As for Biden, who was caught in a plagiarism scandal during his 1988 presidential campaign, the chief remarked sardonically: "Joe Biden probably heard it said somewhere else and is repeating it."

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FBI — LOS ANGELES

AL MARTINEZ

The Media Did It

If it is any comfort to him, Police Chief Daryl F. Gates is the most talked about cop in Southern California.

Not since Beverly Hills Patrolman Paul Kramer was slapped by Zsa Zsa Gabor has anyone found an individual policeman worthy of such intense discussion.

Even people who normally only talk about themselves are talking about Gates.

You remember the Zsa Zsa Incident. Kramer was attacked when he stopped her for a traffic violation. Though under assault, he bravely subdued the enraged Hungarian and brought her to justice.

Kramer was something of a hero in the incident because he didn't respond to Zsa Zsa's openhanded assault by clubbing her into bloody submission.

Chief Gates is definitely not the hero in the beating of Rodney King.

Though not personally involved, he's considered morally responsible for the conduct of those officers accused of beating King while he was lying on the ground being a racial minority.

The cops claimed King had been speeding, may have been on dope and was resisting arrest. Subsequent investigation indicates otherwise.

The cops did note in their initial report, however, that he was black, and that's true. Though not specifically mentioned in the Penal Code, it probably isn't wise to be black in L.A.

□

Thanks to the amateur videotape, the beating is not being dismissed as simply another case of police overreaction, which is a euphemism often employed to explain undocumented cop violence.

The matter is being investigated by the department's internal affairs division, the L.A. County district attorney, the state attorney general and the U.S. Department of Justice.

As a friend puts it, "Only the Boy Scouts of America and the Bishop of Rome aren't involved in sorting through the thing."

That too is a result of the widely telecast videotape, which has turned the beating into a subject of conversation wherever social critics gather.

They talk about the tape as though it's a new television show, discussing not only the atrocity of police violence, but its potential as a series. *Videocop!* We're thinking about it.

Most of the comment I've heard has been concerned not with how the policemen involved in the beating should be punished, but with how L.A. should deal with Daryl Gates.

People like Jesse Jackson, who always seems to be around during high-profile controversies, and Kim Basinger, who sat in her car during one anti-Gates demonstration pouting her protest, feel the chief ought to be fired.

So do all of my Maoist friends on the Westside and many of my Tory friends in the Valley.

One telephone caller suggested that Gates ought to be made up in blackface and forced to live in neighborhoods patrolled by white policemen.

A letter writer said she had achieved "psychic contact" with the chief and he was an agent of the devil. Newspaper editorials have suggested pretty much the same thing.

□

I've talked about Gates with everyone I've come in contact with for the past several days.

This has included proper suburban grandmothers in Walnut, cholos in East L.A., creek rats in Topanga and unfrocked Marines in Burbank.

Only two people thought the chief was getting a bum rap, and one of them was a white supremacist. He thought I was one too, due to a column in which I cautioned temperance in condemning all cops.

He asked quite seriously, "How did a Mexican ever get into the Ku Klux Klan?"

"On a waiver," I replied. He accepted that.

The other person who spoke on behalf of Gates was bail bondsman-philosopher Joey Barnum.

Joey has been a bondsman in L.A. for 27 years. He is also an ex-boxer.

"The beating's nothing new," he said to me the other day. "I used to get guys outta jail by the ton with their heads bashed in."

It is a sign of improvement to Joey that his clients are not as bloodied as they used to be.

Gates himself wrote me. He too thanked me for that column celebrating one good cop as a metaphor for many.

But then he said, "It seems like the media has attacked the LAPD like a pack of wild dogs."

I see it coming. Gates will not be held responsible for the action of his men. It'll be blamed on us, the wild dogs.

It won't be the first time. But in this case at least, it's the cops, not the dogs, who are in dire need of leashes.

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Big Mouth at Little Big Horn

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For Chief Daryl Gates, the Moment Has Come

The Los Angeles Police Department deserves respect and support. It has fought hard against internal corruption, served as a virtual laboratory for testing many policing innovations and struggled, often courageously, against an increasing crime rate even though it has fewer officers per population density than most other major departments. It is a proud force that takes its job seriously. Under Chief Daryl F. Gates for the past 13 years, it has initiated improvements in urban policing that have been widely praised and in some cases emulated by other police departments around the country.

Today, alas, that reputation for excellence may have sunk to a low because of the Rodney King-police beating case. It may be a very long time before the LAPD lives down that videotape monument to police brutality. The shocking sight of officers either kicking and clubbing an unarmed man or standing around and watching the assault has brought to a head long-held reservations about the department. And Monday's revelations of racially disparaging comments on police tapes prior to the beating only add to those concerns.

THE GENERAL PROBLEM: Now there are calls for the resignation of Gates—a 42-year LAPD veteran. Because the chief is the boss, Gates himself is now the target of much of the built-up enmity for the department, much of the criticism and the doubt. Entirely fair or not, his exit is regarded by many as a precondition for healing and for progress.

That won't be easy to accomplish. Gates is protected by intricate and daunting layers of civil service law: He cannot simply be fired, and he is insisting that he'll not go. But the issue here is not what's best for Gates but what's best for Los Angeles. The question is not whether he *can* stay on, but whether he *should*.

If the King case were an aberration, there would be fewer calls for his resignation. But this horror occurred on a watch that for 13 years has been marked by a history of the chief saying things that he shouldn't, and by some officers sometimes doing things that they shouldn't.

The King beating, seen by everyone with a television set, is unacceptable no matter what the race of the citizen-victim. It raises questions about command and control, about training, about the street-level values of officers. But the fact that the victim was black and that the beating happened in a city where minorities of all walks of life, including black businessmen and athletes, have complained for years of police harassment adds measurably to the pain.

Because the King case is a symptom of a larger problem, larger questions must be raised. The problem is that the department is in danger of losing support from significant sections of Los Angeles and the trend must not be permitted to accelerate. "They hate us and clearly they hate me," Gates said of his critics, to an applauding crowd of police officers last week as he sought to rally support for his continued incumbency. It's true that there are a small number of Angelenos who do hate cops. But the large majority of law-abiding citizens of this town are deeply sincere in their criticisms and are looking for positive reform. Gates' "us-against-them" statement is unintentionally revealing and illustrates the flaw at the heart of his command. There should be no "them," there should be only one Los Angeles with one police chief concerned with all the people of this city.

THE PERVASIVE WORRY: This city has changed a great deal since Gates joined the department in 1949. More African-Americans, Latinos, Asians and women assert their rights and demand to be heard. Even so, the chief of 13 years proceeds apace with a public image of insensitivity. Those who know Gates well insist that he is a caring man, but his public persona comes across more often than not as something else entirely.

What must be faced is that all of the polarizing remarks by the chief, as innocuous as he *thinks* they were, were made about blacks and Latinos and women, not white men—not about the people who have been in power but the people, until very recently at least, who have been out of power. Such political tone-deafness by this top cop is worrisome.

Worse still is the fact that during his 13-year tenure police misconduct complaints against the LAPD increased perceptibly, and the city has paid many millions in police misconduct settlements and judgments.

And now all the fury that is focused on the King case hampers the ability of the good cops to do their jobs properly because trust in the police has fallen. The current atmosphere is harmful to public safety.

CONCLUSION: Daryl Gates believes that stepping down under the current circumstances would be a dangerous precedent and would demoralize his department. But after giving 42 years of his life to a police force and job that he loves, the chief must reflect on the wisdom of staying on much longer.

If he is a true patriot of the city and a true believer in the LAPD, he must not let his pride and his ego cloud his judgment. He should submit to the suggestions and recommendations of those in this city who have come to the conclusion that for the good of Los Angeles he should resign. He should not simply walk out, of course, but step down in an orderly fashion to insure a smooth transition to a new chief.

DOJ

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Chief Gates should move on not because of legal necessity—there is none—but because of moral wisdom. In the future that decision will be seen as a sign not of weakness but of strength. Chief Gates can now set the LAPD free of the controversy that surrounds him and thus set off a rebuilding of public confidence in the police. Many wounds have been opened during the King case. The chief now has the opportunity to start the healing.

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Police remark revealed

Racism apparent

Six more police officers present at beating are identified./**B2**

By Howard S. Gantman
COPLEY NEWS SERVICE

Explosive new evidence released Monday revealed that one of the four Los Angeles police officers charged in the beating of a black motorist made an apparently racist remark before the assault and later declared he had not "beaten anyone this bad in a long time."

The release of the radio computer communication logs inflamed the growing furor over the bludgeoning of Rodney King, 25, early March 3 following a police pursuit in the northeast San Fernando Valley.

It also led to renewed demands that Chief Daryl Gates resign or be fired by the Police Commission — something the chief has consistently vowed to fight.

Not surprised

"I am sickened, but I'm not surprised. The only gratification is that I think we are seeing the final nails driven into the Daryl Gates regime," said Danny Bakewell, president of the Brotherhood Crusade.

The four white officers — three patrolmen who allegedly participated in the beating, and a sergeant who did not stop it — have all been indicted on assault and related charges by the Los Angeles County grand jury. They are free on bail awaiting a court appearance Friday.

The probe also continues into possible charges against the other 11 police officers at the scene for aiding and abetting in the assault.

According to the logs from the computer communication systems in the patrol cars, just 16 minutes before the chase began, one of the four indicted officers typed a message on his computer to an uninvolved patrol car.

He said his last call was "right out of 'Gorillas in the Mist,'" a reference to a movie about a white woman living with apes in Africa, which both police and civil rights groups said was apparently racist.

Police Commissioner Melanie Lomax, a former legal counsel for the Los Angeles chapter of the NAACP, said the comments were "racially derogatory and insulting" and helped show what there was "racial animosity" in the King beating.

'Straight out of South Africa'

"It is straight out of South Africa or the Deep South at another time," Lomax said. She noted that the comments help "verify what has long been suspected, at least by members of the minority community."

"We already had the smoking gun — we had the video," said Assemblyman Curtis Tucker Jr., D-Inglewood. "This just goes to show what state of mind the officers were in when they stopped King — obviously racist, hostile to King, obviously confrontational."

Mayor Tom Bradley issued an angry statement upon landing in Honolulu on a city business trip.

"The transcript sickens and saddens me," Bradley said. "It is clear that the officers demonstrate a casual and cavalier attitude toward this horrific beating. In addition, it appears that bigoted remarks are not only tolerated but applauded (within the Police Department)."

Gates has previously denied that racism was a

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factor in the beating, but following the release of the computer logs, he noted "it is a reasonable interpretation that there is a racial slur here."

Long after King was rushed to the hospital for treatment of broken bones and multiple cuts and bruises, another message was sent to the second patrol unit. This one declared: "I haven't beaten anyone this bad in a long time."

The officer in the second car responded: "Oh not again ... why for you do that ... I thought you agreed to chill out for awhile ... what did he do?"

This brought a response: "I think he was dusted (on PCP) ... many broken bones later ... after the pursuit."

The two officers in the first car — identified as 16A23 — were Laurence Powell, 28, and Timothy Wind, 30, said Cmdr. Rick Dinse, who is charge of both the department's criminal and administrative investigation.

Dinse said the previous call involved a domestic dispute within a black family, which was settled without violence but added to the belief that racial factors may have played a role in the beating.

Officials have not yet determined conclusively which of the two officers typed the messages, Dinse said.

The logs contain no reference to communications by the third indicted officer, Theodore Briseno, 38. But the sergeant, Stacey Koon, 40, sent the following message to the Foothill Division station after the incident:

"You just had a big time use of force ... tased (referring to the stun gun) and beat the suspect of a CHP pursuit, Big Time."

A tape of the police radio communications released Monday also showed that the officer who asked for an ambulance for King, informed the dispatcher that he needed help for "the victim of a ... beating," laughed and muttered something unintelligible.

The tapes and computer logs, released late Monday afternoon following a request from Bradley, detracted from a warm showing of support Gates received earlier in the day.

Several hundred officers and civilian employees greeted the chief as he arrived for work at Parker Center and chanted "Gates must stay" as he slowly proceeded past them down the crowded hallways.

His eyes filled with tears, Gates proclaimed himself the "luckiest man in the world" and vowed once again not to resign.

Contributing to this article were Copley News Service writers Norma Meyer and Paul Pringle.

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(Mount Clipping in Space Below)

6 others at beating identified

Gates renews vow to remain in office

By Patrick McGreevy
and Tom Chorneau
Daily News Staff Writers

As hundreds of LAPD employees and other city workers cheered embattled Police Chief Daryl F. Gates on Monday, investigators identified six more officers who were present during the March 3 beating of Rodney Glen King.

The officers were identified in an affidavit police filed to obtain a search warrant for the Foothill Division police station in connection with a criminal investigation into the beating of King by police officers after a traffic stop in Lake View Terrace.

The officers identified in the warrant obtained Monday were present during the beating but did not actually kick or hit King, the affidavit said. One of the officers, Tim E. Blake, was named in a lawsuit that claims several Foothill officers severely beat 36 participants at a baptismal party in Arleta last year, according to Leon Gilbert, an attorney who filed the suit.

Felony assault and other charges were filed last week against three officers seen kicking and beating King with nightsticks on a home video recording and against the supervising sergeant.

According to an affidavit filed in Municipal Court in support of a search warrant filed by police investigators, other officers identified from the videotape as being on the scene were Rolando Solano, Danny Shry, Paul R. Gebhardt, Robert J. Simpach and Louis M. Turriaga.

The warrant said that Turriaga was identified as stepping on King's legs while King was being handcuffed.

One of the officers named in the affidavit on the Lake View Terrace incident acknowledged Monday he was at the scene of the incident but said his attorney has advised him not to talk about it.

"I'd like to be able to say that almost all of us arrived as it was ending," said Simpach, a 17-year department veteran. "No one's happy that any of this happened."

Simpach said he has been taken out of the field but has not been asked to talk to a grand jury investigating the incident.

The District Attorney's Office is planning to present the grand jury with evidence involving other police officers within the next two weeks, said Sandi Gibbons, a spokeswoman for the prosecutor's office.

"Our investigation is continuing, and we do intend to pursue this with the grand jury," Gibbons said. "We're looking at other officers who were at the scene."

Gibbons declined to say which officers will be discussed with the grand jury.

The incident has prompted outrage across the country and calls for Gates to resign, but on Monday the police chief got a hero's welcome from about 400 police and city employees as he arrived for work at Parker Center.

Gates again vowed to fight efforts to remove him "with all my strength."

"The support for me has been overwhelming," Gates told reporters. "To leave office now, I think I would be doing a grave disservice to these fine people, it would tell them that there is something very wrong here, something in need of an overhaul, and I don't believe that's the case."

Organized by a Los Angeles public relations firm, the pro-Gates rally moved from the ground-floor entrance of the police headquarters, to the elevators, and finally to the sixth-floor hallway leading to the chief's office.

Police officers, secretaries and workers from across the street at various other city departments chanted "Gates must stay," wearing yellow ribbons and displaying signs.

Gates, eyes welling up, told the crowd that the expression of support was "humbling," and that he "was not going anywhere."

The event was organized by Michael Sands, a public relations consultant who said he did so at the request of police officers and department employees, whom he declined to identify.

Sands said it was his understanding that the workers present were on duty but using their break time to participate.

Gates said that although he realized a campaign to oust him was moving forward, he accepted Mayor Tom Bradley's word that the Mayor's Office was not behind it. He said that Bradley's appointment of a longtime member of the American Civil Liberties Union, Stanley Sheinbaum, to the police commission, was "reasonable."

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Title: 6 OTHERS AT BEATING IDENTIFIED

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MAR 27 1991

FBI — LOS ANGELES

LHA-LA-119954-D-81

The search warrant filed the Foothill police station in Pacoima allowed investigators to seize the aluminum batons, boots and clothing of four officers who were indicted last week by a grand jury on felony assault charges.

Investigators looking for blood stains and other evidence took the batons and clothing from the lockers of Officers Laurence Powell, Ted Briseno and Tim Wind and Sgt. Stacey Koon on March 8, according to the court affidavit.

The affidavit says the 10 officers — the four charged and six of the others present — were identified on the videotape by Sgt. Robert Ontiveros, the station's assistant watch commander for the day watch.

Watching the videotape taken by an eyewitness who lives near the site of the incident, Ontiveros said it appears that only three officers — Wind, Powell and Briseno — kicked or hit King.

Myung J. Chun/Daily News

Chief Daryl F. Gates said Monday he "was not going anywhere."

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

LAPD's unsavory appetites

Time for a housecleaning.

Why is Daryl Gates still chief of the Los Angeles Police Department? It was plain last week he should leave. His leadership is discredited. His department is in disrepute. Some residents fear his officers, and Los Angeles itself is distracted and shamed by the mounting evidence — intolerable yet incontrovertible — of his department's unsavory appetites.

It is not enough to discipline the 15 officers who either beat or watched the beating of Rodney G. King. Transcripts of dispatches between squad cars and with the watch commander's office prove that racial slurs and jovial violence are not aberrations, as Gates blandly suggests. *I haven't beaten anyone this bad in a long time,* said one transcript. *Oh no, not again,* came the teasing reply.

Such a rampant lack of discipline and compassion, such widespread decay, can only exist with the license of force commanders.

Oh no, not again.... The implications hang in the air as plain and poisonous as a smothering smog: Without the evidence of the videotape, the attack would have been chuckled over and then forgotten, like some bad joke. In turn, that implies that even with several officers indicted and others to be disciplined, the problem can't be treated by disciplining patrol officers only. The command failure is complete. So must be the housecleaning.

The transcripts and the videotape establish that casual racism and brutality is common in the LAPD. Fifteen officers,

(Indicate page, name of newspaper, city and state.)
B8 (Editorial), Press Telegram, Long Beach, CA

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FBI/DOJ

randomly brought together, either pummeled King or watched without interfering. Other officers, discovered with equal randomness through computer and radio transcripts, made easy racial slurs and considered the beating humorous. Such a rampant lack of discipline and compassion, such widespread decay, can only exist with the license of force commanders.

Gates sits at the top of the department's food chain; he sets the rules for survival below. And what are those rules? That blacks are "different," that Latinos are lazy, that immigrant Jews might be Soviet spies and that a furious beating can be corrective, remedial, rehabilitative. "I hope he (King) gets his life straightened out," Gates said earlier this week. "Perhaps this will be the vehicle to move him down the road to a good life instead of the life he's been involved in for such a long time." In other words, King a beneficiary; his attackers are angels of tough-love. Apparently, Gates' rules include self-delusion and arrogance, too.

Gates cannot be personally responsible for every bad cop on his force. He is, however, personally responsible for the vicious patterns of behavior that the King episode has uncovered. And he has, finally, a personal responsibility to do what he can to restore honor to his department and credit to his leadership. That means he must resign before he is, in a bruising campaign that has already begun, forced out.

GATES
WALLMEYER
1991, PRESS-TELEGRAM

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Police victimize minorities at will

Los Angeles incident no aberration

By Derrick Z. Jackson

A gang of Los Angeles policemen recently beat a black man, Rodney King, to a pulp. The torture was caught on video. Los Angeles police chief Daryl Gates called it "an aberration."

This is no aberration, neither in Los Angeles nor in the United States. All of us can be victimized by street crime at the hands of civilians. All of us want a diligent police force. What we can not tolerate is state-sponsored terrorism.

This terrorism knows no difference between parolees or pinstripes, button-down collars or blue collars, wingtips or Air Jordans, gold wedding rings or gold chains. The common denominator for mistaken identity, unexplained detention and a crack in your head is dark skin.

Let us start with King. When was the last time you read of a white person, out on parole, kicked, stun-gunned and billy clubbed half to death for allegedly speeding?

Let us move on to Jamaal Wilkes and Dee Brown.

The common denominator for a crack in your head is dark skin.

Wilkes was a championship basketball star. Today he is a businessman. In December, he was handcuffed and detained in Los Angeles. After Wilkes debunked every reason the cops gave for the detaining, the police slithered away, saying they stopped him because a lightbulb was out over his license plate.

Brown is a rookie Celtics star. Last year, he was put to the ground at gunpoint in Wellesley, Mass., at a time he wanted to buy a house there. The police said he fit the profile of a crook.

When have you heard of a Kevin McHale being cuffed for an unlighted license plate? When was the last time the police were so sloppy they stopped a Danny Ainge with drawn guns?

(Indicate page, name of newspaper, city and state.)
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FBI/DOJ

HERE'S THE SITUATION.. YOU'RE BLACK, YOU'RE IN L.A., AND YOU JUST EXCEEDED THE SPEED LIMIT.

Joe Morgan is in baseball's Hall of Fame. In 1988, Los Angeles airport police threw him on the floor and handcuffed him, saying he ran drugs. A federal jury awarded Morgan $540,000 in damages.

When was the last time you heard of white Hall of Famers being handcuffed and falsely accused of being drug runners?

Last year, two black female journalists, from The Detroit News and The New York Times, were stopped in airports by narcotics cops.

In the 1970s, Les Payne, a Pulitzer Prize-winning journalist from Newsday, was prevented by police from driving through an exclusive Long Island suburb.

When was the last time you heard of a white, Pulitzer Prize-winner being stopped for bringing down the neighborhood?

In 1984 in New York, police rammed through the door of a 68-year-old grandmother to evict her for $396 in back rent. The police knew the woman was mentally disturbed. They refused to wait until she calmed down. The police said she held a knife. The police killed her with two shotgun blasts.

When was the last time you heard of a white, elderly woman being wasted by police for failure to pay rent?

In New York City in the early 1980s, a graffiti artist was beaten to death by police. In upstate New York in the mid-1980s, a youth was choked to death by a guard at a movie theater.

When was the last time you heard of a white subway artist, no matter how bad the music, being killed by police? When was the last time you heard of a white movie patron, no matter how rowdy, being choked with bare hands?

The answer to most of the above questions is going to be never.

Derrick Z. Jackson is a Boston Globe columnist.

George Robeson is on vacation.

(Mount Clipping in Space Below)

21 LAPD officers involved in beating of black motorist

By Linda Deutsch
Associated Press

BEVERLY HILLS — Twenty-one police officers were involved in the savage beating of a black motorist captured on videotape, not 15 as was previously acknowledged, a Police Department official said Tuesday.

"It is our belief at this point that 21 LAPD officers were at the scene," Lt. Fred Nixon said.

Nixon was reacting to a statement earlier Tuesday by an attorney for Rodney G. King that 25 officers were at the scene of the March 3 beating of his client.

Attorney Steven Lerman also said his client wants to sue for $56 million — $1 million for each

PLEASE SEE **LAPD/A4**

(Indicate page, name of newspaper, city and state.)
A1, Press Telegram
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LAPD: 21 officers, not 15, were at scene of brutal King beating

CONTINUED FROM A1

blow inflicted by police officers.

Lerman told a news conference his investigators had enhanced the amateur videotape of the beating and said he now believes as many as 25 officers were involved.

"This is going to get a lot bigger and a lot badder before it's over," Lerman said.

Nixon said the new department figure fits with Lerman's 25 officers because Lerman was including officers from other agencies.

In his strongest statement yet on the King beating, Mayor Tom Bradley says that he will seek an investigation of racism at all levels of the Police Department.

In a telephone interview Tuesday night from Hawaii where he is attending a National Football League owners meeting on the 1993 Super Bowl location, Bradley said that growing evidence about the attack has convinced him that racism is not confined to the Los Angeles Police Department's Foothill Division.

The mayor said that he is considering the appointment of an independent commission to conduct the investigation of the Los Angeles Police Department "from top to bottom.

"That's the chief, the deputy chiefs down to the training officers and the supervisors in the field," Bradley said.

California's Assembly speaker, the Los Angeles Times and the county's largest union on Tuesday joined the calls for the city police chief's ouster because of the beating of King, who is black.

Gov. Pete Wilson on Tuesday also condemned the officers involved in the beating of King, but he stopped short of criticizing Gates.

In his first comment on the incident, Wilson issued a statement calling the officers "a disgrace to their uniform and its proud traditions" and applauded the decision to prosecute them.

King

Gates

"The brutality of the videotaped beating could not help but outrage and turn the stomach of any decent person, but must have especially repulsed the vast majority of decent and conscientious police officers," Wilson said.

At least three officers pummeled King, 25, of Altadena, following a car chase initiated by the California Highway Patrol. King, who was unarmed, was struck nearly 60 times with police batons, kicked and shocked with an electric stun gun.

King suffered a broken right eye socket and 11 broken skull bones. Lerman said his hospital expenses were approaching $50,000.

Three white police officers and a sergeant were indicted by a county grand jury on felony assault charges. The District Attorney is gathering evidence against 11 other officers police say were present when the beating took place. The attack also prompted investigations by the Police Department and spurred the U.S. Department of Justice to begin a nationwide investigation of police brutality.

Lerman showed reporters still photos taken from the videotape and said they clearly showed a CHP officer standing near the beating and putting away his nightstick.

"Before this is over, we're going to find out who this Highway Patrol officer is because he's as culpable as the LAPD officers standing there," said Lerman.

Mike Botula, spokesman for the District Attorney, declined comment on Lerman's statements. He said the transcript of grand jury proceedings that led to the indictments last week of the four officers would be released in 10 days.

Lerman, who visited King at an undisclosed hospital earlier in the day, said he asked his client whether he felt the beating was racially motivated. Lerman quoted King as saying, "I'm scared. I don't want to say yes. I don't want to start a riot."

Lerman said he soon would file lawsuits against the city in state court alleging assault with a deadly weapon, false arrest and false imprisonment, and in federal court alleging civil rights violations.

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(Mount Clipping in Space Below)

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FBI — LOS ANGELES

PERSPECTIVE ON POLICE

LAPD Furor Calls for Broad, Special Probe

An independent panel could restore public confidence and recommend ways to make the chief accountable.

By WILLIAM R. ROBERTSON and RONALD A. DiNICOLA

In 1970, a police officer named Frank Serpico came forward with reports of widespread graft and corruption in the New York Police Department. Frustrated by the failure of his superiors to act on his reports over a period of years, he finally took his story to the New York Times. The story stunned the nation as the charges of police corruption and subsequent deparnmental shake-ups became front-page news across the country.

New York Mayor John Lindsay soon announced the formation of an independent commission, a "citizens' group," to be chaired by federal Judge Whitman Knapp, at the time a Wall Street lawyer, and including Cyrus Vance and other prominent New Yorkers. Its task was to review the city's procedures for investigating corruption.

The Knapp Commission had a great and positive psychological impact on the public. Various attempts to deny it funding, to limit its subpoena power or to otherwise frustrate its mandate failed. When city funds eventually ran out, federal funds allowed it to complete its work. It conducted its own investigation that extended to the systemic causes and nature of police corruption and therefore went beyond the scope of grand jury proceedings. Its public hearings were an important and tangible symbol to the community. Over time, the commission came to be viewed on a local and national level as a forum with integrity.

In determining the appropriate response to the crisis facing the Los Angeles Police Department, it is necessary to see beyond the day Chief Daryl Gates holds office. With or without Gates, important questions need to be answered if we are to make meaningful progress in finding a long-term solution to the problem of police brutality. The deep emotional fissures in the community dictate that these questions be presented and resolved in a formal and public manner. The formation of something similar to the Knapp Commission would be one way of dealing with this in a comprehensive fashion.

We strongly recommend that Mayor Tom Bradley form such an investigative body, granting it a mandate that includes investigating specific instances of police harassment and brutality, the institutional causes of any pattern of harassment and brutality that may be found to exist, and the issues of public accountability and tenure of the chief of police. An investigative commission would represent to the nation and the community a bold response by local government to the need for accountability within our police department. America is watching as Los Angeles decides whether and to what extent a democratic society can place so important a state function as chief of police beyond the reach of elected civilian government.

Neither the grand jury process nor the Police Commission is the appropriate forum in which to address these issues. The grand jury's scope is generally restricted to investigations of specific criminal actions and it conducts its business in secret. An investigative commission would not be so restricted, and, more important, it would provide a public forum and a measure of community participation. With all respect to the Police Commission, it has neither the resources nor the time to engage in the type of detailed investigation required. In addition, it might present a conflict of interest to have such an investigation carried out by the very body responsible for helping to manage the department.

The mere formation of an investigative commission would have several positive effects. It would focus attention on identifying and implementing long-term structural change within the department. It would permit the development of a comprehensive factual record regarding allegations of police misconduct and mismanagement. And it would provide insight into the manner in which the City Charter should be changed to ensure that the chief of police is made more accountable to the public.

'The Police Commission . . . has neither the resources nor the time to engage in the type of detailed investigation required.'

The highest law-enforcement priority in a democratic society is protecting the public from civil-rights violations carried out under color of law. Forming an investigative commission is a necessary first step in satisfying this priority. It would be important for Los Angeles, for the country and for civil rights.

William R. Robertson is the executive secretary-treasurer of the Los Angeles County Federation of Labor, AFL-CIO; Ronald A. DiNicola is a lawyer and human-rights advocate.

LALA-LA-119954-D-85

WE'VE NABBED FOUR OFFICERS IN THAT VIDEO BEATING INCIDENT -
THE REST OF YOU ARE FREE TO GO
RACISM
BIGOTRY
L.A. POLICE DEPT.
KAL
DAILY SUN CAR

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Los Angeles Times

Mayor Tom Bradley

Bradley Blasts 'Bigotry' of Police Officers

A statement by Mayor Tom Bradley released Monday night:

"The shocking footage of 15 officers brutally attacking Rodney King still haunts our city. Today, a transcript of conversation that took place before and after that brutal incident shows a callous disregard for the victim and a deeply disturbing racial remark. The transcript sickens and saddens me.

Last week, when I heard in general terms about a communication that night, I knew that information must be released to reveal the state of mind of the officers involved. And now that I've seen a transcript of the conversation, it is clear that the officers demonstrate a casual and cavalier attitude toward this horrific beating. In addition, it appears that bigoted remarks are not only tolerated but applauded.

The people of this city have been slapped in the face by the attitude and bigotry of these officers. These malicious comments raise questions that are just as serious and disturbing as those raised by the Rodney King beating. The public must know how deep these prejudicial sentiments run in the LAPD. The Justice Department, district attorney and Police Commission are already investigating the circumstances of the March 3 beating of Rodney King. The federal authorities are looking at all cases of alleged police brutality in the last six years.

The Rodney King beating and the words of these few officers have set back our police force and our city for years. It is no longer possible for any objective person to regard the King beating as an 'aberration.' We must face the fact that there appears to be a dangerous trend of racially motivated incidents running through at least some segments of our Police Department.

The Police Commission has already begun its look at the type of training that is currently being implemented to foster tolerance and openness to people of all races and backgrounds. The commission is also examining whether the department's command structure permits these tragic incidents to occur. Based upon these words, it will be hard for the people of our city to believe that the department's current training or command structure are adequate.

The city is committed to restoring the public's faith in our department. To prevent these acts from occurring again, the officers involved in the March 3 incident must be accountable. With the grand jury indictment Friday and the continuing district attorney investigation, I know justice will be done."

(Indicate page, name of newspaper, city and state.)

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Police Documents Disclose Beating Was Downplayed

■ **Investigation:** Highway Patrol officers say they were 'shocked' at the level of violence used by police. Reports studied by grand jury add detail to the King incident.

By RICHARD A. SERRANO, TIMES STAFF WRITER

Unaware that they had been videotaped, Los Angeles police officers and supervisors downplayed the level of violence used to arrest Rodney G. King by claiming that he suffered only cuts and bruises "of a minor nature," according to internal police documents reviewed by The Times.

In contrast, three California Highway Patrol officers who watched how the police officers attacked King were so "shocked" at the brutality that they took note of the officers' name tags.

"I didn't see any need to hit him with a baton," CHP Officer Melanie Singer later told investigators.

These conflicting accounts of the March 3 incident in Lake View Terrace are contained in hundreds of pages of confidential police reports, witness interviews and other official materials collected by investigators and studied by the Los Angeles County grand jury, which indicted a sergeant and three officers last week.

The documents lend substantial new detail to the early morning arrest that prompted allegations that the beating fits a pattern of abuse by Los Angeles police officers and has spurred calls for the resignation of Chief Daryl F. Gates.

Central to the case against the officers is an amateur videotape of the beating that has been telecast nationwide. Contrary to what police officers initially reported about King's arrest, the 25-year-old parolee from Altadena was struck up to 56 times. His doctor says he suffered a dozen broken bones.

The Times, which gained access to the grand jury records, found:

•Sgt. Stacey Koon, the lead Police Department supervisor at the scene, reported that although the officers repeatedly struck King, the man's injuries appeared to be light.

In his daily report, filed before his shift ended that day, he wrote: "Several facial cuts due to contact with asphalt. Of a minor nature. A split inner lip. Suspect oblivious to pain."

Koon also stated that the officers "delivered a torrent of power strokes, jabs, etc., to arms, torso and legs. . . . Taser [a police stun gun] going the entire time. Finally wore suspect down."

•In Use of Force reports submitted by Koon and Officers Laurence M. Powell and Timothy Wind, they listed King's injuries as only "contusions and abrasions."

They also marked boxes on the Use of Force reports stating that King "attacked officers," "continued some resistance" and "increased [his] resistance."

In fact, the videotape shows that King is often in a defenseless position as the officers circled and hit him repeatedly.

•Although Koon has been sharply criticized for allowing the beating to get out of hand, CHP Officer Singer told investigators that one Los Angeles police officer grabbed Powell's arm to stop him after the first few blows were struck. She said Koon yelled at Powell: "Stop! Stop! That's enough!" The beating momentarily ceased, but then resumed.

•On the day after the arrest, Sgt. Steven Flores of the Foothill Division was contacted by Paul King, who said he wanted to file a brutality complaint on behalf of his brother, Rodney.

Flores, in a report about his conversation with Paul King, said King told him there might be a videotape of the arrest, and that the tape would back up his contention of police abuse.

Flores told Paul King that if he found the tape, "call us back and release it to the LAPD."

The sergeant then wrote: "According to the reports, physical force was used in arresting [Rodney] King, but the force was justified. No further action is recommended until the results of the use of force investigation are reviewed and evaluated, and unless additional evidence, such as a videotape or witness statement, is obtained."

His report also notes that nowhere in the police reports of field interviews, watch commander's log or sergeant's log is there any mention that King had two friends with him in the car when they were stopped for speeding.

•Higher up the chain of command, a lieutenant also backed the conclusions that only a small amount of force was used to subdue King. Lt. P.J. Conmay, who was Foothill watch commander on March 3, wrote that when Koon's Taser gun failed to faze King, "he was ultimately subdued after several baton strikes."

In reviewing these reports, the grand jury decided to indict Koon, Powell, Wind and Officer Ted Briseno on charges of assault with a deadly weapon and unnecessarily beating a suspect under color of authority. Koon and Powell were also charged with filing a false police report.

Koon faces an additional charge of being an accessory after the fact in what Dist. Atty. Ira Reiner has called a "cover-up." Reiner has not elaborated. The grand jury

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investigation into the conduct of other officers is continuing.

Once King was arrested and Koon was back at the police station, the sergeant reflected on the difficulties officers had in controlling King.

"Always have a backup plan with a use of force," Koon wrote in his daily report. "It doesn't always work the way you're trained. Taser doesn't always immobilize. PR24 [the police baton] doesn't always cripple, etc., if you don't have a frame of reference.

"Officers tend to panic when things don't work the way they're supposed to," he added. "A backup plan prevents panic, and it don't hurt to have lots of backup, especially with PCP users."

Koon was invited by a supervisor to share his thoughts at a future station roll-call meeting.

Dr. Antonio Mancia, an emergency room physician who examined King shortly after the incident, determined that there was "no clinical evidence" that King had taken drugs.

The three CHP officers at the scene came away shocked at the level of violence used on King. Their dismay was heightened when they later viewed the videotape on a television broadcast.

"It reminded me of a monster movie, where the monster gets shot and still is coming at you," said CHP Officer Tim Singer, describing the repeated blows to King.

Another CHP officer, Gabriel Aid, said he arrived after King was already hogtied. Aid said he was asked by one Los Angeles police officer, "Did you get any blood on your hands?"

The Singers, a husband-and-wife team riding in a two-officer car, first noticed King when he and two passengers were driving on Interstate 210 at what Melanie Singer estimated were speeds of up to "100 miles an hour." She said King refused to stop, even after her husband advised him over their car bullhorn: "Pull over to the right. We won't hurt you."

Los Angeles police officers joined the pursuit, which came to an end in the 11700 block of Foothill Boulevard in Lake View Terrace.

Melanie Singer said that when King got out of the car, he first appeared jovial, smiling, laughing and dancing. At one point, he grabbed his buttocks and paraded in front of them, she said. He also appeared "heavily intoxicated" and "seemed very strange." As she approached King, she said Koon told her, "No, no. Get back. We'll handle."

She said Koon twice shot King with the stun gun, and King stumbled to the ground.

"Officer Powell ran up and struck the suspect on the right side of his head with his baton," she told investigators. "The suspect clasped his hands to his face and screamed with pain. He was bleeding. Powell then struck him five to six more times in rapid succession in the head and neck area."

She also described the blows as "causing his face to split."

"Mr. King appeared to be less resistive," she recalled. "I considered him disabled."

At that point, she said, none of the Los Angeles police officers gave King any instructions on what they wanted him to do. "I asked Sgt. Koon if he had called for an ambulance and he said, 'No, not yet,' that he will or 'We're in the progress,' or something to that effect," she said.

At the scene, according to one of the CHP reports, Aid suggested to the Singers that they copy the names off the identification tags of all the police officers there.

The Singers said they then turned their backs to King so they could keep watch on King's passengers.

Later, the CHP officers said they were shocked when they saw the subsequent 50 baton blows that were captured on the videotape. They said they were unaware that the beating was continuing.

"I definitely was not a witness to what I saw on TV," Melanie Singer said. "I was shocked when I saw it on TV because I never saw that [part of the beating] happen at the scene."

The statements also differ on whether King actually threatened the officers.

Two nearby residents, along with Paul Beauregard, a Los Angeles Unified School District police officer, recalled that King acted aggressively toward the police when he got out of the car.

"Mr. King was fighting and kicking while on the ground," Beauregard told investigators.

"Mr. King's fists were clenched and he had his hands at shoulder height," said area resident Dawn Davis. "He was getting ready to fight with an officer."

But others disagreed.

"The subject did not display any aggressive behavior," said Josie Morales, a resident. "In fact, he appeared to be passive."

King's two passengers, Bryant Allen and Freddie Helms said that although they got out of the other side of the car, they could tell from their friend's screams that he was under attack.

Allen said that during the car pursuit, he repeatedly urged King to slow down, to no avail. King, he said, "must have gone into shock, because he continued driving."

Allen said the three of them had not injected drugs, but each of them had consumed 40 ounces of Old English 800 malt liquor.

As Allen lay on the ground, he said he could hear "whacking sounds" coming from the other side of the car. The whacks lasted for three to four minutes, he said. "It sounded as if bones were being broken or someone was receiving a busted skull," he told investigators.

At one point, he said, a Los Angeles police officer jeered at him and asked: "Do you want to be like your homeboy?"

Helms said he was asleep in the car, and woke up when they came to a stop after the chase. After they got out of the vehicle, Helms said he turned to look at King when an officer suddenly struck Helms on the side of his head with what felt like a baton.

"The blow to the head resulted in bleeding, which ran over to the left side of the head," Helms told investigators. The report also said Helms "got blood on the collar of his shirt."

As the police officers were leaving, Helms said, he asked for assistance on how to get home to Altadena because he did not know exactly where he was. "He was told by the officers that they had additional calls and could not help him."

At Pacifica Hospital, the CHP officers assumed they would retain jurisdiction of the case because it began with a chase on the freeway. However, Melanie Singer said Koon had different ideas.

"When we arrived at the hospital, I started my paperwork," she said. "I walked over and was talking to King when Sgt. Koon came over and told me that they were going to handle the arrest because they had injuries."

In a March 5 interview at the hospital, King tried to explain to investigators what had happened. "I know it wasn't a racial thing," he said. "But they didn't have to beat me this bad. I don't know what I did to be beat up."

At that time, King was unaware that just minutes before the beating, one of the officers had made an apparent racial slur about African-Americans.

On Tuesday, King said through his attorney, Steve Lerman, that the police comment about "Gorillas in the Mist" was "clearly a racial slur."

"That's the way they think," King said. ". . . I fear the police. I fear them."

Although the four indicted officers are white, police sources said that at least one of the officers at the scene is black.

Lerman said he plans to file a lawsuit against the city of Los Angeles by the end of the week asking for $56 million in damages—$1 million for each blow King reportedly suffered. He said he also will file a damage claim against the state because at least one CHP officer can be seen in the videotape putting his nightstick back in its holster, or "ring."

"This man is every bit as culpable and guilty as the LAPD officers who stood there," Lerman said. He did not identify the CHP officer.

Lerman said King believes there may have been two sergeants at the scene, that the officers were trying to kill him and that when he was taken to jail, he kept thinking about his predicament: "Who's going to believe you? Who's going to believe you?"

King also did not know that shortly before he was stopped by police, the Foothill officers participated in a special training session on the uses of force.

On Tuesday, the Police Department disclosed that 21 LAPD officers, not 15 as originally reported, were at the scene of the King beating. Department spokesman Lt. Fred Nixon said the 21 include the four who were indicted and possibly two in a helicopter. The officers arrived at different times and Nixon said the department is trying to determine who was there and why.

The new figures mean that at least 27 uniformed officers from various agencies were present: 21 from LAPD, four from the CHP and two from the Los Angeles Unified School District.

In addition to the four officers who were indicted, grand jury reports identify 13 other Los Angeles police officers at the scene. They are: David O. Avila, Tim E. Blake, Susan J. Clemmer, Paul R. Gebhardt, Christopher J. Hajduk, Ingrid Larson, David A. Love, Joseph F. Napolitano, Kenneth A. Phillippe, Danny Shry, Robert J. Simpach, Rolando Solano and Louis M. Turriaga.

Times staff writers Leslie Berger, Charisse Jones, Sheryl Stolberg and Tracy Wood contributed to this story.

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(Mount Clipping in Space Below)

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MAR 27 1991

FBI — LOS ANGELES

Beating Incident Dogs Bradley as He Goes Out Into Community

By RICH CONNELL
TIMES STAFF WRITER

The crisis over the Rodney G. King beating trailed Mayor Tom Bradley on Thursday as he ventured from City Hall for a daylong sweep through schools, businesses and social service centers in the Harbor area.

It was the mayor's most extensive public appearance since the March 3 incident plunged the city, its police force and its chief into the center of a national controversy over police practices.

Normally, such "Area Days" are little-noticed, parochial affairs that offer Bradley a chance to mingle with constituents, confer with local business leaders about their troubles and visit the myriad community programs funded by the city.

But Thursday the Rodney G. King case kept resurfacing.

It dominated one of the mayor's first stops at Banning High School in Wilmington.

Before a racially mixed audience of 300 students in the school's auditorium, Bradley fielded question after question—about the beating incident, about the history of police misconduct in the department and about his own experiences as a black Los Angeles Police Department officer in the 1950s and 1960s.

The students applauded when Bradley reiterated his outrage at the conduct of the officers involved in the King case and the need for changes in the department to "get rid of any strain of racial animosity or abuse of police authority."

Does Bradley think Chief Daryl F. Gates should resign, one student asked.

"Only he has the authority and ability to say, 'I retire,'" the mayor responded. "No requests are going to make any difference until the chief recognizes that he, by staying on, may be damaging the department. That's a judgment he has to make. I hope that judgment will be made by him in a conscientious fashion."

Responding to another question, Bradley said there was racism in the Police Department when he was an officer, including a kind of "unwritten rule that no black was ever going to rise to a position higher than lieutenant." Bradley was the department's first black lieutenant.

Typically, there are no television news crews in sight during the mayor's routine community visits.

But on Thursday they showed up in twos, threes and fours at nearly every one of Bradley's 12 stops. Should Gates go? Can the Police Commission remove Gates? Is the mayor going to name a high-level citizens commission to investigate the Police Department, as The Times reported? What about the governor's remarks in support of the chief?

By midday, the mayor was lagging nearly 45 minutes behind schedule because of all the impromptu news conferences.

While the controversy trailed the mayor, his hosts along the way tried to keep Bradley's attention focused on their problems: the redevelopment of the San Pedro waterfront; funding for a proposed trolley through the San Pedro shopping district; and a plan to bring more tourism to the Harbor area to offset the thousands of shipbuilding and other jobs lost in recent years.

Although the news media pursued Bradley throughout the day, the public sometimes displayed little interest in the controversy.

Longshoreman Juan Diaz, who was snapping pictures of the mayor outside his union hall, said the police controversy is not a big deal in San Pedro. "The police are very well-liked in this area," he said. "We have no complaints."

Jerry Gains, president of a Harbor area homeowners coalition, agreed, noting that the Harbor is miles from Los Angeles and has its own police division. Many see it as their own Police Department, he said. "We're very supportive of the police," he said.

FBI/DOJ

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(Mount Clipping in Space Below)

Pressure by Bradley, Others on Gates Grows

By HECTOR TOBAR
and RICH CONNELL
TIMES STAFF WRITERS

A political storm that has swirled around Police Chief Daryl F. Gates since the videotaped beating of a motorist gained intensity Tuesday after Mayor Tom Bradley's declaration that the case has uncovered "a dangerous trend of racially motivated" misconduct by Los Angeles police officers.

From the state Capitol in Sacramento to Los Angeles City Hall, there were new calls for Gates to resign, more proposals for long-term police reforms and an odd quiet from politicians who long have been the fiery chief's most vocal supporters.

Later, in a televised interview from Hawaii, the mayor seemed to be nudging Gates toward a decision to leave his post.

In an interview broadcast at 10 p.m. by KCAL Channel 9, Bradley said that the beating of Rodney G. King and its aftermath had caused the Police Department to suffer "grievous" injuries to its reputation that would take years to remedy.

The mayor said: "It would help . . . in the healing process if the chief would retire."

It was his strongest statement on what the chief should do since the political maelstrom began after the March 3 incident.

As evidence of the political volatility of the case, White House reporters peppered President Bush's spokesman with questions Tuesday about the King beating.

"I'm sure, like all Americans, [President Bush has] seen the tape, which has been played on television so many times," Marlin Fitzwater said. "And I know that he shares everyone in America's concern by those disturbing pictures.

"But we don't have a position on the police chief of Los Angeles."

In that last regard, Bush appeared to share ambivalence with Los Angeles City Council members who seem downright uncomfortable when asked what should be done about Gates.

"I'm in a very delicate position," said Councilman Richard Alatorre. He said that commenting would jeopardize his wish to remain objective as chairman of a committee that oversees the Police Department.

The debate over Gates was invigorated by an extraordinary statement from Bradley late Monday upon arrival in Hawaii, to promote the city's bid for the 1993 Super Bowl. Pasadena was selected late Tuesday.

The mayor was responding to the release of internal communications between officers—computer logs that indicated officers had joked about King's beating and made racial remarks about blacks.

"The people of this city," Bradley said, "have been slapped in the face by the attitude and bigotry of these officers. . . . It is no longer possible for any objective person to regard the King beating as an 'aberration.' "

He continued: ". . . there appears to be a dangerous trend of racially motivated incidents running through at least some segments of our Police Department."

The statement was unusual for Bradley, who in his 18-year tenure as mayor rarely has spoken out with passion on sensitive, race-related issues.

Other politicians spoke out Tuesday.

Assembly Speaker Willie Brown (D-San Francisco) called on the people of Los Angeles to "recapture their police force from the police . . . and turn it back over to the citizens." He told a Sacramento news conference that the King episode "has not been dealt with as sternly and as firmly as it should have been dealt with. That starts with and ends with the police chief, period."

Gov. Pete Wilson made his first statement on the incident Tuesday. While not calling on Gates to resign, he said: "The savage beating of Rodney King by four LAPD officers is a disgrace to their uniform and its proud traditions."

The Los Angeles County Federation of Labor adopted a resolution asking Gates to resign. Bill Robertson, head of the federation and one of Bradley's closest political allies, said that Gates should "set aside his monumental ego and do a service to the community which he claims to love."

Robertson said he was "disappointed" and "dismayed" that Bradley and the City Council had not yet demanded Gates' resignation.

"I think there is a real groundswell within the community of people who feel precisely the same way," Robertson said, "and we trust Chief Gates will hear this message and tender his resignation, for the good of this city."

One longtime acquaintance of Bradley speculated that the mayor will call for Gates to resign if and when he believes "there is no way to put the community back together again and no way for the department to function."

Bradley's unusually strong condemnation

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of the racial remarks made by officers probably reflects deep felt anger based on the mayor's own experiences, said this source, who asked not to be named.

While Bradley lobbied football officials, Councilwoman Joy Picus introduced a proposed Charter amendment that would eliminate civil service protection for the police chief and other department heads. In some ways, her measure goes further than a similar proposal offered by the mayor last week.

Picus was one of the few council members willing to operate in public view on the sensitive King affair.

Privately, some council members said they feel limited in the action they can take. Some said they believe Gates should resign—but declined to say so in public.

"Gates should go, but it's a question of how it's done," said one council member, who spoke only on the promise of anonymity. "The more the issue becomes polarized, the tougher it's going to be to convince him. Here's a guy who's been on the force 42 years. He wants to fight back to save his career."

GOP political consultant Arnold Steinberg, who recently observed that Gates would make a strong mayoral candidate, was less optimistic Tuesday.

"The chief doesn't want to leave under fire," he said. "But [there is] no question his days are numbered."

Steinberg remarked on the silence of Gates' traditional allies on the City Council. To survive this crisis, he said, Gates would need his council supporters to step forward and defend his management of the department.

Among those he singled out was Councilwoman Joan Milke Flores, a Republican who represents the Harbor District. Flores was ill Tuesday and unavailable for comment, her staff said. Spokeswoman Niki Tennant said Flores thus far has chosen not to take a position.

"I think she's waiting to see the whole thing played out," Tennant said. "She's waiting to see the evidence as presented in the [police] commission. . . . She's not taking a position on [Gates]."

A spokeswoman for Council President John Ferraro, often one of Gates' strongest supporters, said the councilman has not publicly criticized or defended the chief. He "hasn't said anything," the spokeswoman emphasized.

Greg Nelson, a spokesman for Councilman Joel Wachs, said he and Wachs on Tuesday were still attempting to formulate a position on the King controversy.

Shortly after the King beating, Wachs supported a motion to have Gates address the council and speak about the incident. The motion failed. Nelson said Wachs thinks Gates "has a proud record of being a strong disciplinarian" and that it might be helpful to go over that record.

"The biggest problem is we know very few facts," Nelson said. "And a lot of it has to do with magnitude of the issue. I don't think anyone wants to act irresponsibly and shoot off their mouth."

Several council members are mounting reelection campaigns, and their positions on the King beating and Gates' tenure as chief could well arise as issues in the April elections.

Two incumbents up for reelection, Councilman Nate Holden and Councilwoman Ruth Galanter, have endured catcalls at recent public appearances from critics who think the candidates should be tougher on Gates.

Kerman Maddox, a public relations consultant running for the seat being vacated by Councilman Robert Farrell, said: "Anybody running for office, whether you're an incumbent or a challenger, silence [on this issue] can only hurt you."

Times staff writers James Gerstenzang in Washington, Richard C. Paddock in Sacramento and Leslie Berger in Los Angeles contributed to this story.

D-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Passenger in King's car sues

By Jeff Mitchell
Staff Writer

LOS ANGELES — A passenger in the car driven by police beating victim Rodney G. King filed a lawsuit in federal court Thursday, alleging that Los Angeles police officers violated his civil rights, physically harmed him and left him psychologically traumatized.

Bryant Allen, a 25-year-old Altadena resident, was riding with another Altadena man, Freddie Helms, in King's Hyundai on March 3 when the car was stopped and King was brutally beaten by Los Angeles Police Department officers in Lake View Terrace.

The lawsuit, filed by Pasadena attorney John C. Burton, seeks unspecified monetary damages and names the city of Los Angeles, Mayor Tom Bradley, Police Chief Daryl Gates, 18 LAPD officers, two California Highway Patrol officers and a Los Angeles Unified School District officer as defendants.

"My client was proned out, handcuffed, stomped and kicked, and made to squirm like a worm in the dirt," Burton said during a news conference Thursday. "He was slammed on the hood of a police vehicle and asked, 'Do you want to wind up like your homeboy (King)?' "

Police spokesmen could not be reached for comment in calls made to the department's media relations office after hours.

Among the defendants in Allen's suit are Sgt. Stacey Koon and officers Laurence Powell, Timothy Wind and Ted Briseno, the four men indicted by a county grand jury last week for allegedly assaulting King and filing false police reports.

While Burton admitted that Allen's case does not compare in severity to the beating of King, whose attorney is preparing a $56 million lawsuit, he said the case is vitally important to help preserve the civil rights of minorities in the Southland and to protect them against police brutality.

Burton said that Allen asked him to file the lawsuit because he believed the actions of officers at the scene were forged out of overt racism.

"This is a civil rights case," Burton said. "It is aimed at assembling the evidence of the racist activities of the LAPD and in particular the Foothill Division."

Since the March 3 incident, Burton said, Allen has been slow to heal from both the physical and psychological trauma.

"He's been severely traumatized. He does not trust police officers and he is afraid of them," Burton said, adding that of the many police brutality cases which he has worked on, the King case was "particularly brutal."

In an interview in Thursday's New York Times, Allen said, "They slapped me twice against the car," threatened that he might be beaten like his friend, frisked him and covered his face so that he could not see what was happening.

By that time, Allen said, King had stopped screaming. "I just closed my eyes," Allen said. "Whatever was happening to him, I didn't want to see."

Among the major points in the lawsuit, Allen claims that:

- "Overt and tacit anti-black racism" exists within the LAPD and specifically within the Foothill Division.
- His civil rights were denied by the officers at the scene.
- He was subjected to excessive force, false arrest and had his life threatened by the officers.
- The officers conspired in an effort to cover up the facts behind the incident.

During the news conference, which Allen did not attend, Burton claimed that Bradley and Gates were just as responsible for what happened that night as if they were there with nightsticks in hand.

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Witnesses: King jeered at hospital

By Dawn Webber
THE LOS ANGELES DAILY NEWS

Police officers who arrested Rodney King on March 3 later taunted him at the hospital, boasting that they "played a little hardball" and "hit quite a few home runs" while beating him with their batons, witnesses told the grand jury.

Other witnesses said King was slow in responding to commands and struggled briefly with police, but laid down passively and absorbed the blows after officers began beating him, according to a transcript of the grand jury hearing reviewed by the *Los Angeles Daily News*.

Witness testimony contained in the transcript provides new details of King's actions on the night of his arrest, the extensive use of force by officers in response, and their attempts later to downplay the incident.

As a result of that testimony, four officers from the Los Angeles Police Department were indicted last week in connection with the beating of King — which was captured on videotape by an amateur photographer.

Melanie Singer, a Highway Patrol officer on patrol with her husband, Officer T.J. Singer, told the grand jury that several Los Angeles Police Department cars joined in the chase — which ended when King pulled over on Foothill Boulevard in suburban Lake View Terrace.

"(King) appeared almost happy and he was smiling" as he got out of his car, held his hands about chest level as he had been told and then put them on the roof of his car, she said.

Five or six Los Angeles police officers, who had drawn their guns, told him to lie down but he did not do it immediately, Singer said.

"He was just laughing," she said.

After three or four commands, King got down on his knees. Singer said that she went to take King into custody when Sgt. Stacey Koon — who was the ranking Los Angeles Police Department officer at the scene — told her, "Stand back. We'll handle this."

She said that she complied because Koon "is a sergeant — he's the on-scene supervisor," even though he is from a different department.

At the time, King was on the ground as if he intended to do a push-up when Powell stepped forward and grabbed King's left wrist and another officer grabbed his right wrist, as if to put handcuffs on him, Singer said. She said King jerked his arms away and stood up.

"They were all trying to grab control of

him," she said, adding that five or six officers surrounded King, who swung his arms wildly and pushed them away.

According to Singer, Koon told King: "If you don't stop resisting, I'm going to shoot the ... Taser."

She said that Koon then told other officers to "back away" and fired an electric dart into King's back.

After the beating and arrest, King was taken to Pacifica Hospital in nearby Sun Valley for treatment. Two nurses said that unidentified Los Angeles Police Department officers taunted King while he was being treated.

Nurse Carol Diane Edwards testified that two officers brought King in wearing handcuffs and leather restraints on both ankles and his right wrist.

She said King asked whether he would be released during the day because he had a baseball game to attend. He said that he worked as an usher at Dodger Stadium.

Edwards then related a conversation between King and the officers:

"You are not going to be out of here for a long time," one officer said.

"We played a little baseball tonight, didn't we?" he asked King.

"What do you mean?" King replied.

"We played a little hardball tonight and you lost," the officer said.

Edwards testified that she was asked by police whether she smelled alcohol on King's breath, and she replied that she did not. She testified that King was not a problem while in her care.

Lawrence Davis, another nurse at Pacifica hospital, gave a slightly different version of the conversation between King and the officers and added that he also heard officers make racial slurs during a conversation among themselves.

"I just heard a couple words — it was something like, 'This n—— ... ' something or other."

Davis testified that the officers told him King was dangerous — a former felon out on parole for armed robbery — and possibly under the influence of PCP when they brought him in.

Davis said that he detected no visible signs that King had used alcohol or drugs. He said that King spoke clearly and cooperated.

Dr. David D. Giannetto, who treated King, told the grand jury that King appeared mildly intoxicated.

"Basically he just said that they, you know, 'Beat the hell out of me,' actually, 'Beat the s— out of me,' is what he told me," Giannetto said.

Other witnesses called before the grand jury included Los Angeles Police Department officials who identified officers at the scene of King's arrest.

Sgt. Robert L. Ontiveros of the the department's Foothill Division identified Powell and Wind as the officers who were shown hitting King in the videotape. He identified Briseno as the officer who initially stopped Powell from hitting King but later kicked King himself.

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MAR 27 1991

FBI — LOS ANGELES

BILL BOYARSKY

The Hidden Strength of Chief Gates

Anyone watching the Los Angeles City Council and the police commission meetings Wednesday would have bet Chief Daryl F. Gates was on his way out—and quickly.

Shouts of "Gates must go! Gates must go!" rocked the first-floor auditorium of Parker Center—the police headquarters—as the commission conducted a hearing on the Rodney G. King beating. The commission and Gates sat and listened, the chief expressionless except for an occasional, scornful smile.

This was government by screaming, a day of mobs and media, just like in Tom Wolfe's novel "Bonfire of the Vanities." Television camera crews lined up inside and outside the auditorium. As the tumultuous public hearing drew to a close, Channel 7's reporter went on the air live, ordering his cameraman to give him a close-up of the beleaguered Gates.

A short time later, the noise level was only a couple of decibels lower at the City Council. "It's not only that Gates must go, but Gates will go!" shouted one speaker. That prediction was made with great certainty.

But know this: Behind the shouting and the televised images, the chief's position is stronger than it seems.

□

First of all, the chief's job, as has been widely discussed, is protected by the Civil Service system. Gates reports to the Police Commission, which is appointed by Mayor Tom Bradley. But the commission can't fire him. It can only recommend firing to the Civil Service Commission, also named by the mayor.

That recommendation is not binding on the civil service commissioners, a small handful of appointees who so far have not been asked to play in this civic drama. This commission must hold lengthy hearings structured to protect the employee, a process shaped by years of court decisions upholding the sanctity of the Civil Service system. Advantage always is to the accused.

When Gates appeared before the City Council on Wednesday, it was clear that in addition to this systemic protection he enjoys some significant political support.

It was not so much what council members said, but what they did—little, telling gestures. Joel Wachs never stated how he felt about Gates' tenure, but he sure acted like a friend. Wachs asked Gates the easiest of all questions: What will you do to rebuild confidence in the LAPD? That gave the chief the floor for a long soliloquy in defense of his regime.

Add Ernani Bernardi to the pro-Gates ranks. He wondered aloud why the California Highway Patrol and Los Angeles school district police, whose officers witnessed the King beating, have escaped criticism.

The two black members of the City Council, Nate Holden and Bob Farrell, also were reserved, which might surprise those who have seized on the fact that the beating victim was a black man and the beaters were white. Holden told me that he is reserving his opinion until he sees whether Gates has generated a pattern of discriminatory behavior.

Afterward, Councilwoman Joan Milke Flores said she thought it all showed Gates' strength on the council. Council President John Ferraro agreed. "None of them have said he should resign," said Ferraro. "By not saying anything, the council is saying he should stay."

Why the support? Constituents are one reason. Joy Picus, who represents a largely white, fairly affluent portion of the San Fernando Valley, told me most of the constituent calls to her office favored Gates. Council members also are grateful for additional cops provided for trouble spots in their council districts. Any time there's trouble in Zev Yaroslavsky's Westwood Village, the streets are lined with blue. Wachs and Valley cops worked closely together to try to clean up streets of drug dealers in Sepulveda. As Chief Gates reminded the council, all of their districts received such help.

"This," he said, "is a Police Department that has supported you."

□

Council support isn't a matter of votes. The Civil Service system has taken the question of Gates' job tenure out of the hands of the council and the mayor. That's what it's supposed to do. Fifty-four years ago, reformers changed the City Charter to do just that because they didn't want a police chief made captive to politics.

Rather, council backing, even if it is expressed through silence, serves as a counterweight to the political pressure being exerted by Mayor Bradley and his aides, who are trying to force the chief out. With Bradley mainly acting as cheerleader, his aides and key supporters are trying to so heat the atmosphere that Gates simply will give up.

This is psychological warfare, and Gates appears to have taken up the challenge.

"No one is going to force me out of this office," he said Thursday on the "Today Show." Knowing he has friends on the City Council will strengthen that resolve. This fight isn't over.

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Gates says he'll retire, but not now

By John Polich
THE LOS ANGELES DAILY NEWS

Without setting a definite date, Los Angeles Police Chief Daryl F. Gates says he will retire once he restores public confidence the Police Department lost because of the beating of motorist Rodney King.

Gates decision — announced Thursday night in a speech to public relations executives in Sherman Oaks — comes as he faces mounting pressure from civil rights and black community groups and national outrage concerning the videotaped beating of King on March 3.

"Once the prestige of this department is returned, once we are satisfied that we have whatever answers we might be able to find, once I'm assured that we have reduced this to the point that it's humanly possible to reduce the possibility of this ever happening again, once we achieve that — and I think that can be done in a very short period of time — then I will be satisfied an I'll go ahead and go retire," Gates said.

Gates insisted that he will resist demands for his immediate resignation but said he will retire once the department implements reforms to ensure that the King incident will not happen again.

Later, when questioned by reporters in the lobby of the Valley Hilton Hotel on Thursday, Gates refused to be more specific.

Gates: I'll be 'out of here'

Questioned about the possibility that he could face a recall vote, the chief said, "My understanding is that it would not be on the ballot until 1992. I'm going to be out of here by then."

Gates' statements marked the first time he has backed away from his pledge to remain in charge of the department despite widespread calls for his ouster.

Bradley suggested this week that the chief's resignation could begin a "healing process" between the Police Department and the community but he stopped short of demanding it.

When he began his speech, Gates quipped that the controversy has made him consider seeking help from a professional public relations organization. He also joked about a seminar on violent crimes he attended shortly before the King beating.

"I'm an expert, as you know, on violence," he said sarcastically.

During his speech, Gates said he regrets having said during the initial days of the crisis that he would not pass quick judgment on the officers involved in the beating. He said if he had to do it over again, he would decline comment on the beating until after the police investigation was completed.

"Clearly if I had come out that very day ... and declared that this was a terrible thing, a crime, then I would have judged those officers and anything I would have done from that point forward ... would have been questioned in court," he said.

'Awful nature'

Gates defended calling the incident an "aberration" by saying, "The intensity of this, the awful nature of it ... it was just that — an aberration, in my judgment."

He said he believes that the LAPD's 8,300 officers unanimously support him, and he also believes he has the overwhelming support of the public. The chief cited a poll conducted by Los Angeles CBS radio station KNX Thursday morning in which 78 percent of those calling the station said he should not resign.

"People are choosing up sides and my side is winning," he said.

Asked if any good had come from the King beating, Gates said the incident had re-emphasized to officers in the LAPD and elsewhere that they should only use force when it is reasonable and necessary to do so.

"If that isn't ingrained in every brain of 8,300 officers by now, it never will be," he said.

(Indicate page, name of newspaper, city and state.)

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Bush: LAPD beating tape 'made me sick'

Wilson calls Gates 'scapegoat'

By Howard S. Gantman and Benjamin Shore
COPLEY NEWS SERVICE

Even as a drive was launched Thursday to recall Los Angeles police Chief Daryl Gates, Gov. Pete Wilson charged that Gates was being made a "scapegoat" and President Bush urged a fair hearing for the chief despite the "sickening" acts of some of his officers.

As the controversy over the police beating of Rodney King took on an increasingly partisan shape, a citizens group announced a "blue-ribbon" campaign to show support for the embattled chief.

But in his strongest words to date on the issue, Mayor Tom Bradley said Gates "may be damaging the department" by hanging on and suggested that if the chief listened to the voice of the people he would step down.

Wilson, however, told reporters during an appearance in Los Angeles: "I don't think the chief should resign nor should people ask for his resignation until a case can be made that there has been dereliction on his part."

Speaking out for the first time on the March 3 videotaped police bludgeoning of Rodney King, Bush told reporters at the White House: "What I saw made me sick. It was sickening to see the beating that was rendered, and there's no way to explain that away. It was outrageous."

Bush, at the start of a meeting with Attorney General Dick Thornburgh and FBI Director William Sessions, said Gates "has been an exemplary police chief" and suggested any effort to remove him should be "a matter for Los Angeles" to decide.

The president said the chief was "entitled to his say" on the issue and should get "a credible hearing."

Nevertheless, Bush vowed that a federal probe of police abuse in Los Angeles and other areas of the country would proceed at full speed.

"Law enforcement officials cannot place themselves above the law that they are sworn to defend," he said. "This administration will investigate possible breaches of federal law aggressively and prosecute violators to the full extent of the law."

Gates' future has become a focal point in the controversy over the beating of the black motorist by at least three white police officers as another 22 law enforcement officials looked on.

(Indicate page, name of newspaper, city and state.)

Date: THE OUTLOOK
Edition: FRI., MAR 22, 1991
Front Section, Page 1

Title: BUSH: LAPD BEATING TAPE "MADE ME SICK"

Character: or
Classification: CIVIL RIGHTS 80-33B
Submitting Office: LOS ANGELES

Indexing:
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MAR 27 1991
FBI — LOS ANGELES

The three primary officers and the sergeant supervising them face a Los Angeles Superior Court appearance today to enter pleas on a grand jury indictment that includes charges of assault and entering false police reports.

The investigation is continuing as prosecutors seek to determine whether charges will be filed against the other officers who were at the scene but failed to stop the beating.

King blood analysis

Meanwhile, police announced that an analysis of blood and urine samples taken from King five hours after his arrest found he had alcohol and traces of marijuana in his system.

Lt. Fred Nixon said the blood-alcohol content was .079 percent, just under the .08 percent legal limit for drivers.

The tests also indicated 50 nanograms of cannabinoids, allegedly indicating a small amount of marijuana intake.

Nixon said the information was being released in response to media requests. He downplayed speculation that officials were trying to discredit King.

King's lawyer, Steven Lerman, had previously maintained that his client was a devout Jehovah's Witness who did not drink or take drugs. Lerman failed to return repeated phone

FBI/DOJ

calls Thursday for comment.

A lawyer for Bryant Allen, one of the two passengers in King's car, filed a federal civil rights lawsuit Thursday seeking unspecified damages against the police officers, Gates and Bradley, alleging that Bryant was "sadistically threatened" with great bodily harm.

Attorney John Burton said Allen was "proned out, handcuffed, stomped on the back, kicked in the side, slammed on the hood of a police vehicle (and) asked, 'Do you want to wind up like your homeboy?' "

The King beating and other recent incidents with racial overtones like the Wilkes case have resulted in a polarization over the LAPD.

One of three residents believes Gates should resign immediately over the videotaped police beating of a black motorist, according to a *Los Angeles Times* poll published today.

Thirty-one percent of the respondents to the Los Angeles Times poll said Gates should step down at once, and another 31 percent said the chief should resign if an investigation cites his officers with wrongdoing.

Bradley said Los Angeles residents overwhelmingly say Gates should go.

"Yes, clearly the people in general strongly say to me and to others by letter, phone call and in person, they want the chief to retire," Bradley said at an appearance at Banning High School in Wilmington.

At his news conference, Wilson called the beating a "terrible miscarriage of justice and disgrace to the uniform of the department," but he suggested Gates should not be forced out by a "lynch mob."

The governor said police squad car computer messages, which included racial slurs about an incident involving a black family shortly before the beating, were intolerable, but Gates should not be held personally responsible.

"I think there are people who are seeking to make him a scapegoat," Wilson said.

Recall effort under way

A coalition of civil rights groups led by City Council candidate Kerman Maddox formally began a recall effort against Gates by publishing a "notice of intent" and serving a representative of the chief with a copy Thursday morning.

Maddox is seeking to use an unexplored section of the City Charter to recall Gates and a spokesman for the City Attorney's Office said the issue is still under review.

If the city's lawyers approve the plan, the group must get 57,000 signatures to place the recall on the next ballot.

A short time after the recall proponents left Parker Center police headquarters, a group of citizens largely from the San Fernando Valley announced the "blue-ribbon" campaign to show support for Gates.

Peggy Rowe Estrada, ex-wife of actor Eric Estrada, told a news conference "the silent majority" supporting Gates must make their feelings known.

The newly formed organization, Citizens in Support of the Chief of Police, has scheduled a rally for Sunday.

LOS ANGELES DAILY NEWS

Sunday, March 24, 1991

FBI to probe Foothill officers on possible civil rights abuse

By Peter Larsen
and Jaxon Van Derbeken
Daily News Staff Writers

The FBI will question nearly 200 police officers at the LAPD's Foothill Division to determine whether there has been a pattern of civil rights abuse by officers stationed there, according to department and police union officials.

The officers have been ordered by Police Chief Daryl F. Gates to cooperate with the investigation, which grew out of the videotaped beating of Rodney Glen King by a group of Foothill Division officers on March 3.

Officers have been told they could be fired for refusing to

See FBI / Pg. 13

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MAR 25 1991
FBI — LOS ANGELES

Officers focus of civil rights probe

FBI / From Page 1

answer the FBI's questions, officials with the Los Angeles Police Protective League said Saturday.

The league has advised officers that they have a right to an attorney, and told them that before answering questions they should tell the FBI they are cooperating "under duress" in violation of their constitutional rights.

"The sole purpose of these interviews is to prosecute police officers," the union said in a statement to its members.

"There are obscure, little-known federal laws pertaining to civil rights violations from the late 1800s that you may have unknowingly violated," the statement said, adding: "Be careful, and take detailed notes of everything."

Four Foothill Division officers have been indicted in connection with the beating of King in Lake View Terrace.

FBI officials — who earlier this month opened a civil rights investigation into the King incident — declined comment last week and did not return phone calls Saturday.

But LAPD spokesman Lt. Fred Nixon confirmed that the FBI has expanded its investigation and asked for names, addresses and phone numbers of every officer who works at Foothill Division.

At the FBI's request, Gates ordered Friday that home addresses and telephone numbers of all Foothill Division officers be turned over to federal agents. The department notified the union of the order Friday afternoon.

George Aliano, president of the Police Protective League, said the FBI appears to be examining whether the King beating was part of a broad pattern of civil rights abuse by Foothill Division officers.

"From the very beginning, people have said there was a pattern," Aliano said. "So now they're going to check it all out.

"I think (the FBI) is going to be concerned with questions such as, 'What do you know that goes on at Foothill, what do you know about the people involved.'

In a taped message on its hot line, the union urged officers to cooperate with the FBI — but to proceed with caution and note at the outset that they are answering questions against their will.

The message advises officers that before being questioned, they should read the following statement:

"I have been ordered to give you statements against my will, in violation of the First, Fourth, Fifth and 14th amendments. I have been told that if I invoke my Fifth Amendment right I will be in jeopardy of having my employment with the city of Los Angeles terminated. Under the duress of discipline, I am cooperating with you."

The First Amendment protects the right of free speech, the Fourth guarantees protection against unreasonable search, the Fifth protects people from being compelled to incriminate themselves, and the 14th guarantees due process.

"You do not have to be interviewed at your home," the union message states. "If FBI agents come to your residence, you may tell them to contact you at your division of assignment for an interview."

Officers should call the Police Protective League "and we will provide an attorney for you," the union message states.

"Remember, it is a crime to give false statements to a federal officer," it states. "Tell the truth. If you don't know the answer to a question, do not answer. Do not give opinions and do not hypothesize. Only state known facts. Be careful and make detailed notes of everything. The FBI will not permit you to tape record."

LA-LA-119954-D-95

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

DAILY NEWS
Date: SUN MAR 24, 1991
Edition: FRONT SECTION, PAGE 13

Title: CASES HAVE COST L.A. $2.5 MILLION

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MAR 27 1991

FBI — LOS ANGELES

Cases have cost L.A. $2.5 million

By Beth Barrett
and David Parrish
Daily News Staff Writers

Over the past six years the city has paid more than $2.5 million to survivors and relatives of people involved in LAPD shootings, according to city records.

Some of those cases involved officers whose actions were judged to be within LAPD's shooting policy.

LAPD policy requires that deadly force be used only to protect an officer or others from immediate danger. Firing at, or from, moving vehicles is generally prohibited in the policy.

"Deadly force shall only be exercised when all reasonable alternatives have been exhausted or appear impracticable," states LAPD's use-of-force policy.

In the costliest case, in terms of dollars, LAPD Chief Daryl F. Gates concluded in his use-of-force report that Officers Brent L. Jones and Jon G. Pearce acted within policy when they shot Murphy Pierson, 71, in May 1986 while he was standing on his porch. At the time, Pierson was holding a shotgun that he reportedly had used to scare away nearby drug dealers, according to LAPD records.

Before shooting, officers with LAPD's Wilshire Division ordered Pierson to drop the shotgun — unaware that Pierson had a hearing impairment, city records showed.

When Pierson failed to obey the order, the officers fired 11 rounds hitting the elderly man four times, police records show. Although severely wounded, Pierson survived the shooting. His injuries now require constant medical care, according to city records.

The city has settled Pierson's wrongful shooting case for $1.8 million, according to city records.

After reviewing the shooting, Gates required the two officers to attend an eight-hour Tactical Firearms Training Course.

"I would have preferred that the officers used proper fire control and target evaluation," Gates wrote.

Jones and Pearce still are LAPD officers, according to records.

The District Attorney's Office ruled against prosecution, according to records.

FBI/DOJ

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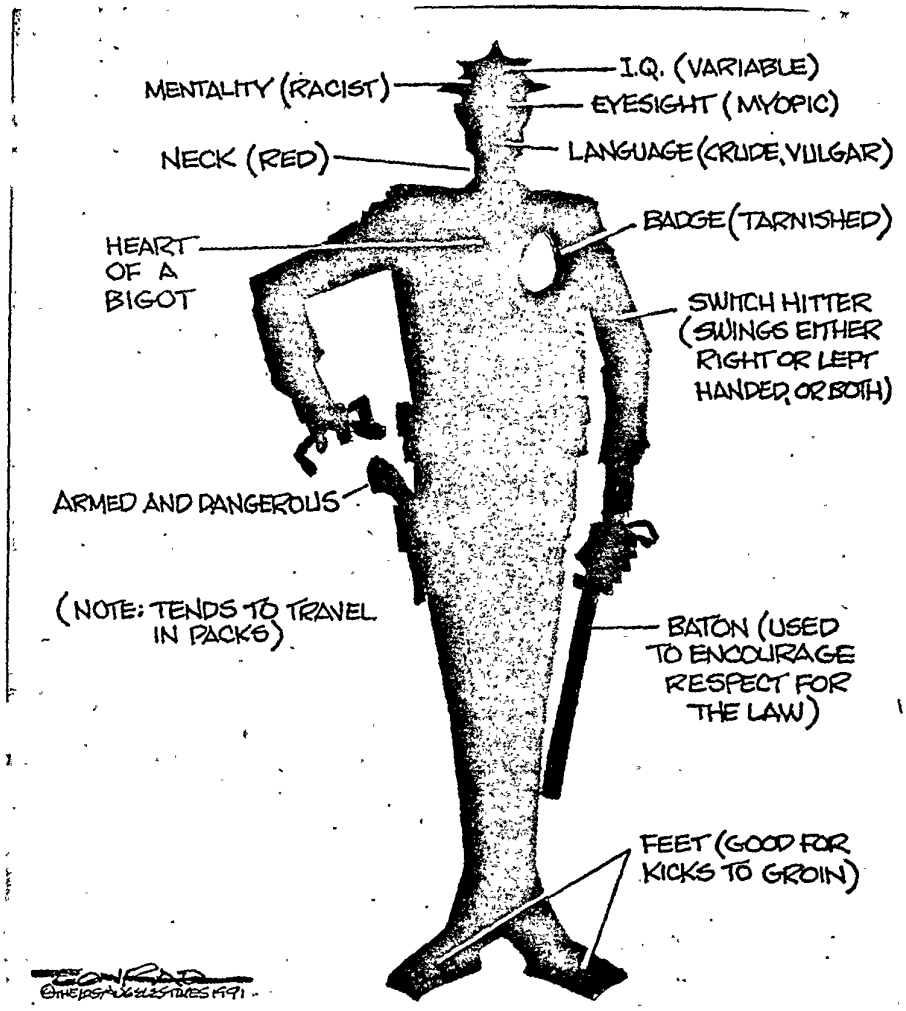

LAPD profile of a terrorist

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES

Date: SUN, MAR 24, 1991
Edition: OPINION SECTION, PAGE 5

Title: CARTOON - LAPD PROFILE OF A TERRORIST

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MAR 27 1991
FBI — LOS ANGELES

FBI/DOJ

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FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Ex-Gates deputy, Dallas chief calls beating 'criminal'

Associated Press

DALLAS — Police Chief William Rathburn, who became the top Dallas police officer in February after serving as a deputy chief in Los Angeles, has written an open letter condemning the March 3 beating of a black motorist by Los Angeles police.

In the letter, printed in Friday's editions of the Dallas Police News, Rathburn called the officers' actions an example of "gross criminal misconduct" and said that "physical abuse of any kind cannot and will not be tolerated" in Dallas.

Rathburn also condemned "less overt acts of abuse," noting that "any type of verbal abuse, racial slurs included, cannot and will not be tolerated."

The chief concluded: "Please know that this organization's commitment to basic decency starts at the top, in my office. I pledge to lead by example — to treat everyone with dignity and respect and to be fair and impartial in all my actions. I simply ask that you do the same."

(Indicate page, name of newspaper, city and state.)

Date: DAILY NEWS
Edition: MON., MAR 25, 1991
FRONT SECTION, PAGE 12

Title: EX-GATES DEPUTY, DALLAS CHIEF CALLS BEATING "CRIMINAL"

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MAR 27 1991

FBI — LOS ANGELES

FBI/DOJ

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FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Black Forum Ends Meetings With Gates

By ANDREA FORD
TIMES STAFF WRITER

When a Latino police officer killed a black motorcyclist in Miami in 1988, the city's African-American neighborhoods exploded in anger and riots.

To prevent a similar tragedy here, Los Angeles Police Chief Daryl F. Gates contacted leaders of several local civil rights groups the next year in the hopes of beginning meetings aimed at helping defuse potentially explosive situations and giving blacks greater access to the Police Department.

The group, called the Black Community Forum, grew to include 25 representatives of black organizations, businesses and churches and began meeting with Gates bimonthly.

But the partnership has fallen victim to the controversy surrounding the beating by police of Rodney G. King.

When the forum was to hold a regularly scheduled meeting with Gates last Wednesday, the group instead met without the chief and decided that he would not be asked to attend future gatherings. At an earlier emergency meeting of the forum, the members told Gates that he was no longer fit to lead the Police Department.

Joe Duff, president of the Los Angeles branch of the National Assn. for the Advancement of Colored People, said that during that emergency meeting he was told by Gates, "I'm disappointed in you, Joe Duff."

"The disappointment is mutual," Duff said he replied.

Forum members said they do not intend to disband. They said they will meet with other high-ranking members of the Police Department, Police Commission and City Council as necessary.

"If we want to speak with someone in the LAPD, they will be there at our invitation. There will not be a standing invitation," said Mark Ridley-Thomas, executive director of the local chapter of the Southern Christian Leadership Conference and a candidate in the 8th District City Council race.

Bill Shearer, vice president and general manager of radio station KGFJ and a forum member, said the group would like to see Jesse Brewer, a former assistant chief who retired this month, replace Gates until a new chief could be found.

Despite repercussions from the King beating, Gates has said he will not resign. He has not commented publicly about the break with the Black Community Forum.

According to Ridley-Thomas, what Gates did and said in the wake of the beating convinced the group that "we hadn't gotten through to the guy in the two years we had been talking to him about the gravity of the problems facing the African-American community."

Most galling, he said, was the chief's insistence that the King incident was an "aberration."

"For two years we have been telling him about case after case of police harassment," Ridley-Thomas said. "We have criticized him for the outrageous statements he makes, making it clear that they were not appropriate for someone in a position of leadership."

Gates was sometimes defensive in the face of such criticism, Ridley-Thomas said, but that for the most part Gates seemed sincere about ironing out difficulties.

"I must say that 80% or 90% of the time he was a very careful listener and gave us the impression that he was earnest," Ridley-Thomas said.

(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
Edition: MON, MAR 25, 1991
METRO SECTION, PAGE 1

Title: BLACK FORUM ENDS MEETING WITH GATES

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FBI — LOS ANGELES

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Date: DAILY NEWS
Edition: MON., MAR 25, 1991
FRONT SECTION, PAGE 12

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MAR 2 1991

FBI — LOS ANGELES

Federal probe to last week

Gates criticizes FBI decision to question officers at their homes

By Jim Tranquada
Daily News Staff Writer

FBI agents hope that questioning of all 240 officers in LAPD's Foothill Division about possible civil rights abuses will take less than a week, Police Chief Daryl Gates said Sunday.

Saying he didn't know why FBI agents want to talk to every officer in the division, Gates criticized federal officials' insistence that the officers be interviewed in their homes, rather than on the job.

"I think there's a bureaucrat somewhere that made that decision and I think it's bad decision," Gates said. "I object to it because I don't see any reason to subject the officers' families to all of this."

The FBI's civil rights investigation was started after a Lake View Terrace resident trying out a new video camera recorded the beating of motorist Rodney Glen King by Foothill officers on March 3.

FBI agents declined comment on the specifics of the investigation Sunday.

Speaking to reporters after a pro-police rally Sunday, Gates said he objected to the FBI's request last Friday for all Foothill officers' home addresses — but complied when the Justice Department threatened to subpoena them.

"(FBI Agent-in-Charge) Larry Lawler has been extremely cooperative and is trying to make it as easy on the officers as possible," he said.

Gates said he was "not quite certain why" all Foothill officers will be questioned. Four officers have been indicted in connection with the King beating.

The Los Angeles Police Protective League has advised officers they have a right to an attorney and provided them with a statement to read before answering questions saying they are cooperating "under duress" in violation of their constitutional rights.

All Foothill officers have been ordered by Gates to cooperate with the investigation and have been told they could lose their jobs if they do not, league officials said.

Gates denied issuing such an order, saying officers are required by existing policy to cooperate with other law enforcement agencies. However, he said he had no objection to the league's offer of legal counsel to union members.

"The league has a responsibility to protect its officers," he said. "You should not read something into that, that we are resisting or the league is resisting. They are not. They are simply being advised of what their individual rights are.

FBI/DOJ

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Date: DAILY NEWS
Edition: MON., MAR 25, 1991
FRONT SECTION, PAGE 1

Title: 2,000 RALLY FOR GATES

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MAR 27 1991

FBI — LOS ANGELES

2,000 rally for Gates

Airing of King video prejudicial, chief says

By Jim Tranquada
Daily News Staff Writer

At his largest support rally yet, Los Angeles Police Chief Daryl F. Gates told more than 2,000 cheering, chanting supporters Sunday that the videotape of the Rodney Glen King beating has been shown enough.

Gates said television news shows should stop playing the tape every time they mention the March 3 incident, because it might prejudice the trials of officers indicted in the beating.

"That tape will be forever etched in my mind, and it should be," Gates said. "But we have seen that tape over and over and over and over. No one is more upset with the officers involved than I am, but you know, they deserve a fair hearing and they cannot have a fair trial if that continues to be played over and over again."

The crowd picked up Gates' words, chanting "over and over" in unison.

As he has said several times in recent days, Gates told the crowd that gathered at the Police Academy in Elysian Park that he intends to remain as chief until the department's prestige is restored.

"Maybe we ought to deal with this issue at the outset — Folks, I am going to stay," Gates said.

The rally was organized in response to the furor over an amateur videotape that shows King being beaten by officers in Lake View Terrace.

Speakers at the rally included two former police commissioners, television personalities and City Councilman Hal Bernson, who is running for re-election in his northern San Fernando Valley district.

"The newspapers have said the City Council isn't supporting Daryl Gates — I'm here to dispute that," Bernson said. "I support him. I say to you we need Daryl Gates now more than ever."

Gates said last week that he plans to retire only after he restores public confidence in the department, which he thinks could be done "in a very short period of time."

As Gates spoke Sunday, a small group of counter-demonstrators gathered nearby to chant "Gates must go." But they were quickly drowned out by Gates supporters who thundered "Gates must stay! Gates must stay!"

Gloria Allred, a civil rights attorney who has been a courtroom opponent of the LAPD and who was at times booed by the crowd, said nonetheless that Gates should not step down without due process.

"He deserves more than a lynch-mob mentality that says Chief Gates is guilty," she said.

Speakers at the rally cited a statement of support for Gates from Gov. Pete Wilson, who appeared on national television Saturday on Cable News Network's "Capital Gang" commentary program.

"I think that we're watching the attempted lynching (of Gates)," Wilson said on the show. "I don't think it will be successful. And I don't think it should be successful unless there can be a showing from an honest and objective investigation that this is not an aberration."

The governor noted that Gates has been "flip and glib" on occasion in making controversial statements about blacks, Hispanics and Jews. But he lauded the chief as dedicated law enforcement professional.

"What we are going to have to determine is whether or not there has been a pattern about which he was unaware," Wilson said.

FBI/DOJ

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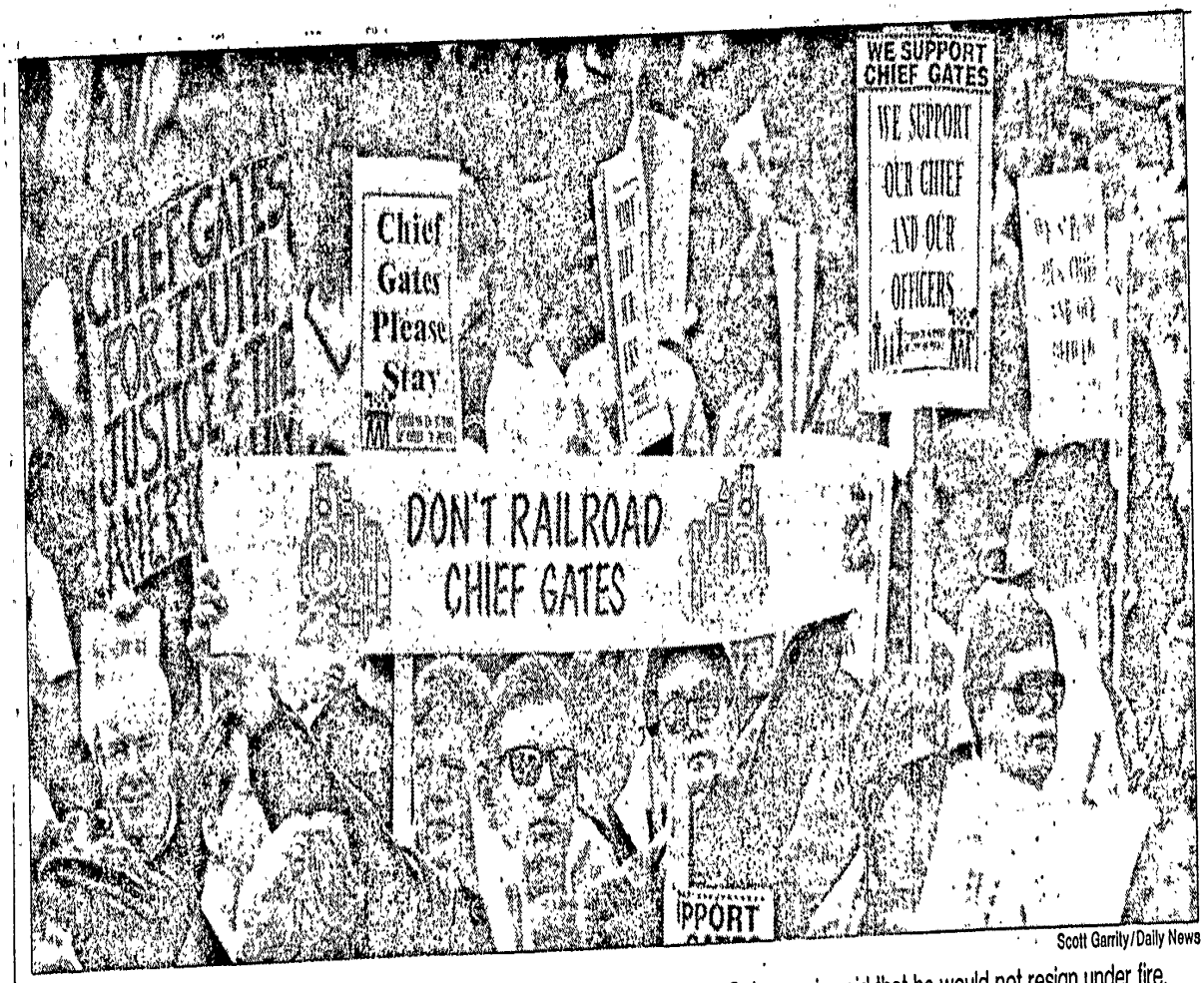

Scott Garrity/Daily News

Over 2,000 turned in support of Police Chief Daryl F. Gates at the Police Academy. Gates again said that he would not resign under fire.

NEWS

Foothill Station Seeks to Mend Fences

■ Police: Officers hold open house in effort to repair their image. The men involved in the Rodney King beating were assigned to the facility.

By AMY LOUISE KAZMIN
TIMES STAFF WRITER

Los Angeles police set out the coffee and cookies Tuesday evening and, with warm smiles, opened the doors of the Foothill Station in Pacoima to area residents in an effort to repair the division's battered image in the wake of the Rodney G. King beating.

The forum was the first in a series of open houses that Deputy Police Chief Mark Kroeker—the new San Fernando Valley-area commander—has ordered for every station in his jurisdiction.

The meetings are designed to familiarize citizens with police proceedings, the stations and officers so community members will feel that they have access to police officials and feel comfortable complaining if they are dissatisfied with service.

The King incident, which was videotaped and broadcast nationwide, was referred to only briefly at Tuesday's meeting, although clearly it was on the minds of the officers who presided and the more than 30 people who attended.

"I am determined that something good is going to come out of this," Capt. Tim McBride, the station commander, told the gathering. "That is a very difficult situation when we have seen that tape over again and again and again and again, but we are going to grow and we are going to be better."

But it was unclear whether the forums will have the desired affect.

Christena Hughes of Lake View Terrace brought her 10-year-old twin sons so they would "understand that there is a proper way to act when you are stopped by the police. If you don't act the way they want you—which is extremely submissive—they will beat the hell out of you."

For nearly an hour and a half, in the station's roll call room, a parade of officers spoke about various department anti-crime initiatives, community cleanup efforts and youth programs.

Captain John Mutz, who moderated the forum, reiterated over and over again that citizens with gripes against officers should always voice their complaints, which he said are taken seriously.

King's brother called the Foothill Station to report what he considered misconduct, but he was told not to bother unless he had a videotape or other evidence.

"I want you to be satisfied when you call us," Mutz said. "This program is for you to understand more about us. . . . We are your servants."

Russ Settell of Sylmar, an Amtrak official, praised the attempt to make officers more accessible. But he said that police credibility has been undermined by some officers' refusal to cooperate with the FBI's investigation of the King beating.

"I feel like the officers have something to hide," he said.

Dorothy Barnett, a 40-year Arleta resident and retired elementary school teacher, lamented that the division's many positive achievements were being overshadowed by the racism allegations. But despite that, she said, she is grateful that the beating of King, a black man, has drawn attention to the police.

"I think they have been getting away with this kind of thing for too long," she said. "Thank God somebody took a video."

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FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Anger Against Gates Boils Over at Public Hearing

By PATT MORRISON and SHERYL STOLBERG
TIMES STAFF WRITERS

On the Fahrenheit scale, the auditorium registered about 80 degrees.

On the political scale, maybe 212. The boiling point. When rage and frustration simmer and overflow. When momentous things can happen.

Inside the Parker Center auditorium, 3½ hours' worth of anger and invective and dismay, reaching from the suburbs to the inner city, from March of 1991 back to May of 1958, were parceled out five minutes at a time, to men and women who sought the two microphones.

In response to the outcry after the March 3 videotaped beating of Rodney G. King, the Los Angeles Police Commission had called this public hearing for Thursday; anybody with a gripe against the LAPD, they said, was welcome to air it.

Invitation accepted. Several hundred times over.

They spoke variously of God, of Martin Luther King Jr. and of Richard Nixon; "he too said he wouldn't resign."

'Gates must go!" the audience called, chorus-like, with almost every speaker. "Get rid of the bum!"

Outside, the overflow could listen to the proceedings on loudspeaker. Mostly, they unfurled banners on the lawn, circulated petitions, massed on the traffic median along Los Angeles Street, their signs soliciting drivers, "Honk if you want Gates *out*."

If that was too complicated, then passersby could deal with this placard, an unsettling reissue from the 1960s: "Off the Pork."

The object of all this vituperation, Police Chief Daryl F. Gates, sat inside, onstage, second from the right at a green-skirted conference table. Two blocks away, the Los Angeles County Grand Jury was taking testimony about the conduct of some of his officers. Before him, two long aisles of people waited to excoriate him, as another 400 cheered them on.

An anti-abortion demonstrator named Debbie Grumbine, introduced by her companion as "a Republican, with white skin, as white as yours," would weep into the microphone that she had miscarried a pregnancy from a beating at the hands of LAPD officers making arrests at an Operation Rescue blockade.

Under the melting lights of television, their remarks were broadcast live on CNN. The timing was not lost on Gates. A month ago, TV news was consumed by the Persian Gulf War.

Now, "the war's over, see," Gates said. "If the war had just lasted a few more days. . . ."

But what dozens of men and women, most of them black, got up to say were things that spoke of a war closer to home. Some had waited years to say these things. Some had just thought of them the day they saw King being pounded before the glass eye of a home video camera.

In language that was by turns ornate or Biblical or crude, it all came down to the same thing: Something is wrong with the Police Department and let's start with Gates.

The city's rhetoricians were in evidence: Ted Hayes, the politico-homeless man; anti-war activist Jerry Rubin, and former cop Don Jackson, due back in Long Beach that afternoon to testify in the trial of two officers accused of falsifying a police report about him.

Others were new to the spotlight.

• Manuel Brule, now 68, holding up in front of the commission something he had dug way back into his closet to find: a 1958 issue of the now-defunct black newspaper California Eagle. Later, he splayed it out on a glass case next to a bronze bust of the late Police Chief William Parker. The front-page picture was Brule, his face swollen, stitches below his left eye. "Policeman's Handiwork," it was captioned. A motorcycle officer had pulled over his 1956 Mercury station wagon, Brule said, then beat him when he wouldn't sign the speeding ticket.

• Ron Harmon, an apparatus operator for the city Fire Department who took time off to be here, to make the point from 11 years working alongside police, that the King incident is "not an aberration," that police are "often rude, inconsiderate to the public." Some of his friends told him he ought not to come, that it would betray the special links between firefighters and police, but "my loyalty is to the citizens of this community," he said.

• Francisco Ortega, from the North San Fernando Valley, invited to step to the microphone to "tell the folks what they did to you," waved a pair of white pants with what looked like bloodstains, and said, "They beat the [expletive] out of me."

To each speaker, the crowd

(Indicate page, name of newspaper, city and state.)

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Front Section, Page 3

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MAR 29 1991
FBI — LOS ANGELES FBI/DOJ

cheered; some gave the same arm-whirling, approving whoops they had seen on the Arsenio Hall Show. A small Latino man with a dandelion-puff of white hair like conductor Leopold Stokowski's led his own verbal orchestra with two forefingers, cheerfully directing the chant "Gates Must Go!"

Two people, both from Van Nuys, stood up for the LAPD.

Into a hailstorm of boos, Lynne Exe said: "I support the Police Department."

"I wish you had some black grandchildren—you wouldn't even be saying that!" yelled a woman behind her.

Afterward, out in the lobby, Exe was still shaking. "I have to lean up against something," she said wanly. The other pro-police speaker, Mark Isler, led her to a pillar.

In one of those codas of great events, Cheryl Wossenau had just finished her remarks and gone to the lobby for some fresh air.

On her chest, she wore button-photos of her children, Angela and Michael Baker, one in the Air Force, the other aboard the battleship Missouri. On a three-by-five card she had printed, GATES OUT, and pinned that on too.

And there, in the Parker Center lobby, she had seen him, her first boyfriend, a man she had not seen for nearly 20 years. He did not want his name used.

They grew up together in the 77th Street Division. He had taught her how to drive. Their first date was at his father's church.

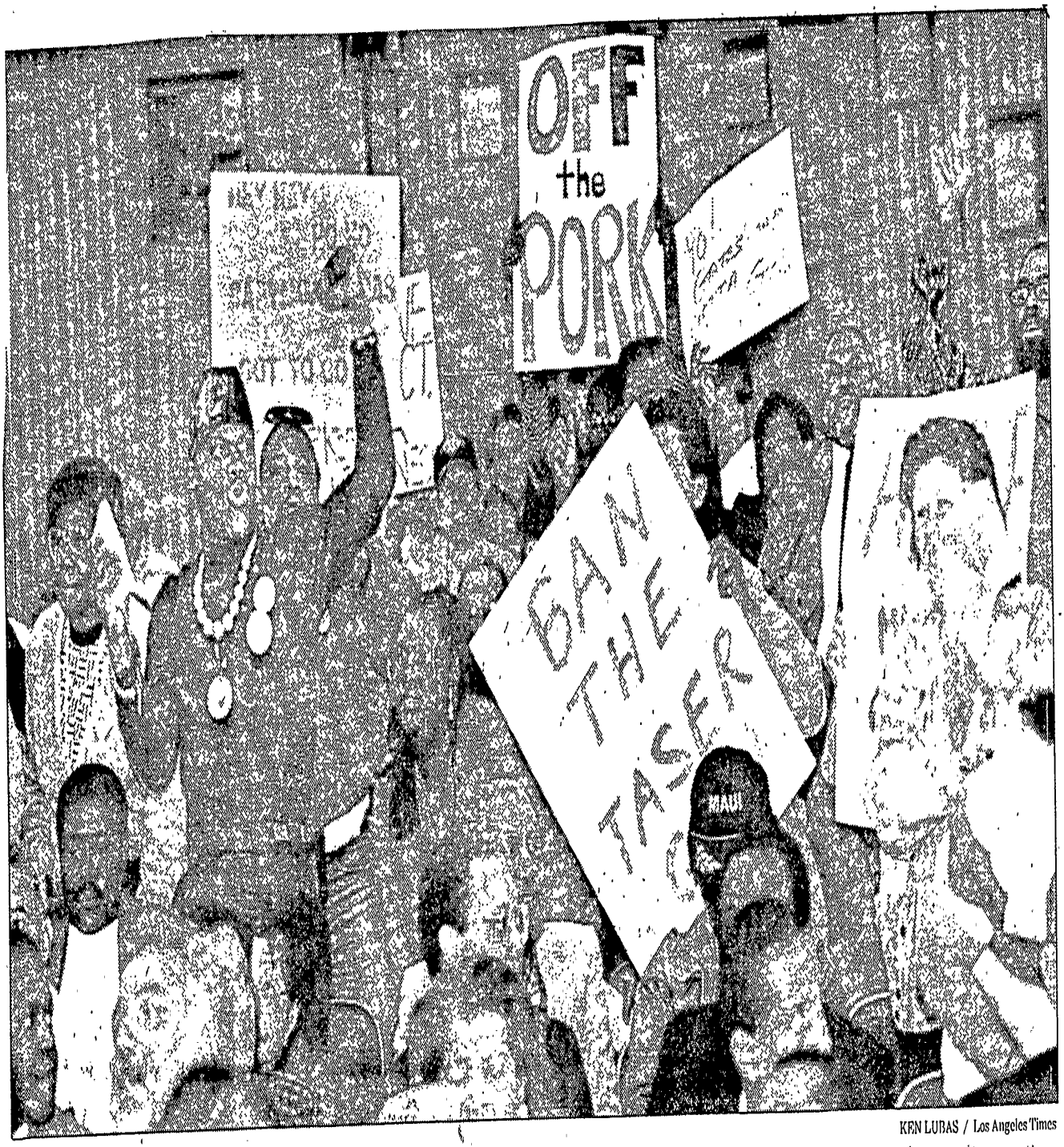
And here he was—on duty in a civilian job for the Police Department.

"If you had told me back in high school I was going to be in the Police Department, I'd have slapped your face," he said, laughing.

"And if you'd told me I'd be an advocate . . .," said Wossenau, just as cheerily.

For half an hour, as the speeches flared and roared inside, they stood and talked. They talked about the old days, the old neighborhood. And they talked about the way each had chosen to make changes.

"It's interesting," he said finally. "You've chosen to be visible. I've chosen to be invisible, and as effective as I can."



KEN LUBAS / Los Angeles Times

Audience breaks into chants at Police Commission hearing. The crowd called for Police Chief Daryl F. Gates to resign. Gates attended the meeting.

D-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

4 charged in taped beating of black driver

N.Y. Times News Service

LOS ANGELES — A police sergeant and three officers have been charged with assault and other felonies in the videotaped beating of a black motorist that has tarnished the Los Angeles Police Department's reputation and triggered national outrage.

The officers — Sgt. Stacey C. Koon, 40; Laurence M. Powell, 28; Timothy E. Wind, 30; and Theodore J. Briseno, 38 — appeared in Superior Court to answer a grand jury indictment that included charges of attempting to cover up the incident. They were released on bail after getting time to review evidence before entering their pleas.

"It is a terrible moment and time for serious reflection when officers who have sworn to uphold the law are indicted for these most serious felonies," District Attorney Ira Reiner said in announcing the charges.

He said the grand jury, which began hearing evidence on the beating of Rodney G. King, 25, of Altadena on Monday, will continue to hear evidence related to as many as 11 other police officers who were at the scene.

Koon, Powell and Wind posted bail of $30,000 while Briseno was released on $5,000 bail. All four men were ordered to return to court March 22.

John D. Barnett, attorney for Briseno, said that his client was innocent and would be acquitted by a jury.

"He did nothing wrong — he should not have been indicted and we believe the evidence is going to show that," Barnett said.

Police records show that Briseno, a nine-year veteran of the force, was suspended without pay for 66 days in 1987 after he admitted getting "too aggressive" with a suspect who said during an administrative hearing that he was kicked and hit with a baton.

Darryl E. Mounger, attorney for Koon; Michael P. Stone, attorney for Powell; and Paul DePasquale, attorney for Wind, a probationary officer, refused to comment on the indictment

In the indictment, Koon, a 14-year veteran, and the three patrol officers are charged with assault with a deadly weapon and unnecessarily beating King after he was stopped for a traffic violation March 3.

(Indicate page, name of newspaper, city and state.)
P. 1
Daily Bulletin
Ontario, California
Date: 3/16/91
Edition: Da-ly

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Submitting Office: Los Angeles

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MAR 29 1991

FBI — LOS ANGELES

44A-LA-119954-D-104

FBI/DOJ

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Pasadena, California
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MAR 23 1991

FBI — LOS ANGELES

Officers delay pleas in King beating

By Kathy Braidhill
Staff Writer

LOS ANGELES — Four Los Angeles police officers indicted after a videotaped assault on Altadena resident Rodney G. King made their first public court appearance Friday in Los Angeles Superior Court, but delayed entering a plea until March 22.

Officers Laurence M. Powell, 28, Timothy E. Wind, 30, and Theodore J. Briseno, 38, and Sgt. Stacey C. Koon, 40, were indicted late Wednesday by a 23-member county grand jury on charges of assault by force likely to produce great bodily injury and unnecessarily beating a person.

The charges include the special allegations that the officers used deadly weapons, police batons and boots, and that the assault was committed under color of authority.

Powell and Koon also were indicted on charges of submitting a false police report. Koon faces an additional charge of being an accessory after the fact.

The indictments were announced earlier Friday by District Attorney Ira Reiner.

"It is a terrible moment and time for reflection when officers sworn to uphold the law are indicted for these most serious felonies," he said.

Only one of the officers' attorneys responded to requests to comment on the case.

"The evidence will show he's innocent," attorney John G. Barnett said of Briseno. "He didn't kick Mr. King, and he didn't commit a crime. He didn't do anything criminal, and he didn't do anything wrong, and we're confident in the jury system."

The March 3 beating of the Altadena construction worker has incensed civil rights leaders, politicians and activists nationwide. In the wake of the beating, numerous groups, including the American Civil Liberties Union, repeatedly have demanded that Los Angeles Police Chief Daryl Gates resign.

A Lake View Terrace man testing his new camera videotaped the early morning assault. His footage showed three Los Angeles police officers kicking the prone King, striking him with night sticks and prodding him with a Taser, which delivers jolts of electricity to subdue suspects.

During the attack, a dozen officers stood nearby and watched without taking action.

The district attorney's investigation of the incident was expected to resume next week, apparently with an eye toward the possible criminal responsibility of the other officers involved in the case, including LAPD, California Highway Patrol and Los Angeles Unified School District police.

As a crush of news reporters and photographers turned the 13th floor of the Superior Court building into a media zoo Friday, King, 25, was in stable condition in the intensive care unit of an undisclosed hospital after undergoing surgery for his injuries, said Seth Snyder, a legal administrator for Steven A. Lerman, King's attorney.

King's right eye was swollen shut and a clamp was attached to his head to keep his cheek and jaw immobile after an operation to set his right cheekbone, which was broken on both ends, Snyder said.

King has nine skull fractures, permanent fractures of the fragile bone surrounding the eye socket, a broken leg, swelling of his right brain, facial nerve damage and multiple electrical burns from the Taser gun, according to his physician, Dr. Edmund Chein.

The District Attorney's Office has decided not to file charges against King, who authorities initially said led CHP officers and Los Angeles police on a high-speed chase on the Foothill (210) Freeway. King has denied that report.

The officers charged in the case surrendered to the District Attorney's Office on Thursday morning to be photographed, booked and fingerprinted. The grim, suit-clad officers and their attorneys walked into court through a side corridor as a team of bailiffs held back swarms of reporters and photographers.

During the brief proceeding before Superior Court Judge Gary Klausner, none of the officers looked behind them at the crush of spectators craning their necks for a glimpse of the defendants.

Klausner ordered the officers held in the court lock-up for several hours while a bail bondsman arranged for three of the officers to be released on $30,000 bail each. Briseno was released on $5,000 bail.

44A-LA-119954-D-105
FBI/DOJ

Evidence and testimony from 14 witnesses considered by the grandjury, which meets in secret, will remain confidential for 10 days. After that, the defense has the option of requesting the information remain secret for another 10 days.

During Friday's hearing, the attorneys said they wanted more time to examine the evidence presented to the grand jury before allowing the officers to enter a plea.

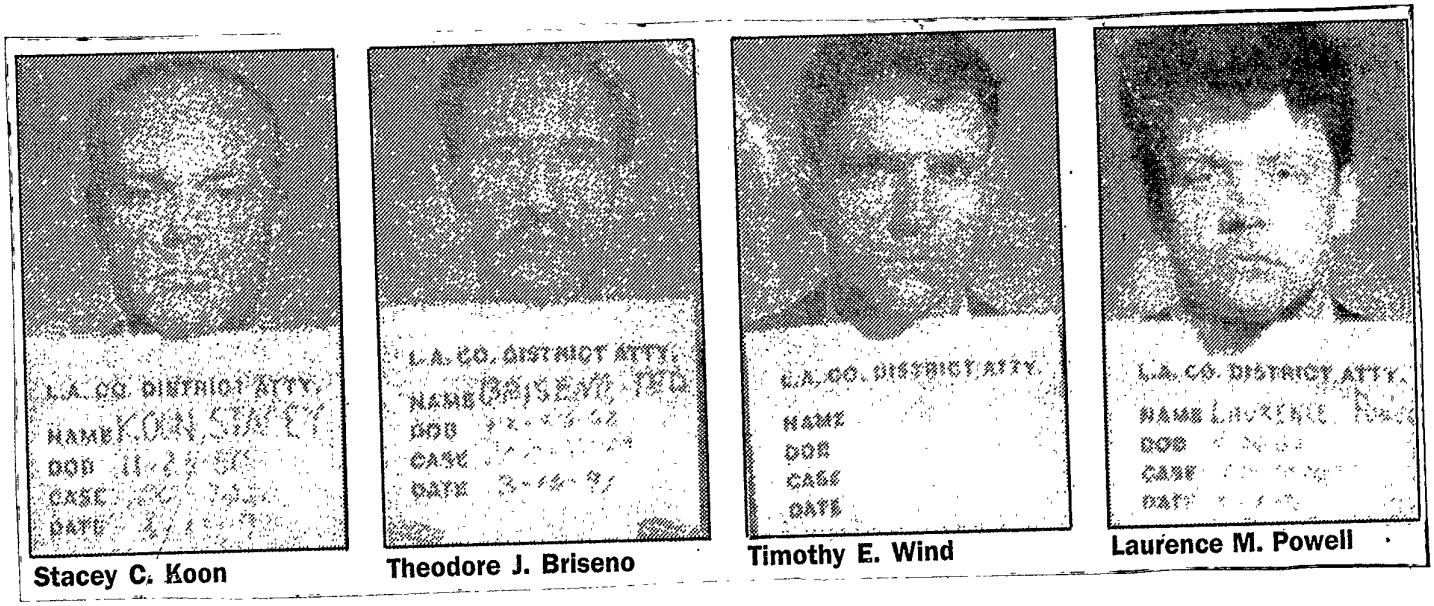
Deputy District Attorney Terry White said the delay was unnecessary. He said he would be ready to proceed to trial within 60 days of the arraignment, the time limit required by law.

White would not comment on the evidence presented to the grand jury or whether King will testify at a trial.

If convicted of the charges, Koon and Powell could be sentenced to a maximum of seven years and eight months in state prison. Wind faces a maximum prison term of seven years. Brisino faces a four-year term.

Walt Mancini / Star-News

Postponed: Deputy District Attorney Terry White comments on King case after hearing Friday.



Stacey C. Koon | Theodore J. Briseno | Timothy E. Wind | Laurence M. Powell

D-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Protest targets police chief

Jesse Jackson joins 200 at rally to demand ouster of Gates

By Catherine O'Brien
Associated Press

LOS ANGELES — The Rev. Jesse Jackson on Saturday urged a throng of protesters outraged by the police beating of a black motorist to demonstrate until Police Chief Daryl F. Gates resigns.

"We the people must march until justice is won," Jackson told about 200 demonstrators outside the downtown police headquarters.

"Mr. Gates has made statements that are racist," Jackson said. "Why can't Hispanics get promoted? Mr. Gates said because they are lazy. He said blacks die from police chokeholds because of our anatomy."

Jackson was referring to statements made in the past by Gates, including an assertion that several blacks died as a result of police chokeholds because arteries in the necks of black people "do not open up as fast as they do in normal people." Gates also once referred to Hispanic officers as lazy.

Rodney King, who was beaten March 3 by officers from the Police Department's Foothill Division, has said he does not believe the incident was racially motivated.

Actors Alec Baldwin and Kim Basinger joined protesters Saturday who chanted, "Hey, hey, ho, ho, Daryl Gates has got to go." Demonstrators also held signs saying, "Fight racism, not a race," and "Close the Gates."

"This is not South Africa," said Baldwin, whose film credits include "The Hunt for Red October." "I feel sorry for the more than 8,000 police officers that have to take the heat because Daryl Gates has a big mouth."

Three officers and a sergeant were arraigned Friday on felony charges related to the beating. Indicted were Sgt. Stacey Koon, 40, and Officers Laurence Powell, 28, Timothy Wind, 30, and Theodore Briseno, 38.

More indictments are possible, said Los Angeles County District Attorney Ira Reiner. In addition, the U.S. Justice Department plans to investigate whether 11 police officers who witnessed the beating could face federal civil rights prosecution, the Los Angeles Times reported Saturday.

Meanwhile, the Police Department released a six-minute audiotape of radio communications during the traffic pursuit that led to King's arrest and beating.

The conversations between officers and dispatchers appeared to contradict earlier accounts by police that King's car was traveling at speeds of up to 115 mph.

The only mention of the speed of the chase came from a California Highway Patrol officer. Pursuing King's car on a suburban street, the unidentified officer tells a police dispatcher, "They're about 55 miles an hour, I think."

Later, a Los Angeles patrol officer says, "The vehicle stopped at the light, but failed to yield to the police unit."

The audiotape concludes with a mention of police officers leaving their cars.

A videotape shot by an amateur photographer shows that King, 25, was clubbed more than 50 times, kicked and hit with an electric stun gun.

In a related development, Gates' relations with minority leaders took another turn for the worse in a Friday meeting at his office.

Gates opened the meeting by insisting the beating was an aberration and repeated his refusal to resign, said Mark Ridley-Thomas of the Southern Christian Leadership Conference.

"He communicated his disappointment with the public posture of some of us who have called for him to step down," Ridley-Thomas said. "That in itself shows how deep his misreading of the situation is."

Participants decided to postpone future meetings indefinitely, Ridley-Thomas said. "He just doesn't get it," Ridley-Thomas said.

Also Friday, Mayor Tom Bradley filled a Police Commission vacancy by appointing an activist critic of the police chief: Stanley K. Sheinbaum, a member of the local chapter of the American Civil Liberties Union.

Sheinbaum said he was horrified by the videotape but wouldn't let it influence his role as a commissioner.

"I'm going to be my own man," he said. "I am not coming in with my guns drawn. . . . I am going to look at Gates closely."

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MAR 23 1991
FBI — LOS ANGELES

FBI/DOJ

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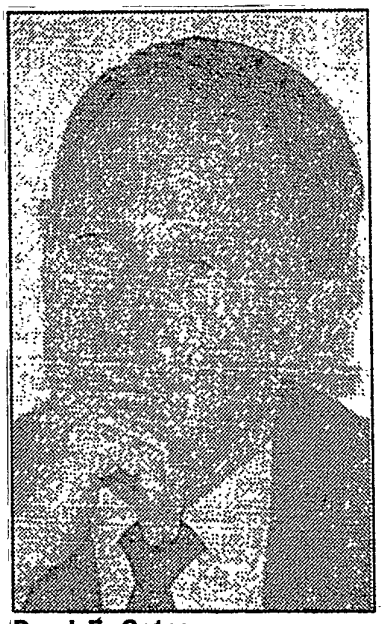
Associated Press

Los Angeles: Protesters demand Gates' resignation Saturday.



Daryl F. Gates
refuses to resign

FD-350 (Rev. 5-8-81)

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Daryl Gates

With LAPD Under Attack the Chief Defends Himself

By Jesse Katz

Under fire for a videotaped beating in which his officers apparently kicked and clubbed an unarmed man, Los Angeles Police Chief Daryl F. Gates paid a visit to The Times on Thursday, hoping to correct what he believes are misconceptions about his department and his leadership.

Gates, a veteran of many controversies during his 13-year reign, has had to defend himself before. His "inelegant" speech, as he calls it, has led to numerous public-relations problems: his suggestion that some blacks may have been more susceptible to police chokeholds than "normal people"; his reference to local TV anchor Christine Lund as an "Aryan broad" at a closed dinner meeting, and his branding of the killer of Tina Kerbrat, a women officer shot to death last month by a foreign national, as an "El Salvadoran drunk."

But in recent days, the chorus of critics calling for his resignation has intensified; he was booed at a Police Commission meeting; the ACLU placed a newspaper ad branding his department a "gang"; and a citizen's committee is forming to demand his ouster.

Gates, however, has vowed to stay put. In fact, he has launched a counteroffensive of his own, including a flurry of national TV appearances and press conferences, aimed at restoring his and the department's image.

Dressed in a brown suit with a powder-blue hanky and DARE pin on his lapel, the 64-year-old chief spent about an hour with The Times' publisher and editors, discussing the current crisis, his proposed remedies and past accomplishments.

Despite what he considers to be an adversarial relationship with The Times, he spoke calmly and cordially, never raising his voice, and doing far more talking than his questioners. Intensely private, Gates was so relaxed that he said his decision to resign would ultimately hinge on the advice of his wife of 21 years, Sima, who is urging him to stick it out.

(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
Edition: SUN. MAR 17, 1991
OPINION SECTION, PAGE 3

Title: DARYL GATES

Character: CIVIL RIGHTS
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MAR 26 1991
FBI — LOS ANGELES

Question: *Could you talk a little about your impression of the police commission hearings this morning.*

Answer: . . . . Clearly [it was] an opportunity for people to vent and that's what a lot of people did do today—vented . . . . I've been through it two or three times perhaps not that vehement each time but almost.

Of course, the rocks are all being aimed right at me, as if I created all this—the entire problem—and that my ouster will solve the problem. I don't feel that way and so therefore I have no plans to leave the department much to the unhappiness of many people I'm sure.

But I don't see that that would be in anyone's best interests. Certainly not mine. I didn't spend 42 years—and devote my life to this department—to slink away under a cloud of thunder. I'm not going to do that. If I leave, and when I leave, it'll be at a time when I can leave without slinking and without running away from something when it's not my nature to run away.

. . . . I read a lot of what has been printed—particularly on the editorial pages—and I wonder where you guys have been. I don't think you know the Los Angeles Police Department and that bothers me that you are not acquainted with what we've been doing . . . .

I hired the first department psychologist, the first police psychologist. I hired him back in 1968, before anyone in the police business ever thought it was a good thing to do. That's been our history: To be way ahead of policing in America, at the lead in policing in America. And I think we continue to do that.

FBI/DOJ

44A-LA-119954-D-184

. . . . You guys continue to refer to our female police officer who was shot as a "policewoman." That is a derogatory term. That's why I say you don't know much about our police department: It's a derogatory term within the Los Angeles Police Department among women officers. They don't like that. That connotes a time when they were just that: "policewomen." It said "policewomen" on their badges; they could not rise above the rank of Sergeant. All that's been changed. They are police officers . . . . And we did it before most departments in the country—they were still calling them policewomen . . . .

. . . . We've got a Hispanic in charge of the Academy. I bet no one knew that in this room—that a Hispanic has been running the police academy for some time. That blacks run the recruits through the academy. I bet you didn't know that Internal Affairs was run by a black captain—matter of fact, two black captains—for over a year.

I look at all these things and I say to myself, "I don't know how much more I can do in the Los Angeles Police Department to create an atmosphere of impartiality of atmosphere that produces a department that is sensitive to the community and that is that looks like the face of the community than I have done.

I've hired more blacks, I've hired more Hispanics, I've hired more women than any other chief in the history of the Los Angeles Police Department. Some say, that, "Well, that's because there's a consent decree."

Well, that's baloney! Just because there's a consent decree doesn't mean you have to hire. To hire you have to go out and find them; you have to talk them into becoming police officer; you have to be enthusiastic, and you . . . have to make sure that they understand they have good opportunities within the department. So that means you have to create an environment in the department that says you have opportunity in the department. And we've created that environment. . . .

The Urban League and the National Conference of Christians and Jews put out a report some years ago . . . . One of those recommendations was to do a job of human relations training at the Los Angeles police academy . . . .

I've implemented every single recommendation . . . . Yet you guys comment that we have to do something about our training. We gotta do something about our human relations . . . . I think, "Holy cow, I don't know what else to do with that department than what I have done.

Q: *If you have all these programs and they work, how do you explain the outpouring at the police commission today? The ACLU is one thing, but John Mack and George Will, people like that, are another. If this is an aberration, then why is there this huge outpouring?*

A: . . . . I can't explain anything. I can only tell you this that the complaints we've had in the last 3 years have been coming down . . . . Civil suits have been coming down the last 3 years. The highest year with some kind of complaints, claims that is, I think was back in 1985 . . . . They've been coming down since . . . .

Q: *But it is not the George Wills or the John Macks but the bookkeepers in South L.A., the lawyers in Baldwin Hills. It's almost a joke among many blacks in Los Angeles—men particularly. What was the excuse this time—a flashing taillight? And everybody laughs at the dinner party because everyone has a story. I'm talking regular people who are not anti-police. Why do all these people have stories about their sons, their husbands, their cousins?*

A: It's impossible to respond to the question because you have to deal with a case-by-case basis . . . . I can't answer those questions on a broad-based basis because there's no way to answer it in that fashion. I do know this: While your survey said one thing, the survey that you had in 1988 said another thing. [It] said that 80% of the people supported the Los Angeles Police Department. Now if it were that bad in any community, would we have that kind of support? From the survey we just did, the Proposition 1, the believability factor of the chief of police was higher than any other official in Southern California. Higher than the mayor's.

Q: *There is a theory that when a institution has problems, what's needed is a fresh set of eyes. Los Angeles, because of our civil-service structure, promotes from within. But maybe we need someone from the outside. Do you think that would help?*

A: . . . . I ask: Who you're going to get to come in that can do a better job. I don't think you can. You bring people in from the outside when you don't have the talent from the inside. It destroys you.

Ask any FBI agent how they feel. They go in the FBI and there's no way in the world they can reach the top unless they go into the law and become a judge and then become on the appellate bench and then they can become the head of the FBI. And they all feel that's why FBI agents, aside from the age problem they've got they're gone. Just at their time they're gone.

Q: *Your example of the FBI—some thoughtful people argue that the FBI's a better institution now than it was in the old days when it was insular. Do you see that risk with the LAPD.*

A: I see the risk of not being able to provide leadership in the organization . . . . You gotta have people who have a lot of confidence in the top—particularly in law enforcement. Police officers could shine you on and say: "Sure, sure chief, yuk yuk yuk, we'll do it." . . . But if you have leadership at the top, if you have people that, when they say, "Do it this way," they say, "You got it, chief." That's important. I don't think the FBI has that right now . . . .

Q: *Can you rebuild the confidence of elected officials and black leadership now calling for you to step down?*

A: I hope so. By taking very specific action. I'm hopeful that they're fair minded people and that they are willing to lead me part of the way and recognize that I am acting in good faith. And have acted in good faith over a long period of time. I also am very hopeful that many friends—as a matter of fact I had a couple of black officers come to me . . . and said, "chief, let me tell you, we are getting hundreds of calls from members of the black community who . . . are saying tell the chief to stay there, this will pass, we want him." I just think slowly but surely that will emerge . . . .

Q: *Could you reflect a why you are being singled out. Are these old scores being settled? Is it just something about you?*

A: . . . . I'm chief of police. This was a shocking thing, a horrible situation and so I think they're aiming it right at me. And I understand that. I really do. I'm a little resentful, but I understand it. I'm chief. And you said, "The buck stops here." And where in the hell do you think it stops? It never stopped with the commission. It never stopped with the mayor. Anybody else take any of the heat on any of these issues? No. Always been the chief of police. And that's the way it is . . . . It's just the nature of the job . . . .

Q: *Can you envision any scenario where it would be better for the department or for*

the city if you would resign?

A: No. I'd listen to my wife first. And I asked her this morning how she felt about it. . . . I think it's hard on me—actually I can handle it, but it's really tough on her. Tough on my kids and tough on my grandkids. And so I asked her this morning, "Sima, would you rather I quit?" She said absolutely not. And absolutely not. You can't. And that's my answer.

Q: *Is this controversy hurting the ability of patrol officers to do their jobs?*

A: . . . . We're working. We're working very hard. But I'd be lying if I didn't tell you that I think a lot of things . . . aren't done that need to be done.

That's the reason I made the speech yesterday. I want to get them out of that lethargy, I want to start building their pride. One reason I think I need to stay is because they will follow me . . . .

I still have the support of the members of this department and yesterday you saw I have the support, of all things, of the Protective League [the Police Officers Assn.]—that I beat over the head for 13 years. That's the kind of leadership I provide, I think that's the kind of leadership we need right now. That's the kind of leadership that will turn this around. If you want a department that's gonna build up the pride the morale, you need me. You can bring someone in from the outside and I guarantee you you won't have that. As a matter of fact, you'll have a malaise in his department. I think that'll last for a long period of time. A very unhappy department.

Q: *About the mayor, do you think—*

A: —No one's asking him to retire. He's been here longer than I have. No one's asking [L.A. County Sheriff] Sherm Block—he just had all his deputies, all that scandal. I don't hear anybody criticizing him. And they shouldn't . . . .

Q: *Do you think Bradley thinks you're a political liability?*

A: I would think so today.

Q: *Has he told you that?*

A: No.

Q: *The mayor hasn't asked you to resign?*

A: No. He has not asked me to resign . . . .

Q: *This one incident is on videotape. How many other incidents take place in a year that aren't videotaped. One thing that may be running through many people's minds is that this wasn't an isolated incident—just one where someone was there filming it.*

A: I can't say. We have sustained excessive force complaints over the years we know that there have been other excessive force incidents. I say this is an aberration because I have never witnessed one or heard of one or investigated one or had an investigation done of this significance. Usually it's one of those disputable things. . . .

This there wasn't any question. Absolutely any question. We've had officers kick somebody that had their hands handcuffed. We've had them punch somebody that was handcuffed. We've had them use a club excessively. We've had those cases. To my best knowledge, we've done complete investigations and, where we have determined they were at fault, we have taken very very stringent action. I'm not an easy disciplinarian. They say you can't fire people in the civil-service system. You can. I fire them every year. I fire police officers every year . . . .

Q: *In spite of training, do your inflammatory remarks send a different message. Does your remark that black people don't have normal veins send a different message? Or your remark that all casual drug users must be shot. What do your remarks say?*

A: . . . . I would admit to being a little inelegant in my speech at times and didn't say it precisely the way I meant it. You never let me forget any of that . . . . Thirteen years of speaking without notes without prepared texts, speaking on the record, 13 years of that. I just tell you that anyone in this nation that can say that they've spoken that often and that long without making a few mistakes in the comments. Some of them I meant. And some of them I'm not the least bit ashamed of—and I pointed that out on the casual drug user issue.

Some of them I did not mean, some I think are a total distortion of what I meant and what I said. Total distortions. . . . .

I don't think they impact my police officers. I believe my police officers are far more intelligent than that and far more understanding. We say "casual drug users," they know they're not going to go out and shoot people who are casual drug users. To think that that is somehow going to incite police officers to take some special action is total nonsense. They know better. They don't go out and execute murderers even though the state says there is a death penalty. They know better.

. . . . You know we restrict our police officers from saying anything. They have to bite their tongues all the time and there's a certain sense of frustration that exists in their not being able to say certain things. . . . . Somebody needs to speak out. "Chief, speak out." I speak out.

And so 13 years of speaking out 13 years of being on the record and 13 years of never having a press agent to [make] press statements to the media. I do them without, maybe a note here or there, but I speak right from the top of my head and right from my heart in most cases. I just tell you that there's no one else in this country that could have done it for 13 years and not make an inelegant statement now and then. □

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Before We Rush to Condemn the Department's Leadership, Examine the Facts

■ LAPD: Rapid recruitment has strained system, but there is no institutional anti-black bias. Vast majority of officers are models of duty and valor.

By Ed Davis

Last week, all America—and much of the world—witnessed an apparently senseless and criminal beating of a suspect following a high-speed car chase. The videotaped beating administered by officers of the Los Angeles Police Department absolutely shocked every right-thinking citizen and officer who watched it.

Since then, a county grand jury has indicted four of the officers involved in the beating, and the district attorney's office continues its criminal investigation. The LAPD is conducting its own internal administrative probe. The criminal-justice system can punish an officer who gratuitously wields a nightstick with the aim of disciplining a suspect. But there is no criminal law that clearly provides for the prosecution of officers at the scene who fail to intervene and stop a beating. Accordingly, the administrative investigation and determination are necessary, because these officers, though possibly not strictly criminally liable, may have to be disciplined or fired.

I have absolutely no doubt that justice will be done in this case. I am confident that the officers who beat Rodney G. King with their nightsticks, along with the policeman who kicked him, will be charged and convicted by their own videotaped actions. While the accused are entitled to a full and fair trial, we all realize that the videotape of the incident is quite compelling, probably compelling enough to vault its stars into state prison.

The question is not so much whether criminal acts have occurred or whether the actors will be punished. Rather, it is whether the whole Police Department should be criminalized as a result.

During my 34 years with the LAPD, I was occasionally presented with evidence of officer misconduct. As chief, I was required to terminate the most egregious offenders. On an equally sporadic but far too frequent basis, there were other spontaneous terminations. On these occasions, I delivered American flags to the families of officers killed in the line of duty.

Today's officers are a very diverse group, comprising all shapes, sizes and ethnic persuasions. Interestingly, 38% of the officers in the LAPD, including two of the three who participated in the King beating, have fewer than three years of service.

Beginning about three years ago, the mayor and the City Council made a series of important decisions to allow the department to grow. Its strength, down from 7,500 when I left the department in 1978, was fewer than 7,000 officers. Staffing has been rapidly increased, to nearly 8,300, until recent budget constraints slowed growth. During this manpower expansion, the department has diligently selected new recruits and rigorously trained them to be officers. Even so, it is difficult to assimilate so many officers in such a short period of time.

Because King is African-American, some people have wondered whether there is an anti-African-American bias in the department.

My police academy classmate and the

Ed Davis, LAPD chief of police from 1969 to 1978, is a state senator (R-Santa Clarita).

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
Date: SUN. MAR 17, 1991
Edition: OPINION SECTION, PAGE 1

Title: BEFORE WE RUSH TO CONDEMN THE DEPARTMENT'S LEADERSHIP, EXAMINE THE FACTS

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FBI — LOS ANGELES

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mayor of Los Angeles for 18 years, Tom Bradley, is African-American. Direct control of the personnel and training bureaus in the LAPD was held, until his recent retirement, by an assistant chief of police, Jess Brewer, a highly respected police administrator. He happens to be African-American. During the three high-growth years, the internal-affairs division, which investigates charges of police misconduct, was directed by three different captains, two of whom are African-Americans. The percentage of African-American officers in the department exceeds the percentage of African-Americans in the city's population.

■ **LOS ANGELES TIMES INTERVIEW:** Police Chief Daryl F. Gates comments on the Rodney G. King case. Page 3.

I do not thus believe there is any racially based institutional prejudice within the LAPD. For 18 years, Bradley has appointed the police commissioners, who actually run the department. In most cases, they have been social liberals, lawyers among them. They have paid close attention to racial concerns and to the problem of excessive force.

For the last 40 years, the Los Angeles Police Department has been a model for police forces across the nation. The problem that confronts us now is whether we are going to allow the vivid videotaped evidence of the misconduct of several officers to destroy citizens' faith in the department. Will this incident ruin the reputation that the LAPD has enjoyed for many decades? Should we demand the firing of the chief of police or the vilification of the average officer?

I made a point of recently checking into whether LAPD command officers continue to do something that has always been necessary but distasteful.

Are they still getting up at odd hours of the night to drive to their districts of responsibility so that they may be the first officer to respond to calls?

Are they inspecting and reviewing how the calls are being answered by other officers?

I learned that these off-hour inspections are still numerous and vigorous. I have not, in fact, seen one shred of evidence that the department has suddenly declined from a position of generally conceded excellence to become a department of bad cops.

Furthermore, as chief, I never felt that community relations could be effectively taught in the classroom. Rather, community relations should be taught in the laboratory, that is, in the neighborhood. Accordingly, I created and established the Neighborhood Watch Program, which calls for officers regularly to meet, confer and have coffee with the members of the community they serve. These kinds of contacts can positively alter the attitudes of officer and citizen toward each other.

Before we condemn the whole department, perhaps we should examine the facts. Let's see if there is any evidence at all that the LAPD, or its leadership, has fallen down on their jobs.

I have known thousands of officers during my career. Most were trustworthy and hard-working; some were downright heroic. More officers than the public can imagine are incensed by the dishonor brought upon the department by the videotaped beating.

All those men and women who have valiantly served in the past and continue to do so deserve better than to be condemned out of hand by actions of a few miscreants. Let's keep the faith with more than 8,000 brave, honest and compassionate Los Angeles police officers. □

FD-350 (Rev. 5-8-81)

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Title: WHEN DEPARTMENT INTEGRITY SUFFERS AND PUBLIC SUPPOR FALLS, THE CHIEF MUST QUI

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When Department Integrity Suffers and Public Support Falls, the Chief Must Quit

■ Beating: Gates' repeated claim that the King pummeling was an "aberration" is an attempt to escape responsibility, a tactic he's prone to exploit.

By Joseph D. McNamara

SAN JOSE

In some ways, a police chief's job is simple. The chief directs his officers in the proper enforcement of the laws and protection of life and property. The chief must also win support for his department's work from the public. When people support the police, they will report crime and serve as witnesses; juries will believe police testimony. But when the people can't tell the good guys from the bad, they will not work in partnership with the police, and the criminals win. It is thus incumbent on the chief to exert the kind of leadership that results in his troops performing their duties in a way that maintains credibility in the community. If the chief fails, he or she should resign or be removed from office.

Joseph D. McNamara has been San Jose Police Chief for 15 years.

The brutal videotaped beating of Rodney G. King by officers of the Los Angeles Police Department and subsequent opinion polls indicate that Police Chief Daryl F. Gates has failed both to maintain the integrity of his force and the confidence of the public. When two-thirds of citizens polled by The Los Angeles Times believe that brutality by LAPD officers is common, and the majority think that the chief is not doing a good job, it shows that Gates has become a liability to his department and to his city.

As painful as it is, Gates should hold himself as accountable as other members of his department are. He should retire from office. It is difficult to see the LAPD regaining its credibility with him remaining as its chief.

Gates' repeated claim that the King beating was an "aberration" is an attempt to escape responsibility. It is one thing to say that an occasional act of brutality takes place; it is quite another to concede that there is a pattern of abuse protected by a code of silence within the department. Yet the videotape of the beating shows four officers systematically kicking and beating a helpless and unresisting King without apparent fear that any of the witnessing cops would report them. Those actions and the fact that the officers coolly took turns in assaulting King make it hard to believe that this was a spontaneous flare-up, especially when the police supervisor present just watched. So far, Los Angeles has paid $3 million in damages in a similarly brutal incident in 1988, when a large group of out-of-control officers ransacked the apartments of 52 residents in South-Central Los Angeles.

At the time, Gates was mild in disciplining the officers, saying he understood their frustrations. When Gates was initially asked to comment on the videotaped beating of King, he showed similar defensiveness. Unlike the rest of America, he refused to draw any conclusions and said he would look into events leading up to the incident. The events leading up to the incident were irrelevant to the brutality. When the chief fails to quickly and firmly condemn such conduct, it further fosters the climate that leads to brutality.

Los Angeles police chiefs have the habit of sending out not so subtle messages. Gates has continued the tradition, recently suggesting that casual drug users should be shot. In 1982, he said blacks were different from "normal" people in explaining the death of a black man who had been subjected to a chokehold. And after the tragic killing of a female Los Angeles officer, Gates proclaimed that she was killed by an El Salvadoran who shouldn't have been here. That, too, was irrelevant. The officer was killed by a drunken criminal. The chief's statement did nothing to lessen the tragedy, but no doubt appealed to deeply held anti-minority prejudices in some of his officers.

It is the duty of the chief to appeal to the highest ideals of police professionalism. When the chief sounds more like Rambo, no one should be surprised if some officers on the street interpret the message to mean that they can administer justice as they see fit. Any city that allows the unhealthy pattern of the Los Angeles Police Department to develop can look forward to national embarrassment, as well as to a drain on taxpayer money as more lawsuits are won against police misconduct. □

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Chief Gates Should Quit, Sen. Biden Says

By PAUL HOUSTON
TIMES STAFF WRITER

WASHINGTON—Senate Judiciary Committee Chairman Joseph R. Biden Jr., who lavished praise on Los Angeles Police Chief Daryl F. Gates at a hearing last year, called Sunday for his resignation because of the videotaped beating of a motorist by LAPD officers.

"I think the guy should go," the Delaware Democrat said on the NBC program "Meet the Press." Biden appeared with Atty. Gen. Dick Thornburgh, who declined to voice an opinion.

"I think it would be somewhat officious of me to be giving passing or failing grades to local officials," Thornburgh said.

At the hearing last year, Biden commended Gates for his DARE anti-drug program, which has been widely copied by other police agencies. In testimony at the time, Gates said that even casual drug users should be shot—a remark that caused wide controversy.

Joseph R. Biden Jr.

Separately, the Dallas Morning News on Sunday reported that Texas had 2,015 investigations of alleged police brutality between 1984 and 1989, followed by California with 1,294 investigations.

The newspaper cited figures from records obtained from the U.S. Justice Department under the Freedom of Information Act.

The records did not include the number of convictions resulting from these investigations.

The newspaper also reported that Texas led the nation in prosecuting 50 civil rights cases against police between 1980 and 1989, accounting for 19.2% of the nationwide total.

On "Meet the Press," Thornburgh was asked whether a federal civil rights investigation is likely to produce additional charges against the four Los Angeles police officers who have been indicted by a county grand jury in the March 3 beating of Rodney G. King, 25, of Altadena. The incident in Lake View Terrace was videotaped by an amateur photographer and subsequently broadcast worldwide.

The attorney general said that "the outcome of an investigation is difficult to predict at the time that it's undertaken." He added, however, that "there isn't a single responsible law enforcement official in this country who condones police brutality."

Thornburgh also was asked if he thought the federal government should take action against the policemen who witnessed the beating but did nothing to stop it.

"Well, that's an iffy question and it's very risky to anticipate what the results of the investigation might be," he said. "We've got to look to the rights of potential defendants, and I really can't comment on that."

In response to the same question, Biden at first said: "I can't make any judgment on that." But a moment later he declared: "I don't know how in the devil they aren't responsible for standing by and watching this thing take place. I don't know how they can step away from any responsibility."

The senator said his committee plans a hearing on the incident after completion of the attorney general's investigation into whether the civil rights of King, a black man, were violated by the officers, who are white.

(Indicate page, name of newspaper, city and state.)

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For Chief Gates, the Brutal Truth: He Has a Final Obligation to LAPD

In some editions of Friday's View section, Rutten's column was scrambled. This is the correct version.

Over the last decade, it's possible that only smog has created more bad publicity for Los Angeles than Daryl Gates.

Our police chief's episodic affronts to members of this city's minority communities—to Latinos, to African Americans, to homosexuals, to Soviet Jews, to Salvadoran immigrants—have come to be regarded as something like brush fires, a cyclic natural disaster compounded by hubris and human folly.

There is no need to rehearse here the details of Rodney King's brutalization at the hands of more than a dozen officers from the LAPD's Foothill Division. Television has seen to that. Doubtless, the facts elicited by the County Grand Jury and by the Justice Department investigation that Atty. Gen. Dick Thornburgh ordered Thursday will do still more.

But this case of police brutality is different from those that have gone before. For one thing, African Americans and Latinos are outraged by an extreme example of the official abuse they say is a fact of life in their communities. Confronted for the first time with a firsthand view of police misconduct, even those Anglos who do not share that experience are embarrassed.

The result, a dramatic erosion of confidence in Gates' leadership, could be seen all over City Hall this week:

It could be heard on the lips of the community leaders who thronged to the microphone at the City Council's Public Safety Committee's hearing Tuesday. The common feature of their testimony was the word *disgrace.*

It could be heard in the comments of a mayoral confidant who said that whatever Tom Bradley may say about Charter amendments, he privately believes the chief ought to resign. Those sentiments were echoed—though again in private—by two members of the council with whom I talked, though both believe Gates would survive by taking refuge in the bunker of civil service.

Police Commissioner Melanie Lomax, the tough-minded labor lawyer who will help decide Gates' fate, was less reticent. "The chief," she said, "will have to convince me that he has changed. He has to take responsibility for what has taken place. I'm determined to find out whether there is any relationship between the chief's aggressive and inflammatory posture and behavior of his officers. I suspect there is a marginal group of those officers who have taken Chief Gates' comments as license to adopt a cowboy mentality."

If he runs true to form, Gates will respond to such inquiries with disdain. I wonder, though, if he would feel the same if he had listened to the two veteran LAPD officers with whom I spoke. Both are men of long service. Unlike the 60 police officials who rallied to Gates' defense Wednesday, neither is involved in administration or holds a commission.

According to their accounts, the affair already has divided the department.

Gates has taken the King case away from the department's internal affairs division and handed it over to detectives from major crimes. The detectives have been put under intense pressure from a chief who, according to one officer, had "no concept what the hell he was talking about" when he demanded that the detectives file the case within hours. The obstacle of due process aside, the detectives have been frustrated by the district attorney's absolute refusal to cooperate with the police in any way until after the grand jury finishes its work.

"The whole thing is screwed up," the officer said. "All these little tin gods want their piece of flesh."

Despite such resentment, that same officer said he is "sure a case can be made" for Lomax's concern over Gates' loose-lipped rhetoric. "After he says one of these things—like that stuff about shooting casual drug users—you people just kind of chuckle.

"This last thing about drunken Salvadorans is the same. To the police mind, that's what they were: a couple of drunken Salvadorans sitting on the curb drinking beer,

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and there's the chief telling it like it is.

"When Gates said that Mexicans are 'lazy,' you heard the guys talking among themselves and saying, 'Well, how many Mexicans have you seen that you'd want to promote?' That sort of stuff goes on.

"Gates has a lot of support in the rank and file. He is personable, fair, and very supportive. He is personally very well thought of. There is a lot of grousing about management, but it doesn't extend to him. It's like he's above that. But people in upper-middle management don't always give Gates a full dose of reality, and the failure to do something about that is the chief's real problem."

The other officer agreed and speculated that the tone set by Gates' comments might have had a particular resonance in the Foothill Division. "It's sort of like a cowboy division," he said. "They're kind of out of the mainstream."

There is another essential difference between the Rodney King incident and those that have gone before: Out in the streets, away from the bunker mentality of Parker Center, there is a sense that if the chief has to resort to civil service protection to save his job, he will have won nothing but his own survival.

I asked the officers whether they, like the city officials to whom I spoke, believe Gates ought to resign. "There's nothing Gates likes better than a good fight," one said. "He's not going to roll over, especially not if he thinks he's got some support. The only way he would leave is if he thought the department itself was taking a beating and that it would blow over if he left. Then, I think he would go."

Is that the case? "I'm afraid it is."

"My wife," the other officer said, "asked me this same question when I got home. I told her I thought the chief should step down because I'm afraid he's lost his effectiveness."

Those are voices even Daryl Gates cannot afford to ignore. After four decades of attention to duty, he has one final obligation—to tender his resignation.

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(Mount Clipping in Space Below)

Police messages released

(Indicate page, name of newspaper, city and state.)

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FRONT SECTION, PAGE 1

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FBI — LOS ANGELES

Comments by accused officers called racist

By Jaxon Van Derbeken
and Rick Orlov
Daily News Staff Writers

Officers accused in the Rodney Glen King beating made racist remarks on the LAPD communications system before the incident and, afterward, one of them said, "I haven't beaten anyone this bad in a long time," according to a transcript released Monday.

The transcript of car-to-car messages between officers — typed on computer terminals inside their patrol cars — was released by the Los Angeles Police Department after pressure from Mayor Tom Bradley.

Related story:

■ A settlement is sought in four lawsuits accusing the Sheriff's Department of excessive force. **Back Page**

In a statement issued from Hawaii on Monday night, Bradley said the officers' remarks "will make it hard for the people of our city to believe that the (Police) Department's current training or command structure are adequate."

"Now that I've seen a transcript of the conversation, it is clear that the officers demonstrate a casual and cavalier attitude toward this horrific beating," Bradley said. "In addition, it appears that bigoted remarks are not only tolerated but applauded."

None of the officers were identified by name on the transcript, but LAPD officials said the transmissions were made from cars assigned to Sgt. Stacey Koon, 40, and Officers Laurence Powell, 28, and Timothy Wind, 30.

Koon, Powell, Wind and Officer Ted Briseno, 38, were indicted last week by a grand jury and face felony assault and excessive force charges in the March 3 beating of King, who suffered multiple skull fractures and other injuries.

A homemade video of the beating of King, 25, of Altadena, has triggered a national outcry about police use of force and calls for the resignation of Police Chief Daryl F. Gates.

The transcript released Monday begins at 12:29 a.m. — 18 minutes before LAPD officers joined in a chase of King. It ends at 1:17 a.m., after King was pulled over, subdued with a

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Taser electric stun device and beaten by officers.

A message from Koon's car to the Foothill Division station at 12:56 a.m. described the incident: "You just had a big time use of force. Tased and beat the suspect of CHP pursuit, Big Time."

The response, from a computer terminal in the station watch commander's office: "Oh well. I'm sure the lizard didn't deserve it. HaHa. I'll let them know O.K."

At 1:12 a.m., the Powell-Wind unit transmitted several messages to another LAPD car assigned to an unidentified officer.

Among the messages sent from the Powell-Wind car: "I haven't beaten anyone this bad in a long time."

The response: "Oh, not again. Why for you do that. I thought you agreed to chill out for awhile. What did he do."

To which the Powell-Wind car replied: "I think he was dusted" — slang for being under the influence of PCP — "many broken bones later. After the pursuit."

The transcript also reveals a reference to the film "Gorillas in the Mist" in a message from the car assigned to Powell and Wind less than a half-hour before the King incident.

Los Angeles police Cmdr. Rick Dinse said Monday that the statement was a racial slur.

That passage began when an unidentified unit messaged that it was on a stakeout of a Sunland-Tujunga area house with auto burglary suspects inside.

The Powell-Wind car responded: "Sounds almost exciting as our last call. It was right out of Gorillas in the Mist."

The reply: "HaHaHaHa. Let me guess who be the parties."

Although the other unit never offered a specific guess as to who was involved, Powell replied: "Good guess."

Community leaders said the transcript shows King was a victim of racial discrimination.

"I think the message confirms that race did play a factor in the abuse which Mr. King received at the hands of the police," Police Commissioner Melanie Lomax said.

"The references to 'Gorillas in the Mist' and 'lizard' — these all suggest that Mr. King was some sort of ape, some sort of lowlife.

"I am not shocked by the tape," Lomax said. "I have contended since the beginning that race was a factor. Anytime you have 15 white police officers beating one black man as if he was an animal, it had so many racial overtones, it was ridiculous."

John Mack, head of the Los Angeles Urban League, said the messages sickened him.

"It provides clear evidence of the savage, racist brutality that was inflicted on Rodney King," Mack said. "It reaffirms our contention all along that all of them should be fired, criminal charges filed, and they should never be allowed to carry a badge again."

Ramona Ripston, head of the Southern California chapter of the American Civil Liberties Union, accused Gates of covering the incident up by not releasing the contents earlier.

"I think it's the same old attitude on Chief Gates' part — he thought it was an aberration, but the statements indicated that it wasn't, he said it was not a racial incident, but it clearly did have racial overtones," Ripston said.

She said the delay in releasing the transcript shows that Gates had a cavalier attitude about notifying the public. "When he tries to cover up and hopes the public doesn't find out, he sends a message to his officers: 'You can beat up this man and get away with it.' "

King's attorney, Steven Lerman, described the communications by the officers as "scary, really scary."

Bradley in his statement from Hawaii, where he is making a bid for Los Angeles to host the 1993 Super Bowl, said the "malicious comments" raised questions just as serious as those raised by the King beating.

"The public must know how deep these prejudicial sentiments run in the LAPD," Bradley said.

"The Rodney King beating and the words of these few officers have set back our police force and our city for years," Bradley said. "It is no longer possible for any objective person to regard the King beating as an aberration.

Dinse, brought in by Gates to investigate the incident, said the statements and the tone of the transcript were clearly racist.

"I think it would be a reasonable assumption for someone to make," Dinse said at a Parker Center news conference. "We are not happy about that."

He said the department has clear policies against the use of racial slurs.

"It's very difficult to legislate away prejudices," Dinse said.

Dinse said the department checked on the last call made by Powell and Wind where they referred to it as being "right out of Gorillas in the Mist."

"It was a family disturbance call, and there were no problems," Dinse said. "We talked to the family, and they had no complaints. The family was black."

TRANSCRIPT OF POLICE COMMUNICATIONS

The following is a record of communications from portable computers in Los Angeles police cars and Foothill Division headquarters, starting about 18 minutes before officers joined the chase of Rodney Glen King's Hyundai. Officers Laurence Powell and Timothy Wind were in one car and Sgt. Stacey Koon was in another, officials said. Officials did not identify operators of the third police vehicle. The fourth terminal is at Foothill headquarters, sometimes referred to as ACC for Area Control Center.

12:29 a.m. (Unidentified car to Powell-Wind): What are you up to. We are up on the rock (in the Sunland-Tujunga area) with (cars) L170, 82 and A89 on top of some abandon house with narco and BFMV (Burglary From Motor Vehicle) suspects in it. We are waiting for them to hit some places.

12:31 a.m. (Powell-Wind to unidentified car): Sounds almost exciting as our last call. It was right out of Gorillas in the Mist.

12:32 a.m.: (Unidentified car to Powell-Wind): HaHaHaHa. Let me guess who be the parties.

12:32 a.m.: (Powell-Wind to unidentified car): I'm just trying to get through the night cause then I'm off for six, count them six, days. Time for some serious bike riding.

12:32 a.m.: (Powell-Wind to unidentified car): Good guess.

12:34 a.m.: (Unidentified car to Powell-Wind): You can't even get out of bed in the morning let alone bike ride. I'll believe that when I see it. I have one more then I'm off for four.

12:36 a.m.: (Powell-Wind to unidentified car): That's where your wrong. I was up at 12:30 today. I can't sleep that's the problem. I need to get worn out.

12:43 a.m.: (Unidentified car to Powell-Wind): But can you keep up. HaHaHaHa. People better know we are talking about bicycling and not something else or they will begin to wonder what these messages are about. HaHaHaHa.

12:45 a.m.: (Powell-Wind to unidentified car): Oh bicycling. Of course.

12:47 a.m.: EBO (Emergency Board Operator): #32 to All Units.

CHP advises their officers are in pursuit of a vehicle failing to yield southbound Paxton-Foothill. Vehicle is a white Hyundai, license 2KFM102, now approaching Glenoaks. Vehicle is now southbound Glenoaks-Paxton. Now passing Sylmar. Vehicle is now northbound Van Nuys-Bordon. Foothill RTO is taking over the broadcasting of the pursuit Powell-Wind unit is the primary unit. Now eastbound Van Nuys at Fulton. Stopped at a light southbound Van Nuys at Foothill. Two male black occupants. Vehicle still refusing to yield now eastbound Foothill at Osborne.

(The Powell-Wind car then showed Code 6 on Foothill east of Osborne. He subsequently broadcast a Code 4, suspects in custody at 0059 hours.)

12:56 a.m.: (Koon to Foothill command): You just had a big time use of force. Tased and beat the suspect of CHP pursuit, Big Time.

12:57 a.m.: (Foothill command to Koon): Oh well. I'm sure the lizard didn't deserve it. HaHa. I'll let them know O.K.

1:11 a.m.: (Koon to Foothill command): I'm gonna drop by the station for a fresh taser and darts. Please have the desk have one ready.

1:11 a.m.: (Foothill command to Koon): Okey dok on the ACC desk. You want extra darts??? Its got two.

1:12 a.m.: (Powell-Wind to unidentified car): Ooops.

1:12 a.m.: (Unidentified car to Powell-Wind): Ooops, what?

1:13 a.m.: (Powell-Wind to unidentified car): I haven't beaten anyone this bad in a long time.

1:15 a.m.: (Unidentified car to Powell-Wind): Oh, not again. Why for you do that. I thought you agreed to chill out for awhile. What did he do.

1:16 a.m.: (Powell-Wind to unidentified car): I think he was dusted. Many broken bones later. After the pursuit.

1:17 a.m.: (Unidentified car to Powell-Wind): What pursuit.

POLICE MESSAGES

The following is a part of a transcript of computer messages between two LAPD patrol cars shortly after the beating of Rodney King on March 3. Officers Laurence Powell and Timothy Wind, who face charges in the incident, were identified as being in one car. The officers in the second car weren't identified.

Powell-Wind car: *"Ooops."*

Unidentified car: *"Ooops what."*

Powell-Wind car: *"I haven't beaten anyone this bad in a long time."*

Unidentified car: *"Oh not again. Why for you do that. I thought you agreed to chill out for a while. What did he do."*

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(Mount Clipping in Space Below)

LAPD officer: 'I haven't beaten anyone this bad in a long time'

By Linda Deutsch
Associated Press

LOS ANGELES — A policeman involved in the beating of an unarmed black motorist told another officer he hadn't "beaten anyone this bad in a long time," according to a transcript released Monday.

"You just had a big-time use of force," Koon told a police dispatcher after the beating of Rodney G. King during a traffic stop on March 3.

A top police official investigating the assault also said officers sent a computer message that may involve a racially edged remark, making a joke about the film "Gorillas in the Mist."

The beating of King was captured on a shocking videotape made by a home camera buff who watched the assault from the vantage point of his home in suburban Lake View Terrace.

The transcript released by the Police Department contains messages between the officers transmitted by portable computers in their squad cars.

After a report that officers were in pursuit of a white Hyundai refusing to yield, there was a pause of approximately nine minutes, at which point a report from Sgt. Stacey Koon came in, saying, "You just had a big-time use of force . . . tazed and beat the suspect of CHP pursuit. Big time."

The response from headquarters was "Oh, well . . . I'm sure the lizard didn't deserve it . . . ha, ha. I'll let them know OK."

Koon responded, "I'm gonna drop by the station for a fresh Taser and darts . . . Please have the desk have one ready." A Taser is a stun device that uses darts.

A minute later, a message was received from a police car occupied by Officers Laurence Powell and Timothy Wind. The message was simply: "Oops."

Another unit responded, "Oops what?"

A minute later the response came: "I haven't beaten anyone this bad in a long time."

To that, the second unit said, "Oh, not again . . . why for you do that . . . I thought you agreed to chill out for a while . . . what did he do?"

The Powell-Wind car responded, " I think he was dusted . . . many broken bones later . . . after the pursuit." "Dusted" is slang for use of PCP, a hallucinogen.

. . . The second unit responded, "Oh, not again . . . why for you do that . . . I thought you agreed to chill out for a while . . . what did he do?"

The second unit asked, "What pursuit . . .' and the transmission ended there.

Cmdr. Rick Dinse, who is heading a police investigation of the beating, said one portion of the transcript indicates a possibly racially tinged remark made from the patrol unit occupied by Powell and Wind.

At one point in the transcript, the unit with which Powell and Wind were communicating gave their location and said they were on a surveillance of some narcotics suspects.

Powell and Wind's unit responded: "Sounds almost exciting as our last call . . . it was right out of Gorillas in the Mist.'"

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P. A3
San Gabriel Valley Tribune
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(Mount Clipping in Space Below)

Patrol Car Log in Beating Released

■ **Police:** The officers' messages include racial slurs about an earlier case. 'A big time use of force' against Rodney King is referred to in the transcript.

By TRACY WOOD and SHERYL STOLBERG
TIMES STAFF WRITERS

Los Angeles police officers accused in the beating of Rodney G. King, a black motorist stopped for speeding after a freeway pursuit, had made racial slurs about blacks involved in a previous incident and referred to the King arrest as "a big time use of force," according to transcripts of patrol car computer messages made public Monday.

"I haven't beaten anyone this bad in a long time," read a computer message sent from the squad car assigned to officers Laurence M. Powell and Timothy Wind, both of whom were indicted last week in the videotaped assault.

It was not known which officer was operating the squad car computer, which Police Department personnel use to communicate with one another in the field.

Another message, sent from Powell's and Wind's car just before the King incident, described a domestic dispute involving African-Americans that the officers had handled as being "right out of 'Gorillas in the Mist.' "

The squad car that received the message responded: "HaHaHaHa. Let me guess who be the parties."

A Los Angeles police official investigating the King affair said the reference to "Gorillas in the Mist," the title of a movie about ape research in Africa, and the usage of black dialect by white officers apparently had racial connotations.

■ **RELATED STORIES:** A20

"Without drawing assumptions," said Cmdr. Rick Dinse, "I am led to believe that is a racial comment."

Release of the four pages of starkly worded police communiques immediately brought intensified complaints from Mayor Tom Bradley and civil rights leaders that King's beating was racially motivated and extended from a pattern of abusive behavior by police toward blacks.

In a strongly worded statement issued by his staff late Monday night, Bradley—who had just arrived in Hawaii to press the city's Super Bowl bid—decried what he called the "bigoted remarks" of the officers. The mayor said the comments "raise questions that are just as serious and disturbing" as the actual beating, which Police Chief Daryl F. Gates has repeatedly called "an aberration."

Said Bradley: "It is no longer possible for any objective person to regard the King beating as an aberration. We must face the fact that there appears to be a dangerous trend of racially motivated incidents running through at least some segments of our Police Department."

Said Police Commissioner Melanie Lomax: "The disappointment is in the minds of those who had hoped against hope that this did not appear to be something straight out of South Africa and the Deep South, as it appeared to be. Of course, that hope against hope turned out not to be the case."

The LAPD released the police log hours after Bradley publicized a letter in which he instructed the Police Commission to make the information public as soon as possible. Bradley and several police commissioners had been informed of the nature of the computer messages last week by Gates.

Although the mayor's staff had alerted Gates that the letter was coming, an Police Department spokesman said that did not prompt the chief to make the transcript public. According to Cmdr. Robert Gil, Gates wanted to release the information Friday, but was advised against doing so by Dist. Atty. Ira Reiner, who cautioned that the material was part of the criminal investigation.

Reiner's spokeswoman declined comment, citing the confidentiality of the grand jury probe. But both Gil and aides to Bradley said they learned Monday that Reiner was not opposed to making the information public.

The log shows a series of 19 messages sent during the 48 minutes surrounding the controversial videotaped beating of King, 25, an unemployed construction worker from Altadena on parole after a robbery conviction. The transmissions include those sent by Powell and Wind to foot patrol officers who were not at the March 3 beating in Lake View Terrace, as well as messages sent by Sgt. Stacy C. Koon—who was also indicted

(Indicate page, name of newspaper, city and state.)

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MAR 26 1991

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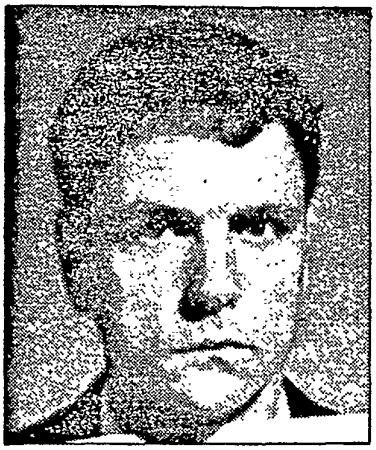
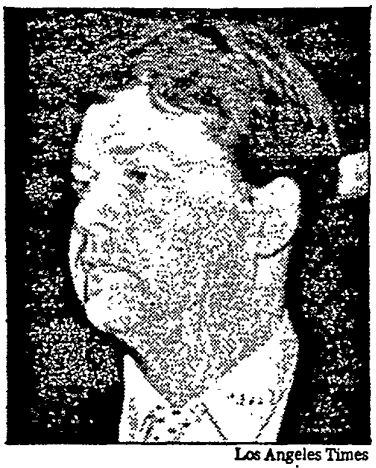


Timothy Wind



Los Angeles Times

Laurence M. Powell

last week—to his watch commander's desk.

Among them was the following exchange between Koon, who had fired a 50,000-volt Taser electric dart gun at King, and an unidentified officer who was sitting at the watch commander's desk in the Foothill Division.

Koon: "You just had a big time use of force . . . tased and beat the suspect of CHP pursuit, Big time."

Officer at desk: "Oh well . . . I'm sure the lizard didn't deserve it . . . HAHA I'll let them know, O.K."

Koon then tells the other officer that he is going to return to the station "for a fresh taser and darts."

Responds the desk: "Okey dok on the ACC [watch commander] desk . . . You want extra darts??? It's got two."

In a later exchange, the foot patrol officers in Sunland-Tujunga were told in a message from Powell's and Wind's car about the beating.

"Oops," was the initial message from the car of Powell and Wind.

"Oops, what?" was the response.

"I haven't beaten anyone this bad in a long time."

The foot beat officers responded: "Oh not again. Why for you do that . . . I thought you agreed to chill out for a while . . . What did he do . . . "

"I think he was dusted . . . many broken bones later . . . after the pursuit," was the message that came back.

Neither Powell nor Wind has been previously disciplined, and it was unclear what was meant by "not again." Also unclear was the meaning of the word "dusted," although police officials surmised it could have referred to the drug PCP—also known as angel dust. Authorities have said the officers at the scene thought King was on PCP, but toxicology tests later showed no evidence of drugs or alcohol.

In addition to the log, a second audiotape of the incident was made public by the Police Department on Monday. On the tape, either Powell or Wind—LAPD officials said they were not certain who—calls for an ambulance, saying police have a "victim." Another voice interjects: "Of a beating." The first officer is then heard chuckling.

Last week, a county grand jury indicted Koon, Powell, Wind and another officer, Theodore Briseno, on felony charges of assault with a deadly weapon and unnecessarily beating a suspect under color of authority.

Now, in an effort to see if more criminal charges can be brought, investigators are reviewing the actions of 11 other officers who watched the beating but did not intervene. A spokeswoman for Reiner said prosecutors expect to begin presenting additional evidence to the grand jury next week.

King suffered numerous injuries in the attack. According to police officials, King was hit between 53 and 56 times by officers wielding their batons. The bones holding his eye in its right socket were broken, and he suffered 11 broken bones at the base of his skull.

Black-and-white videotaped images of the beating, broadcast nationwide, sparked a public outcry over police misconduct, as well as calls for Gates' resignation from minority activists and other public figures, among them conservative columnist George Will, U.S. Sen. Joseph Biden (D-Del.) and civil rights leader Jesse Jackson.

On Monday, Gates arrived at work to find a surprise welcoming party of several hundred officers and civilian Police Department employees who lined the corridor to his office, clapping, waving yellow ribbons and chanting, "Gates Must Stay! Gates Must Stay!" Afterward, the chief reiterated his intention to hold on to his job.

Gates, who did not know of his officers' computerized messages until about a week ago, has insisted from the outset that there was no evidence the beating of King was racially motivated. At a news conference several days after the beating, the chief said: "We can turn up absolutely nothing that would suggest that, except for the officers were white and the suspect was black."

But civil rights activists said the log shows that LAPD officers apply a different set of standards when dealing with minorities.

"I think that this just further confirms everything that we have been saying," said Danny Bakewell of the Brotherhood Crusade, an African-American civic group. "There seems to be a very methodical game plan as well as coded language within the LAPD when it comes to dealing with black people."

The American Civil Liberties Union of Southern California, which has purchased newspaper advertisements calling for Gates to step down, released a statement accusing the chief of a cover-up.

"Police Chief Daryl Gates is guilty, just like his men, of a cover-up," the statement said. "He had access to this transcript immediately after the attack. But he continued to insist that it was not a racist incident and that it was an aberration."

According to police officials, the transcripts were pieced together during a weeklong process that involved retrieving computer messages and matching times with cars and officers. The computer system was installed in 1983 and was intended to reduce the amount of official radio traffic and to provide more accurate message exchanges. Use of the system for personal messages is a violation of department policy.

Times staff writers Leslie Berger, Hector Tobar and Richard A. Serrano contributed to this report.

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POLICE COMMUNICATIONS TRANSCRIPT

Tape shows officer with baton raised to hit man on the ground.

Here is the transcript of computer transmissions between squad cars and the watch commander's office of the Los Angeles Police Department's Foothill Division beginning at 12:29 a.m. and ending at 1:17 a.m. on March 3—the morning Rodney King was beaten by officers at a traffic stop.

12:29 a.m.
From unidentified foot patrol officers in Sunland-Tujunga to Officers Laurence M. Powell and Timothy Wind: *What are you up to. . . . We are up on the rock with* [cars] *L170, 82 and A89 on top of some abandon house with narco and BFMV* [burglary from motor vehicle] *suspects in it. . . . We are waiting for them to hit some places.*

12:31 a.m.
From Powell and Wind to the foot patrol officers: *. . . . Sounds almost exciting as our last call. . . . It was right out of Gorillas in the Mist.*

12:32 a.m.
From the foot patrol officers to Powell and Wind: *. . . HaHaHaHa. . . . let me guess who be the parties.*

12:32 a.m.
From Powell and Wind to the foot patrol officers: *. . . I'm just trying to get through the night cause then I'm off for six, count them six, days . . . time for some serious bike riding.*

12:32 a.m.
From Powell and Wind to the foot patrol officers: *. . . Good guess.*

12:34 a.m.
From the foot patrol officers to Powell and Wind: *. . . You can't even get out of bed in the morning let alone bike ride . . . . I'll believe that when I see it . . . . I have one more then I'm off for four.*

12:36 a.m.
From Powell and Wind to the foot patrol officers: *. . . That's where your wrong. . . . I was up at 12:30 today . . . I can't sleep that's the problem. . . . I need to get worn out.*

12:43 a.m.
From the foot patrol officer to Powell and Wind: *But can you keep up. . . . HaHaHaHa . . . People better know we are talking about bicycling and not something else or they will begin to wonder what these messages are about HaHaHaHa.*

12:45 a.m.
From Powell and Wind to the foot patrol officer: *Oh bicycling . . . Of course.*

12:47 a.m.
From emergency board operator to all units: *CHP advises their officers are in pursuit of a vehicle failing to yield southbound Paxton-Foothill. . . . Vehicle is white Hyundai, license 2KFM102, now approaching Glenoaks. . . . Vehicle is now southbound Glenoaks-Paxton . . . now passing Sylmar . . . . Vehicle is now northbound Van Nuys-Bordon. . . . Foothill RTO* [radio-telephone operator] *is taking over the broadcasting of the pursuit* [car] *16A23* [Powell and Wind] *is the primary unit. . . . Now eastbound Van Nuys at Fulton . . . stopped at a light southbound Van Nuys at Foothill . . . two male black occupants . . . Vehicle still refusing to yield now eastbound Foothill at Osborne . . .*

Powell and Wind then got out of their car to investigate on Foothill east of Osborne. One of them subsequently broadcast a Code 4, meaning sufficient units were on scene and suspects were in custody at 12:59.

12:56 a.m.
From Sgt. Stacy C. Koon to Foothill watch commander's office: *. . . You just had a big time use of force . . . tased and beat the suspect of CHP pursuit, Big Time.*

12:57 a.m.
From watch commander's office to Koon: *Oh well . . . I'm sure the lizard didn't deserve it. . . . HAHA I'll let them know O.K.*

1:11 a.m.
From Koon to watch commander's office: *. . . I'm gonna drop by the station for a fresh taser and darts . . . please have the desk have one ready.*

1:11 a.m.
From watch commander's office to Koon: *Okey dok on the ACC desk. . . . You want extra darts??? It's got two.*

1:12 a.m.
From Powell and Wind to the foot patrol officer: *. . . ooops.*

1:12 a.m.
From the foot patrol to Powell and Wind: *ooops, what?*

1:13 a.m.
From Powell and Wind to the foot patrol: *I haven't beaten anyone this bad in a long time.*

1:15 a.m. From the foot patrol to Powell and Wind: *Oh not again. . . . Why for you do that. . . . I thought you agreed to chill out for awhile . . . . What did he do. . . .*

1:16 a.m.
From Powell and Wind to the foot patrol: *I think he was dusted . . . many broken bones later . . . . After the pursuit . . . .*

1:17 a.m.
From the foot patrol to Powell and Wind: *What pursuit. . . .*

Source: LAPD

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Tape shows 21 police at beating

By Howard S. Gantman
COPLEY NEWS SERVICE

Twenty-one law enforcement officers were present during the beating of a black motorist that was recorded on videotape, not the 15 previously acknowledged, a Los Angeles Police Department spokesman said late Tuesday.

The new information came after Assembly Speaker Willie Brown, the state's top black public official, and the Los Angeles County Federation of Labor joined the growing chorus demanding Police Chief Daryl Gates' resignation over the March 3 beating of Rodney King.

Steven Lerman, the attorney hired by King, said he was prepared to file a $56 million lawsuit against the city, $1 million for each blow King suffered when he was beaten by officers after a freeway pursuit.

Four officers have been indicted by the Los Angeles County grand jury for assaulting King and face a court hearing Friday.

Officials from the District Attorney's Office said the inquiry is continuing into whether 11 others who watched the beating but failed to stop it could be charged with aiding and abetting.

Lerman, however, said an enhanced version of the amateur videotape showed as many as 25 officers, including members of the California Highway Patrol and school district police, could have been at the scene.

An LAPD spokesman, Lt. Fred Nixon, later acknowledged that 21 officers were present.

"In identifying additional officers at the scene we have not identified any additional officers who are as prominently involved as the officers who have already been indicted by the grand jury," Nixon said.

He declined to say what changed the figures, other than to say that the investigation was continuing and that new facts continue to come out as they go along.

Lerman told a news conference that King, 25, remains in an undisclosed hospital where he is recuperating from surgery for broken bones in his skull and is suffering from severe and frequent nightmares.

The beating has sparked escalating calls for the resignation of Gates.

More than 200 delegates of the county Labor Federation, which represents 700,000 AFL-CIO union members, voted unanimously Monday night at a special meeting to approve a resolution demanding that Gates step down, said Bill Robertson, the executive secretary-treasurer of the federation.

"This is a time of infamy and shame in the city of Los Angeles," said Robertson, a longtime close associate of Mayor Tom Bradley.

At a Sacramento news conference, Brown also called for Gates' resignation, saying, "I believe that those officers involved in the beating were carrying out a pattern of conduct that has been tolerated in that police system for a very long time, that has not been dealt

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MAR 26 1991

FBI — LOS ANGELES

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with as sternly and firmly as it should have been."

The *Los Angeles Times* published an editorial Tuesday calling for Gates to quit "not because of legal necessity — there is none — but because of moral wisdom."

Others who have called for Gates to quit include the American Civil Liberties Union, the Los Angeles chapter of the NAACP, conservative columnist George Will, Sen. Joseph Biden Jr., D-Delaware, and San Jose Police Chief Joseph McNamara.

The heightened furor comes after the release Monday of transcripts of patrol car computer logs that showed one of the officers involved in the beating used a racial slur about blacks in reference to another call just before the King beating. The officer later said he hadn't "beaten anyone this bad in a long time."

The release of the transcripts, which showed one of the officers referring to a black family as "right out of (the movie) Gorillas in the Mist" fueled an outcry by black civil rights leaders and politicians.

In a statement from Hawaii, Bradley said the comments between the officers showed "a callous disregard for the victim and a deeply disturbing racial remark. The transcript sickens and saddens me."

Bradley called on the Police Commission, which is scheduled to hold a special hearing on the King case today, to include the new information in its probe into racism and mismanagement in the LAPD.

Police Commissioner Melanie Lomax, said the panel intends to look closely at Gates' own responsibility for creating an atmosphere that may have given the police officers the impression they could get away with the beating.

Gates has also been ordered to appear before the City Council Wednesday morning to address concerns about how he has dealt with police abuse complaints in the past.

Despite the outcry, none of the city's elected leaders have joined the calls for the chief's resignation, which prompted Robertson to say he was "disappointed" in both the mayor and council for failing "to provide the leadership that one would expect of them."

An informal sampling of council members found Robertson's comments failed to sway any lawmakers, with most saying it was premature to demand that Gates step down.

Councilwoman Joan Milke Flores, whose district stretches from the Harbor to Watts, said the overwhelming majority of calls to her office supported the chief.

Councilman Zev Yaroslavsky said responsibility for problems in the LAPD goes much further than the chief and suggested Bradley, the Police Commission and even the council should be held accountable for allowing abuse and racism to develop in the department.

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(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

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MAR 26 1991

FBI — LOS ANGELES

Mayor wants racism probe

Says retirement of Gates would help restore public faith in LAPD

By Rick Orlov
and James W. Sweeney
Daily News Staff Writers

In his strongest statement yet on the Rodney Glen King beating, Mayor Tom Bradley said Tuesday night that he will seek an investigation of racism at all levels of the Los Angeles Police Department and that Police Chief Daryl Gates' "retirement would help in the healing process."

In a telephone interview from Hawaii where he is attending a national Football League owners meeting in an effort to win the 1993 Super Bowl for the city, Bradley said growing evidence about the attack has convinced him that racism is not confined to the LAPD's Foothill Division in the San Fernando Valley where a bystander captured the beating by officers on videotape. The mayor said he is considering the appointment of an independent commission to conduct the investigation of the LAPD "from top to bottom."

"That's the chief, the deputy chiefs down to the training officers and the supervisors in the field," Bradley said.

"This (racism) is not isolated," he added. "If it exists, it's likely to be departmentwide."

Despite mounting calls for Gates to resign, Bradley again said he would not interject himself in the debate over whether the chief should stay on.

Later in an interview broadcast on television station KCAL (Channel 9), the mayor said he was not calling for Gates' resignation although he believes Gates' retirment would help restore public confidence in the Police Department.

But Assembly Speaker Willie Brown Jr., D-San Francisco, and Bill Robertson, leader of the Los Angeles County Federation of Labor, joined civil rights advocates calling for Gates' resignation.

Brown and Robertson said that Gates should step aside so that public confidence in the department could be rebuilt.

Gov. Pete Wilson, in his first statement on the controversy, condemned the officers involved in the beating but stopped short of criticizing Gates.

Wilson issued a statement calling the officers "a disgrace to their uniform and its proud traditions" and applauded the decision to prosecute them.

"The brutality of the videotaped beating could not help but outrage and turn the stomach of any decent person, but must have especially repulsed the vast majority of decent and conscientious police officers," Wilson said.

No member of the Los Angeles City Council has called for Gates' resignation, with many saying they don't have the authority or the grounds to demand that the chief step down.

"This is not just any department head," said Councilman Robert Farrell. "This is the chief of police. We are talking about fundamental issues and make fundamental decisions about the operation of the city's biggest department."

"I have my personal feelings," said Councilman Zev Yaroslavsky. "I'm not ready to make such a statement. Right now, this is up to the Police Commission and the mayor."

King was beaten by at least three officers March 3 following a traffic stop in Lake View Terrace. The incident attracted national attention because it was recorded

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by a witness on videotape, and outrage over the incident grew Monday following disclosures that officers involved in the beating made racist remarks on a police communications systems beforehand.

King, 25, is black, and the four officers indicted in the case are white.

Gates has condemned the beating and says he will not resign over the incident, which has resulted in a grand jury investigation.

Bradley said from Hawaii that he was particularly disturbed by transcripts of the officers' remarks.

"The transcripts of those discussions are disturbing — indeed alarming," Bradley said. "It's clear that the King incident was not an aberration. The racial overtones are evidence of a bigger problem in the department."

Bradley said the decision of whether or not to resign was up to Gates.

"I don't want to see this become a Bradley-Gates battle," the mayor said. "This is a matter for the chief to decide. He has his own constituency.

"But I am thinking of appointing an independent panel," Bradley said, referring to his plans to investigate racism in the LAPD. "It has advantages and disadvantages. I'll decide that when I get back."

Bradley said appointment of an independent panel would not indicate that he lacks confidence in the Los Angeles Police Commission, which recently has lost two of its five members.

At a Los Angeles news conference, Robertson said that Gates had brought "shame and infamy" and should step down for the good of the city. He also said he was disappointed in the failure of the city's elected leaders to take a stand on whether Gates should remain in office.

"I learned at an early age that politicians should be leaders," Robertson said. "In the past 20 years, I've seen politicians wet their fingers, put them in the air and see what the public thinks. What we need are leaders."

Gates has not changed his mind about resigning, a spokesman said.

"I do know there's been no change in his position on not resigning," Lt. Fred Nixon said.

Robertson's comments drew a cool reaction from City Council members, some of whom noted that under the City Charter the chief only can be removed by the city Police Commission — and only for cause, such as gross misconduct.

Councilman Mike Woo said that calling for Gates to resign "would raise false expectations," given the council's lack of authority.

Councilwoman Joan Milke Flores said she is not convinced the call for Gates' resignation is as widespread as Robertson believes.

"I've had a number of calls from people, all of whom deplore the incident, but don't think the chief should be held responsible for it," Flores said.

Gates is scheduled to appear before the City Council today on a separate case involving allegations of police brutality. Councilman Nate Holden said he believes that might provide the opportunity for council members to question Gates.

"He has got to answer questions about this," Holden said.

Councilwoman Joy Picus introduced two proposals to review the goals given Gates in his performance reviews and to revive a charter amendment making it easier to fire department heads. The measures were referred to committee for study.

In Sacramento, Brown said that he believes the beating reflects a pattern of insensitivity to minorities by Los Angeles police officers.

"I believe that those officers were carrying out a pattern of conduct that has been tolerated in that police system for a very long time, that has not been dealt with as firmly and as sternly as it should have been dealt with," the speaker said at a Capitol news conference.

Sen. Ed Davis, R-Northridge, who was Los Angeles police chief until 1978, defended both his successor and the 50-year-old city charter provision that gives civil service protection to department directors.

"The worst thing would be to leave now," Davis said. "He'd leave in disgrace."

Sen. Alan Robbins, D-Van Nuys, also defended the chief.

"From my conversations with Daryl Gates through the years I believe he is much more sensitive than the public perception created over the last few weeks," Robbins said. "And I don't think he's getting a fair rap."

Sen. Gary Hart, on the other hand, said Gates should go.

"I think he's become the issue," said Hart, D-Santa Barbara.

This story was written by Daily News Staff Writers Rick Orlov in Los Angeles and James W. Sweeney in Sacramento. Patrick McGreevy, in Los Angeles, and Sandy Harrison, in Sacramento, contributed.

D-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Public weighs justice of possible award

By Kevin Uhrich
Staff Writer

PASADENA — Is the $56 million that attorneys for Altadena resident Rodney King say they will seek for the beating he endured at the hands of Los Angeles police officers a realistic sum?

Some local residents interviewed Wednesday said $56 million — $1 million per blow inflicted — isn't enough. Others say the requested damage figure is merely a stunt engineered to generate even more publicity for the case.

"How can you quantify something as terrible as that?" asked Sally Mosher, a former candidate for the Pasadena Board of City Directors. "If the judgment went against the police, where would the $56 million come from? It comes out of whoever has the deep pockets. Eventually, a lot of this stuff comes out of all of our pockets. You want to do everything you can do to discourage that kind of thing from happening to a person. But this is another one of those mind-boggling requests for money."

Given the circumstances, said Bill Geller, vice chairman of the Pasadena Young Republicans, $56 million is not an unreasonable sum to request.

"A lot of us Republicans have a problem defending this," Geller said. "You see it in black and white, and it's really pretty bad. It's not a gross and ridiculous number, because you have it all on tape and you have to wonder how many of these types of things happen that aren't on tape."

In the eyes of others, $56 million will not compensate for the losses suffered by King and his family.

"If what the doctors say is true, he's going to be an invalid in terms of thinking capacity, for life," said Emmell Beech, chief executive officer of the Foothill Area Community Services. "That's going to be a loss to his children, to his wife and to his relatives."

"Our young people see this tape . . . and I wonder what the heck they think about. You and I are reasonable people. But consequently, there are some people who are not reasonable."

Pasadena attorney Joe Hopkins said he originally was approached by members of King's family and asked to represent King before Beverly Hills attorney Steve Lerman took over the case. Hopkins said he was disappointed by the King family's decision to downplay the allegedly racist nature of the beating.

Tony Stewart, president of the Altadena NAACP, said it appears King's lawyers are "grandstanding" by saying they want $1 million for each time King was struck by police that night.

"The money will not replace his health, whatever he settles for," Stewart said.

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King's friend says police also manhandled and taunted him

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New York Times Service

LOS ANGELES — As Rodney King was beaten by police March 3, other officers seized one of King's passengers, Bryant Allen, who says he was manhandled and taunted in a racially motivated attempt to provoke him.

In an interview, Allen said he feared for his life as he was made to crawl along the ground, hearing his friend's screams and the sounds of police batons from the far side of the car.

"He was screaming, 'Stop!' " said Allen, who said he heard but did not see his friend being beaten. "Then he kind of quit, and all you could hear was like bones being broken, a crunching."

Allen, 25, said he believed the beating of King and the blows directed at him and a second passenger, Freddie Helms, were racially motivated.

The three men in the car were black. The officers were white. As many as 21 Los Angeles police officers were present, of whom a sergeant and three officers have been indicted on assault charges.

Allen's lawyer, John Burton, said he would file a federal civil rights lawsuit. King's lawyer said Tuesday he also would file suit. None of the three men in the car has been charged.

A neighbor's videotape of the beating has led to calls for the resignation or firing of Chief Daryl Gates, and prompted inquiries into police brutality nationwide.

Allen said that at one point, a woman officer intervened when he was threatened with violence. "She ... had her hand out saying I didn't do anything," Allen recalled. "She was saying, 'He's the one that had his hands up.' "

Nevertheless, he said, he was kicked, manhandled and threatened by officers who asked, "You want to be like your homeboy?"

He said Helms was bloodied after apparently being struck on the head with a baton.

He said King, who suffered head injuries in the beating, was having difficulty remembering the night of the beating in a coherent way. "It sounded like he was talking in riddles, all mixed up," Allen said.

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Carrying a baton, carrying an obligation

By Pat Dillon
Knight-Ridder Newspapers

Whether it's Los Angeles or San Jose, when it comes to coping with violence, almost every police officer in every major police department gets the same type of routine training.

It's called the "Koga Technique," and it includes grips and holds for subduing uncooperative suspects. If things turn nasty, the "Koga Technique" includes using a 26-inch solid aluminum baton that, when swung properly, can lay a person low without drawing blood. It can also shatter a door, break an ax handle in half or shatter bones.

Bob Koga, a Southern California consultant and self-defense expert, developed and taught the technique when he was a sergeant with the Los Angeles Police Department.

The hideous variation of his technique is on videotape, and at least three of 21 LAPD officers who took part have been indicted for using their batons to strike Rodney King more than 50 times after they said they stopped him for speeding.

"That had nothing to do with police work. It was the complete opposite of everything we teach," said Anton Erickson, a 29-year San Jose police officer and former instructor at the Police Academy. "I was horrified when I saw that tape. I haven't felt so bad since my father died."

Erickson, 55, is retiring in 23 days, but he says he will always consider himself a Koga disciple.

"He taught me to be a better cop. He taught me the art of self-defense that is behind this technique," Erickson said. "When we teach it at the academy, we devote at least eight hours to our obligation to avoid using it as

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an offensive weapon.

"I'm just sick about what happened in Los Angeles. But, I'll tell you this: Every cop who saw that videotape is a better cop today."

We've been hearing how "sick" everyone is ever since the incident became public. But that's old news.

A horrified San Jose Police Chief Joe McNamara wrote an article for the Los Angeles Times citing the LAPD's loss of integrity and calling for Chief Daryl Gates to resign. McNamara's argument is this: "It is incumbent on the chief to exert the kind of leadership that results in his troops performing their duties in a way that maintains credibility in the community."

But most officers get the same routine training. So, in theory, they all start from the same place. Obviously, though, each community is different ethnically, economically, etc. How training is transferred to the streets is still another matter. It's not a question of whether the videotape could have been shot in San Jose. What happens when there is no videotape? McNamara's article doesn't answer that.

The San Jose Police Department receives an average of 160 citizen complaints of misconduct each year. How those complaints are handled reflects the department's determination to avoid the horror in Los Angeles.

That's why City Councilwoman Blanca Alvarado is calling for a more citizen-friendly way of handling complaints against the police, even suggesting a deputy city manager track those complaints.

Assistant Police Chief Fred Abram appeared with her at a news conference Monday, promising that the department will put more emphasis on community relations. He promised more cross-cultural training and to hire more minority officers, including a minority member in the department of internal affairs, the police mechanism for examining allegations of misconduct.

He even agreed that, if it is legal, it might be a good idea for someone outside the department to track citizen complaints. It's sticky. Details of internal investigations into police misconduct are protected by state law. Today, Alvarado will ask San Jose's attorneys to explore ways that the city can provide more police oversight. That would prove to be as important to police conduct as any amount of training with a baton.

Pat Dillon is a columnist for the San Jose Mercury News.

George Robeson is on vacation.

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Brutality victims also may suffer mental trauma

By Susan Gill
Staff Writer

Rodney King may feel some vindication now that four Los Angeles police officers have been indicted for allegedly using excessive force against him, but the Altadena resident still has some enormous obstacles to overcome, specialists say.

Psychologists and attorneys interviewed Wednesday said King may be experiencing overwhelming feelings of anger, confusion, suspicion and fear of his environment.

"I would expect that, like other crime victims, he would be quite depressed, have difficult eating, sleeping and a problem in interacting with others," said Susan Mandel, president of Pacific Clinics, a mental-health agency in Pasadena.

Frank Jameson, youth and psychological services coordinator for the Pasadena Police Department, said King's experience could be compared to "emotional anarchy."

"The victim is in a situation in which he has no control, and he is experiencing others who have lost control in emotional in physical levels," Jameson said.

John Burton, a Pasadena attorney who is representing 25-year-old Bryant Allen, one of the passengers in King's car the night of the beating, said King's case is compounded by the fact that police officers were the alleged criminals.

"When a police officer does it, it lays an extra layer of psychological trauma," Burton said. "Because one of the things about being a crime victim is you can go to the police and they will protect you or solve the crime."

Allen, an Altadena resident who was riding in the back seat of King's white Hyundai on March 3, feared for his life, according to Burton.

Burton said police handcuffed Allen and put him on the ground. Allen reported that one officer "stomped" directly on his back and another officer kicked him in the side.

Burton said Allen plans to file a lawsuit against the Los Angeles Police Department.

Gloria Romero, assistant professor of psychology at Cal State L.A., likened police brutality to rape.

"It is the knowledge that it is your word against somebody else's," she said. "It is very difficult."

Romero, a member of the Hispanic Advisory Council to the Los Angeles Police Commission, said many victims of excessive force by police do not report the incident because they start questioning themselves.

"They ask: 'Did I deserve it? Maybe if I had just not moved so much. Maybe if I didn't consume so much alcohol,' " she said.

"But those questions have nothing to do with it," she added. "We blame victims for their own victimization. I think we have to look again at how we set up the system."

D-350 (Rev. 5-8-81)

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King attorney: Past trouble has no bearing on case

By Kevin Uhrich
Staff Writer

The Encino attorney who initially handled the criminal defense of police beating victim Rodney King said he is being unjustly criticized by reports of disciplinary action taken against him by the California Bar over a 1983 incident.

Robert Rentzer, who helped get King out of jail after his March 3 encounter with Los Angeles police officers in Lake View Terrace, was disciplined for allowing his office assistants to handle a 1983 personal injury claim in which Rentzer's client ended up having to pay more than $13,000 in fees and other costs for a $12,000 judgment in his favor.

In November 1989, Rentzer received a 30-day suspension and was ordered to serve two years probation, said California Bar spokeswoman Susan Scott.

Rentzer, 52, said he worked free of charge to get King out of jail, but has not been actively involved in the case since. Rentzer said he is not involved in the $56 million lawsuit that King's other attorney, Steve Lerman, plans to file, and said he probably will do little except take a few depositions once the case gets under way.

However, Rentzer said he is thinking of filing a lawsuit against reporter Harvey Levin and television station KCBS, which revealed his suspension in a report Tuesday night.

"I don't know how this even fits into the King case," Rentzer said.

Rentzer said he pointed out to Levin that he is not representing King, but Levin did not report that. He also said the client involved in the 1983 personal injury case ultimately received $9,422 of the judgment.

Rentzer said he fired the office manager involved in the case, filed a lawsuit against him, fired all of his office staff and closed his office.

"I am not running for political office and do not see how an 8-year-old incident has any bearing on the King case," Rentzer wrote in a letter of protest to the Los Angeles news station.

Levin said that the report that aired was "100 percent" accurate. Not only was the report fair, but Levin said he even read Rentzer the report before going on the air.

"I even read my copy to him, not for his opinion, but for accuracy," Levin said. "His comment to me was quote, 'You're a gentleman.' "

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2 local victims react differently to police brutality

By Danny Pollock
Staff Writer

PASADENA — Although they never have met, Rodney King and Michael Zinzun both are haunted by vivid recollections of violent clashes with police. However, they are seeking justice in different ways.

Zinzun, a Pasadena activist who won a $1.2 million out-of-court settlement against Pasadena, used his high-profile case to draw attention to the broader issue of police brutality. King and his family, however, have struggled to keep a low profile since his March 3 beating in Lake View Terrace.

With King recovering from his injuries in seclusion and his lawyers preparing a $56 million lawsuit, the Altadena family has remained detached from the mounting movement to oust Los Angeles Police Chief Daryl Gates and explore the possible racial overtones of the beating.

"We are not supporting any types of those (protests)," King's mother, Odessa King, said in one of her few statements to the media. "We don't want that. We know that could be very dangerous. We are mellow people. . . . People could get hurt. We are not backing any of that."

Zinzun, a leader of the Los Angeles-based Coalition Against Police Abuse, said Wednesday he understands the Kings' attitude because Rodney King will need a long time to recover and rebuild his life.

King suffered a fractured eye socket, broken cheekbone, broken leg, facial nerve damage and severe concussion in his beating.

"He probably doesn't want to call for any action because he fears the very unlikely possibility that (police) may come back and get him," Zinzun, 40, said.

Such fears may not be the only reason for the divergent reactions of King and Zinzun to their clashes with police.

By all accounts, King, 25, does not share Zinzun's spirit of activism. Brent Sailor, 18, a friend of the King family, described Rodney King as a quiet, easy-going person whom Sailer never knew to become violent.

King, who often worked as a laborer, served a year in prison after pleading guilty to the November 1989 armed robbery of a Monterey Park grocery store. While in prison, he wrote a letter to Pasadena Superior Court Judge Lillian M. Stevens, asking her to reconsider his two-year sentence and let him rejoin his family.

"I have all good time work time," King wrote. "I have seriously been thinking about what happen and I think if it is possible that you can give me another chance your honor. I have a good job and I have two fine kid who wish me home. Have so much at stake to lose if I don't get that chance. My job and family awaits me, so please reconsider your judgment. The sky my witness and God knows."

King was paroled Dec. 27.

The grocer who was robbed of $200 and struck twice with a metal pole by King said King did not become violent until he was provoked. "I grabbed his arm," said Tae Suck Baik, 43, owner of the 99 Market in Monterey Park. "If I hadn't touch his arm, maybe he wouldn't hurt me."

Unlike King, Zinzun had been fighting police abuse for more than a decade before his June 22, 1986, clash with Pasadena police at the Community Arms housing complex. In that confrontation, he was partially blinded and suffered a fractured skull. A former Black Panther, Zinzun and several friends founded the Coalition Against Police Abuse in 1976 in response to a rash of police violence.

Zinzun won his $1.2 million settlement after filing a federal lawsuit charging Pasadena police with excessive violence. Despite the settlement, police have denied Zinzun's allegations.

Zinzun said the money has allowed him to work full-time for the coalition, which now receives about 100 complaints of police abuse a month from throughout Los Angeles County and more than five a month from West San Gabriel Valley.

Despite the low-key attitude of King and his family, Zinzun believes the community and organizations like the Coalition Against Police Abuse, NAACP and American Civil Liberties Union have an obligation to use King's case to push for the removal of Gates and work for an end to police brutality.

"This (King case) was a very graphic incident of police abuse," Zinzun said. "But there have been incidents in which people have been beaten and lost their lives. . . . We cannot afford to sit back idly or make rhetorical demands that don't have substance."

Along with the removal of Gates, Zinzun's coalition is calling for a congressional hearing on police abuse throughout Los Angeles County and the formation of a 16-member civilian police review board in Los Angeles. The board essentially would replace the police department's internal affairs unit and have legal authority to investigate and prosecute brutality complaints.

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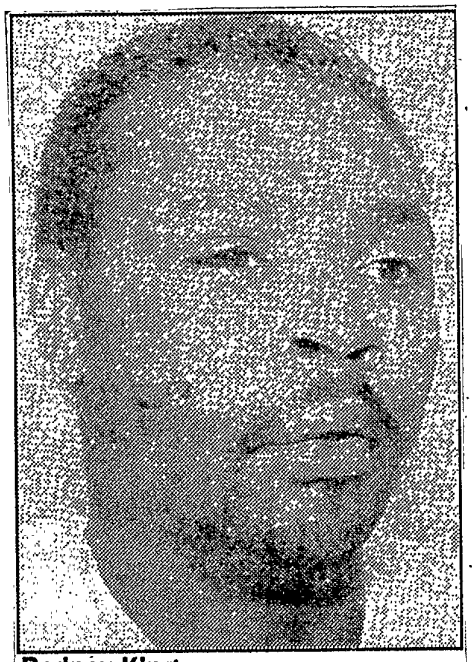
"The District Attorney's Office has a sweetheart relationship with police," Zinzun said. "You can't have that relationship to get justice."

Anyone interested in providing testimony during a congressional hearing about police abuse can call (213) 684-1892 or (213) 733-2107.



Rodney King
recovering in seclusion

Michael Zinzun
long-time activist

FD-350 (Rev. 5-8-81)

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Ask Forgiveness From All the Rodney Kings

By ROGER MAHONY

Until the video of the Rodney King incident appeared, I suspect that many people felt that police brutality was infrequent—and besides, "they probably deserved it anyway." That has all changed now. Police ruthlessness, even if just in a few isolated cases, is now real and present to all of us.

As a caring society, how do we respond? Several considerations need full attention and immediate response:

—We must recognize that racism and discrimination are very much a part of our intergroup relationships in Southern California, and we must take serious steps to rid our communities of this evil.

—Violence begets violence, while respect for human dignity and human rights begets harmony in a community. Every effort must be made to reduce the violence that has spilled onto the streets in so many terrible forms.

—We must admit that many segments of public service do treat minorities and the poor with different levels of respect and conduct; that must change.

—All law-enforcement agencies need to introduce a remedial program as soon as possible to retrain every officer in race and community relations, using the King incident as a teachable moment.

—Public officials must state clearly and forcefully that no disregard for human rights will be tolerated by public servants, especially those in law-enforcement; appropriate public review groups must be formed as monitors.

—Police chiefs, sheriffs and all law-enforcement leaders must demonstrate the highest level of responsibility in word and in action, both publicly and privately. If this level of public trust and confidence cannot be recaptured or sustained, then those in leadership must seriously consider stepping aside.

—Public leadership is not about who is right or wrong. Rather, sound public leadership proclaims a vision of human decency and respect, lives that vision out in word and example and calls the community to the higher road in living out the best that each of us has to offer for the good of the entire community.

Rodney King's tragedy is now our community tragedy. If Los Angeles is to recover its standing as a great city, then positive and proactive steps need to be taken by all our leaders: governmental, religious, business and community.

We need a public observance in which we ask forgiveness from all the Rodney Kings victimized knowingly and unknowingly, and in which we begin a desperately needed communitywide healing. Anything less is a betrayal of the public trust and confidence which the people of the City of the Angels rightfully expect and deserve.

Roger Mahony is archbishop of the Roman Catholic Archdiocese of Los Angeles. A version of this article appears in the archdiocesan newspaper, the Tidings.

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House panel hears testimony on L.A. probes

By David Parrish
Daily News Staff Writer

WASHINGTON — The Justice Department has investigated 720 complaints of police brutality in Los Angeles since 1982 and prosecuted four officers, winning three convictions, federal lawmakers were told Wednesday.

Among the cases were 186 involving Los Angeles County sheriff's deputies and 72 involving city police, according to testimony before a House subcommittee investigating police brutality in the aftermath of the Rodney Glen King beating on March 3.

The cases resulting in convictions involved one LAPD officer, a sheriff's deputy and a U.S. Border Patrol agent.

Details of those cases were not released, but subcommittee members criticized the Justice Department for being too timid in investigating and prosecuting police brutality cases.

"There is a crisis of confidence in law enforcement in Los Angeles and throughout the country," Rep. John Conyers, D-Mich., said in a prepared statement. "So far, the Justice Department has yet to demonstrate it is willing to take the action necessary to make people feel safe from the police."

Conyers' comments came as the House Judiciary Committee's subcommittee on civil and constitutional rights began the first of several hearings into the videotaped beating of King, a black motorist who had been stopped by Los Angeles police for speeding.

William M. Baker, assistant director of the FBI, and John R. Dunne, assistant attorney general for civil rights, defended the federal response in the King case.

"I am proud of the record of this division in investigating and prosecuting incidents of police misconduct throughout the nation," Dunne said. "However, the nature of the federal enforcement effort in this area cannot be overstated. We are the frontline troops in combating instances of police abuse." (L.A. Times)

Dunne said local prosecutors and police internal affairs investigators are better equipped to deal with police abuse than federal prosecutors.

"The federal enforcement program is more a backstop to these other resources," Dunne said.

Conyers said the federal government should be more than a "backstop" — particularly in Los Angeles.

Dunne said the department would expand a nationwide review of police brutality complaints to include civil lawsuits and interviews with the Urban League and other organizations concerned about police misconduct.

Attorney General Dick Thornburgh agreed last week to review an estimated 15,000 police brutality complaints made to the Justice Department over the past six years.

Dunne said that in 1990 the division received 7,960 complaints of civil rights cases, about half involving complaints of police brutality; the division investigated 3,050 of the cases, and referred 46 to grand juries for prosecution.

Baker said the FBI investigated 4,803 civil rights cases in fiscal 1990, down from 5,156 in 1989 and 5,506 in 1988. Of those, about half involved charges of police brutality, he said.

Dunne and Baker said police brutality cases are difficult to prosecute because of the unreliability of witnesses.

Subcommittee members cited testimony at the hearing given by Paul Hoffman, ACLU of Southern California's legal director, that police brutality problems in the Los Angeles area have been ignored by local officials.

Hoffman said the vicious beating King received at the hands of police is a common occurrence in the Los Angeles area, especially among black and Hispanic people.

"The Justice Department must consider the ineffectiveness and secrecy of the internal LAPD investigations into police misconduct, the failure to refer cases for prosecution and the failure of the Los Angeles District Attorney's Office to impose criminal sanctions on the police officers involved in brutality cases," Hoffman said.

"The systems which are supposed to guarantee the accountability of police officers are fundamentally flawed and do not operate as adequate safeguards against police abuse," Hoffman said.

Conyers said a major purpose of the hearing was to get the Justice Department more involved in probing police brutality complaints.

"We are reversing this pattern of lethargy by the FBI," Conyers said. "We need some zeal in this area."

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Gates Defends Police at Fiery Council Meeting

■ **Violence:** Commission gets briefing on charter provisions that could be used to discipline the chief.

By HECTOR TOBAR
and RICH CONNELL
TIMES STAFF WRITERS

Embattled Los Angeles Police Chief Daryl F. Gates defended the Police Department at a raucous City Council meeting Wednesday while the Police Commission received a briefing from the city attorney's office on a range of options for disciplining the chief.

It is not clear that the commission intends to fire or even discipline Gates, who has been chief for 13 years. The 45-minute briefing on possible disciplinary action comes in the wake of the videotaped March 3 beating of motorist Rodney G. King on a San Fernando Valley street corner.

The commission, a civilian panel that oversees the department, heard testimony from assistant City Attys. Frederick N. Merkin and Leslie E. Brown, who explained which City Charter provisions could be used to discipline Gates.

Earlier, during an often heated public hearing at City Hall, Gates addressed the City Council for the first time on the King beating, enduring the now-familiar calls from speakers for his resignation and engaging in a tense exchange with one councilman.

Meanwhile, Mayor Tom Bradley told reporters at Los Angeles International Airport that "the only way" for the Police Department to recover from the controversy is for Gates "to remove himself" from office. It was Bradley's strongest statement to date on Gates' future.

Commission Vice President Melanie Lomax confirmed Wednesday that she and the other panel members had asked the city attorney's office to tell them how they could censure, discipline or remove Gates from office.

Lomax declined to comment on what steps the commission would take next.

But Commissioner Dan Garcia said Wednesday's briefing should not be seen as a first step toward removing Gates from office.

"We want to know how to go about disciplining officers, including the chief of police," Garcia said. He added, however, that Gates' hold over the department appears tenuous.

"It's clear there is a very serious crisis in leadership," Garcia said. "There are many people from all different walks of life . . . who are expressing a lack of confidence in the leadership in the department. That's a serious problem.

"But we're going to be careful," Garcia continued. "A lot of people want us to go lynch somebody right away, but we're going to be fair to everybody."

Garcia predicted that the commission would take no action against Gates until after the commission's investigation into the King beating is completed, which could take more than a month.

For 2½ weeks, Gates has been under pressure from politicians and community leaders to resign or retire because of public outrage over the King beating. The incident, televised across the country, has generated a national debate on police brutality.

The Los Angeles County Grand Jury last week indicted four police officers on charges related to the beating. The grand jury's investigation is continuing, as is a U.S. Justice Department investigation into allegations of brutality by Los Angeles police officers. Gates appeared to be surprised to hear about the commissioners' briefing.

"Haven't heard a word," Gates said while returning to Parker Center police headquarters after the City Council hearing. "Haven't heard a word."

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LOS ANGELES TIMES

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After the closed-door briefing, the commission held its second public hearing to gather community input for an exhaustive inquiry into the Police Department's procedures and allegations of widespread brutality by officers against minorities.

The Police Commission session Wednesday afternoon was the chief's second public hearing of the day. Gates was summoned to the City Council in the morning, ostensibly to explain the circumstances behind a police brutality lawsuit that cost the city $625,000. Almost immediately, however, discussion of the videotaped beating overshadowed the agenda item.

Gates made an emotional plea to the council members to support his department and his tenure as chief, reminding them of the many police projects he has supported in their districts.

"This City Council, which is representative of all the people of the city, needs to stand up and do exactly that [support the Police Department] at this point," Gates said. "There isn't one of you who hasn't called to us for assistance and you know we've always been there. . . ."

Councilman Michael Woo then asked if the chief was threatening to withhold services to council members who fail to support him.

"That is the most insulting thing I've heard on this council floor in a long time," Gates snapped at Woo, "and I've been here a lot longer than you've been alive!"

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It was a rare display of anger from the chief, who seemed fatigued by the crisis.

"The chief of police will one day leave this department . . ." he told the council to cheers from the audience. "But not because of those folks [the protesters]."

Some conservative council members said they would support the chief.

"I do support him. I'd like to see him stay," said Councilman Hal Bernson, who represents part of the Valley. "I think he's very capable and has the ability to do what's necessary" to rebuild confidence in the department.

Councilwoman Joan Milke Flores hugged the chief after he entered the council chambers. "It's a difficult issue," she said. "I think the chief has done a good job. . . . If you've got a broken arm, I don't know if cutting off your head is the way to fix it."

Privately, some council members have said they do not feel Gates' ouster would solve all of the department's problems. Some council aides say that the council members fear the political backlash of appearing to be anti-police when the city is being ravaged by crime. Still other staffers say the council members fear that if they attack the chief it could hurt their efforts to obtain special police services in their districts.

To date, no council member has called for Gates to resign.

Bradley's remarks about Gates' future came as the mayor returned Wednesday afternoon from a business trip to Hawaii. "People are not calling on 8,300 officers to retire," he said. "They are calling on the chief. The only way to start the healing process is for him to remove himself from the center of [the] storm."

After Wednesday's council session, Gates offered his first response to Bradley's comments.

"I've indicated over and over again I'm not going anywhere," he said. "That's all there is to it. It's rehashing what has already been hashed over."

Asked about Bradley saying that Gates could restore confidence in department by stepping down, the chief responded: "I wish I could restore my energy by going to Hawaii."

Independent moves to force Gates from office also gathered momentum Wednesday.

Civil rights groups announced a campaign to coax recently retired Assistant Chief Jesse Brewer back to replace Gates. Brewer was the highest-ranking black officer in the department.

The announcement came after a coalition of 20 community leaders—from groups including the National Assn. for the Advancement of Colored People, the Southern Christian Leadership Conference and the Nation of Islam—held a closed meeting to develop strategies to force Gates from office.

"If anybody thinks the pressure will relent, they're in for a big surprise," said John Mack, president of the Los Angeles Urban League. "This community will remain determined."

Bill Shearer, vice president and general manager of radio station KGFJ and a leader of the coalition, praised Brewer for his "impeccable credentials."

Shearer said he had contacted Brewer about the plan, but said Brewer "has implied that he's not excited about accepting such a challenge." He added that Brewer said he might accept the post if a coalition of community leaders persuaded him to do so.

Gates also faces a campaign for his ouster by community activists and religious leaders under a provision in the City Charter that allows citizens to recall appointed officials.

The grass-roots effort is expected to get started today with the publishing of a legal notice in The Times giving Gates notice as required under the City Charter. Petitioners can then begin trying to collect about 60,000 signatures that would be needed to qualify for a special election.

Even though the city attorney's office issued an opinion in 1987 that the heads of all city departments are subject to the recall provision, senior Assistant City Atty. Merkin said his office is studying whether the charter covers the police chief.

Gates walked into the commission chambers Wednesday to a chorus of boos. Lomax—describing plans to conduct an exhaustive review of the Police Department—was drowned out by a crowd screaming "Gates got to go! Gates got to go!" interspersed with one man's cry, "You bigot!"

Gates had a handful of supporters, too. One voice shouted "Hang in there Daryl! Gates must stay!"

Early in the meeting, Ramona Ripston, executive director of the American Civil Liberties Union of Southern California, announced that she had 10,000 letters demanding Gates' resignation. She had her staff dump a dozen boxes of them on the stage.

Earlier, 20 television news crews descended on the marble-lined City Council chambers, awaiting Gates' appearance. The chief arrived just after 11 a.m. and stood by stoned-faced as a dozen members of the public sharply criticized him and his department.

Some said they were angered by revelations in the King case, including the release of transcripts showing that some officers involved in the beating made racial slurs.

One speaker, Mervin Evans of Los Angeles, said he was angered by reports that some of the officers involved in the beating and other police officials had downplayed the extent of King's injuries in police reports.

"I am shocked that members of the LAPD would try to cover up this incident," Evans said. "Police confidence has been shaken to the core. Confidence in the chief is gone."

After the meeting ended—with a small band of critics booming "Gates got to go!" and camera lights glaring—Gates was besieged with questions from reporters about calls for his resignation and Bradley's remarks.

Gates strained a smile and tried to brush aside the questions as he made his way out of the chambers, accompanied by a circle of plain-clothes police officers and aides.

But the protesters and the phalanx of local and national media pursued the chief down hallways and stairwells, out of City Hall and a full block to the front door of Parker Center.

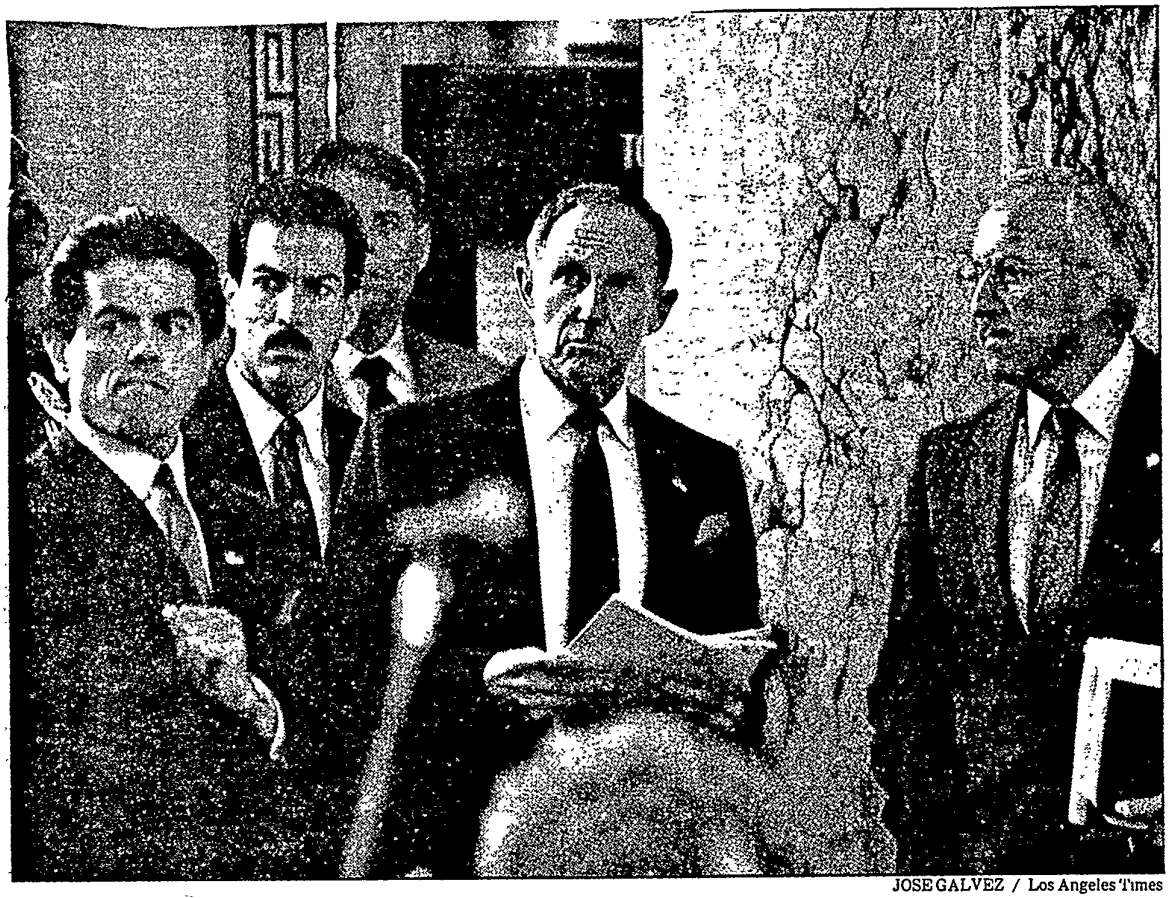
In stark contrast to the reception Gates received earlier in the day, his remarks to a group of about 80 business leaders dining at the Los Angeles Hilton on Wednesday night were frequently interrupted by applause and laughter. A reporter was barred from the meeting but could hear the reception from the hotel lobby.

Afterward, city Parks and Recreation Commissioner Richard Riordan said Gates got a "very positive and very constructive reception. . . . They were very, very supportive."

Leaving the hotel, Gates said: "I'm always encouraged when I have my friends around me—people who support me and, more importantly, who support the Police Department."

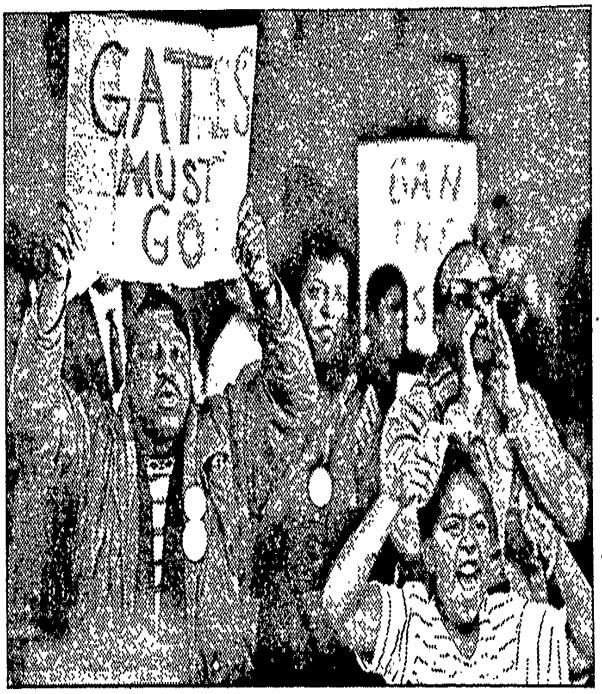
He added, "no one asked me if I'm staying, but I told them, 'I'm staying.'"

Also on Wednesday, the directors of the Los Angeles Police Protective League voted to continue paying legal fees for the indicted officers. League President George Aliano said police officers need to know "that if that happened to them, they'd have a place to go."



JOSE GALVEZ / Los Angeles Times

LAPD Chief Daryl F. Gates, center, is surrounded by bodyguards Eugene Arreola, left, Jerry Sola and City Council police liaison Lt. Gabe Ornelas, right, during the public hearing in council chambers.



THOMAS KELSEY / Los Angeles Times

Members of the audience at the Police Commission meeting chant for Daryl Gates' ouster. Thousands of petitions calling for the chief to resign were delivered to the meeting by the ACLU. The embattled chief grimaces amid speakers' calls for him to step down.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
Edition: THURS., MAR 21, 1991
METRO SECTION, PAGE 6

Title: LETTERS TO THE TIMES
ROCKWELL ON POLICE BEATING

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MAR 26 1991

FBI — LOS ANGELES

Letters to The Times

Rockwell on Police Beating

■ I am appalled and embarrassed that Llewellyn Rockwell identifies himself as a libertarian ("It's Safe Streets Versus Urban Terror," Column Right, Commentary, March 10). There is nothing Libertarian about the notion that police are empowered to act as judge, jury and dispenser of punishment.

What becomes apparent from viewing the beating of Rodney King is that if the police had felt threatened by his "resistance" to arrest, they had sufficient numbers to restrain him with handcuffs. What is even more apparent is that this was not their concern or interest: The object was sport. If the primary rationale for the existence of police departments is the preservation of civilization, then it seems apparent that the Los Angeles Police Department has lost its raison d'etre. For there is nothing civilized—or libertarian—about making sport of the beating of another human being, no matter his suspected behavior.

JOHN VERNON
Libertarian Party of California
Van Nuys

■ As a lawyer representing victims of police abuse, a member of the board of directors of the Police Misconduct Lawyers Referral Service and an avid student of Ludwig von Mises, I read with much interest Rockwell's article on the police beating. Apparently, Rockwell concludes that beatings like that suffered by King are necessary to prevent crime. Given Rockwell's position as president of the Ludwig von Mises Institute, his views imply that Ludwig von Mises subscribed to the conclusions and methodology espoused by Rockwell. I take great exception to Rockwell's article, for reasons not the least of which is it besmirches the methodology and principles taught by the late Prof. Von Mises, in my opinion one of the premier economists and great minds of the 20th Century.

I was too young in the 1950s to appreciate the degree of police brutality that existed then, but I will accept Rockwell's assertion that brutality was common then. However, his thesis—that police brutality then accounted for the lower crime rate in the 1950s—is unsupported. Surely a significant increase in crime rates since then is attributable to the ever-escalating "war on drugs" and other similar law enforcement policies enacted and enforced to prevent individuals from freely engaging in voluntary activities, e.g., drug use, gambling, prostitution. As any student of Von Mises should know, laws designed and enforced to prevent individuals from freely engaging in voluntary activities must be condemned on economic grounds. Not only do these laws deprive individuals of what they deem to be in their best interest, the cost of criminal enforcement is high.

Rockwell need not bemoan the passing of the practice of police beatings in the paddy wagon. That practice is alive and well and flourishing in our Southern California communities. Just ask Rodney King.

DONALD W. COOK
Los Angeles

■ Thank you so much for printing the some 16 column inches contributed by Rockwell. Though he was "out-printed" by about 40 inches to 1 in that edition, he was the only one that seemed to remember that criminals must be deterred. Granted that King's captors may have been a little overzealous, such experience should normally tend to deter the working criminal.

At the other extreme under Column Left on that page, writer Carol Watson proposes that law enforcement agencies should not use their full resources when someone attempts to "evade" proper authority. What sort of world does she invite if to escape confrontation the criminal elects simply to "evade"? I say call on the dogs or whatever it takes to uphold authority.

Thank you, too, for Patrick Buchanan's remarks reminding us that all this outbreak of histrionics over the apprehension of a law breaker is just that—hand-wringing by the brothers of the criminal, prospecting by the Police Misconduct Lawyer Referral Service, publicity seeking by the American Civil Liberties Union.

Please tell the urban warrior that it is very easy to avoid unpleasant encounters with the police. Just don't break the law!

T. BRUCE GRAHAM
Port Huenem

FBI/DOJ

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FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

U.S. Extends Probe to Suits Against Police

■ Civil rights: Members of Congress and a spokesman for the ACLU express fears of a whitewash.

By WILLIAM J. EATON
TIMES STAFF WRITER

WASHINGTON—The U.S. Justice Department will broaden its investigation of Los Angeles police brutality to review scores of private suits accusing the city's police of mistreating suspects in their custody, a top agency official said Wednesday.

John R. Dunne, assistant attorney general in charge of the Justice Department's civil rights division, disclosed the wider inquiry at a congressional hearing stemming from the widely publicized videotaped beating of motorist Rodney G. King.

Despite assurances that the Justice Department inquiry will consider evidence from about 100 lawsuits filed against Los Angeles police, members of Congress and a spokesman for the American Civil Liberties Union expressed fears of a whitewash by the federal government.

Dunne insisted at the hearing that the Justice Department will follow through on its promise to review about 15,000 complaints of police brutality filed across the nation during the last six years to see if there is a pattern of violent misconduct.

"We are undertaking a unique investigation," Dunne told the House Judiciary subcommittee on civil and constitutional rights, which is looking into the national implications of the King case. Four Los Angeles police officers have been indicted on state charges for taking part in the King beating.

House Government Operations Committee Chairman John Conyers Jr. (D-Mich.), who put pressure on the Justice Department to launch the inquiry, said it is time for President Bush to denounce the Los Angeles officers who took part in the assault.

"Sad to say, the chief executive of this land, who wasted no time in branding the evils of a despot in a faraway land, has yet to utter a single word condemning the evils of a police force that to many Americans is engaged in brutal tactics disturbingly similar to those of an occupation force," said Conyers.

Conyers said the General Accounting Office, a congressional watchdog agency, will conduct its own investigation of brutality complaints, partly because he views the Justice Department as a "reluctant partner" in the campaign against police misconduct in Los Angeles and elsewhere.

Paul L. Hoffman, legal director of the ACLU Foundation of Southern California, testified at the hearing that police brutality has become "part of the fabric of our daily lives, especially the lives of the African-Americans and Latinos in Los Angeles."

Many people, Hoffman said, fear that the federal investigation will be "a whitewash, given the historical invisibility and ineffectiveness of the Justice Department's efforts in this area."

None of his colleagues in the civil rights field can recall a single instance of federal prosecution of a law enforcement officer in Los Angeles for violating anyone's civil rights, Hoffman said.

"In Los Angeles, even the payment of more than $10 million in police abuse judgments in 1990 alone . . . has had no perceptible impact on these problems," Hoffman said.

In his testimony, Dunne cited severe limits on the federal government's ability to deal with violations of civil rights by law enforcement officers, including vaguely worded statutes dating to Civil War days and the reluctance of juries to convict in such cases.

"We are not the 'front line' troops in combatting instances of police abuse," he said, saying that the Justice Department is merely a "backstop" for a police department's internal discipline and state or local prosecutors.

But Dunne acknowledged that the department received 7,960 complaints of police brutality and conducted 3,050 investigations while seeking indictments in only 46 cases last year.

Rep. Maxine Waters (D-Los Angeles) said Mayor Tom Bradley and the Los Angeles City Council claim that they do not have the power to oust Police Chief Daryl F. Gates.

"You appear to have a Police Department that answers to no one," Waters said. "What is the responsibility of the Justice Department, where police are in charge and people are getting killed, maimed and beaten?"

Hoffman told lawmakers that the attack on King is not an aberration, as Gates has insisted, but part of a familiar pattern of police behavior in Los Angeles.

"What appears on the videotape is an accurate, uncompromising vision of a Police Department at war with its own community," Hoffman said.

(Indicate page, name of newspaper, city and state.)

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(Mount Clipping in Space Below)

Inexperience of officers cited in King beating

By Jaxon Van Derbeken
Daily News Staff Writer

At least 10 of the LAPD officers at the scene of the Rodney Glen King beating — including two of four who have been indicted — had less than four years experience on the force, officials said Wednesday.

Chief Daryl F. Gates acknowledged at a hearing before the City Council that the King case is an example of the type of breakdowns that can occur because the department has a large number of inexperienced officers.

Officials said 2,197 of the Los Angeles Police Department's 5,774 patrol officers — 38 percent — have three years or less experience, and rookie officers are often trained in the field by officers with little more experience.

Gates told the council that he has ordered a "brick by brick" review of the department's training procedures to determine whether officers have been properly instructed to use force only when necessary.

"In that kind of rapid increase in personnel, we're going to have failures and we certainly have had a failure in this instance," Gates said.

"Even though I think our training is the best we could possibly have, I've ordered up a complete examination of our training; brick by brick, in the area of use of force;" he said.

"We've had a problem with having enough training officers to provide the direction (to rookies) while they are in the field," Gates said.

LAPD officials said the department hired 991 new police officers last year as part of its effort to rebuild the ranks after a large number of retirements and transfers to other departments.

Virtually all of new officers are assigned to patrol duty, officials said.

"Virtually every car in the street has a (rookie) probationary officer working in it these days," said Capt. Dan Watson of the department's Planning and Research Division.

Of the 21 LAPD officers who were at the scene of King's beating on March 3, at least 10 have less than four years experience — including Laurence Powell and Timothy Wind, who are among the four officers indicted in the case.

Wind was a rookie who was hired last year and had not yet completed his probationary year of training, records show.

Powell, who was hired in June 1987, had not qualified as a permanent training officer but was assigned to train Wind under an emergency expansion of LAPD training ranks that was approved by the City Council in July 1990.

To counter a shortage of experienced training officers to pair with rookies, the plan elevated about 600 patrol officers to the role of temporary field training officers.

Each of the temporary training officers had to pass the same written and oral tests that permanent training officers face, and they were given the same 5.5 percent pay hike that goes with the expanded duty.

But the emergency order required that they revert to their former rank of patrol officer after completing the training of rookies assigned to them. At least [illegible] temporary training officers [illegible] still in the field, officials said.

LAPD critics said the department's rapid expansion has created a patrol force that is [illegible] trained and not experienced enough to handle quick d[illegible]

(Indicate page, name of newspaper, city and state.)

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in a crisis.

"They have had a failure in training," Jerome H. Skolnick, a law professor at the University of California, Berkeley.

"It's not the fault of the new officers," Skolnick said. "It's the fault of superior officers and the values that are communicated by the leadership of the department."

Deputy Chief Mark Kroeker, the new commander of LAPD's Valley Division who oversaw the expansion as head of personnel and training, acknowledged problems from the rapid hiring of so many new officers.

"Inexperienced officers are scared to death," Kroeker said. "They are all on probation. They are very concerned about their jobs."

Kroeker said the training of rookie officers "is something we need to look at," but added that the problem was not insurmountable.

"When you grow, you're going to have growing pains," he said.

"We had our own form of baby boom," Kroeker said. "There were concerns about training needs, but we're confident in the our training system, we had the ability to cope with the surge."

George Aliano, president of the Los Angeles Police Protective League, said the training problem could be eased if the department provided more incentives to keep officers from leaving patrol duty — which is the lowest paying, least prestigious job on the force.

"We need to keep people with knowledge there," Aliano said. "The only way to do that is to provide incentives — not only monetary, but recognition. Letting people know that it's important, so they will say 'I'm not a failure to stay here.'"

Daily News Staff Writer Patrick McGreevy contributed to this story.

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(Mount Clipping in Space Below)

Gates: Don't forsake police

Council warned that failure to support department will damage force

By Patrick McGreevy
and John Polich
Daily News Staff Writers

In a sometimes angry exchange with City Council members, Police Chief Daryl F. Gates defended his department against brutality charges Wednesday and said officials should support his officers or face a weakened police force.

In his first appearance before the council since the beating of Rodney Glen King by police officers in Lake View Terrace on March 3, Gates promised to review his department's operations but said that mounting criticism threatens to destroy officer morale.

"This chief of police, one of these days, will leave this department," Gates said, drawing cheers from critics in the audience although he gave no indication he would give in to calls for resignation.

"But if you let this department down, if you don't speak out on behalf of the men and women of the Los Angeles Police Department who serve this city well — if you don't do that at this crucial moment in our history, then I'm going to tell you, you're going to have a Police Department that is not going to be the kind of department you want, the kind of department that people expect."

Gates' remarks drew a sharp response from Councilman Michael Woo.

"I want to know, did you mean that as a threat?" Woo demanded. "In other words, if I or other members of the council are going to be criticizing you or the department, are you saying that you will withhold support of these neighborhood or street services to fight crime in our districts?"

Gates angrily denied making threats.

"That is the most insulting thing I have heard on this council floor in all of the time I've been here and I've been here a lot longer than you've been alive," Gates said. "Absolutely not. This is a professional organization. What do you think we are?"

Woo said he was satisfied that the chief was not threatening the council.

Later Wednesday, a handful of Gates supporters clashed verbally with scores of critics at a contentious meeting of the city Police Commission, which held a second public hearing on the King incident that focused on charges of racism and brutality in the department.

King, 25, is black and was beaten by white officers after a traffic stop. Some of the officers involved made racists transmissions on the police communications system before the incident.

Police Commission members said that they will focus their investigation on police brutality complaints and lawsuits filed against the department during the past five years.

Because the incident took place in the San Fernando Valley, commissioners said they will review the ethnic makeup of the Valley force and complaints involving police officers in the Valley, and at the Foothill Division station in particular.

Mayor Tom Bradley, who arrived back in Los Angeles on Wednesday evening after a trip to Hawaii as part of a delegation that won National Football League agreement to stage the 1993 Super Bowl in Los Angeles, repeated his view that Gates would aid the "healing process" by stepping down.

"I did not and I have not yet called for the chief to resign," Bradley told reporters at Los Angeles International Airport. "I am saying that the only way we can start this healing process is for him to remove himself."

Four officers have been indicted by the Los Angeles County grand jury in connection with the beating of King, who was clubbed and kicked after being stopped for speeding. The incident prompted a nationwide furor over police brutality because the beating was dramatically recorded by a witness with a home video camera.

(Indicate page, name of newspaper, city and state.)

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Outrage over the incident escalated with the disclosure Monday that some of the officers involved made racist comments on a police communications system beforehand. On Tuesday, Bradley called for an investigation of racism at all levels of the Police Department. Civil rights leaders are demanding Gates' resignation.

Appearing before the council Wednesday, Gates said he would conduct a "brick by brick" review of his department and proposed that an independent panel of judges also look at the operations. He said he hopes the review and reforms will help restore the department's standing.

"I'm hopeful that will get through all the rhetoric. I think that has to come out before we can begin to restore the reputation of the department," Gates said.

"This incident has shocked us all," Gates said. "It has certainly shocked me and it has shocked the members of the Los Angeles Police Department. There is a deep morale problem because they know they are good."

Many City Council members remained critical of the department's handling of police brutality allegations, including the King beating.

Council members said they were concerned that police officers made racist comments over the police communications network on the night of the King incident. They also expressed concern over charges that officers apparently wrote false reports that minimized the injuries suffered by King and claimed he resisted arrest.

Woo and other council critics stopped short afterward of calling for Gates to resign.

"I'm not prepared to call for the chief of police to quit," Woo said.

Councilman Zev Yaroslavsky said he wants to see Gates clean up the department.

"I'd like to see him follow through on that," Yaroslavsky said. "I'm not going to join a lynch mob."

Yaroslavsky also asked Gates when he first learned of police communications that indicated racism was a factor.

Gates said he received tapes of the controversial radio calls approximately a week after the March 3 incident and immediately made the contents of the tapes known to the mayor and Police Commission.

"We did not hide that information," Gates said. "It came out of the Police Department."

Councilman Hal Bernson called for an end to verbal attacks on the Police Department.

"I don't think we're gaining anything as a community by continuing to beat up on the department," said Bernson.

Gates told a crowd of reporters and protesters as he left the hearing that he would not quit.

"I'm not going anywhere," Gates said.

The City Council asked Gates to appear and answer questions Wednesday on a $265,000 claim by John Jenkins, who claimed he was pulled from his car and beaten by police officers during a riot in 1985.

Council members said they were concerned that the Police Department failed to discipline any of the six police officers involved and agreed to pay the claim.

Gates said the lawsuit names six officers of the 30 who were in the area of the incident and that all six officers denied involvement in beating Jenkins. He said a nine-month LAPD investigation did not identify the officers who were responsible.

At the Police Commission hearing later Wednesday, Ramona Ripston, executive director of the American Civil Liberties Union of Southern California, said the ACLU had received more than 10,000 letters from Los Angeles residents, all of them critical of Gates' leadership.

"The mail is still pouring in," Ripston said.

Gates remained expressionless through most of the hearing, looking down occasionally to take notes. He managed a half-smile only once, when a group of supporters broke into chants of "Hey, hey, Gates must stay."

The pro-Gates chanters were quickly drowned out by boos and shouts from the chief's foes.

In other developments Wednesday:

■ Gates announced the appointment of Capt. Jan Carlson to replace Capt. Maurice Moore as commander of the department's Internal Affairs Division, which investigates police misconduct cases. Lt. Dave Smith said the change on March 11 was part of a routine shifting of commanders and "has nothing to do with" the King incident.

■ The American Jewish Congress joined the list of groups calling for Gates' resignation.

■ Leaders of the Black Community Forum, a group that had met regularly with Gates and other police officials during the past two years, said they had permanently suspended meetings with Gates because of the King incident. John W. Mack, president of the Los Angeles Urban League, said the group may still meet with LAPD officials, but claimed that personal discussions with Gates would be "counterproductive and useless."

Daily News Staff Writer Dawn Webber contributed to this story.

Kim Kulish/Daily News

Police Chief Daryl F. Gates, left, waits to address the City Council on Wednesday while a protester holds up a sign demanding his ouster. Police Lt. Gabe Ornelas is at center. Gates urged the council to support the Police Department.

Kim Kulish/Dail

ouncilman Michael Woo got into a sharp exchange with Daryl F. Gates during Gates' remarks.

Kim Kulish/Daily News

Police Chief Daryl F. Gates pauses during the hearing before the City Council.

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FBI — LOS ANGELES

PERSPECTIVES ON POLICE

LAPD: Confident in Brutality

The independence that salvaged the department from corruption now causes its troubles. The cure is accountability.

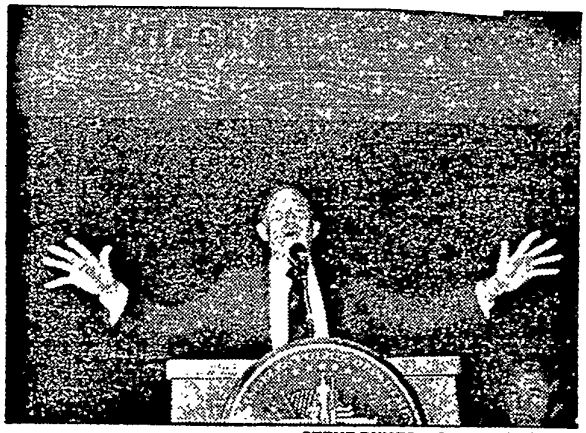
By JAMES FYFE

Police chiefs know that brutality is an occupational risk of the profession because they cannot absolutely control their officers' behavior. To prevent brutality, the best chiefs avoid any signal that it is excusable or that any group of people is a legitimate target of excessive police force. When brutality is alleged, good chiefs investigate thoroughly and objectively. When brutality is found, examples are made of those who committed it, those who failed to stop it and those who covered it up. If brutality exists at all in well-run departments, it is the deep, dark secret of outlaw officers.

There is no secretiveness in the Rodney G. King videotape or in the half-joking computer conversations that followed it. Instead, we see officers who had to be confident that their colleagues would remain silent and that their department would reject any citizen's account of their conduct. Their great confidence is evidence that this brutality was no aberration. The aberration memorialized on this tape is the Los Angeles Police Department itself.

The department's rise to and fall from a position of great respect are not without precedent. When J. Edgar Hoover took command of the Federal Bureau of Investigation in 1924, it was a corrupt, politicized agency staffed by incompetents and hacks. Hoover reformed the bureau by finding ways to insulate it—and himself—from electoral politics. He then hired fine young men, trained and equipped them well, made them answerable only to him, and, with great success, unleashed them on bandits and Nazi saboteurs. He took great pains to see that his agency and its men were portrayed favorably in both the entertainment and news media.

Eventually, the FBI ran into trouble. In the name of national security and tough law enforcement, patterns of abuse—illegal surveillance and intelligence files, improper provocations, entrapment, even burglaries—entered the bureau's repertoire. Over 40 years, the political insulation and independence that had been so important in allowing the fledgling FBI to get its feet off the ground had allowed Hoover and the bureau to rise above all accountability.



STEVE DYKES / Los Angeles Times

Daryl Gates defends his officers at LAPD luncheon.

Reform was necessary, and it occurred. No FBI head since Hoover has been director-for-life. The bureau's personnel and administrative practices have been closely examined, and the people who run it no longer enjoy the power to make sure that agents follow the company line unquestioningly. Accountability has replaced arbitrariness, and we all—including the bureau and its agents—are better off.

The LAPD's development follows this scenario by about 25 years. In 1950, William Parker was named its chief on his condition that he enjoy autonomy from the City Hall that had corrupted the department. Given this independence (and despite the great animosity between Hoover and himself), Parker made the department an outstanding law-enforcement agency, closely modeled on the FBI. The LAPD's great autonomy and Joe Friday image were necessary then, but they have long outlived their usefulness. Like Hoover's FBI, the Los Angeles Police Department must now be brought in line with democratic principles.

FBI/DOJ

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The King tape is not the first display of the department's freedom from accountability. The LAPD's ferocious and deadly 1975 confrontation with the Symbionese Liberation Army is still a subject of amazement among police in other, more restrained, places. During one five-year stretch, twice as many Angelenos died after suffering police chokeholds as in the 20 other largest American cities combined. Without giving any advance warning to potential victims, officers of the LAPD's elite Special Investigations Section have watched suspects commit burglaries and armed robberies that police knew were going to occur, so that they could confront suspects afterwards, often with bloody results.

And in a state where the mere possession of nunchukas—a lethal martial-arts device—is a felony comparable to possession of a switchblade knife, the department is embroiled in a lawsuit charging that officers unconstitutionally used this thug's weapon against peaceful anti-abortion demonstrators.

In short, for encouraging and tolerating brutality and excessive force, the LAPD has for several years been the outlaw among big American police departments. In providing Bill Parker with the authority he needed to straighten out a badly bent police agency, Los Angeles' city fathers insulated it from any accountability to elected officials or the public. In essence, for more than 40 years, the chief of police has been answerable to nobody. Some of his officers have learned that they need not worry about anybody's judgment but his. The record shows that this chief's judgments often have been indefensible.

The Los Angeles Police Department prides itself on its military organization, discipline and appearance. But as Gen. MacArthur discovered, even our greatest soldiers are accountable to elected officials. The city government must now find ways of making the police department and its chief accountable. In our system of justice, only the nine members of the Supreme Court should have no boss.

James J. Fyfe is a professor of justice at American University in Washington, and a former New York City police lieutenant.

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King Case May Affect Raid Trial

■ 39th and Dalton: Attorneys on both sides of LAPD vandalism case worry that videotaped beating will make jury selection more difficult.

By SCOTT HARRIS
TIMES STAFF WRITER

The controversy surrounding the videotaped police beating of motorist Rodney G. King has cast its huge shadow on jury selection in the criminal vandalism trial of four Los Angeles police officers implicated in an August, 1988, raid that left four apartments at 39th and Dalton streets a shambles.

After first weeding out citizens who, for whatever reasons, will not be able to serve in a trial expected to last a little longer than the Persian Gulf War, Los Angeles Municipal Judge Larry Paul Fidler will ask prospective jurors to answer a questionnaire that includes such queries as:

- "Have you ever witnessed police activity which caused you to question the propriety of the actions of any police officer?"
- "Do you have any strong opinions, one way or the other, about the Los Angeles Police Department, or about the way its members accomplish their duties?"

Defense attorneys and prosecutors said Wednesday, as jury selection began, that they are wary that the frequent broadcast of the amateur videotape showing the King beating by Los Angeles officers will hinder the ability to impanel an impartial jury.

"The King case is totally irrelevant to what happens here, or what happened at 39th and Dalton almost three years ago," said Deputy Dist. Atty. Christopher Darden. "We certainly don't want any jurors who are prejudiced against officers simply because they belong to the LAPD."

"It's a bad, bad time for trying to get an impartial jury in a police case," said Paul de Pasquale, defense attorney for Officer Charles A. Wilson.

In addition to the questionnaire, potential jurors are likely to face direct questions regarding the King case as the jury selection continues next week, De Pasquale said.

Fidler on Monday denied a defense request to delay the trial for two months to let the King controversy blow over, saying close questioning of jurors could produce an impartial jury.

In addition to Wilson, the defendants accused of wrecking two duplexes in the 3900 block of Dalton Street during a large-scale police narcotics raid on Aug. 1, 1988, include police Capt. Thomas D. Elfmont, the former commander of the Southwest Division; Sgt. Charles Spicer and Officer Todd Parrick. The charges include misdemeanor vandalism and conspiracy.

Barry Levin, defense attorney for Elfmont, said the King case could prompt "jurors to potentially lash out at a particular case of police abuse and organizational mismanagement."

Levin likened the charges against Elfmont to the clamor for Police Chief Daryl F. Gates to resign. In both cases, the lawyer said, "They're trying to make him [the commander] responsible for everything his officers do."

The 39th and Dalton case led to internal disciplinary actions against dozens of the 80 officers involved in the raid. Before the King beating, it had been the Police Department's most notorious abuse case in recent years.

According to prosecutors, Spicer and patrol officers were working under Elfmont's orders when they descended on the homes targeted as sites for gang and narcotics activity and caused widespread

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damage to the property. Parrick used an ax and Wilson a homemade battering ram to destroy doors, walls and windows, according to police Internal Affairs Division reports. Investigators catalogued 127 acts of vandalism, down to the smashing of a piggy bank.

Officers had search warrants and ostensibly were looking for drugs. The raid resulted in the seizure of one rifle, 18.6 grams of rock cocaine and about five ounces of marijuana. Two teen-agers were ultimately charged with narcotics possession.

Further controversy was sparked by reports that a police sergeant was working as a defense investigator in the case. After Mayor Tom Bradley eventually asked the Police Commission to probe those allegations, Chief Gates called Bradley's request "dumb."

FD-350 (Rev. 5-8-81)

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Gates orders total review of police training methods

From Press-Telegram wire services

LOS ANGELES — Police Chief Daryl F. Gates said Wednesday that he has ordered a "brick by brick" review of police training procedures in the wake of the videotaped beating of a black motorist by white police officers on March 3.

Gates

Gates, who is facing growing calls for his resignation, said the Police Department would compare the results of the review with records of all police brutality complaints in recent years to see if there were any patterns.

And Gates said he had ordered the department's psychologists to interview or reinterview all officers involved in recent cases of excessive use of force, including the four officers indicted last week in the beating of the motorist, Rodney King.

On Wednesday, Justice Department officials said they would begin a separate review of federal civil lawsuits filed in the same period accusing Los Angeles officers of brutality.

John Dunne, assistant attorney general in charge of the Justice Department's Civil Rights Division, who announced the additional review, said there were about 100 such cases.

The separate reviews by the Los Angeles Police Department are the first ordered by Gates since the beating. The reviews were outlined in a memo sent by Gates to the city's Police Commission last week and were disclosed publicly by the chief on Wednesday at a meeting of the Los Angeles City Council.

At the council meeting, Gates continued to defend the department against accusations of institutional racism and brutality, but acknowledged there had been failures in the department's command structure.

He said the department also may have encountered some problems because of the relative inexperience of many officers. He said 38 percent of field officers and 36 percent of sergeants have been with the department for three years or less.

"We're going to have failures, and we certainly had a failure in this instance," he said.

The American Civil Liberties Union dropped off 10,000 letters at the meeting calling for Gates' resignation, one of which suggested that the Police Department change its motto from "To Protect and Serve" to "To Pursue and Slay."

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Chief Gates Should Do the Right Thing

"Why doesn't he just go?" my friend from out of town asked, fixing me with a look at once puzzled and provocative.

Ah, Daryl Gates, I thought, again . . . *still.*

"Well," I said, "in the end, I suppose it really is a question of principle."

That, of course, is precisely the problem. On questions of principle, the distinction between stubbornness and steadfastness is crucial. One gives rise to willful self-assertion, the other to responsibility. And it is the confusion between the two that lies at the heart of the crisis Gates continues to inflict on Los Angeles.

What began as a wave of popular revulsion against a single incident of horrifying official violence has become a flood of rage and suspicion. These forces were not set in motion by politicians or the media, but by the facts. And, unless he really believes he can discharge his duties in a vacuum exhausted of those facts, it is time for Gates to accept the honorable retirement to which his long service entitles him.

As they have emerged over the last week, several of those facts are particularly significant: Shortly before Rodney King, a black man, was brutally assaulted by officers of the Los Angeles Police Department, overtly racist messages were exchanged via computer between the squad car assigned to Laurence M. Powell and Timothy Wind, two of the policemen indicted for their part in the incident, and officers in another car.

The message sent from the Powell and Wind car described a dispute between members of an African-American family as something "right out of 'Gorillas in the Mist.'"

The occupants of the other car responded, "HaHaHaHa. Let me guess who be the parties."

After King was beaten, messages sent from Powell and Wind's car joked about the incident and, in one instance, said, "I haven't beaten anybody this bad in a long time." The officers responding said, "I thought you agreed to chill out for a while. . . ."

It is more than significant that neither Powell nor Wind ever has been disciplined for excessive use of force.

Stacey C. Koon, the sergeant who shot King with an electric dart gun, also exchanged lighthearted messages with whoever was manning the watch commander's desk at Foothill Division. That officer sarcastically referred to King as a "lizard."

Koon, too, has been indicted for his part in the affair and for his ham-fisted attempt to cover up his and his fellow officers' misconduct.

The picture suggested by these messages is far different from the one Gates painted when he first called the attack on King an "aberration." The officers who spoke in this fashion had no fear of expressing the most primitive and offensive racial epithets over an open, recorded channel of official communication.

Similarly, the men who brutalized King apparently had no compunction about committing their atrocity in the presence of more than 20 uniformed witnesses. Those who subsequently filed false reports concerning the incident obviously had no anxiety that any of those witnesses would contradict their lies.

People who behave in this heedless way are not acting out an aberration, but what is—for them, at least—business as usual.

I had an inkling of this recently, during a conversation in which I asked an LAPD officer how often he heard other officers express racial slurs. "Well," he said, "you hear sort of racial jokes and stuff all the time. But it's hard to tell what it really means. It's like, you know, calling Baldwin Hills 'the jungle,' like a lot of guys do."

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FBI — LOS ANGELES

FBI/DOJ

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Baldwin Hills is an expensive neighborhood of stylish homes, where many of Los Angeles' African-American professionals live. I asked the officer, why the nickname?

"If you ask for the record, it's because there are a lot of trees and shrubs up there. It's real green. If you're asking off the record, it's because that's where the jungle bunnies live."

Clearly, the verbal affronts to Rodney King's human dignity committed by uniformed officers of the LAPD were not aberrations. Neither, as the record demonstrates, was the violence he suffered. Last year, the Los Angeles City Council approved nearly $11 million in settlements growing out of more than a dozen cases of police misconduct.

A dozen such incidents do not comprise an aberration, but a pattern—a systemic failure to root out racist police officers and to deal in a decent, evenhanded manner with all this city's people.

When an institution fails in this way over a prolonged period of time, those who have its conduct in their charge cannot escape responsibility. The standards—the principles, if you will—that apply are not those appropriate to a private individual or even to a minor civil servant, but to a public official.

In parliamentary systems, this is called "ministerial responsibility." It recognizes the fact that when an institution itself fails, it is irrelevant whether the individual at the top is personally culpable. All that really matters is that they had the responsibility.

As a committed, indeed principled, social and political conservative, Daryl Gates frequently has spoken on behalf of those well-tested ideas that are at that philosophy's core. Among them are the notion that a mature liberty fulfills itself in the assumption of communal responsibilities, as well as the assertion of individual rights. This is the ethic of service to the common good of which the chief has so often spoken.

Given Gates' personal strength, the relative weakness of the Bradley administration in its waning days and the shambling timidity of the City Council, "this chief," as he calls himself, probably can hold on to his job for some time to come.

But to do so, he will have to watch—if not encourage—the bitter polarization of the city along racial lines. A stubborn man might do that; a principled one surely would not.

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MAR 26 1991

FBI — LOS ANGELES

President says tape 'made me sick'

Refuses to call for Gates' ouster

By Rick Orlov
and John Rofe
Daily News Staff Writers

President Bush said Thursday that the videotaped beating of Rodney Glen King by Los Angeles police "made me sick," but refused to say whether Police Chief Daryl F. Gates should resign over the March 3 incident.

Gates has in many ways been "an exemplary police chief . . . entitled to a credible hearing," Bush told reporters in Washington, D.C., before a meeting with Attorney General Dick Thornburgh over the Justice Department's investigation into police brutality.

"It was sickening to see the beating that was rendered and there's no way in my view to explain that away," Bush said, in his first comment on the incident. "It was outrageous."

In Los Angeles, Gov. Pete Wilson expressed similar views, saying he was appalled at the videotape showing Los Angeles police officers kicking and beating King with nightsticks following a traffic stop in Lake View Terrace.

"There is no excuse for what we saw on the videotape," said Wilson. "What we saw was unjustified cruelty and brutality and there's no place for that."

But Wilson said he would stand by Gates because he didn't think "it was leadership to join a lynch mob."

The governor said Gates, who campaigned actively for Bush and Wilson in their elections, has built a police department that has a reputation as one of the finest in the nation.

"There are some people trying to make him a scapegoat," Wilson said.

But Mayor Tom Bradley — who has said that Gates' retirement would aid the "healing process" — said he didn't believe the governor was aware of the strong feelings in Los Angeles about the issue.

"He's not privy to the same information we are (privy to) in Los Angeles," Bradley said. "He's not hearing the kind of demands I'm hearing."

Bradley has called for an investigation of racism in the department following disclosures that some of the officers involved in the beating made racist comments on the police communications system before the beating. King is black, and a police sergeant and three officers indicted on felony charges in the beating

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"There is no excuse for what we saw on the videotape. What we saw was unjustified cruelty and brutality and there's no place for that."

— Gov. Pete Wilson

are white.

Coming to Gates' defense, Los Angeles City Councilman Hal Bernson accused Bradley of leading a behind-the-scenes campaign to oust Gates.

Bernson, a longtime supporter of Gates and candidate for reelection in the west San Fernando Valley, said Bradley should take a firm position rather than appearing to stay out of the issue.

"The mayor's been pussy-footing around, trying to hide behind other people who are calling for the chief to resign," Bernson said. "He (Bradley) should come out and say what he really thinks."

Bradley has denied orchestrating the campaign against Gates.

"I've been accused of that before, without anything to support that speculation," he said in an interview.

At a meeting with Banning High School students, the mayor spoke about the racism he experienced when he was a police officer.

"Blacks could not ride in the car with the whites," Bradley said. "Obviously, if those officers could not ride in the car and work together, they weren't going to have any respect for the blacks they would run into in the streets."

But Bradley said all that is behind him.

"The minute I left the department, that was behind me," Bradley said. "There is a far different department today than in 1960."

Meanwhile, a new group calling itself Citizens in Support of the Chief of Police (CISCOP) announced plans to hold a rally Sunday at the Police Academy in support of Gates.

Peggy Rowe Estrada, the former wife of actor Erik Estrada, said she came up with the idea of forming the organization to support Gates.

"We share the public outrage with the officers who participated and of those who stood by and watched," Estrada said. "While CISCOP is shocked by the violence we witnessed during the videotape, we strongly reject the call for Chief Gates to step down. In our rush for quick justice in this case, we must not make Daryl Gates the scapegoat."

Daily News Staff Writers John Polich and Patrick McGreevy contributed to this story.

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MAR 27 1991

FBI — LOS ANGELES

Taunts followed beating

Grand jury transcript details officers' boasts

By Dawn Webber
Daily News Staff Writer

Police officers who arrested Rodney Glen King on March 3 later taunted him at the hospital, boasting that they "played a little hardball" and "hit quite a few home runs" while beating him with their batons, witnesses told the grand jury.

Other witnesses said King was slow in responding to commands and struggled briefly with police, but laid down passively and absorbed the blows after officers began beating him, according to a transcript of the grand jury hearing reviewed by the Daily News.

Witness testimony contained in the transcript provides new details of King's actions on the night of his arrest, the extensive use of force by officers in response, and their attempts later to downplay the incident.

As a result of that testimony, four officers from the Los Angeles Police Department were indicted last week in connection with the beating of King — which was captured on videotape by an amateur photographer.

Sgt. Stacey Koon and Officers Laurence Powell, Timothy Wind, and Theodore Briseno are scheduled for arraignment today on felony charges that include assault, excessive force and filing a false police report.

Grand jury testimony about the officers contains an incident that occurred about 15 minutes before the beating, in which Powell made a reference to the film "Gorillas in the Mist" that LAPD officials later said was a racial slur.

LAPD Officer Corina G. Smith testified that Powell made the comment to her on the computerized messaging system during a car-to-car conversation. She said she did not know what Powell meant when he likened an earlier call to a scene "right out of 'Gorillas in the Mist.'"

"I don't know what 'Gorillas in the Mist' is," she told the grand jury. "I have been told since then . . . it was a movie."

She denied that her response — "HaHaHaHa . . . let me guess who be the parties" — was itself a racial slur.

About 15 minutes later — at 12:47 a.m. — LAPD officers got a call that the California Highway Patrol was in pursuit of a Hyundai that had failed to yield.

Melanie Singer, a CHP officer on patrol with her husband, Officer T.J. Singer, told the grand jury that several LAPD cars joined in the chase — which ended when King pulled over on Foothill Boulevard in Lake View Terrace.

"(King) appeared almost happy and he was smiling" as he got out of his car, held his hands about chest level as he had been told and then put them on the roof of his car, she said.

"He then looked up and smiled at the helicopter and began to wave," she said, "and he more or less danced around with his feet like a pitter-patter step."

Five or six Los Angeles police officers, who had drawn their guns, told him to lie down but he did not do it immediately, Singer said.

"He was just laughing," she said.

Singer said she saw King put a hand near his buttocks, and told him to move his hand away from his body.

"At that time he grabbed his right buttocks and turned to me and shook his butt in front of me," she said.

Singer testified that she drew her gun and told King: "Hit the ground. Get your face on the ground. Spread your arms and legs."

After three or four commands, King got down on his knees. Singer said she went to take King into custody when Koon — who was the ranking LAPD officer at the scene — told her, "Stand back. We'll handle this."

She said she complied because Koon "is a sergeant — he's the on-scene supervisor," even though he is from a different department.

At the time, King was on the ground as if he intended to do a push-up when Powell stepped forward and grabbed King's left wrist and another officer grabbed his right wrist, as if to put handcuffs on him, Singer said. She said King jerked his arms away and stood up.

"They were all trying to grab control of him," she said, adding that five or six officers surrounded King, who swung his arms wildly and pushed them away.

According to Singer, Koon told King: "If you don't stop resisting, I'm going to shoot the . . . Taser."

She said Koon then told other officers to "back away" and fired an electric dart into King's back.

"It looked from my observation that he was either falling forward, lunging forward or moving in a direction toward the sergeant (after being hit)," she said.

She said Koon told King: "Get down, get down, or I'll fire again."

King did not lie down so Koon fired the Taser a second time, Singer said. King fell to his knees and Powell stepped forward with his baton and hit King in the head, she testified.

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"When he fell to his knees, I believe it was Officer Powell that came up on the right hand side of him and struck him with his baton on the right side of his face, she said. "It caused the skin to split. . . . That's one of the areas we are not supposed to strike."

Singer said King put both hands over his face, and Powell hit him in the face and hands about five more times.

"He just screamed and put his hands up" while Powell administered "continuous blows," Singer said. Then, Koon yelled, "That's enough. That's enough."

Singer said a second officer, later identified as Briseno, reached over and stopped Powell.

"I thought it was over," Singer testified, saying she went to assist in the arrest of two passengers in King's car.

The beating of King resumed behind her back, Singer testified.

Another witness who testified about the beating was Paul James Beauregard, a school police officer from the Los Angeles Unified School District.

Beauregard said he and his partner, Mark Diamond, were on patrol when they saw a CHP car with flashing lights chasing a Hyundai near Glenoaks and Van Nuys boulevards.

He said an officer asked for their assistance so they joined the chase. He testified the driver pulled over and got out but ignored orders to lie down. He said he overheard Koon say, "This isn't working."

"I believe he directed another officer to step in — I believe it was Officer Powell — to come in with a baton," Beauregard said. "All I heard (Koon say was) 'We are going to have to do something else. This isn't working.' "

He testified that after Koon fired the Taser, King seemed to be in pain, but was not showing a "normal reaction."

"I saw Officer Powell come in. I saw him strike the suspect midway about two times and back off," Beauregard said.

He said he did not see Powell hit King in the head, and in fact did not witness most of what was captured on videotape because he was assisting in the arrest of King's two passengers.

"I looked over once in a while and I would see Officer Powell doing the same motion again, except at one point I believe I saw him with two hands on the baton," he said.

"Every time he would come in he would take about three swings and then back off," Beauregard said. He testified that he saw Powell hit King about nine times while King was still standing.

"I was getting a little nervous myself (about King)," Beauregard said. "I never saw a person being Tasered twice and struck at least nine times without having some more effect on that.

"Every time I did look over, he would be like in a different spot — he was walking around, turning around. He just wouldn't go down on the ground."

Beauregard testified that he never saw King hit an officer. He said he saw King handcuffed and "hobbled," or wearing a nylon rope attaching his legs to the handcuffs so he could not kick.

Powell later resumed his communication with Smith via computer terminal, starting the conversation by typing the word "Ooops," the transcript says.

He told her about the incident, saying: "I haven't beaten anybody this bad in a long time."

She responded: "Oh, not again. . . . I thought you agreed to chill out for a while."

Smith told the grand jury that she was referring to "a prior incident that I was involved in personally with Officer Powell."

She testified that in October 1990, she used a single baton stroke on the kneecaps to subdue a handcuffed suspect who was kicking.

"That was the only incident I was referring to. That's the only incident I have been on with him. I can't testify to anything else," Smith said.

"There are other incidents that have happened — other uses of force that he's been involved in — but I can't testify to it, because I was not there," she said.

"I have been there at the station when they have had other incidents that they have ended up using force or been in fights, but I wasn't there, so I don't know what it's about. That's what I mean," Smith said.

King was taken to Pacifica Hospital in Sun Valley for treatment. Two nurses said that unidentified LAPD officers taunted King while he was being treated.

Nurse Carol Diane Edwards testified that two officers brought King in wearing handcuffs and leather restraints on both ankles and his right wrist.

She said King asked whether he would be released during the day because he had a baseball game to attend. He said he worked as an usher at Dodger Stadium.

Edwards then related a conversation between King and the officers:

"You are not going to be out of here for a long time," one officer said.

"We played a little baseball tonight, didn't we?" he asked King.

"What do you mean?" King replied.

"We played a little hardball tonight and you lost," the officer said.

Edwards testified that she was asked by police whether she smelled alcohol on King's breath, and she replied that she did not. She testified that King was not a problem while in her care.

Lawrence Davis, another nurse at Pacifica Hospital, gave this account of a conversation between King and the officers:

King: "Yeah, yeah. You guys had a pretty good game. You played pretty good hardball tonight."

Officer: "We hit quite a few home runs, didn't we?"

King: "I think so, yeah."

Officer: "Do you know who we were playing tonight, Rodney?"

King: "I don't remember."

Officer: "Oh, come on, don't you remember who we were playing against?"

King: "Yeah, me."

Officer: "Yeah, and you lost the ballgame, didn't you?"

King: "Yes."

Davis testified that he also heard officers make racial slurs during a conversation among themselves.

"I just heard a couple words — it was something like, 'This n—— . . .' something or other."

Davis testified that the officers told him King was dangerous — a former felon out on parole for armed robbery — and possibly under the influence of PCP when they brought him in.

Davis said he detected no visible signs that King had used alcohol or drugs. He said that King spoke clearly and cooperated.

Dr. David D. Giannetto, who treated King, told the grand jury that King appeared mildly intoxicated.

"Basically he just said that they, you know, 'Beat the hell out of me,' actually, 'Beat the s— out of me,' is what he told me," Giannetto said. "He said, 'I have never been beaten like that.' He didn't really give me any specifics of the events."

Giannetto said King denied having used drugs or alcohol but tests showed King had a blood-alcohol content of .094. He said a drug test was negative.

Other witnesses called before the grand jury included LAPD officials who identified officers at the scene of King's arrest and said some of them tried to cover up details of the beating.

Sgt. Robert L. Ontiveros of the Foothill Division identified Powell and Wind as the officers who were shown hitting King in the videotape. He identified Briseno as the officer who initially stopped Powell from hitting King but later kicked King himself.

Ontiveros testified that it was Koon's responsibility to "take charge of the scene and direct the officers" and stop any use of excessive force.

"He's more so in charge because he's also controlling the electrical charge to Mr. King's body," Ontiveros said.

Officer Johnny Amott, a Valley Traffic Division watch commander who reviewed the arrest report on King, testified that the report — written by Powell — said King had an agitated demeanor, spoke incoherently and had extremely rigid muscles when officers confronted him. Detective Taky Tzimeas of the LAPD's Internal Affairs Division testified that Koon did not file a report on officer misconduct related to the incident.

The grand jury transcript concludes with closing arguments by Deputy District Attorney Terry White, the prosecutor who presented the case. (Under grand jury rules, no defense is presented.)

"After viewing that tape . . . everyone can come to the same conclusion that there was excessive force used," White said.

Officers crossed over the line when Powell stepped in and hit King with his baton, he said.

White said officers are trained to hit a suspect in the chest or knees, rather than the head, where the blow could be lethal.

"But (Powell) chose the first blow to be a power stroke to the man's head — an excessive use of force," he said.

"Then Officer Powell took it upon himself, after the man is down, to strike him a number of times," White said. "It's also clear he's using power strokes in this situation and the man is down."

White said Koon and Briseno recognized the force was becoming excessive, noting that Koon told Powell, "That's enough," and Briseno reached out to prevent Powell from taking further swings.

"But (the beating) continues. It continues not only with Officer Powell, but now it's Officer Wind and later Theodore Briseno," White said. "Mr. King is not resisting at all. Mr. King is trying to get away from the blows, which he has a right to do."

White told the grand jury that despite Koon's initial statement, "That's enough," the sergeant gave his unspoken approval as the beating continued.

"He's moving the Taser wire out of the way, facilitating the beating, making it easier," White said, pointing to the videotape of the incident.

"(He's) backing out of the way, giving them more room. He's giving implied authority to those subordinates to continue that beating because he's not stopping it," he said.

White said Koon did not mention any blows to King's head — only "several facial cuts due to contact with asphalt of a minor nature."

"He would leave (the truth) out because in his mind, he knows that's excessive force," White said. "He conceals it."

White said Koon falsely reported that King was booked at Los Angeles County/USC Medical Center — rather than the downtown jail — because he was under the influence of PCP.

"That wasn't the reason he was taken there. He was taken there for medical treatment for the beating he had received," White said.

Koon also did not report misconduct by the officers, White said.

"Koon had an obligation to turn in the report on the misconduct. He didn't do it," he said.

"Sgt. Koon intended that Laurence Powell not be discovered — that the excessive force that he used not be discovered," White said. "He concealed it and he thought he had done a good job, but if it wasn't for that video, we probably wouldn't be here.' "

Associated Press

Rodney Glen King showed reporters his bruises during a press conference three days after the beating.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Gates' Status Could Jeopardize Book Deal

■ **Fallout:** Autobiography might be difficult to sell if he is no longer chief, publishing experts say.

By GLENN F. BUNTING
TIMES STAFF WRITER

Beyond his desire to restore public confidence in the Los Angeles Police Department, Daryl F. Gates has another incentive to ride out the public uproar over the Rodney G. King beating: He signed a $300,000 deal last year for a book that publishing experts say might be difficult to market if he were no longer chief.

According to interviews with book publishers and agents, the contract for his autobiography would be in jeopardy if Gates succumbed to growing demands for his resignation.

"If he finds himself out of a job somehow, his book is worth nothing," said Esther Newberg, vice president of the New York literary agency International Creative Management.

Gates was not available for comment Thursday on his autobiography, which is to be published by Bantam Books. Co-author Steve Delsohn said he has finished interviewing Gates but plans to revisit the chief to fully explore the King beating.

Los Angeles Times

Daryl F. Gates

"Knowing the chief, he would not want to dodge or neglect something of this kind of importance," Delsohn said. He added: "The way I feel is the book doesn't matter right now. What matters is [that] the city start healing."

On Wednesday, Mayor Tom Bradley said "the only way" for the Police Department to recover from the controversy is for Gates "to remove himself" from office. Gates has insisted that he has no plans to retire.

A Bantam spokesman said the publisher is still in Gates' corner.

"[The King beating] was obviously a terrible and unfortunate incident, but it doesn't change our plans and our commitment to Chief Gates," Stuart Applebaum said. "It's not our style to back away from somebody just because they are going through a difficult time."

Applebaum had said in a December interview that Gates' memoirs, written in a first-person narrative, would attract nationwide interest because of the "glamour and charisma" of the Los Angeles Police

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Department. He has not changed this view in light of the King case.

"We still feel that his is a powerful story with national appeal," Applebaum said this week. "He was controversial before this incident. He obviously is no less so now."

There has been no discussion, Applebaum said, about rushing the book into print. He said the autobiography will be published in 1992 at the earliest.

Despite Bantam's optimism, New York literary agent David Vigliano and others predicted that the publisher would have to reconsider its contract if Gates is driven from office.

"If it doesn't kill the book, it makes it very difficult for him to have the kind of bestseller he would have if he were to survive the pressure and land on his feet," Vigliano said.

Several literary agents said that in order to sell, the book must deal with the King incident and police brutality—and, in fact, this episode might eventually make for a hotter commodity. The controversy already has generated an enormous amount of national publicity for Gates—almost none of it positive—but a widely recognized name is almost a requirement for a successful autobiography.

"I'm sure the story he had to tell is very different than the story he is going to have to tell," said West Coast agent Frederick Hill, president of Frederick Hill Associates. "I think a book on [the King] story is going to be a hell of a lot more interesting than a book on his life."

Gates and Bantam negotiated an advance "in the ballpark" of $300,000, police spokesman William Booth confirmed in December. Earlier this month, Gates reported on financial disclosure forms that he had received $35,000 from Bantam in 1990. The 64-year-old chief is paid a $168,000-a-year salary and will receive an annual pension of $117,000 when he retires.

Under standard book contract language, Gates would get future advances as he submits material to Bantam, which would have the option of rejecting the book at any time, according to sources in the publishing industry. The book will cover major events since Gates joined the Police Department 42 years ago, including his experiences as a field commander during the Watts riots, Booth said.

Publishing sources agreed that the best way for Gates to produce a bestseller will be to remain as chief and reflect on ways he tried to turn around the department a year later.

"In so many ways, this controversy is going to damage his image," said Michael Hamilburg, a Los Angeles literary agent. "But he could turn it into a plus, especially if he rides it out. If people conceive of him as a law and order guy who stands up to the world of crime no matter what has happened . . . he is going to be a hero like Ollie North."

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(Mount Clipping in Space Below)

Police Say Tests Show King Was Legally Drunk

By RICHARD A. SERRANO
and HECTOR TOBAR
TIMES STAFF WRITERS

Los Angeles police officials said Thursday that blood and urine samples taken after the beating of Rodney G. King show he was legally drunk and had traces of marijuana in his system, adding yet another twist to the controversial case.

However, police officials emphasized that the test results stating that King was intoxicated in no way warrant the violent force used by officers in the March 3 incident.

"We're not saying this proves Mr. King's state was such that his behavior was something that would justify what the officers did," said Lt. Fred Nixon, one of the department's top spokesmen. "There is no level of alcohol that would justify what happened to Mr. King."

The test results conflict with earlier reports from physicians who have examined King, both in the hours after the beating and in the days that followed. The police tests show no other illegal drugs present in King's system, and contradict repeated statements from many officers at the scene and their supervisors who said King was under the influence of PCP.

The beating, videotaped by an amateur cameraman, has provoked a growing outcry and become a national symbol of police brutality. Four Los Angeles police officers have been indicted in the incident.

On Thursday, President Bush made his first lengthy comments on the beating. The President said watching the tape "made me sick," but he also had words of support for Los Angeles Police Chief Daryl F. Gates, who has resisted calls to resign.

"In many ways he has been an exemplary police chief," Bush said in Washington. "I think the man's entitled to a credible hearing."

Gov. Pete Wilson echoed Bush's remarks, condemning the violence he saw on the videotape but voicing support for Gates.

"I think there are people who are seeking to make him a scapegoat," Wilson said at a Los Angeles appearance. "I don't think the chief should resign, nor should people ask for his resignation, until a case can be made that there has been dereliction on his part."

As Gates was receiving support from high-level politicians, he revealed Thursday morning in a nationally televised interview that he and his family have been the targets of repeated death threats. While refusing to discuss the nature of the threats, police officials said they have increased security for both the chief and the members of the Police Commission.

In a speech Thursday evening to the Los Angeles chapter of the Public Relations Society of America at the Valley Hilton, Gates reiterated that he has no intention of resigning or retiring. But he did say that once he had seen the department through this crisis, he might consider retiring.

"I'm going to remain," he said. "I'm going to see this through."

Gates added that once public confidence has been restored in the department, "then I will be satisfied and go ahead and retire and enjoy the fruits of 42 years of labor."

The results of blood and urine tests, taken from King about five hours after the his arrest, were released by police late Wednesday at the request of reporters, Nixon said.

The tests showed that King's blood-alcohol level was 0.079%, slightly below the legal limit of 0.08% at which one is considered intoxicated under California law. However, Nixon pointed out that because the tests were taken five hours after his arrest, King was above the legal limit at the moment of his arrest.

"He was well above the level at which one can legally be presumed under the influence," Nixon said, adding that the tests were performed by a state-certified independent laboratory.

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Although the tests showed traces of marijuana, Nixon said the drug could have been ingested months ago.

Nixon said the department received the results of the blood test on Monday and the urine test on Tuesday.

According to grand jury documents reviewed by The Times, there were contradictory conclusions made by police, witnesses and physicians about whether King was intoxicated at the scene.

Dr. Antonio Mancia, an emergency room physician at Pacifica Hospital in Sun Valley who examined King, said he found "no clinical evidence" that King was under the influence of drugs or alcohol when LAPD officers brought him into the hospital.

Mancia, the first physician to treat King, told investigators that the patient was "docile and cooperative."

"King did not complain or make any accusations against anyone regarding his injuries," Mancia said in the investigators' reports. "King did not act like he was under the influence of PCP or alcohol at the time of the examination. King did not have slurred speech. His pupils appeared normal."

King told investigators that he had consumed only one beer before he was arrested by police. However, California Highway Patrol Officer Melanie Singer, one of the officers at the scene, described to investigators how she first encountered King, who uses his middle name of Glen:

"I walked over to the driver and asked him what his name was and he said, 'Glen.' I couldn't hear him so I leaned closer to him and smelled a strong odor of alcohol on his breath and noticed his speech was slurred."

She also noted that he was smiling, laughing and dancing when he got out of the car after a police pursuit that ended in Lake View Terrace. She described his behavior as "very strange."

The uproar over King's arrest has placed Gates in a position of trying to hang on to his 13-year job as head of the Police Department in the nation's second-largest city.

Defending his department from allegations of racism, Gates has appeared on numerous television news programs. Interviewed on NBC's "Today" show Thursday morning, he was asked to gauge what effect the crisis has had on his personal life.

"Naturally it impacts on me and my family," he said. "We've been subjected to a great deal of intimidation by those who threaten us and threaten our lives.

"But," he reiterated, " . . . no one is going to force me out of this office."

Nixon, the Police Department spokesman, said the department does not take threats against the chief lightly.

"Emotions are running particularly high right now," Nixon said. "Even though we feel capable of keeping [the chief] safe, we continue to take such threats seriously."

Two police sources said that in recent days a number of new security measures have been set in place.

- Gates, who normally is seen with only one police bodyguard, has increased his personal security detail to two and sometimes three officers.
- Seven to eight uniformed officers were assigned to provide security when Gates attended two rancorous Police Commission meetings at Parker Center, where many in the audience screamed for the chief's resignation.
- Ten detectives on the commission's investigative staff who normally wear business attire have come to work in their blue uniforms and with holstered guns during the days of the commission meetings.

In other developments, police officials also said key officials have been transferred from the Internal Affairs Division, which is responsible for investigating police misconduct.

Cmdr. Robert Gil, the department's chief spokesman, said the transfers were not linked to the King affair. Rather, he said, they were part of a top command staff shuffle begun with the departures earlier this year of Assistant Chief Jesse Brewer and Deputy Chief William Rathburn.

Gil said that Capts. Maurice Moore and J.I. Davis, who had supervised the Internal Affairs office for about two years, were replaced by Capts. Jan Carlson and Gary Brennan.

Assistant Chief Robert Vernon said that the Foothill Division watch commander who was on duty at the time of the beating—after less than a week in that position—was transferred from the division shortly after the incident.

New details were released Thursday on the extent of King's injuries. Dr. Alvin Reiter, who operated on King last week, said that the number of facial bone fractures he suffered in the beating is difficult to quantify because the bones were "shattered like an eggshell."

There is a chance King will never be able to feel food in his mouth or move part of his face, the doctor said. King could have continuing vision problems and pain in his jawbone and may have some facial disfigurement that could require further surgery.

An attorney for Bryant (Pooh) Allen, one of two passengers in King's car on the night of the beating, filed a federal lawsuit Thursday claiming that police "foster and tolerate an atmosphere of tacit and overt anti-black racism." King and the men who were in his car are black.

Former Lakers basketball star Jamaal Wilkes, who also is black, referred to the King beating after his attorney filed a $250,000 claim Thursday against the city alleging mistreatment by two officers who pulled Wilkes' car over and handcuffed him during a traffic stop he said was motivated by race.

"While I certainly was not beaten such as was Mr. King, I did suffer emotional distress," Wilkes said. "The actions of the Police Department show a callous attitude toward African-Americans."

Meanwhile, Kerman Maddox, a community activist and City Council candidate in the 8th District,

attempted to officially serve Gates at Parker Center on Thursday with notice of a recall campaign to remove him from office.

After a brief press conference, Maddox was stopped at the front door of police headquarters, where Nixon arrived to accept the letter, promising he would deliver it to the chief.

"Clearly the public would like the chief to step down," Maddox said. "Since he has refused to step down, we want to place this squarely where it belongs, which is before the people. This is democracy at its finest."

The city attorney's office later reported, however, that the recall notice which appeared in The Times was invalid because it was in Spanish. A Times spokesman said the paper had inadvertently deleted the English version of the legal notice and would publish it today.

Parker Center was also the site of another press conference—organized by a newly formed pro-Gates group, Citizens in Support of the Chief of Police. The group announced plans for a rally backing Gates on Sunday at the Police Academy in Elysian Park.

"We have been the silent majority," said Peggy Rowe Estrada, a spokeswoman for the group. "The Police Department is a family. . . . In any family, if the parents get in trouble, they don't put the parents in jail."

About 15 people joined Estrada at the press conference held at the entrance to Parker Center, wearing blue ribbons showing their support for the chief and the department. But as the press conference drew to a close, the Gates supporters were confronted by an equal number of protesters shouting "Gates got to go!"

The multidenominational Council of Religious Leaders called for establishment of an independent citizens commission to "throughly but speedily" investigate problems in the Police Department.

And finally, in one of the day's stranger developments, the Gun Owners Action Committee joined the dump-Gates bandwagon—they are still angry at the chief for his opposition to assault rifles.

Spokesman Mike McNulty appeared at a Hollywood press conference with Cedric Innis, son of Congress of Racial Equality founder Roy Innis, who also called for Gates' resignation. Innis called the police chief "arrogant, hostile . . . totally insensitive to the needs of the community."

Times staff writers David Lauter in Washington and Leslie Berger, Michael Connelly, John L. Mitchell, Shari Roan, Sheryl Stolberg and Tracy Wood in Los Angeles contributed to this story.

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(Mount Clipping in Space Below)

THE TIMES POLL

31% of Angelenos Say Gates Should Quit Now

By SHERYL STOLBERG
TIMES STAFF WRITER

Almost one out of three Los Angeles residents believe that Police Chief Daryl F. Gates should resign immediately over the police beating of a black Altadena man, and a majority say he bears substantial blame for the incident, a Los Angeles Times Poll has found.

Though there was not overwhelming sentiment for the chief to step down right away, the poll indicated that support for both Gates and the Los Angeles Police Department continues to erode in the wake of the March 3 beating of motorist Rodney G. King.

The poll found that 31% want Gates to resign immediately, and another 31% believe Gates should resign if an investigation finds that his officers committed wrongdoing.

In a Times poll two weeks ago, 13% said Gates should resign immediately and 27% said he should resign if his officers committed wrongdoing.

In this week's poll, 32% said Gates should not resign, down from 48%.

While public attention after the King beating has focused on the department's leadership, the poll also found that residents believe

■ RELATED STORIES: A41,A42

racism and brutality are widespread within the Police Department and that these problems might not be solved by the chief's departure.

Two-thirds of the respondents said they believe that police brutality is common in Los Angeles, and two-thirds said they believe racist feelings are common among police officers.

Residents were divided on the question of whether Gates, who has made controversial remarks about blacks, Latinos and Jews, is racist. Thirty-six percent said yes, 39% said no and 25% were unsure.

The poll found that six in 10 residents believe that Gates bears "a good amount" or most of the blame for the King beating.

But a majority generally believe that the problems of misconduct by the department stem more from the "beliefs and personalities of the typical police officer" than from the policies of those who run the department. The survey found that 58% attribute misconduct to individual officers and 29% to department policies.

Asked how the departure of Gates would affect the department, 38% said it would have a positive effect, 20% said it would have a negative effect and 33% said it would have not much effect.

The King beating, captured on videotape by an amateur photographer, has thrust Gates and the LAPD into the center of a national uproar over police misconduct. Four officers have been indicted on felony charges of assault with a deadly weapon. A host of public figures—from civil rights activist Jesse Jackson to conservative columnist George Will—have called on Gates to resign.

The beating has carried racial overtones because King is black and the indicted officers are white. In addition, transcripts of patrol car computer messages made public this week revealed that two officers made a racial slur about an African-American family they had encountered just before the King beating. The message likened the family to the movie "Gorillas in the Mist."

Following these disclosures, the poll showed that nearly two-thirds of the city's residents—including 60% of the Anglos, 72% of blacks and 73% of Latinos—now believe the King beating was racially motivated. Two weeks ago, slightly more than half of those polled said the beating was racially motivated.

When asked, "How common do you think racist feelings are among Los Angeles city police officers?" three out of 10 respondents said such feelings are very common and an additional four out of 10 said they are fairly common.

Among Anglos, 19% believed racist feelings are very common and 38% said fairly common.

Among blacks, 37% said such feelings are very common; 37% said they are fairly common.

Among Latinos, 38% said they are very common; 38% said fairly common.

In an interview Thursday on NBC's "Today Show," Gates acknowledged that racism exists within the department, but blamed it on a larger, societal problem.

"Racism is a problem in the United States of America and we hire people from the United States of America," the chief said. "We know some racism exists. But we screen our people very carefully. We talk to them about this kind of thing and we tell them it has no place in being a Los Angeles police officer."

The Times poll, which surveyed 909 Los Angeles residents, was conducted Wednesday and Thursday. The poll, supervised by Times Poll Director John Brennan, has a margin of sampling error of plus or

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minus 4 percentage points. Among certain subgroups the margin is somewhat higher.

City residents are following news of the King beating extremely closely, the poll showed. Nine out of 10 people interviewed said they are following the story, and more than half said they are following it very closely.

In addition, 70% of those surveyed said they were familiar with the patrol car computer messages made public earlier this week. Two-thirds said the correct amount of attention is being given to the King case.

The poll revealed a broad sense of outrage among Angelenos over the beating of King, who was repeatedly kicked and clubbed by officers. According to the poll, 94% of all respondents are upset about the beating—and three-fourths of all respondents described themselves as "very upset."

Because some questions in this week's poll are identical to those in the earlier Times survey, its findings serve as a measure of how public opinion has changed during the controversy. The results show that as the case has unfolded, disapproval of both Gates and the LAPD has climbed.

But the King beating has had little effect on the popularity of Mayor Tom Bradley, who has been quoted frequently about the incident but has stopped short of calling for Gates' resignation. Bradley's approval rating—61% two weeks ago—has dipped slightly, with 57% of Angelenos approving of the way he is handling his job.

Half the respondents said that Bradley is doing what he should to address the King beating, down slightly from 55% two weeks ago.

More people now disapprove of the way Gates is handling his job: 61% as compared to 55% two weeks ago. More think the chief has been too lenient on the officers involved: 55% as opposed to 38% two weeks ago.

Gates' negative ratings are strongest among African-Americans. According to the poll, four out of five blacks disapprove of the way the chief is handling his job.

However, a majority of Anglos—52%—also disapprove of the way the chief is handling his job.

A majority of the respondents believe that Gates deserves "a good amount" of the blame for the King beating, while 18% think the chief bears no blame at all. In addition, half of those polled said Gates is not doing everything he can to get to the bottom of the King incident.

With regard to the police force as a whole, three out of five disapproved of the way the LAPD is [redacted]ing its job. Two weeks ago the response was nearly split, with 46% saying they approved and 47% saying they disapproved.

The poll showed that the percentage of residents who believe police brutality is common among Los Angeles police officers is now up slightly, from 63% to 68%. Among African-Americans, 87% of those surveyed this week said brutality among LAPD officers is common. Among Latinos, it was 80%. Among Anglos, it was 58%.

Asked how they feel when they see a Los Angeles police officer or a police vehicle these days, 23% of all respondents said they felt reassured, while 25% said they felt uneasy. Half said they feel neutral when they see an officer.

Yet public confidence in the LAPD's ability to fight crime has remained both steady and high. In both polls the Times has conducted on the King incident, three-quarters of those surveyed said they had at least "some confidence" that the police would protect them from crime, while about a fifth of the respondents said they had a lot of confidence in the Police Department.

Despite the public furor surrounding the King case, this week's poll also showed that crime is clearly the No. 1 concern on the minds of Los Angeles residents.

Asked to name "the most important problem facing the city of Los Angeles today," crime ranked the highest among blacks, Latinos and Anglos, with 28% of all residents naming it as the city's biggest woe.

Next highest was the drought, with 13%. Police brutality ranked third, with 8% of all respondents naming it as the city's biggest problem, but an additional 5% specifically mentioned the Rodney King affair or Gates.

Assistant Times Poll Director Susan Pinkus contributed to this report.

HOW THE POLL WAS CONDUCTED

The Los Angeles Times Poll interviewed a total of 909 adult Los Angeles city residents by telephone on Wednesday and Thursday. The sample includes 556 Anglos, 143 Latinos and 117 blacks. Results are weighted to reflect the proper proportions of the city's population subgroups, utilizing census data on race and national origin, sex and labor force characteristics. The margin of sampling error is plus or minus four percentage points. For the Anglo subgroup, the error margin is plus or minus four points, for Latinos it is plus or minus eight points and for blacks plus or minus nine points.

THE LOS ANGELES TIMES POLL

How Angelenos View the Police

The following are results from a Los Angeles Times Poll of 910 adult Los Angeles city residents contacted by telephone March 20 and 21.

■ **How common do you think racist feelings are among Los Angeles city police officers?**

	All City Residents	Anglos	Blacks	Latinos
Very common	28%	19%	37%	38%
Fairly common	37%	38%	37%	38%
Fairly uncommon	19%	22%	15%	15%
Very uncommon	5%	5%	5%	4%
Don't know	11%	16%	6%	5%

■ **Generally speaking, do you think the problems of misconduct on the part of the LAPD are due more to the policies of those who run the department or more to the beliefs and personalities of the average police officer?**

	All City Residents	Anglos	Blacks	Latinos
Dept. leadership	29%	23%	35%	36%
Officers' beliefs and personalities	58%	65%	49%	51%
Don't know	13%	12%	16%	13%

■ **If Police Chief Daryl Gates were to resign or be removed from office, would that have a positive effect on the way LAPD does its job, a negative effect, or would it not have much effect one way or the other?**

	All City Residents	Anglos	Blacks	Latinos
Positive	38%	31%	51%	41%
Not much effect	33%	39%	32%	30%
Negative	20%	24%	9%	19%
Don't know	9%	6%	8%	10%

■ **Do you think Police Chief Daryl Gates is a racist, or is he not a racist?**

	All City Residents	Anglos	Blacks	Latinos
Racist	36%	22%	49%	50%
Not a racist	39%	50%	21%	31%
Don't know	25%	28%	30%	19%

The following compares responses from a Times Poll conducted March 7 and 8 to responses from the March 20-21 poll.

■ **Police Chief Daryl Gates should:**

	All City Residents	Anglos	Blacks	Latinos
Resign immediately over the King incident				
Now	**31%**	**25%**	**40%**	**37%**
March 7-8	13%	9%	18%	17%
Resign if investigation proves police wrongdoing				
Now	**31%**	**27%**	**30%**	**37%**
March 7-8	27%	24%	32%	32%
Should not resign over the incident				
Now	**32%**	**45%**	**21%**	**20%**
March 7-8	48%	59%	43%	35%
Don't know				
Now	**6%**	**3%**	**9%**	**6%**
March 7-8	12%	8%	7%	16%

D-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Philpott tells Gates it's time to go

Other local police chiefs disagree

By Danny Pollock
Staff Writer

PASADENA — Police Chief Bruce Philpott on Thursday became the Southland's first law enforcement executive to call publicly for Daryl Gates to retire as head of the Los Angeles Police Department as a result of the brutal beating of Altadena resident Rodney King.

Philpott joined the growing chorus of civil rights activists and politicians who have called for Gates to step down since the March 3 beating, which has sparked condemnation of the LAPD and a nationwide debate on police brutality.

In a newspaper column published Sunday, San Jose Police Chief Joseph D. McNamara also called for Gates to retire. However, two other West San Gabriel Valley police chiefs interviewed Thursday said it was inappropriate to demand Gates' resignation because of a single incident.

Despite mounting criticism, Gates has stood his ground and refused to resign. "I've indicated over and over again I'm not going anywhere," he said Wednesday. "That's all there is to it."

Gates, who has been chief of the 8,300-officer LAPD for 13 years, did not respond to a request Thursday for an interview.

Philpott said the number of LAPD officers at the beating, coupled with questionable police reports and potentially racist messages sentbetween officers, suggest Gates has allowed a "redneck subculture" to flourish in the LAPD.

"It's Gates' responsibility to do something so that cowboy subculture does not manifest itself," said Philpott, who has headed Los Angeles County's sixth-largest police department since July. "His retirement would send a message that the cowboy (attitude) is not permitted, and provide an opportunity for a new (chief) to create a new organizational climate."

Twenty-one police officers were present at the scene of the King beating in Lake View Terrace. Sgt. Stacey Koon and officers Ted Briseno, Laurence Powell and Timothy Wind, all of whom are white, have been indicted on felony assault charges.

Los Angeles Mayor Tom Bradley has said the chief's retirement would give the city "another means by which we could begin the healing process."

"I think there's been a breakdown in the command structure all the way from the top to the sergeants on the street who are responsible for supervising these officers, and drastic action must be taken," Bradley said Wednesday.

South Pasadena Police Chief Thomas Mahoney and Arcadia Police Chief Neal Johnson said they do not believe it is appropriate to call for Gates' resignation based solely on the King beating.

"Gates has given 42 years to that department," said Mahoney, a former Culver City police officer who has worked closely with the LAPD. "I don't think Gates has formulated any policies that would restrict the rights of anyone."

Mahoney said he could not condone the treatment of King. But he said he believes the most culpable person was the sergeant in charge at the scene.

"There was a breakdown in his supervision, not Gates' system," Mahoney said. "In any population of 8,300 people, whether they are police, plumbers, doctors or reporters, you'll find a small percentage who don't belong in the profession. There is a responsibility to excise those people."

Johnson said a decision on Gates' future must be left to him and Los Angeles city officials. "I don't know if Gates' resignation would help anything," Johnson said.

Gates has said morale within the LAPD plummeted after the videotape of King's beating was replayed across the nation.

"We are devastated by this," Gates said. "We are devastated because this is a good department. It's a fine department. . . . While we are not perfect, we do fail."

Philpott said the videotaped beating has devastated the public's confidence in police. "Every kid growing up has seen that tape multiple times," Philpott said. "Do any of use realize the damage done? . . . Someone has got to be accountable."

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FBI — LOS ANGELES

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D-350 (Rev. 5-8-81)

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Officers again delay pleas in beating of Rodney King

By Kevin Uhrich
Staff Writer

LOS ANGELES — For the second time in two weeks, attorneys for four Los Angeles police officers accused of beating Altadena resident Rodney Glen King asked for more time Friday in entering pleas for their clients.

Over the objections of Deputy District Attorney Terry White, Superior Court Judge Gary Klausner reluctantly gave the defense until Tuesday morning to review evidence — particularly the famed videotape of King being kicked and beaten repeatedly with police batons March 3 — before filing any motions or pleas with the court.

Klausner expressed his displeasure with the delay to the defense attorneys, telling them, "The clock is ticking."

Attorneys for the four defendants told Klausner that they had not had an opportunity to review all of the videotape, portions of which have been broadcast on television stations around the world.

They also said they plan to challenge the filing of felony charges against two of the officers for allegedly filing false police reports after the incident. Until the law was changed last year, filing a false police report was a misdemeanor.

The defense attorneys, who were retained by the Los Angeles Police Protective League, also said they plan to challenge a provision of Proposition 115, a measure approved by voters last year that eliminates preliminary hearings after county grand jury indictments.

A throng of reporters jammed the hallway to the county Criminal Courts building Friday a half hour before Sgt. Stacey Koon, 40, and officers Laurence Powell, 28, Timothy Wind, 30, and Theodore Briseno, 38, were scheduled to enter.

The four officers came to court dressed in suits and ties and quietly walked into the courtroom, shielded by their attorneys and sheriff's deputies.

The officers, who are free on bail, have been indicted by the county grand jury on a variety of charges. All four are charged with assault with a deadly weapon by force likely to produce great bodily injury and assault under the color of authority.

Koon, Powell and Wind also are charged with a special allegation of attempting to inflict great bodily injury on King. Koon and Powell are charged with filing false reports, and Koon, who was the officer in charge at the scene, is charged separately with one count of being an accessory after the fact to assault with a deadly weapon.

The officers have 60 days from their first appearance before Klausner to enter pleas. None of the officers has waived his right to a speedy trial.

(Indicate page, name of newspaper, city and state.)
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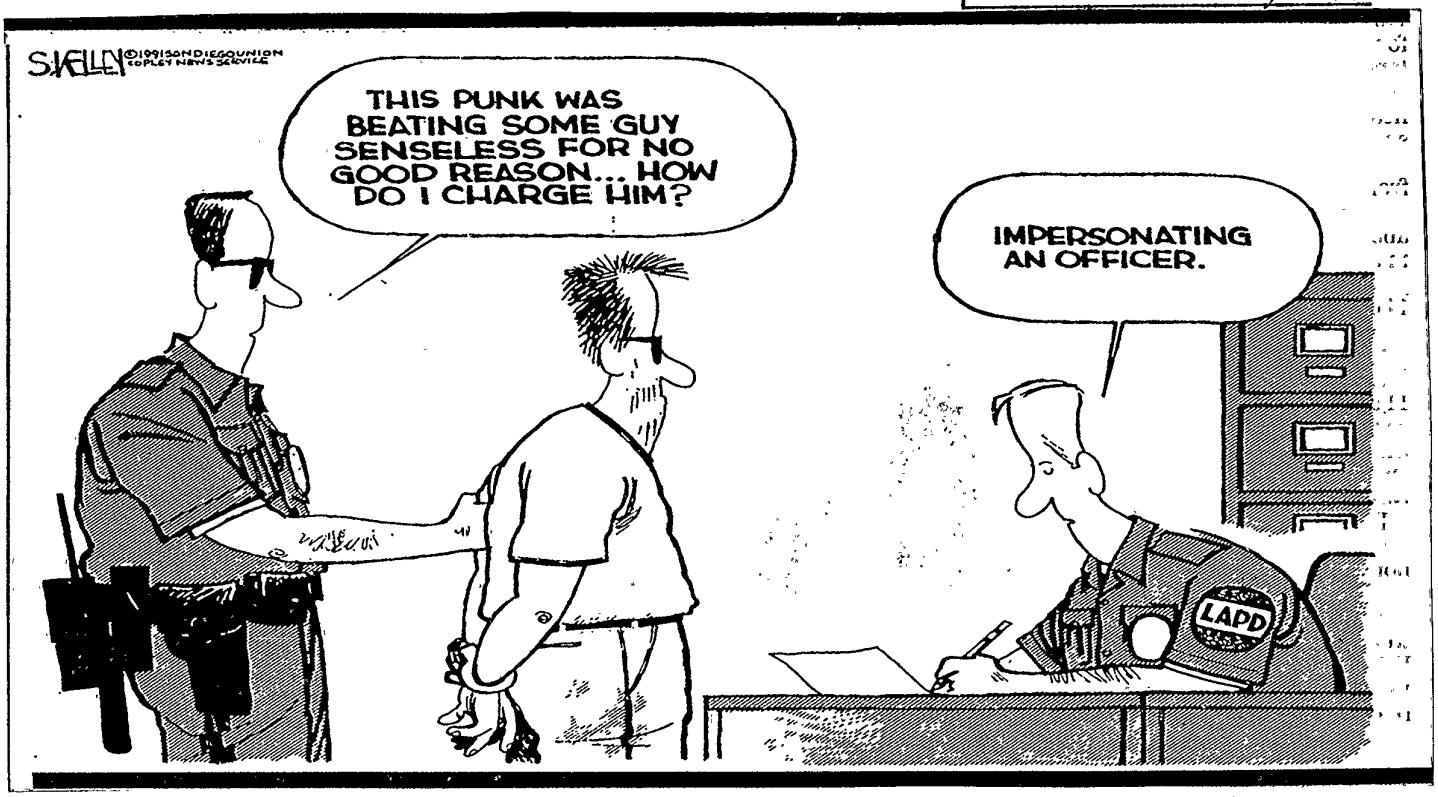

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LOS ANGELES TIMES
Date: SUN, MAR 24, 1991
Edition: OPINION SECTION, PAGE 4

Title: LETTERS TO THE TIMES
OUTCRY OVER POLICE BEATING

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Letters to The Times

Outcry Over Police Beating

■ I am an African-American police officer for a Los Angeles County law enforcement agency. I believe that it is high time that we African-American cops come out of the "closet" and let the American people know that yes, there are some bad cops out there and these cops are abusing their authority by senselessly abusing citizens; yes, African-Americans and other minority groups are targeted by the police; yes, racism exists in not only the Los Angeles Police Department but in most, it not every, law enforcement agency in the Southland.

African-American police officers have been placed into a very sensitive and compromising position. Either we speak out against our fellow officers and suffer the consequence of being attacked verbally, emotionally and possibly physically, or we remain silent and allow citizens to be disrespected, physically abused and stripped of their civil rights.

We have failed by allowing the Rodney King incidences to continuously occur. We have failed by allowing certain practices within police departments to go unchallenged and unheard.

There are those of us who do not deserve to carry a badge and a gun. There are those administrators who choose to look the other way and then claim that it's not happening in their department. There are those who condone the behavior exhibited by the officers in the King incident.

I can't help but think that King could have easily been my father, brother, cousin or other loved one. But the most frightening thing about the King incident is that Mr. King could have been me.

RICHARD L. CARROLL JR.
Pasadena

■ Judging from the transcripts of the computer messages released by the Police Department, including police officers referring to African-Americans as being right out of "Gorillas in the Mist," I'd say that there are officers in the LAPD who are right out of "A Dry White Season" or "Cry Freedom" (March 19).

If Field Marshal Daryl Gates doesn't see fit to resign after this latest development, he is only showing his solidarity with a troubled and racist system.

SHAUN MASON
Los Angeles

■ Am I the only person in Los Angeles who thinks that the police are nice people?

The men involved in the videotaped beating of King will now have their videotaped trial. The police officers who protect us and our children will continue to oversee our safety with the same dedication and integrity that was theirs before the King incident.

JOHN ADAMS
San Pedro

FBI/DOJ

LA-LA-119954-D-144

■ As much as I hate to take exception to a fellow priest, I would like to share a different perspective of the LAPD ("Defenseless, the Poor Are Also Voiceless," Commentary, March 11).

Father Gregory Boyle and I both work in Boyle Heights at different parishes and are serviced by the same police station.

I can only speak of my own pastoral experience of eight years working with the police in my parish. One of the first things I did was to introduce myself to the local police captain, as I have done in other parish assignments.

Since my initial visit with the police, I have had nothing but a high regard for them and their concern for the safety of our people.

Many of the difficulties that we face are because there are so few police officers. The deployment of officers is something that always has to be reviewed. Unfortunately, I sense that deployment is largely a political decision with those with less voice getting less service.

This letter is in no way to judge the merits or demerits of the King tragedy. It perhaps points out to us that the police have even a stronger standard of conduct.

FATHER JOHN T. MORETTA
Los Angeles

■ Somehow I sense a connection between the "duck shoot" performed by our pilots in which thousands of Iraqis were slaughtered in their indefensible bottleneck retreat and the brutal beating of unarmed Rodney King by Los Angeles policemen. This new "kick-ass" mentality of the empowered against the weak is frightening. Is our compassion as a nation eroding? In our zeal to bolster our self-esteem, have we forgotten that we are dealing with fellow humans?

HELEN MOLLES
Seal Beach

■ All who think that Daryl Gates is an innocent victim of the atrocities committed by his police force also believe Saddam Hussein doesn't have any idea of the atrocities committed by his army.

HARLIE COOLEY
Rancho Mirage

■ How long must Los Angeles be known as the police abuse capital of America? Must Los Angeles become a city of complete racial polarization?

If Gates were forced to resign, Los Angeles could say to the world that we are not going to allow our city to become a caldron of seething racial tension.

WINSTON STEWARD
Los Angeles

■ A question on the editorial pages asked, do some officers see a felon behind every black face? Absolutely! I am a black man who has been stopped and questioned seven or eight times for no good reason.

The last time occurred in the San Fernando Valley one night about 10 p.m. On the way to the freeway the police pulled me over and when I asked why, they said I answered the description of a

bank robber (one of the lies they always tell).

After being taken to the police station and held for an hour, I was returned to my car. Then I asked what it was all about and the reply was, "You are a black man in a white neighborhood!"

JOHN KENNEDY
Los Angeles

■ Perhaps, when all of the hysteria and hullabaloo die down, some sensible answers will be found that will expose the circumstances that finally led to a few LAPD officers "blowing their tops." For years, the LAPD has stood alone with very little or no support from the mayor, City Council, legislators, governor or citizens. They seem to be damned if they do and damned if they don't.

There's an analogy here with Vietnam. If you demoralize and hamstring any unit of people, they're either going to blow up or they're going to become ineffective.

Permissive legislation and even more permissive courts have brought us to where we are today. Repeat offenders are on the streets, perpetrators of heinous crimes are paroled, resistance to arrest is commonplace, flagrant disrespect of the law is excused, riots (as in Westwood) are condoned. Throughout all of this, the police are expected to be a cross between a benevolent Dirty Harry and Pat O'Brien.

Wake up and smell the anarchy, folks!

BARBARA MacDONALD
Frazier Park

■ In response to "Where's the Outrage for Dead Police?" by George Aliano, president of the Los Angeles Police Protective League (Commentary, March 18):

Aliano tragically misses the point of the public's outrage. We are not ungrateful for those who put their lives on the line by calling for an investigation of criminal actions by bad cops. We seek justice.

It seems that Aliano has forgotten what it means to be a plain, average, law-abiding citizen, because he doesn't seem to see the difference between police who have been killed in the line of duty and citizens who have been brutalized and killed by the police.

The basic difference is that when officers of the law are confronted by lawless thugs who may try to kill them, they have the permission of society, if necessary, to use deadly force. But when plain, average, unarmed citizens are confronted by lawless thugs who hide behind cop badges, they have no defense.

We have seen how the hoodlums who attacked Rodney King came close to killing him. What if he returned the "deadly force" of his beating by using "deadly force?" By law, if it were against anyone other than an officer, he would be justified in defending himself in such a manner. But if had returned his deadly force attack with deadly force against these bad cops, he would have been shot so many times he'd look like a Samoan from Compton.

The real tragedy is that Aliano doesn't see criminal acts perpetrated by the police as criminal. This moral misjudgment corrupts our society and endangers our lives.

JOHN P. BRADY
Burbank

■ To stop crime, corruption and disgrace in Los Angeles, I suggest that Police Chief Gates and Mayor Tom Bradley trade jobs.

MILDRED KAUNAS
Victorville

The Numbers

■ **Police beating:** The Times has received 1,749 letters so far on the videotaped police beating of Rodney King; 1,359 letters were critical of the Los Angeles Police Department; 390 letters reserved judgment of the incident or supported Police Chief Daryl F. Gates.

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Date: LOS ANGELES TIMES
Edition: SUN, MAR 24, 1991
METRO SECTION, PAGE 1

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The Rodney King Affair

FALLOUT: TURBULENCE IN THE AFTERMATH

CHIEF DARYL F. GATES

Gates

Facing the biggest controversy of his 13-year tenure, Gates describes the beating as "an aberration" and says the officers involved will be punished. A wide range of political figures—conservative columnist George F. Will, U.S. Sen. Joseph R. Biden Jr. (D-Del.), civil rights activist Jesse Jackson, among others—call for the chief to step down. Critics say Gates encouraged police racism with flippant remarks. His 8,300-member force rallies behind him, and Gates vows to steer it through the crisis.

MAYOR TOM BRADLEY

Bradley

The mayor initially shies away from calling for Gates to resign, saying the chief "has to answer to his public." He denies a report that his aides are orchestrating moves to oust the chief—but slowly turns up the heat, appointing ACLU board member Stanley Scheinbaum to the Police Commission and pushing for release of computer messages that reveal racist remarks by officers who beat King. Finally, late last week, he states that Gates' removal is "the only way" for the LAPD to recover.

POLICE COMMISSION

Garcia

The five-member citizens panel is appointed by the mayor to oversee the LAPD. Under orders from Bradley, it opens a wide-ranging investigation into the LAPD's policies and practices, especially toward minorities. An initial public hearing draws more than 400 people, many demanding Gates' resignation. Commissioners are briefed by the city attorney on their options in dealing with Gates. Commissioner Daniel P. Garcia says "there is a very serious crisis in leadership."

THE INVESTIGATORS

Thornburgh

While Gates says three officers should be prosecuted, prosecutors take the matter to a grand jury and obtain indictments against Koon, Powell, Wind and Briseno and vow to investigate officers who watched the beating. U.S. Atty. Gen. Dick Thornburgh, under pressure from black congressional leaders, begins a review of 15,000 police brutality complaints received by federal officials nationwide. Justice Department lawyers weigh possible charges against officers who witnessed the attack.

FBI/DOJ

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Principals: A motorist and four officers.

1 RODNEY G. KING, 25, an unemployed construction worker from Altadena, on parole after serving a one-year sentence for armed robbery. Pulled over by police on March 3 after allegedly leading them on a high-speed chase that ended in Lake View Terrace. Suffered numerous injuries in subsequent videotaped beating, including fractured cheekbone, 11 broken bones at the base of his skull, and a broken leg. Held for three days at the Los Angeles County Jail before being released; prosecutors later announce that no charges will be filed against him. His attorney says he is contemplating a $56 million lawsuit—$1 million for each blow he received. Secluded since his lone public appearance, in which he said: "I was scared for my life. So I laid down real calmly and took it like a man."

2 SGT. STACEY C. KOON, 40, a 14-year LAPD veteran. Twice fired 50,000-volt electronic darts from his Taser stun gun at King. Apparently tried at one point to stop the beating. Later wrote in his daily report that King's injuries were "of a minor nature," but called beating "a big time use of force" in a computer message. Charged with assault with a deadly weapon, unnecessarily beating a suspect under color of authority, filing a false police report and acting as an accessory in an alleged "cover-up." Maximum sentence if convicted: seven years, eight months.

3 OFFICER LAURENCE M. POWELL, 28, a three-year veteran. Shown on videotape kicking King and clubbing him repeatedly with his nightstick, including at least five blows to the head and neck. Computer messages from his squad car included one that said, "I haven't beaten anyone this bad in a long time." He later submitted a report saying that King had suffered only "contusions and abrasi[illegible]." Charged with assault with a deadly weapon, unnecessarily beating a suspect under color of authority and filing a false police report. Maximum sentence if convicted: seven years, eight months.

4 OFFICER TIMOTHY WIND, 30, Powell's partner and a rookie probationer. Came to the LAPD after eight years on a 54-member force in a suburb of Kansas City, Kan. Also shown on the videotape striking King with his baton. Joins Powell in submitting a report that understates King's injuries. Charged with assault with a deadly weapon and unnecessarily beating a suspect under color of authority. Maximum sentence if convicted: seven years.

5 OFFICER TED BRISENO, 38, a nine-year veteran. Shown in the videotape kicking King once. Was disciplined for use of excessive force in 1987, when he was suspended for 66 days without pay for hitting a suspect with his baton and kicking the man while he was handcuffed. Vowed at the time not to let it happen again. Charged in the King case with assault with a deadly weapon and unnecessarily beating a suspect under color of authority. Maximum sentence if convicted: four years.

CONTRADICTIONS: DISCREPANCIES IN INITIAL POLICE REPORT

INITIAL REPORTS	CONTRADICTORY LATER REPORTS
■ LAPD officers wrote in their police reports that it was necessary to subdue King with "several baton strikes" and two shots from a Taser gun because he "attacked officers" and resisted arrest.	■ A video shows King being struck more than 50 times with batons. Other witnesses offer differing accounts, but a CHP officer at the scene reports she "didn't see any need to hit him with a baton."
■ Initial law enforcement accounts depict a high-speed pursuit of King's white Hyundai reaching 110 to 115 m.p.h. along the Foothill Freeway and 80 m.p.h. on surface streets in Lake View Terrace.	■ Tapes of CHP and police radio conversations make no mention of freeway speed, but say King's car was clocked at 65 m.p.h. on surface streets. Hyundai officials say that the model can't top 100 m.p.h.
■ Officers say they suspect that King was high on PCP, a drug that can produce bizarre behavior.	■ Tests show no traces of PCP, but indicate that King was legally drunk at the time of the incident.
■ The LAPD says there were 15 officers on the scene.	■ At least 27 officers were present, 21 from the LAPD.

Shortly after midnight on March 3, LAPD officers converge on a white Hyundai stopped after a short pursuit. Illuminated by patrol car headlights, observed by several bystanders and, most important, videotaped from a balcony above, they administer a beating that, three weeks later, will reverberate across the city and nation. Here is a summary of major developments in the case and the resulting controversy.

Photo from the videotape that plumber George Holliday shot from a nearby balcony while beating was in progress and subsequently sold to KTLA Channel

FD-350 (Rev. 5-8-81)

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Top Valley Officer Apologizes for King Beating

■ Police: Some black and Latino community leaders urge the ouster of Foothill Division commander.

By MAYERENE BARKER
TIMES STAFF WRITER

The San Fernando Valley's top police administrator apologized Saturday for the Rodney G. King beating before black and Latino community leaders, who in turn called for the commander of the embattled Foothill Division police station to be replaced.

"From the bottom of my heart, I'm very sorry about what happened," Deputy Chief Mark A. Kroeker said during the first in a series of community meetings aimed at restoring public confidence in the Los Angeles Police Department. "In my 26 years on the force, I have never experienced more remorse."

Kroeker promised about 100 Pacoima and Lake View Terrace residents gathered at a Pacoima church that he would investigate all police brutality complaints brought to him and punish those who were responsible if they were found guilty. "We don't engage in excessive force in the San Fernando Valley," he said.

Thirty miles away, about 300 demonstrators gathered in front of police headquarters downtown for the third consecutive week to call for the ouster of Police Chief Daryl F. Gates over the highly publicized beating of the black motorist March 3 in Lake View Terrace.

Elsewhere, an attorney for one of the four officers charged with felony crimes as a result of the King incident, which was videotaped by an amateur photographer, lashed out at Gates and others for publicly prejudging his client, Officer Theodore J. Briseno, jeopardizing his chance for a fair trial.

"This isn't Baghdad," said attorney John Barnett. "This is the U.S.A., where people get to have trials."

During his 90-minute appearance at the Pacoima church, Kroeker, who was transferred to the Valley Bureau shortly after the King incident, often was interrupted by applause from the mainly supportive crowd. Although the beating has outraged large segments of the black community, the largely middle-aged to elderly people who attended Saturday's meeting have a history of supporting the Los Angeles Police Department.

No questions about Gates' future or specifically about the King beating were allowed by the meeting's two organizers, the Ministers Fellowship of the Greater San Fernando Valley, a black ministers' group, and Focus '90s, a black homeowners and business coalition.

"We need to focus our attention on the healing process," said Fred Taylor, Focus '90s chairman. "We need to take our destiny into our own hands."

Taylor and others asked that a black or Latino commander be placed in charge of the Foothill Division.

"Why not just start over with a clean slate," Taylor said, adding that he has nothing against Capt. Tim McBride, the present Foothill commander. "We have to start somewhere."

Other residents of the largely minority community policed by the Foothill Division requested more black and Latino street officers.

"Those officers are not a part of our community," one young woman said of the police who patrol the area. "They don't live here. We need to have more officers who come from our community."

Kroeker said he would take up the community's requests with Gates. "We're constantly re-evaluating assignments," he said.

He promised "firm, fair and friendly" law enforcement and said he could offer no explanation of the beating.

"I will be the first to seek strong discipline and, if necessary, the removal of those officers using excessive force," Kroeker said as residents applauded.

Not everyone in the audience was ready to forgive and forget.

"Police officers are the biggest liars God ever made," shouted an elderly woman, who said her husband was beaten by officers who stopped him on the freeway.

"A junkyard dog shouldn't be treated like that," resident Patty Hill said of King.

But the Rev. D.D. Chatman, a Baptist minister, said the King incident may lead to better relations between police and the minority community.

"Have we ever before had a deputy chief come and talk to us?," he asked the audience. "It's a

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beginning. We have enough to worry about with the gangs without having to worry about the police."

Outside police headquarters at Parker Center in Los Angeles, demonstrators chanted "Gates must go" and carried signs that read: "End Racist Police Violence, Gates Must Go," "Down With Racist Pigs" and "The War Comes Home."

"Chief Gates has caused this kind of unrest by his antiquated methods of leadership," said Jose DeSosa of Pacoima, state president of the NAACP.

Meanwhile, in a nationally televised interview broadcast Saturday, Gov. Pete Wilson called the King beating "unrestrained brutality" and said the officers involved have been properly criminally charged.

Wilson said on John McLaughlin's "One on One" program, which also airs today, that there is no place "in any police department anywhere" for the kind of beating he had witnessed on the tape. However, Wilson said, he does not believe Gates should resign.

The governor said he would be willing to conduct an investigation into the incident if asked, but added that he believes police administration is "a local responsibility, and should be conducted locally."

IRFAN KHAN / Los Angeles Times

The Revs. James V. Lyles, left, and Curry McKinney listen to Deputy Police Chief Mark A. Kroeker during meeting at Pacoima church.

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FRONT SECTION, PAGE 1

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MAR 27 1991

FBI — LOS ANGELES

Bradley, Gates clash again

Mayor, chief at odds over how to repair LAPD's image

By Rick Orlov
Daily News Staff Writer

Longtime adversaries, Mayor Tom Bradley and Police Chief Daryl F. Gates are again at odds — this time over how to rebuild public confidence in the Los Angeles Police Department in the wake of the Rodney Glen King incident.

In a flurry of public appearances last week, Gates rejected calls for his resignation and insisted he alone is the person who can provide the leadership to restore public confidence in the department.

Related stories on Back Page:

- L.A. council divided on Gates.
- Dallas chief condemns beating.
- Gates criticizes aspects of probe.

Bradley — a 21 year LAPD veteran — repeatedly said the only way for the city to mend itself is through the departure of Gates, who on Sunday celebrated his 13th year as chief.

The mayor said he is leaning toward creation of an independent commission to closely examine the department as a key step in reorganizing the LAPD and restoring its prestige.

"I suspect that if he remains, there will continue to be the ferocity of demands we've seen for his retirement," Bradley said in an interview with the Daily News. "I think it's going to be very unlikely that anything constructive can take place with regard to healing the city until the storm has settled with regard to Chief Gates."

Gates declined repeated requests for interviews last week saying through a spokesman tha he was too busy. But in a series o public appearances, the chie made it clear that he has no intention of leaving until his department's tainted image is restored.

"This controversy over 'shoulc the chief stay or go' is counterproductive," Gates said at a graduation ceremony at the Los Angeles Police Academy on Friday "It's not in the best interests of the city. I wish we could get beyond it. It will subside because this chief is not going anywhere.

"We need to look internally at our organization. We need to prove that what we say is true, that we treat human beings as human beings. I feel I can provide the leadership to do that."

King, an unarmed black motorist, was beaten by white police officers following a traffic stop in Lake View Terrace on March 3. The incident attracted nationwide attention because it was captured on videotape by a witness, and tensions escalated following disclosures that some of the officers involved made racist remarks on police communications systems before the incident.

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Civil rights leaders have demanded that Gates step down, although his own officers and others have rallied around the outspoken chief.

Bradley insists that he is not calling for Gates to retire outright, saying that is a decision for the chief alone to make. But he has repeatedly said that the "healing process" can only begin with Gates' departure.

The mayor said in the interview that his statements and actions over the past three weeks reflect a sentiment he said is being felt throughout the city. First there was shock and horror, he said, and now there is outrage.

"I'm basing this strictly on the level of intensity of the protests and demands I've been hearing all over the city," Bradley said. "I went to Banning High School (on Thursday) and opened it to any and all questions. There was not one question about anything else. Everything was about Rodney King and Chief Gates.

"In talking with people on a casual basis, there are the same kind of concerns about this incident."

But Gates said he has the same concerns.

When he first saw the videotape, Gates said his reaction to the beating was that it "absolutely cannot be tolerated by any police department anywhere in the country. It was horrifying."

The failure, he insisted, was not in the department but in the individual officers.

"You must have a reverence for the law — not just an understanding of the law — but a reverence for the law," Gates said. "Anything you do to bring disgrace to your badge, to bring a cloud to your badge, affects us all.

"A few police officers failed to have a reverence for the law, failed to protect and to serve," Gates said.

When he retires, Gates said, it will be after he has determined that the problems in the department have been solved, not because of the pressure on him.

Bradley continues to deny that his office is trying to orchestrate the opposition to Gates.

"I've explained that," Bradley said. "I called Chief Gates and explained that simply wasn't true."

While Bradley said he can continue to work with Gates if he decides to stay on, he said changes will be needed in the Police Department.

Early last week, after transcripts of computerized messages containing racial slurs were released, Bradley said he wanted to see a complete review of the department from Gates down to officers on the street regarding training and regulations.

As part of that, he said he is still considering appointing an independent commission to review the training of the department.

The commission would have a broad agenda and be allowed to look not only at the training of officers but at the structure of the Police Department and its relationship with the Police Commission.

Bradley said he is concerned that racism runs throughout the Police Department, but he said it is different from the days when he was an officer.

"Chief Gates has said that there is racism in society and we draw our officers from society," Bradley said.

"And, there's been tremendous progress since the days I was on the department in terms of promotions and assignments," Bradley said.

"When I was there, blacks and whites couldn't even work together. How can white officers respect blacks if they don't work with them in a professional way?"

Bradley recalled that when he was on the department there was an unwritten rule that no black could be promoted higher than lieutenant.

"But the department is different now," Bradley said. "We're not talking about the same department. There's been tremendous progress since I was on the department in terms of promotion and assignments."

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MAR 27 1991

FBI — LOS ANGELES

COLUMN LEFT/
ALEXANDER COCKBURN

Policing By Exemplary Terror

The problem is bigger than one man, or one police department. Class and race are the root of it.

Talking to blacks and other minorities in Los Angeles about the cops reminds me vividly of similar conversations with Catholics in Northern Ireland 25 years ago about the "B Specials." The Specials were a section of the Ulster security forces charged with the duty of keeping the "Papists" in their place. They ruled by exemplary terror.

Catholics driving down a road in Ulster knew somewhere in the backs of their minds that the headlights suddenly appearing behind them might belong to a car full of Specials, and that these Specials might stop them, beat them, frame them, maybe kill them.

The B Specials were part of the apparatus created by the Ulster elites to keep the Catholics down. The discrimination expressed itself in terms of religion, class and race. (Yes, Protestant bigots firmly believe in the racial inferiority of their Catholic nationalist neighbors.) The good jobs were reserved for Protestants; labor was kept subservient. Exemplary terror helped keep a whole system of economic and social exploitation on track.

At a far more grisly level, exemplary terror is how the elites maintain themselves in Guatemala or El Salvador or Brazil. The mutilated body by the side of the road on your way to work tells you that this is a system that can strike you down, without justice and with impunity.

When William Parker became chief of police in 1950, the force was corrupt, fat off shakedowns of Central Avenue vice operations. In its stead, Parker forged a less corrupt but brutal paramilitary force. His men, mostly white Southwesterners, behaved toward black neighborhoods like an occupying army.

Parker was fanatically opposed to race-mixing. At one level this meant busting mixed clubs on Central Avenue. It also meant the violent enforcement of race and class divisions in the city, above all telling the thousands of blacks pouring into Los Angeles from the South in the 1950s that this was no land of opportunity.

The police department was made immune to political influence, thus creating a monster beyond control and a police chief with more political power than the mayor.

Right at the start of Daryl Gates' term, Mayor Tom Bradley did have a chance to assert control. Gates' men fired a dozen bullets at Eulia Love, the Rodney King of her time, cut down for waving a two-inch paring knife. But the mayor wanted to be governor, so when Assemblywoman Maxine Waters and every black minister in town called for Gates' dismissal, Bradley was mute, afraid to alienate white voters.

'A police force institutionally dedicated to the practice of exemplary terror is not reformed with the ouster of a police chief.'

In the end, people won't put up with exemplary terror, even in the name of a "drug war". The Irish Catholics in Ulster rose in 1969. Four years earlier the people of Watts -whom Parker called "monkeys in a zoo" -had rebelled. Then, as now, there was a rising curve of exemplary terror. In the six months before the 1965 rebellion began, there were 168 shootings by L.A. police. Between 1963 and 1965, white employment in the city was rising, while for minorities the trend was the other way.

A police force institutionally dedicated to the practice of exemplary terror is not reformed with the ouster of a police chief, any more than racism in a police department is cured by hiring black or Latino officers.

Gates undoubtedly should go, but the problem is far greater, beyond the powers of any single reformer installed in Gates stead. All eyes are now directed at the L.A. police, but the rot in County Sheriff Sherman Block's bailiwick is just as bad, even though Block can use sociological lingo far removed from Gates' oafish bluster.

It was Block's men who, in June, 1989, were confronted by Betty Jean Aborn, a homeless black woman in Lancaster waving a carving knife, and fired 28 rounds at her, of which 18 found their mark.

Years of frustration and fury are now finding their expression in tumultuous meetings and hearings as Gates is pressed toward the exit. It reminds me of the angry, excited tumult in Ulster in 1969. In that instance the Specials were disbanded. But the underlying system of economic exploitation and injustice was never threatened, and instead of the Specials came other security forces. The unaccountability and the violence grew again.

True reform here, as anywhere, will come only when there is true accountability, and that means review boards with teeth, community control and beyond that, a program for economic justice. Without a social program there will, in the end, be the same old violence program to keep the poor in their place.

Alexander Cockburn writes for the Nation and other publications.

FBI/DOJ

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(Mount Clipping in Space Below)

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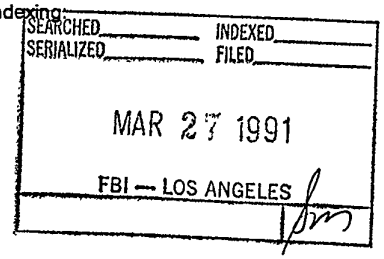
FRONT SECTION, PAGE 1

Title: GATES TELLS SUPPORTERS HE'LL STAY, URGES STATIONS TO STOP AIRING TAPE

Character: or CIVIL RIGHTS
Classification: 80-33B
Submitting Office: LOS ANGELES

Indexing:



Gates tells supporters he'll stay, urges stations to stop airing tape

By Therese Lee
THE ASSOCIATED PRESS

Los Angeles Police Chief Daryl F. Gates assured about 2,000 vocal supporters Sunday he has no intention of resigning and urged the media to stop broadcasting a videotape of a police beating that stunned the nation.

"Let's deal with this right at the outset," Gates told the crowd of officers and supporters at an outdoor Police Academy rally. "I'm going to stay.

"When I do decide to retire, it will be because I can no longer take that flag and present it to a wife or husband or little kids left behind because a mother or father (police officer) was shot down by criminals. But I guarantee you it is not now."

A resident of suburban Lake View Terrace captured the March 3 police beating of Rodney G. King on videotape. The tape was televised nationally, generating outrage and prompting several investigations, including a national probe of police brutality by the Justice Department. Three police officers and a sergeant face felony assault charges.

Gates urged television stations to stop showing the videotape "again and again and again."

"The video will be forever etched in my mind," he said, adding that the four officers charged in the beating "do deserve a fair hearing. They cannot have a fair trial if the tape continues to be played."

Speakers at the rally included civil rights attorney Gloria Allred and actor Chad Everett. The chief's own remarks were interrupted several times by chants of "Gates Must Stay."

Demonstrators carried banners and signs in red, white and blue, reading "Proud to be LAPD." One sign read, "Bradley and the ACLU are conducting a witch hunt," referring to Mayor Tom Bradley, who has suggested that Gates resign, and the American Civil Liberties Union, which has spearheaded the resignation drive.

Civil rights activist Allred said Gates should not step down without due cause. "He deserves more than a lynch-mob mentality that says Chief Gates is guilty," she said.

Meanwhile, the FBI plans to question all 240 officers at the police station where the four officers charged in the vicious beating are based, a police spokesman said Sunday.

Gates on Friday ordered personnel at the Foothill Division to cooperate with the FBI, which is seeking to determine if a pattern of civil rights abuses exists at the station, said Lt. Fred Nixon.

The FBI asked for names, home addresses and telephone numbers of every officer who works at Foothill Division in its investigation of "the issue of excessive force," Nixon said.

Saying he didn't know why FBI agents want to talk to every officer in the division, Gates criticized federal officials' insistence that the officers be interviewed in their homes, rather than on the job.

"I think there's a bureaucrat somewhere that made that decision, and I think it's a bad decision," Gates said

FBI/DOJ

44A-LA-119954D-149

Sunday. "I object to it because I don't see any reason to subject the officers' families to all of this."

FBI spokesman Jim Nielson refused comment Sunday except to say, "We are conducting an investigation of allegations of violations of civil rights."

The Los Angeles Police Protective League advised officers they have the right to have an attorney present during FBI questioning and should tell FBI agents they are cooperating "under duress," according to a union statement.

Lt. George Aliano, the league's president, said that despite the legal advice, the union welcomed the investigation. "I think this should be done as soon as possible," he said. "The people in the city should know what's occurring. Bad or good, it needs to get out."

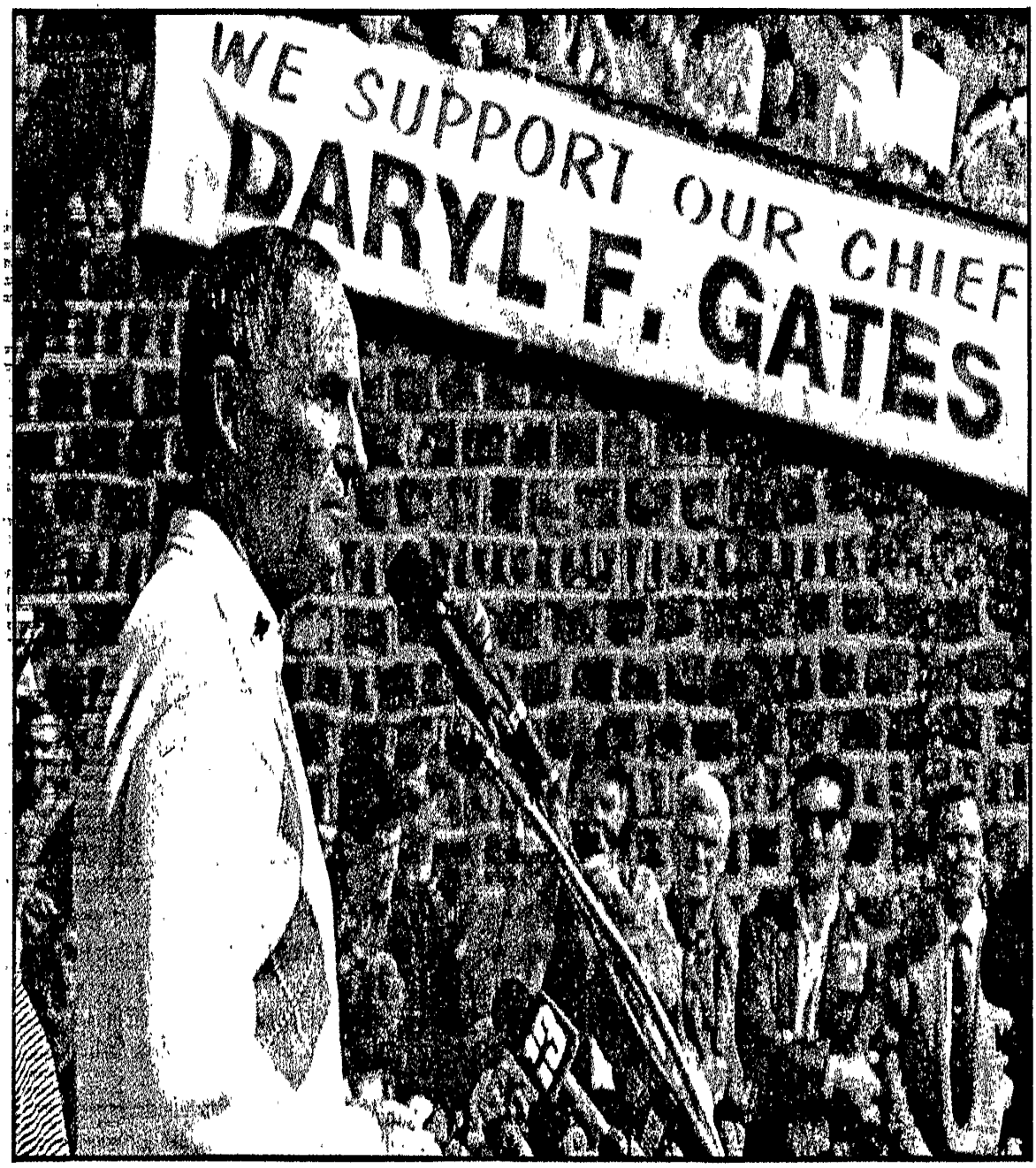
Preventing police brutality should begin in training, said Ramona Ripston of the American Civil Liberties Union Foundation of Southern California.

"When I have spoken to police officers, they have told me that they have no training on how to intervene when they see another police officer breaking the law," she said on CBS-TV's "Face the Nation" Sunday.

A newspaper reported that 35 officers have been admonished by Gates since 1985 for shootings found to have violated department policy. But only seven officers have left the force, and none was prosecuted, according to Sunday's *Los Angeles Daily News*.

Over the same period, the city paid more than $2.5 million to survivors and relatives of people involved in police shootings, according to city records. In addition, police records from 1985 show that 70 percent of people shot by police officers were minorities.

Won't back down



THE ASSOCIATED PRESS

Police Chief Daryl F. Gates tells a crowd of about 2,000 at the Police Academy that he intends to remain at his job.

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(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
Edition: MON, MAR 25, 1991
METRO SECTION, PAGE 5

Title: IN A GRIM TALE, SOME FIBER FOR THE DEFENSE

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MAR 27 1991
FBI — LOS ANGELES

COLUMN RIGHT/
WILLIAM F. BUCKLEY JR.

In a Grim Tale, Some Fiber for the Defense

■ **Rodney King presented a host of unknowns to the police; still, their behavior is inexplicable.**

I have come to a personal conclusion about the episode of the police in Los Angeles. But the protocols are not uninteresting, and they require you to listen, as the jury will have to listen, to the case for the defense. Is there such?

There were three men, Rodney King (the principal victim) and two friends. One of them (Freddie Helms) was remarkably aloof from what was going on: He slept through the wild chase, up until the fleeing car was brought to a stop by the police. King's fugitive behavior at the wheel of the car defied the understanding of King's third companion, Bryant Allen.

"I told him, 'Rodney, pull over, stop.' He just kept on going, kept on driving."

To quote the New York Times report, "He [Allen] said Mr. King continued driving on the freeway for about five minutes, with the patrol car behind them, during which time he continued to urge him to pull over.

"'I was scared,' he said, adding that he thought his friend at the wheel was acting odd. 'I was thinking, why doesn't he pull over? He wasn't saying nothing, just driving.'"

At one point during the chase, Allen thought he had prevailed, that King was going to pull over; instead, the driver went down the off-ramp, stopped at the stop sign (curious reflex) then went on. "'I said, 'Rodney, pull over.' We were still driving, and the lights were flashing. I could hear a lot of cars. We stopped at a red light and took off again. We came to another red light. I told him, 'Rodney, stop,' and he finally went to pull over and he stopped.'"

The lawyer for Allen, John Burton, said that the car driven by King might have been going as fast as 80 m.p.h. Burton added that the three men had each drunk a 40-ounce bottle of Old English 800 malt liquor.

One reasonably assumes from the above that the jury will be persuaded by the defense of the following:

1) That the driver was under the influence of alcohol, 2) that the driver was desperate to avoid being stopped by the police, and that therefore 3) the police instinctively thought him dangerous—perhaps he was fleeing a murder he had just committed.

Allen: "'The police ordered us, 'Driver, put your hands out the window.' They said, 'Take your left hand outside the door and step out.' Rodney had the seat belt [on], and it kind of yanked him back. The police were getting nervous, too. They told him to lie flat down, and he lay flat down.'"

Fear and tension after a freeway chase are 'more easily understandable to men whose job requires them to face desperate men at gunpoint.'

Allen continued: "'The police put the handcuffs on me, and that's when I heard Rodney screaming. He was screaming like he was getting a whupping.'"

From which the defense is likely to persuade the jury that when King began to come out of the driver's seat but suddenly snapped back, held by the seat belt, the police suspected that he might be reaching for a weapon. The resulting tension—when King finally emerged—is more easily understandable to men whose job requires them to face desperate men at gunpoint than it would be to others.

End the case for the defense.

Suppose it had been just two police officers. Their quarry is not handcuffed. They have chased him for miles, concluded that he was dangerous, were startled by his jack-in-the box action in coming out of the

FBI/DOJ
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car. And now, the manacles in place drain their nervous fear by club victim into insensibility. That c understood as activity of normal m the infantry, such reactions agains enemy soldier caught after a chase w not be extraordinary).

What alters the character of the episod is of course the presence of as many as 1 other police officers who simply stood by, as though they were official witnesses at an execution that came after a jury trial, two appeals to state courts, two to federal courts and finally consideration by the Supreme Court: Proceed with the execution. Can we assume that the official onlookers were taking natural, vicarious relief from the savage beating, as though they had been directly threatened?

One has to decline to believe this; an assembly of that size imposes a sense of security in a Him vs. Us situation; as the ratio of policemen to fugitives increases, aberrational behavior becomes less and less plausible.

One has to conclude that there is an insensibility in the Los Angeles police that is difficult to understand and impossible to defend. Joseph Wambaugh has written about the phenomenon in his famous novels. But it remains inexplicable, in particular when exercised by the police, who are a part of the judicial system. And that it is everywhere deemed inexplicable is the one redeeming factor in the grisly episode in Los Angeles.

William F. Buckley Jr. is a syndicated columnist.

FD-350 (Rev. 5-8-81)

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(Indicate page, name of newspaper, city and state.)

Date: DAILY NEWS
Edition: MON, MAR 25, 1991
FRONT SECTION, PAGE 1

Title: POLICE FEEL AFTERSHOCKS OF BEATING

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MAR 27 1991

FBI — LOS ANGELES

Police feel aftershocks of beating

By Keith Stone
Daily News Staff Writer

A man ran from a ransacked bungalow in South Central Los Angeles late Saturday — three weeks after the Rodney King beating — but a Los Angeles police officer was faster and soon had him under arrest.

Sweating from the chase but unhurt, the man sat handcuffed in a police cruiser, worrying how the police would treat him.

"I thought they are going to hit me on the head with their club. Why? Because I tried to run," said Jose Nishikawa, 32, arrested on suspicion of burglary.

Sgt. Ted Maillet, the supervisor at the scene who was escorting a Daily News reporter and photographer on a ride-along, said the King beating has damaged the department's reputation.

But he also said the incident might have eased relations with the community.

"In some cases, I think people have actually gone out of their way to be overly nice because maybe some people feel bad for us," said the 15-year veteran. "We'll get out of the hole, you know."

During the March 3 beating captured on a home video camera, King suffered multiple injuries, including 11 skull fractures, at the hands of police in LAPD's Foothill Division.

On Saturday night, some officers of the Southeast Division felt the backlash of the beating that Police Chief Daryl Gates called "an aberration."

"We're taking a lot of abuse," said Sgt. Tom Walker, still visibly upset from earlier that evening when a drunk driver spit on him.

"Since the King incident," he said, "we are getting a lot of this — you stop people and they say, 'You going to kick (me)? You better watch it. We got video cameras.' "

On a chalkboard at the station someone wrote: "The ACLU is watching you."

Maillet is not looking over his shoulder for video cameras.

"I tell officers: 'Hey, just do your job like you would normally and you have nothing to worry about,' " said Maillet, a trim man with silver and black hair who favors chewing tobacco.

Maillet said police are trained to use words first, increasing degrees of force later.

"I haven't had a fight out here in a long time," he said, pulling out of the Southeast Di-

FBI/DOJ

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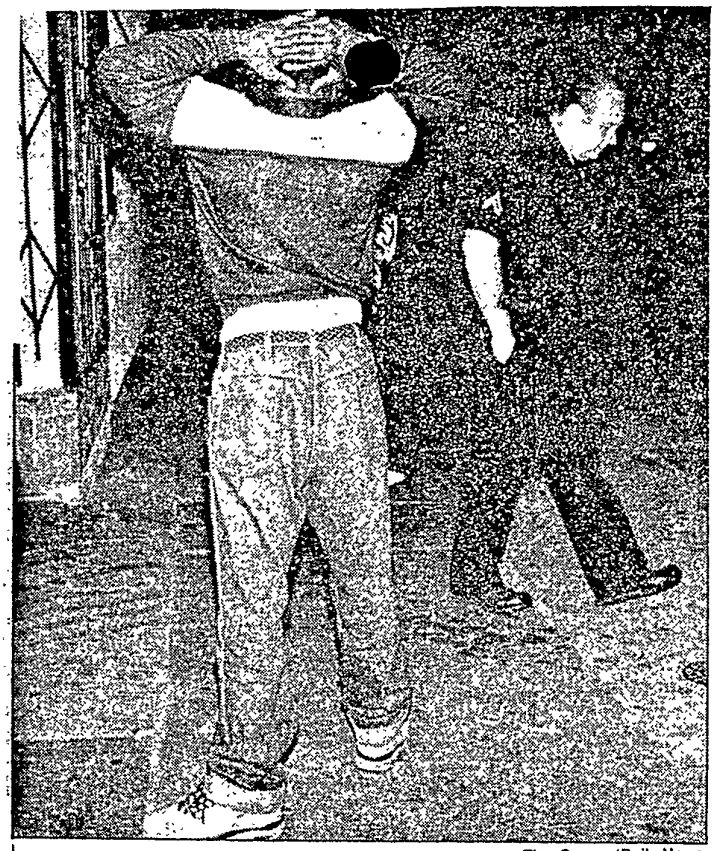

Tina Gerson/Daily News

Officers on patrol in Watts stop a suspect walking down the street after a burglary in the neighborhood on Saturday night.

vision station parking lot. "And I can show you policemen out here that, you know — an 18-year policeman — that nobody can remember when the last time they were in a fight."

Maillet said he refuses to believe people fear the police, especially in Watts and South Central.

"Afraid of us? No. Not down here," he said. "They need us and they know it. They appreciate us. Believe me."

Even people who risk being arrested depend on the police for protection.

"I like to see black and whites (squad cars) out here," said Dina, a transvestite prostitute who was trolling for customers on Figueroa Street shortly before 11 p.m.

"I like to see them out here because there are a lot of people who come around robbing girls, and girls robbing guys and people coming out here with guns," he said.

Dina, who refused to give his full name, said the King beating was inexcusable.

"But that don't change my perspective on black and whites, because not all of them are like that," he said. "Some of them are like that, though."

Earlier Saturday night, Maillet's cruiser swept past a group of young girls on a dark side street. At least one waved, but Maillet was moving too fast to wave back.

"Shame, shame, shame," he said, scolding himself. "That kid could remember that forever."

Maillet, once a combat infantryman in Vietnam, rides with his window down and the heat on. His ears, he said, are as important as his eyes.

With a crackle of static, the dispatcher reported that someone had seen three men jump a fence. It was a possible burglary.

When Maillet arrived, a woman and her family were at the doorway. Their house was surrounded with a fence. The door was covered with a metal grate, as were all the windows.

The woman had her hand on her forehead. "Somebody got into the house and they took a lot of things," she said.

She pointed to where a videocassette recorder, video camera and stereo speakers had been only two hours earlier. Clothing was dumped from drawers and mattresses turned over in nearly every room.

The burglars had pried open a grate. Maillet was angered by what he saw.

"To be safe, they have to make themselves prisoners in their own home," he said.

The neighborhood is no good, the woman said, as two more officers arrived to take the report.

"Well," Maillet said, "it was a neighbor who called, though, so you still have good neighbors."

Back on the streets, another woman flagged Maillet from her car. She had seen some young men, dressed like gang members, near her house.

"Why don't I follow you home now, OK?" he asked.

"Yes. Thank you," she replied.

Pulling into the driveway, Maillet took out his gun. An orange cat ran past, but nothing else moved. No one was there.

Driving away, Maillet's mind wandered from the woman to the King beating.

"When she sees the King tape on TV," he said, 'she'll remember this — 'Hey man, I met one and he was real nice; followed me home, made sure I was safe.' "

Tension lingers on the street

Tina Gerson/Daily News

Sgt. Ted Maillet, a veteran who patrols Watts, says he tells his officers to "just do your job" in the wake of the King beating.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Crowd turns out to support Gates

Chief says airing of video may prevent fair trial

LOS ANGELES (AP) — Chief Daryl F. Gates urged television stations to stop showing a videotape of police officers beating an unarmed black man, saying it will prevent those charged in the case from receiving a fair trial.

During a rally outside the Police Academy Sunday, Gates condemned repeated airing of the videotape, which shows white officers savagely beating Rodney King, 25, with nightsticks after stopping him for an alleged speeding violation.

Three white police officers and a sergeant face felony assault charges in the March 3 incident, which prompted a federal probe of the department.

"They cannot have a fair trial if the tape continues to be played," Gates said.

Gates told the cheering throng he would not bow to civil rights groups that have demanded his resignation.

"When I do decide to retire, it will be because I can no longer take that flag and present it to a wife or husband or little kids left behind because a mother or father (police officer) was shot down by criminals. But I guarantee you it is not now," Gates said.

Speakers at the rally included civil rights attorney Gloria Allred and actor Chad Everett. The chief's own remarks were interrupted several times by chants of "Gates Must Stay."

The Associated Press

Nearly 2,000 people voiced their support for Chief Gates at the rally.

Demonstrators carried banners and signs in red, white and blue, reading "Proud to be LAPD."

Civil rights activist Allred said Gates should not step down without due cause.

"He deserves more than a lynch-mob mentality that says Chief Gates is guilty," she said.

Meanwhile, the FBI plans to question all 200 officers at the police station where the four officers charged in the vicious beating are based, a police spokesman said.

Gates on Friday ordered personnel at the Foothill Division to cooperate with the FBI, which is seeking to determine if a pattern of civil rights abuses exists, said Lt. Fred Nixon.

FBI spokesman Jim Nielson refused comment Sunday except to say, "We are conducting an investigation of allegations of violations of civil rights."

The Los Angeles Police Protective League advised officers they have the right to have an attorney present during FBI questioning and should tell FBI agents they are cooperating "under duress," according to a union statement.

"The sole purpose of these interviews is to prosecute police officers," the union said.

Lt. George Aliano, the league's president, said that despite the legal advice, the union welcomed the FBI inves-

(Indicate page, name of newspaper, city and state.)

NEWS CHRONICLE

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FBI — LOS ANGELES

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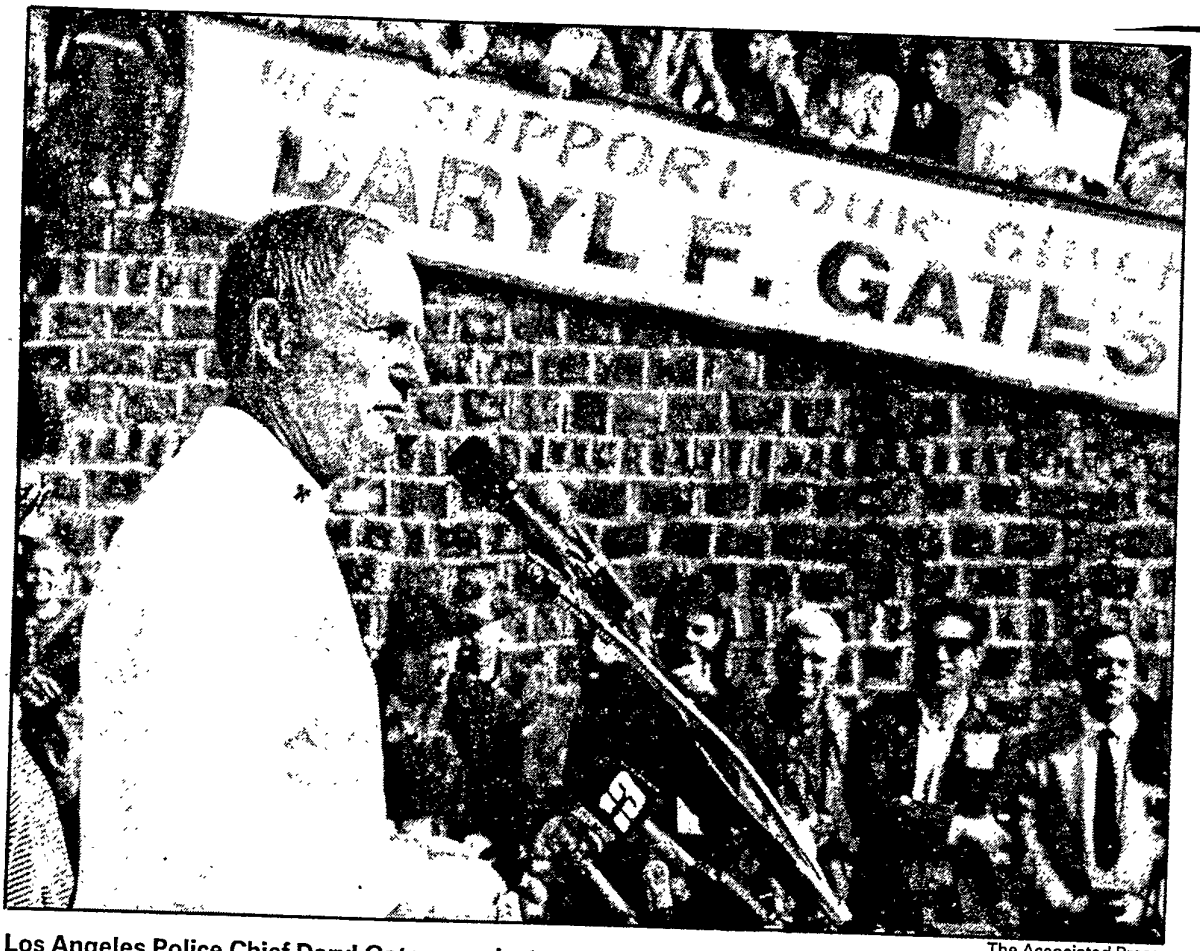
tigation.

"I think this should be done as soon as possible," he said.

Preventing police brutality should begin in training, said Ramona Ripston of the American Civil Liberties Union Foundation of Southern California.

"When I have spoken to police officers, they have told me that they have no training on how to intervene when they see another police officer breaking the law," she said on CBS-TV's "Face the Nation" Sunday.



The Associated Press

Los Angeles Police Chief Daryl Gates speaks to supporters Sunday at a Police Academy rally.

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(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
Date: MON, MAR 25, 1991
Edition: METRO SECTION, PAGE 1

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Submitting Office: LOS ANGELES

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APR 13 1991
FBI — LOS ANGELES

FBI to Interview Foothill Officers

■ Police: Chief Gates says he is upset at the plan. He assures 3,000 supporters he will not resign.

By RONALD L. SOBLE
TIMES STAFF WRITER

After reassuring a boisterous rally of about 3,000 supporters that he would not resign, Los Angeles Police Chief Daryl F. Gates told reporters Sunday he was "very upset" with FBI plans to interview officers from the division where four police officers are charged with beating motorist Rodney G. King.

Beginning today, FBI agents will visit the homes of the more than 200 officers who work out of Foothill Division to learn if there is a pattern of civil rights abuses, Gates told reporters after the rally at the Los Angeles Police Academy.

Gates and his wife, Sima.

Four white officers from Foothill Division were indicted earlier this month on felony charges in the March 3 beating of King, a black Altadena resident. The incident, which was videotaped by an amateur photographer, has sparked cries from many quarters for Gates' resignation.

Gates said he had no specific quarrel with the FBI, but rather with the Justice Department "bureaucrat [who] made that decision. I think it's a bad decision."

Without pointing a finger at anyone specifically in Washington, Gates declared he would prefer that FBI agents do their interviewing at the police station, rather than in the officers' family environment.

"I'm unhappy they're going to go to the officers' homes," he said.

Gates said Special Agent Lawrence G. Lawler, who is in charge of the FBI's Los Angeles office, assured him that his agents would try to question the officers "in a very sensitive way" with "a series of questions" about the King beating and any other incidents. He did not elaborate.

Police spokesman Lt. Fred Nixon said the FBI asked for names, addresses and telephone numbers of every officer at the division.

Lawler was not available for comment Sunday.

The Los Angeles Police Protective League said it has advised officers that they have the right to have an attorney present during the questioning and that they should tell agents they are cooperating "under duress."

Gates, 64, police chief since 1978, spoke to his vocal supporters in a parking lot in front of the Police Academy in Elysian Park.

Wearing a white sweater with light blue and green patches and blue jeans, Gates appeared relaxed as he waved to the crowd from a balcony with his wife, Sima, at his side. Over his head was an arch of red, white and blue balloons.

The crowd loudly booed any mention of Mayor Tom Bradley, who recently said that "the only way" for the Police Department to recover from the King controversy was for Gates "to remove himself." Several anti-Bradley signs were displayed Sunday.

Among the speakers supporting Gates was Los Angeles attorney and civil rights activist Gloria Allred. "Surprise, surprise," she told the crowd, in expectation of raised eyebrows at her taking a stand in support of Gates.

44A-LA-119954D-153 FBI/DOJ

Allred said "there is no question that excessive force was used" in the King beating, but that the public should be concerned about the civil rights of the accused police officers, and Gates, as well.

"I care about the rights of King," she said, "and yes, I care about the civil rights of Police Chief Daryl Gates."

Gates received an ovation as he stepped to the podium.

"I'm awed," he said. "I'm humbled."

The crowd, carrying pro-Gates banners and signs, began chanting, "Gates must stay." Finally, Gates made a familiar announcement, yet the one everyone wanted to hear:

"Maybe we ought to deal with that issue right at the outset," he said. "Folks, I am going to stay."

Gates declared that he, too, was angry over the King beating. He said the incident "would be forever etched" in his mind and those of all Los Angeles police officers, whose reputations were called into question after the incident.

But the chief also said that, in his mind, the media has overplayed the videotape of the Lake View Terrace incident, which has been seen many times on national television.

Of the four officers charged in the beating, Gates told the crowd "they deserve to be heard. . . . They deserve a fair trial."

ANACLETO RAPPING / Los Angeles Times

Chief Daryl F. Gates before a crowd of vocal supporters and their families at rally Sunday at the Los Angeles Police Academy.

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DAILY NEWS
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MAR 27 1991

FBI — LOS ANGELES

FBI agents cancel probe of 25 officers

By Jaxon Van Derbeken
Daily News Staff Writer

FBI agents suspended questioning of 25 officers at the Los Angeles Police Department's Foothill Division on Monday after the officers said they were compelled to cooperate "under duress," police union officials said.

Cecil Marr, an attorney for the Los Angeles Police Protective League, said he was present at five interviews that were terminated by the FBI after LAPD officers said they had been pressured to cooperate. Another 20 planned interviews were not held after Marr told investigators that the officers would not voluntarily cooperate, he said.

"There have been no substantive questions asked (by the FBI) in my presence," Marr said. "The FBI is insisting on only voluntary interviews. Unless the police officer gives up his rights, the FBI is not interested in talking to him."

George Aliano, president of the union, said some officers agreed to be interviewed as part of the civil rights investigation but he provided no specific numbers or details of what the officers said.

FBI officials, who sent dozens of agents into the field to question all 240 officers assigned to the Foothill Division, refused to discuss the investigation.

The union has advised officers that before answering any questions they should tell the FBI that they are cooperating under the threat of being fired and in violation of their constitutional rights.

"We don't want to be in a position of having our officers prosecuted because of something they said in an interview (with the FBI)," Marr said.

"If you are a police officer, and if you are forced to give an interview, you have the right not to have that interview used against you," he said.

Scores of FBI agents fanned out Monday to interview more than 200 officers from the Foothill Division, as part of an investigation there.

The investigation — to determine whether there has been a pattern of civil rights abuse by Foothill Division officers — grew out of the videotaped beating of Rodney Glen King on March 3.

The Los Angeles County grand jury, which indicted four Foothill Division officers in connection with the King case, began hearing evidence Monday against at least 17 others who were present at the beating.

Police Department officials have protested the FBI's decision

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to question some officers at their homes — calling it an invasion of privacy.

The police union has warned officers that the "sole purpose" of the FBI investigation "is to prosecute police officers."

Aliano said the union has advised officers to preface every interview by saying: "I will not make this statement unless ordered to do so by a supervisor."

By agreeing to be interviewed only "under protest," officers can maintain their Fifth Amendment protection against self-incrimination, he said.

Aliano said he is not concerned that such an assertion might be perceived as an implicit admission of guilt.

"It doesn't matter how it looks," Aliano said. "People can make any impression they want out of it but you don't get to be proven guilty by refusing to talk."

LAPD officials said the department has not told officers how they should respond to FBI requests for an interview — but department policy requires them in general terms "to cooperate" with other agencies' investigations.

"We can't tell the officers 'You have to cooperate and give up their rights,' " said Cmdr. Rick Dinse. "But they do have to provide answers to (the FBI's) questions under direction of this department.

"They have a duty to do that, and failure to do that is subject to discipline," Dinse said.

Police Chief Daryl F. Gates agreed on Friday to turn over to the FBI the names and home addresses of Foothill Division officers, but he criticized the agency's plan to interview the officers at their homes.

Between six and 10 agents set up shop inside the Foothill Division station Monday to question officers as they went on and off shift while other officers were contacted at home, Aliano said.

Other Southern California law enforcement officials — in Sacramento for the California State Sheriff's Association convention — criticized the FBI for invading officers' privacy by contacting them at home.

"They're not talking about people who are charged," said Los Angeles County Sheriff Sherman Block.. "They are going to interview every officer assigned to the Foothill Division.

In other developments Monday, Mayor Tom Bradley repeated earlier comments that the department's "healing process" could not begin unless Gates resigns.

"He thinks by remaining, he can restore the prestige and reputation of the department," Bradley said. "There are many who disagree and I'm one of those.

BRADLEY ON GATES

While Mayor Tom Bradley has not called outright for the resignation of Police Chief Daryl F. Gates, he has said — in increasingly stronger terms — that the only way for the department to regain public trust is to step down. Following are the mayor's comments over the past week:

TUESDAY, MARCH 19: "I don't want to see this become a Bradley-Gates battle. This is a matter for the chief to decide. He has his own constituency. But a retirement by Chief Gates would help in the healing process."

WEDNESDAY, MARCH 20: "I did not and I have not yet called for the chief to resign. I am saying that the only way we can start this healing process is for him to remove himself."

THURSDAY, MARCH 21: "I think that for us to have a healing process it is going to be necessary that the chief recognize his role in the matter. But only he has the authority and the ability to say, 'I retire.' "

FRIDAY, MARCH 22: "I suspect that if he remains, there will continue to be the ferocity of demands we've seen for his retirement. I think it's going to be very unlikely that anything constructive can take place with regard to healing the city until the storm has settled with regard to Chief Gates."

MONDAY, MARCH 25: Asked if he was disappointed that Gates had refused to step down, the mayor replied: "He thinks by remaining, he can restore the prestige and reputation of the department. There are many who disagree and I'm one of those."

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

FBI Starts Fast With Inquiry of King Beating

By RONALD L. SOBLE
and LESLIE BERGER
TIMES STAFF WRITERS

FBI agents approached Los Angeles police officers at home and at work Monday, opening what a top FBI official described as an "unusual" investigation into the Rodney G. King beating and other allegations of officer misconduct within the Police Department's Foothill Division.

Scores of FBI agents were involved in the exercise, forming two-member teams with the intent of contacting all 246 officers assigned to the division, which patrols the northeast San Fernando Valley.

William M. Baker, assistant FBI director in charge of the criminal investigative division in Washington, said the fast-paced and sweeping investigation was "unusual, but the beating was different."

Another Justice Department source familiar with the investigation said, "Usually [the FBI is] working with state and local law enforcement—and now it's like adversaries investigating the people they work with on everything else."

The source said that agents are pursuing evidence of "trends or any instructions or management directions which would indicate that police supervisors would allow this to happen."

Agents are pursuing a few specific leads unrelated to the King case, the source said, but added that "the vast majority of the questioning is very general."

Justice Department civil rights attorneys dispatched to Los Angeles are directing the operation.

At least a dozen officers declined Monday to be interviewed after FBI agents would not guarantee that what was said would not be used against them in a criminal investigation, police sources said.

Four Foothill officers have been indicted on state charges in the beating of King, an unemployed Altadena construction worker who has served time for armed robbery. King was clubbed and kicked after his Hyundai automobile was stopped in Lake View Terrace for allegedly speeding after a short pursuit. His treatment, captured on videotape, has prompted national outrage and various investigations, including the Justice Department probe being conducted by the FBI.

While the FBI has investigated police departments in other cities, the speed with which agents are moving in the King matter was seen by law enforcement officials as remarkable. It was learned that the FBI hoped to finish the questioning of officers by Wednesday.

"This suddenly has become the top priority in the bureau," an FBI agent said, speaking on the condition of anonymity.

Sources said the FBI's interest in the case accelerated after President Bush's strong condemnation last week of the King beating, which he said "made me sick."

Initially, Justice Department officials said they would consider employing a Reconstruction-era law to indict officers who allegedly stood by without interfering while King was beaten. A source close to the investigation said that approach is now in question.

The theory was that under two Reconstruction-era statutes the officers violated obligations to stop the attack. But U.S. civil rights attorneys are concerned that the presence of the supervising sergeant would weaken a charge that his subordinates had an obligation to keep King free from harm. The prosecutors are concerned that defense attorneys could easily persuade jurors that officers had no obligation to overrule a superior who was doing nothing to stop the beating, the source said.

Questions asked of five officers known to have been interviewed by agents ranged from their knowledge of any previous displays of excessive force to whether they knew of any nicknames of officers in the division, police sources said.

Agents also were said to have asked officers whether they knew any of the officers involved in the incident and if they were aware of any racial bias in the Foothill

(Indicate page, name of newspaper, city and state.)

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'Particularly in this case, we're trying to complete the investigation as quickly as possible.'

TOM JONES
FBI spokesman

station.

While Los Angeles Police Chief Daryl F. Gates has criticized FBI plans to approach officers at home, the bureau's chief spokesman in Washington, Tom Jones, said the interview process was designed "to cause the least amount of disruption."

FBI officials in Washington said that Gates initially did not want to make officers' addresses available to the FBI on privacy grounds, but then recognized that a federal subpoena for the information would make the addresses public.

In addition to home contacts, agents set up appointments with officers at the Foothill station. Cecil Marr, a Police Protective League lawyer, was on hand in a room to advise the officers of their rights.

Jones said the decision to conduct the interviews was made by the Justice Department's civil rights division lawyers now in Los Angeles, and "probably in concert with the FBI office" in the city.

The FBI spokesman said orders for the interviews did not come from FBI Director William S. Sessions or other FBI top officials in Washington.

Jones said FBI agents have been given 21 working days to complete the initial report of the investigation. That deadline stems from the U.S. attorney general's guidelines that govern the conduct of civil rights investigations, according to the FBI's Baker.

"Particularly in this case, we're trying to complete the investigation as quickly as possible," Jones said, citing the publicity surrounding the issue.

The FBI inquiry ran into obstacles almost immediately, as several officers refused to be interviewed by six federal agents at the Foothill station.

Marr said at least four officers at the station directly declined to be interviewed after the FBI refused a request from them for protection from criminal prosecution.

The attorney said he also had informed the FBI on behalf of a dozen additional Foothill officers that they did not want to be interviewed without assurances that what they said would not be used against them in a criminal case. Dozens of officers called Marr's office Monday, seeking advice, he said.

"They want to be cooperative, but also in a way consistent with their rights, and they don't want to be sandbagged," Marr said.

"The sense that I get from the officers I've talked to is that some of them are offended that they've been contacted at home because that's a private place and they don't want to talk there. But most are willing to cooperate and have been directed to do that."

The officers believe that they have been coerced into the interviews because Gates has ordered them to cooperate with the FBI, said Lt. George Aliano, president of the Police Protective League. They reason, he said, that because the interviews are the product of coercion they should be promised at the outset that whatever they say will not be used against them.

As FBI agents descended upon their homes, police officers flooded league attorneys with questions, said Diane Marchant, an attorney hired by the league.

Marchant said some officers did not find out that they would be questioned until they received telephone calls from the FBI. Others learned about the investigation by reading newspaper accounts, and still others were told about the investigation at roll call Sunday at the Foothill station.

FBI agents began knocking on the doors of officers as early as 7:30 Monday morning, Marchant said.

Aliano of the Police Protective League said many officers realize they could face administrative charges of insubordination if they refuse to talk to the FBI. He added that the officers are taking the position that the FBI cannot use coerced information against them.

"You have a right not to incriminate yourself," he said, adding that the officers are also insisting on tape-recording the interviews to protect themselves.

"We want the actual words preserved," Aliano said. "Who knows what might get twisted around, and we don't want to get to that point."

Aliano said that the officers are being called in early to the station and are being paid overtime for the interviews.

Four Foothill officers—Laurence M. Powell, Ted Briseno, Timothy Wind and Sgt. Stacey C. Koon—were indicted March 15 by the Los Angeles County Grand Jury on charges of assault with a deadly weapon and unnecessarily beating a suspect under the color of authority. Koon and Powell were also indicted for filing a false police report.

The second phase of the grand jury investigation began Monday, as the panel began to consider the case of those officers who stood by as King was beaten.

According to sources, some of the officers could be charged with filing false police reports, aiding and abetting in the King beating or with violations of California civil rights laws.

Deputy Dist. Atty. Terry White, the prosecutor, made only brief appearances before the grand jury Monday and no testimony was taken, according to sources. The panel will reconvene Thursday.

Times staff writers Ronald J. Ostrow in Washington and Richard A. Serrano, Ronald L. Soble, Hector Tobar and Lois Timnick in Los Angeles contributed to this report.

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CALL FOR GATES TO RESIGN

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MAR 27 1991

FBI — LOS ANGELES

Letters to The Times

Call for Gates to Resign

■ In response to "For Chief Daryl Gates, the Moment Has Come" (editorial, March 19): I want to thank The Times for its editorial about why Chief Daryl Gates must hand in his resignation.

You see, I'm a black citizen of Los Angeles. I was raised in Georgia and this feels like living in the pre-civil rights era in Los Angeles.

The police use polarizing words just giving jaywalking or parking tickets. Now on the voice tapes from the Rodney King case we hear the racially disparaging comments from the officers (March 19).

Do the citizens of Los Angeles want the world to see our city as a new racist stronghold?

I feel the officers in the King case will be whitewashed by the system. They will do a few months in a luxury jail at taxpayers' expense.

All the officers should be fired. Color is not the issue. But to Chief Gates and his officers, there are lots of hard-working law-abiding citizens, black and Latino, who now have no respect for your officers who have used brute force on minorities for years and got off scot-free. Well no more, Mr. Gates. You are a shame and the nation and world now know about your terror and ugliness.

MIKE DAVIDSON
Los Angeles

■ All the hue and cry to oust Gates from community "leaders" and even The Times is nauseating. We citizens need to shoulder the responsibility to create a societal climate calling for police officers to be kinder and gentler. Just in case you haven't noticed, Los Angeles is not exactly the epitome of tranquility. What type of officer would you want to respond to your call, a Mr. Rogers? Until then we all can expect occasional outbursts of violence by the Los Angeles Police Department, no matter who is the chief.

MATTHEW NADLER
Los Angeles

■ In regard to your editorial calling for Chief Gates to resign, you are probably right. He has definitely lost the confidence and trust of the majority of the people in this city.

However, I have one real problem with him resigning. Who will our city leaders replace him with? As much as Gates has lost the trust and confidence of the people, our city leaders have displayed that they are incompetent in selecting good people.

Because of the public uproar, I fear that they will try to find a milquetoast kind of chief instead of one who has the skills needed to police this city.

HARVEY J. GLASS
Sherman Oaks

■ Your editorial asking for Chief Gates to be removed and the usual Conrad "cheap shots" were predictable.

The LAPD under Gates has been and is one of the finest in the world by any yardstick. It is more professional, more integrated and more motivated than any such force I can recall in my 64 years in Los Angeles.

No one condones the excessive force used and the brutal beating given to the felon, lawbreaker King. However, using the words of you and black leaders when their community is criticized, "Don't condemn all our people for the actions of a few."

Getting rid of Chief Gates is not going to make the streets any safer in South Los Angeles and it's not going to improve the crime rate among young blacks. It certainly is going to make the rest of L.A. unhappy and resentful and not as safe.

Get rid of the policemen who abuse their authority and let's move on. The job is hard enough without all the self-serving rhetoric.

R.P. POMI
Marina del Rey

■ My compliments to The Times for presenting its well-written position regarding the resignation of Gates. I recognize that the job of a Los Angeles police officer is not an easy one, but it doesn't make it easy on Los Angeles citizens to be "protected" by an Archie Bunker-type police force.

Yes, the "moment has come . . ." for all Los Angeles citizens to recognize that we live in a city that will continue to have a diverse population. Our backgrounds make up thousands of combinations of races, nationalities, religions and even sexual preference. If you can't accept the very facts which makes this a great place to live, then why live here?

MARC SOBUL
North Hollywood

■ I am appalled by the brutal beating of King. I am also appalled by The Times' swift editorial plea for Gates to resign. If we are to assume that Gates' management brought on this violent act and that the individuals involved were not independently responsible, then we must assume that Mayor Tom Bradley should also resign because of the climate of continuing unethical behavior of his appointees.

Certainly leaders of this community seem to have different sets of values in this situation. Gates is responsible for what his people do, but Bradley is not? One should resign, but not the other?

THELMA J. BULLOCK
Los Angeles

■ Conrad's cartoon of March 14 is by far his most outrageous yet! His dubious attempt to create linkage between President Bush's anti-crime bill and the recent inappropriate and intolerable actions of the Los Angeles Police Department is irresponsible and naive. May I suggest that he also take the time to read the Bill of Rights which he so loosely uses to clutter up his drawings. His lack of appropriate restraint is not dissimilar to the baton-wielding characters pictured in his drawing.

JON ZAICH
Irvine

FBI/DOJ

LALA-LA-119954-D-156

■ I was outraged at the cartoon on the March 18 Commentary page by Oliphant. It depicted four baton-carrying LAPD officers. The captions reads "Here's the situation . . . You're black, you're in L.A. and you just exceeded the speed limit." It was very offensive and insensitive and should never have been printed. This only adds to the uneasiness that is felt in the community.

CAROLYN JACKSON
Los Angeles

■ One wonders if Police Commissioner Melanie Lomax and Mayor Bradley would be so relentless in their efforts to crucify Chief Gates if he was black.

It is odd that any trouble between whites and blacks is automatically called "racial prejudice" against blacks, but when trouble occurs between blacks and, say, Koreans, it is always called "cultural differences."

EDWARD BARKER
South Gate

■ When all 15 policemen are indicted and convicted, when Gates is removed from his job, then we can hire a new police chief from outside the force. A man of integrity and strong moral leadership—Gen. H. Norman Schwarzkopf.

FRANK A. FLAVIN
Westminster

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FBI — LOS ANGELES

Officers refuse to talk

FBI halts probe at Foothill Division

By Deborah Hastings
THE ASSOCIATED PRESS

The FBI stopped questioning police officers stationed at the same division as four policemen charged in a videotaped beating because the officers would not voluntarily cooperate, a union lawyer said.

Meanwhile, a grand jury resumed its investigation.

Cecil Marr, an attorney for the Los Angeles Police Protective League, which represents the 8,300-member force, said he was present at five interviews Monday that were terminated by FBI agents.

FBI agents called off interviews with 20 other officers Monday when the investigators were told the officers would not voluntarily cooperate, Marr said.

"There have been no substantive questions asked (by the FBI) in my presence," Marr told *The Daily News*. "The FBI is insisting on only voluntary interviews. Unless the police officer gives up his rights, the FBI is not interested in talking to him."

George Aliano, president of the union, said that some officers agreed to be interviewed Monday as part of the civil rights investigation, but he provided no specific numbers or details of what the officers said.

FBI officials, who sent dozens of agents into the field to question all 240 officers assigned to the Foothill Division, refused to discuss the investigation.

The county grand jury reconvened Monday to hear evidence about officers who stood by and watched the March 3 attack that prompted national outrage.

"This suddenly has become the top priority in the bureau," an FBI agent who refused to be named told the *Los Angeles Times* on Monday.

Sgt. Stacey Koon, 40, and Officers Laurence Powell, 28, Timothy Wind, 30, and Theodore Briseno, 38, were to make their pleas in Superior Court today.

An amateur videotape of the assault shows that King, a convicted armed robber, was beaten 56 times with police batons, kicked and shot with a Taser electric stun gun after his car was stopped in the Lake View Terrace area. Doctors say King may suffer permanent damage from 11 skull fractures.

Koon and the others are charged with assault with a deadly weapon and unnecessarily beating a suspect under color of authority. Koon and Powell face additional charges of filing a false police report, and Koon is accused of being an accessory in an alleged cover-up.

The four face maximum charges ranging from four years to seven years and eight months in prison.

The FBI agents had hoped to interview all the nearly 250 Foothill officers in the division to see if a pattern of civil rights abuses exists within the station, police Lt. Fred Nixon said.

"They're asking about what kind of talk goes on in the locker room at the station, what they know about the officers at the scene and if they've ever worked with them," Aliano said.

The union is providing officers with an attorney during the questioning, Aliano said, adding that officers who are on disability are being interviewed at home.

FBI/DOJ

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At least four officers at the station refused to be questioned because the FBI refused to grant them immunity from criminal prosecution, Marr said.

Marr said he told the FBI that another dozen officers refuse to be interviewed without assurances that their words cannot be used against them.

"They want to be cooperative, but also in a way consistent with their rights, and they don't want to be sandbagged," Marr said.

Inside the suburban Foothill station, boosters had hung a hand-painted placard pledging support to Police Chief Daryl F. Gates and the division.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Some Student Perspectives on How LAPD Does Its Job

The Rodney King incident has sparked reaction worldwide. The Times asked students at several Los Angeles-area high schools how they felt about law enforcement in Los Angeles.

Each Officer Is Different

Jose Avila, Manual Arts High School:

The videotape does not really relate to all of the LAPD. I don't think all of them have the same attitude toward race.

Out on the street, I figure, every policeman is different and not everybody is like that. They're out there to protect us and I hope they'll do a great job. There have been negative times, but not as much as the tape showed. It all depends on the officer and, I believe, in the attitude that you take up when you are pulled over.

But there are certain things they should consider changing, such as making sure none of their officers go out there with a racist attitude or with any type of attitude that can cause harm.

What Don't We Know?

Sonia Soni, Van Nuys High School math-science magnet program:

I think we can't ignore [the Rodney King case], because that is going to influence how the public feels about the police. We respect and trust them, and after watching five minutes of that videotape, it was just a shock. These are types of authorities that you'd like to respect, and you'd like to know our system is working for us and we are being protected. But when something like this comes up, you question, what do I not know? What has been going on? If this is going on, then what else is happening that we don't know about? And then there are other questions of racism that come to mind because of the people involved.

Don't Stereotype People

Henry Bernard, Chatsworth High School:

I think that more police officers can be hired and put on the streets, but it's going to take more than that. It's going to take getting down to the roots of why people actually commit crimes and why there are so many crimes being committed in the city. People are frustrated and don't have jobs, and that's the main reason for all that crime.

I live in Lake View Terrace. The only thing abnormal about the Rodney King beating is that it was filmed. I think that the police have to be trained to respect and to try not to stereotype the people they come in contact with. Because not all the people are out to kill them, and not all blacks are criminals, not all Mexicans or other minorities are criminals. That starts at the higher level—the sergeants and [Chief] Daryl Gates.

Raise Moral Climate

Laura Berthol, Taft High School in Canoga Park:

I think [the prevalence of crime] is basically from decay of the morals in society, and I think if you can begin to teach students in high schools, as well as on the job and start improving the morality of America in general, crime will be reduced. If we can try to work as individuals instead of society as a whole, I think that's a start. Not necessarily telling students what is right or wrong, but talking with the students, not at them. Getting to know their actual opinions and values.

Right now in this society, things are so hard in relation to crime that police are doing the best that they can. Which isn't to say there isn't room for improvement. I don't think [Gates resigning] is going to solve the problem. I think there are always going to be tensions.

Some Overdo It

Sylvio Pacheco, Manual Arts High School:

I'm not against the police. I'm against the attitudes some of the policemen take. I'm not saying all the cops are the same way. I know some cops and I know they're not bad guys. But some of the policemen take it too serious or they become obsessed with it and they overdo it sometimes.

Outgunned by Criminals

Christopher Setti, St. Francis High School in La Canada:

I think most of the crime in L.A. County is gang crime. The best way to get away from gang crime is through community centers and giving young adults the option to do something other than join gangs. And more education has to be done—anti-drugs, especially.

I think for the most part, the police do a fairly good job. There are individual policemen who deserve not to be police officers—[those in the King case] being prime examples—but on the whole, the police are doing the best job that they can. They're understaffed and they're outgunned by the criminals today.

It's a shame that there's prejudice and racism, but that's part of human nature and that will affect any organization, including the police. There has to be some kind of psychological profile so that these kinds of police officers [like ones involved in the King case] can be weeded out.

(Indicate page, name of newspaper, city and state.)

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FBI — LOS ANGELES

FBI/DOJ

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Supports Gates

Frank Lin, Kennedy High School in Granada Hills:

Right now, people seem to hate the cops because of what happened to the person who got beaten up by the LAPD officers. I doubt that Chief Gates' resigning will improve the situation. I support him. I think he's a pretty good cop. You can't walk around and make sure every single cop is doing his job correctly. Police are human. They can get emotional. They're not like robots.

Police Act Superior

Carlos Gomez, Manual Arts High School:

It is not exactly an attitude of dislike [of the LAPD], it's more of disbelief. They're out there supposedly to protect you and to serve the public, but most of the times I've witnessed, they feel they're superior because they wear a badge and a gun.

I've been roughed up a couple times myself and I look nothing like a gang member or a drug dealer. Around here, on the corner, there's always a crowd of drug dealers, and I'm pretty sure [the police] know they sell drugs, but for some reason they never mess with them.

Power Is Overused

Maria Alvarez, Manual Arts High School:

If you can't trust the LAPD when you're in need of help, who can you trust? They overuse the power that they have. Many people that have been hurt like that—they can't come out and say it. [King] was fortunate to have someone tape it. Maybe there have been many other cases where they can't go out and say something, because who are they going to believe?

Quick to Harass

Malaika Garrett, Dorsey High School:

[The King beating] was like an accident waiting to happen. It was something that has finally brought [things] to light and allowed the citizens to see what was going on.

I don't believe you can judge all police officers by one incident . . . [but] I feel [racism] is a prominent problem.

I have friends, . . . if they've been in some neighborhood where they "shouldn't have been," they've been harassed by the police and asked to leave. And when they didn't actually leave right at that moment, the police harassed them.

Mutual Hostility

Fletcher Jordan, Dorsey High School:

I've never been bothered by the police officers. I've been mistaken a few times for being someone else, but that's a simple mistake. I don't hold that against them, but some [of my friends] feel that they have been bothered or harassed.

I think people should have a better outlook on the police. Sometimes the respect that [the police] need is more on a human basis, not on a "high pedestal" basis. A lot of people just have a lot of hostility toward the police and that's why it brings out some [hostility] in police.

Police officers need to discern how people are, they need to look at the person and take time with them. Everyone deserves respect, no matter what color you are. People will respond better if they're shown respect.

I'll Give 'em Attitude

Louella Abad, Newmark High Continuation School:

I've had a lot of bad experiences with the LAPD. They harass us just because we're kids.

One time we all got busted. My friend started laughing and this cop went up to her and just kicked her in the head. She wasn't hurt. She just kind of leaned back and said "What'd you do that for?" And the cop said, "Don't laugh at me." I didn't think they would do that. I thought they were just there to tell us, "This is wrong," or "You come with us."

They treat us all as one. Like, "Well, she hangs around with gangsters, so she's a gangster, we'll treat her like a gangster."

I used to respect them. Even if they stopped us, I'd say, well, they're just doing their job. But now I'll give 'em attitude. I'll start talking back. Before, I wasn't like that.

Minorities Targeted

Matthew Lowe, University High School

I don't think they're very much in touch with real life, especially minorities and minors. They concentrate too much on the victimless crimes, little things like jaywalking and truancy, and things like that.

They're too intimidating. Also what I hear is that they pull over minority students a lot more than Caucasians. I think that's pretty much true.

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(Mount Clipping in Space Below)

Lawyers Assess King Case Impact on Brutality Trial

■ **Courts:** Videotaped violence is among the evidence in the federal prosecution of six former Oakland Housing Authority police officers.

By CHRISTOPHER ELLIOTT
TIMES STAFF WRITER

SAN FRANCISCO—The black-and-white videotape, at times blurred, shows a figure in shadow, on his back, arms loosely outstretched. A police officer with the Oakland Housing Authority steps out of his car, orders the man to roll over on the sidewalk, and, kicking him in the ribs, yells: "Don't you ever raise your hands to me again."

The videotape—shot more than a year ago during an investigation by the Oakland Police Department—is at the center of a U.S. District Court trial of six former Housing Authority officers that is expected to conclude here next week. The man on the ground is an undercover police officer.

And because brutality is among the accusations leveled against the ex-officers, the trial is also caught in a whirlwind of negative publicity generated by Rodney G. King's beating by police in Los Angeles. Defense attorneys and the prosecutor in the Oakland case disagree over how much impact the King videotape has had, but all say that jurors cannot be forbidden to follow national news.

In the Oakland case, undercover police officers taped the arrest scene and collected other evidence in a four-month investigation that began almost two years ago and led to a federal probe of the 24-member Housing Authority police force.

In addition to other evidence, investigators said they retrieved material evidence when they raided the Housing Authority offices last December.

One-third of the Housing Authority's police officers were indicted or pleaded guilty late last year to charges that ranged from using excessive force and stealing money from suspects to falsifying police reports.

A slew of lawsuits—more than 30—filed by angered residents against the Housing Authority and the city of Oakland followed the indictments last year. They reportedly demanded more than $10 million in damages, but terms of the settlements were not revealed.

The Oakland Housing Authority Police was created by the city's Housing Commission 17 years ago to patrol its 3,318 housing units across the city. Its officers are sworn peace officers, but do not undergo the rigorous training of a regular police academy. Their backgrounds are also not checked as extensively, as those of police officers, officials said.

As the trial continues, there is disagreement over how much the King incident has influenced the case. Each of the prospective jurors in the case said he or she watched the controversial Los Angeles videotape, attorneys said.

"Public awareness of police brutality has exploded as the result of what happened in Los Angeles," said John Cuew, a lawyer who specializes in police brutality cases for the American Civil Liberties Union in Northern California. He refused to speculate, however, on whether viewing the tape would make the jurors quicker to convict.

Jurors are still permitted to follow media coverage of the police beating in Los Angeles, but they may not read about or watch news about the Oakland case.

"I think these cases are not similar at all," said Robert Lyman, an attorney who represents the Oakland Housing Authority. "After all, no one was beaten senseless in Oakland."

Still, attorneys representing the accused former officers say they are concerned that their clients' right to a fair trial has been jeopardized by the repeated telecast of King's beating.

"They picked a bad time to have this trial," said Peter Robinson, lawyer for Scott Dwyer, the officer in the Oakland videotape. "Every juror or prospective juror has seen the L.A. tape. The judge can't force them not to watch the coverage of that case."

Other defense attorneys, like Karen Snell, who is representing former officer Antoine Fisher, agree that the tape must have had an impact.

"There's no way it couldn't affect the jury," she said. "We know that for a fact."

She predicted, however, that because the violence on the Oakland videotape is not as severe as that on the Los Angeles tape, jurors would hand down a more lenient decision. "Compared with that incident, I hope the jury will say to themselves: 'This is nothing,' " she said.

Although Assistant U.S. Atty. Albert Glenn, who is prosecuting the former officers, refused to comment on the trial, he said that the King incident would not affect the case.

"The judge has been very careful about instructing the jury to disregard what they have seen and heard," he said of the King case. "I am confident the defendants will get a fair trial."

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
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Title: LAWYERS ASSESS KING CASE IMPACT ON BRUTALITY TRIAL

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Title: VIDEOTAPE "CHANGED" MAN'S LIFE

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FBI — LOS ANGELES

Videotape 'changed' man's life

By John Rofe
Daily News Staff Writer

The Lake View Terrace man who videotaped the police beating of Rodney Glen King was honored by Los Angeles County supervisors Tuesday, and said the incident has "changed his life" — but not necessarily for the better.

George Holliday told reporters he has been forced to change his phone number twice because he has been besieged with telephone calls. He also has hired an attorney, who cut short questioning of Holliday by reporters Tuesday.

Holliday was downtown to receive a commendation from Los Angeles County for his now-famous videotape of the March 3 beating. KTLA-TV Channel 5, which first aired the tape, also was commended.

"A lot of people would have taken that (videotape) and said, 'I'm going to destroy it,'" Supervisor Kenneth F. Hahn said. "They'd be afraid of the police department. But you stood strong."

Lori Valesko/Daily News

Supervisor Kenneth Hahn, right, presented George Holliday with a plaque from L.A. County.

FBI/DOJ

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ON CALIFORNIA

ROBERT A. JONES

Jack Webb Doesn't Live Here Anymore

LOS ANGELES

I remember the show ran on Monday nights and I remember my father loved it. He was the family's biggest fan of "Dragnet." My mother refused to watch, probably on religious grounds, but the rest of us did, every week. "Dragnet" was part of our routine.

That took place in Memphis, Tenn., 1953 or '54. We had one of the first TV sets on the block and "Dragnet" was our introduction to California. We saw palm trees growing out of the sidewalks and crooks wearing Hawaiian shirts.

But the important part was something else. Something we didn't recognize at the time. We were watching the invention of the LAPD.

□

The uniformed officers on "Dragnet" were unlike anything I had ever seen in Memphis. These cops were tall, had flat stomachs and showed respect at the crime scene. They seemed professional. They addressed detectives with a "Sir" and displayed no cynicism. They visited victims in the hospital.

The LAPD was being created for the first time. I am not referring here to the Los Angeles Police Department. That's a real police force with real people. The Los Angeles Police Department had existed for 100 years by the time "Dragnet" first appeared.

The LAPD is different. It was invented by television and to this day is still being invented by television. After "Dragnet," there was "Adam 12" and then "S.W.A.T." and "T.J. Hooker" and "Police Woman" and a dozen others. There has never been a television season without an LAPD cop show on the air.

This invented world was a place of simple moralities, simple virtues, and clean living. Every uniformed cop had a blond girlfriend and worried at night about the people he was hired to serve and protect.

And all this raises a question: After 30 years of having a mythical LAPD piped into our homes and our brains, did we come to believe the myth? Did we buy the notion that our clean, California cops behaved like "Adam 12?" And that only places like Philadelphia or Chicago had the other kind of cops, the kind who would accept a $10 bill to forget a speeding ticket.

I think we did believe in that invented LAPD, as did the rest of the world. And the shattering of that belief explains, in part, the sense of betrayal in Los Angeles over the past two weeks. Those officers swinging their clubs cannot be reconciled with the television version.

The next time you watch the videotape—which could be in five or 10 minutes if you have the television on—ask yourself just why the horror bites so sharply. After all, you have seen violence worse than the beating being administered to Rodney G. King. Unless you have been living on the moon, your television has shown you people—real people—being gunned down on the streets or burned to death.

Monks have immolated themselves in Asia, blacks have set one another afire in South Africa, soccer fans have been crushed to death in front of our eyes.

There's usually a reaction of some sort, but nothing like this. So what explains the Rodney G. King affair?

I think it's this: The King beating destroyed not only the way we thought of the LAPD but the way we thought of ourselves here in California. And we sense, with some anger, that there will be no going back. The California that was a separate

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world from the East, that had clean government and clean cops, has slipped away.

Not entirely, perhaps. I am not arguing that L.A. has turned into Philadelphia. But the sense of remove about California has been eroded in a serious way. We have watched our cops using their batons like rubber hoses just as, a year ago, we watched our Sacramento legislators taking their bribes in fat envelopes.

So it's become much harder to believe that California is exempt from the petty corruptions and viciousness of the old world back East. The distinctions between their world and ours have blurred.

□

And maybe that's not all bad, if we finally see the lies behind the television version of ourselves.

I remember one episode of "Dragnet" in which Sgt. Friday was forced to visit the East Coast during an investigation. He had a terrible time. It snowed, the crooks turned out to have connections in the Police Department, and Joe caught a cold.

He was so happy to get home. Life was simply better here, he said. In L.A. you knew who the good guys were and who the crooks were.

No more, Joe. But thanks for the memories.

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Foothill Station Seeks to Mend Fences

■ Police: Officers hold open house in effort to repair their image. The men involved in the Rodney King beating were assigned to the facility.

By AMY LOUISE KAZMIN
TIMES STAFF WRITER

Los Angeles police set out the coffee and cookies Tuesday evening and, with warm smiles, opened the doors of the Foothill Station in Pacoima to area residents in an effort to repair the division's battered image in the wake of the Rodney G. King beating.

The forum was the first in a series of open houses that Deputy Police Chief Mark Kroeker—the new San Fernando Valley-area commander—has ordered for every station in his jurisdiction.

The meetings are designed to familiarize citizens with police proceedings, the stations and officers so community members will feel that they have access to police officials and feel comfortable complaining if they are dissatisfied with service.

The King incident, which was videotaped and broadcast nationwide, was referred to only briefly at Tuesday's meeting, although clearly it was on the minds of the officers who presided and the more than 30 people who attended.

"I am determined that something good is going to come out of this," Capt. Tim McBride, the station commander, told the gathering. "That is a very difficult situation when we have seen that tape over again and again and again and again, but we are going to grow and we are going to be better."

But it was unclear whether the forums will have the desired affect.

Christena Hughes of Lake View Terrace brought her 10-year-old twin sons so they would "understand that there is a proper way to act when you are stopped by the police. If you don't act the way they want you—which is extremely submissive—they will beat the hell out of you."

For nearly an hour and a half, in the station's roll call room, a parade of officers spoke about various department anti-crime initiatives, community cleanup efforts and youth programs.

Captain John Mutz, who moderated the forum, reiterated over and over again that citizens with gripes against officers should always voice their complaints, which he said are taken seriously.

King's brother called the Foothill Station to report what he considered misconduct, but he was told not to bother unless he had a videotape or other evidence.

"I want you to be satisfied when you call us," Mutz said. "This program is for you to understand more about us. . . . We are your servants."

Russ Settell of Sylmar, an Amtrak official, praised the attempt to make officers more accessible. But he said that police credibility has been undermined by some officers' refusal to cooperate with the FBI's investigation of the King beating.

"I feel like the officers have something to hide," he said.

Dorothy Barnett, a 40-year Arleta resident and retired elementary school teacher, lamented that the division's many positive achievements were being overshadowed by the racism allegations. But despite that, she said, she is grateful that the beating of King, a black man, has drawn attention to the police.

"I think they have been getting away with this kind of thing for too long," she said. "Thank God somebody took a video."

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King, wife file $83 million claim

By Rick Orlov
and Dawn Webber
Daily News Staff Writers

Rodney Glen King and his wife filed a claim for $83 million against the city of Los Angeles Tuesday for injuries King suffered in the videotaped beating by police in Lake View Terrace on March 3.

A police sergeant and three officers pleaded not guilty in Los Angeles Superior Court Tuesday to assault and other felony charges in the case. The defendants will return to court Thursday for scheduling of their trial, possibly in late April.

The $83 million claim against the city was filed by King's attorney on behalf of King and his wife, Crystal. If the city does not respond to the claim in 45 days, King can then file a lawsuit.

In his claim for King, attorney Steven Lerman asked for $81,050,000, with $56 million of that for medical, pain, suffering and future damages and an additional $25 million for future damages.

Crystal King asked for $2 million for emotional and psychological trauma and a loss of companionship because of her husband's physical inability to "interact with her and to establish sexual relations," the claim said.

Mike Qualls, a spokesman for the City Attorney's Office, said the claim will be reviewed by the department's claim evaluation board and a decision will be made on whether to try to settle the case. If it is rejected — either by the city or the Kings — the case then can go to trial.

Lerman said injuries suffered by King included skull fractures, permanent brain damage, several broken bones, and kidney, back and eye damage.

Sgt. Stacey C. Koon, 40; and officers Laurence M. Powell, 28; Timothy E. Wind, 30; and Theodore J. Briseno, 38, pleaded not guilty Tuesday after their attorneys lost motions to dismiss the indictment.

William Kopeny, an attorney for Briseno, argued Tuesday that the indictment should be dismissed because it did not sufficiently detail the crimes the officers are accused of committing.

But Deputy District Attorney Terry White said outside the courtroom that the videotape of the incident shot by amateur photographer George Holliday was more than enough evidence to indict the officers.

Koon, Powell, Wind and Briseno were indicted by a Los Angeles County grand jury on charges of assault with a deadly weapon and unnecessarily beating a person under color of authority in the March 3 arrest of King in Lake View Terrace.

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FBI — LOS ANGELES

Internal Affairs probed officers in few suits

By Patrick McGreevy
and Rick Orlov
Daily News Staff Writers

The Los Angeles Police Department's Internal Affairs Division investigated officers in 36 of the 140 major lawsuits against the department that were settled in the last five years, according to a report released Tuesday.

As a result of the investigation of cases that involved 50 LAPD officers, two officers were fired and 17 were suspended, said the report by the city's Chief Legislative Analyst.

The damage awards and settlements range from lawsuits stemming from police traffic accidents to accidental shootings of civilians and cost the city $20 million over the past five years — $9 million last year alone, the report said.

The findings drew critical reactions Tuesday from members of two Los Angeles City Council panels that had asked for the review in the wake of the videotaped police beating of Rodney Glen King in Lake View Terrace on March 3.

"I'm very concerned," said Councilman Zev Yaroslavsky, chairman of the council's Budget and Finance Committee. "I think we need some explanation why close to 70 percent of the cases were not investigated by the internal affairs office."

Councilman Richard Alatorre said he also was "troubled" by the low percentage of officers who were disciplined and the level of the discipline, which he said did not seem harsh given the large cost of the settlements.

"When you see the discipline, you begin to question whether, in fact, the discipline is commensurate with the loss that the city of Los Angeles has been exposed to," said Alatorre, who is chairman of the council's Public Safety Commission.

Yaroslavsky said workers in the private sector would be fired if their actions caused litigation resulting in judgments on the scale being paid by the city.

"It (the report) raises the question in my mind about whether there is a serious commitment from the top of the department to delve into these incidents," Yaroslavsky said.

The panels headed by Yaroslavsky and Alatorre held a joint hearing Tuesday at City Hall where they were told by Police Cmdr. George Morrison that all incidents that result in lawsuits are investigated by the department, although not always by internal affairs.

Morrison, who is the chief of staff for Police Chief Daryl F. Gates, also told the council committees that sometimes lawsuits result in judgments or settlements even though no specific officer is identified as having committed wrongdoing. In those cases, it is hard to discipline officers, he said.

Council members said additional review of police settlements and disciplinary actions will be conducted.

Also at City Hall on Tuesday:

■ Civil Service commissioner Clare Bronowski resigned at the request of Mayor Tom Bradley, leading some City Council members to claim that she was forced out in advance of a possible Civil Service hearing against Gates.

Bronowski was appointed to another city commission and replaced on the Civil Service board by labor lawyer Larry Drasin of Tarzana. Bradley spokesman Bill Chandler characterized the shift as routine and said the action was not related to growing friction between Gates and the mayor, who wants the chief to retire.

POLICE LAWSUITS

Following are highlights of a report released by the Los Angeles City Council's chief legislative analyst on police lawsuits settled or resolved between 1986 and 1990.

COST: There were 140 settlements or judgments against the city that exceeded $15,000 over the five-year period, for a total cost exceeding $20 million.

The study did not look at settlements of $15,000 or less, which make up 79 percent of all police liability costs.

CASES: The study found 37 of the cases involved traffic accidents. Of the remaining 103 cases, 50 involved wrongful deaths, shootings and injuries, 28 involved civil rights violation cases, 16 involved battery/excessive force cases and nine involved miscellaneous allegations, including charges that an officer was negligent in an attack by a police dog.

INVESTIGATIONS: The Police Department's Internal Affairs Division investigated 36 of the 140 cases that were settled, resulting in two officers being fired and 21 suspended or reprimanded.

■ The council's Public Safety Committee recommended that the council confirm the appointment of civil libertarian Stanley K. Sheinbaum to the Police Commission as part of Bradley's efforts to make the panel more active and responsive to complaints about the police.

The report on police litigation by the city's Chief Legislative Analyst looked at settlements and court judgments that cost the city in excess of $15,000 between 1986 and 1990. Of the 140 cases studied, the police Internal Affairs Division investigated 36.

The review found that 37 of the 140 major settlements and judgments involved traffic accidents. The remaining 103 cases included wrongful deaths, shootings, injuries caused by excessive force, civil rights violations and charges of officer negligence during an attack by a police dog.

The Police Department's Internal Affairs Division said it investigated 50 officers who were involved in 36 cases that were settled by the city. Most of the 36 probes involved either excessive force allegations or shooting violations.

Of the 50 police officers investigated by the internal affairs division, the study found that:

■ 24 officers received no penalty.

■ 17 officers received suspensions.

■ Four officers received admonishments or official reprimands.

■ Three officers received Board of Rights hearings and two of them were removed from the department. The other officer who had a Board of Rights hearing retired in lieu of being penalized.

■ Two officers are still being investigated.

The two officers who were fired and the one who retired were found by the Board of Rights to have violated shooting policies and caused wrongful deaths.

The longest suspensions were 129-day penalties against two officers who made false reports to supervisors about separate, excessive-force cases.

Other disciplinary action taken included a 10-day suspension for an officer who unnecessarily hit an arrestee with his baton and made false statements when reporting the altercation.

The study said the number and cost of settlements in lawsuits against the Police Department rose from 8 cases costing $1 million in 1986 to 25 cases costing $9 million last year.

However, those settlements include traffic accident cases.

The Daily News reported March 10 that the council paid more than $3.5 million last year to settle 16 lawsuits claiming officers used excessive force that caused bodily injury. Another $3 million was paid last year to settle claims by residents of an apartment building at 39th and Dalton streets that officers ransacked during a drug raid.

Bronowski's resignation from the Civil Service Commission raised concerns by City Council members Yaroslavsky and Joy Picus, who said they were concerned Bradley was seeking to stack the panel against Gates.

"I've had my disagreements with Chief Gates, but I want to make sure that any action involving him is fair," Yaroslavsky said.

Joy Picus said she is concerned about the role Deputy Mayor Mark Fabiani is playing in Bronowski's removal.

"My fear is that Mark Fabiani is attempting to set this up," Picus said.

Fabiani would not return telephone calls, but Bradley spokesman Chandler said the switch was routine.

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FBI — LOS ANGELES

DA conducting own Foothill police probe

By Beth Barrett
Daily News Staff Writer

The District Attorney's Office is investigating the LAPD's Foothill Division to determine whether its officers have engaged in a pattern of excessive force against minorities, according to police and prosecution officials.

The FBI is conducting its own civil rights investigation at the Foothill Division, but has suspended questioning of at least 65 officers who said they were compelled to cooperate under duress and in violation of their constitutional rights, police union officials said.

The District Attorney's Office has assigned 14 investigators to interview dozens of people who were subdued by force in encounters with Los Angeles Police Department Foothill Division officers over the past three years, a district attorney's investigator said.

If evidence of police brutality is found, it will be presented to the Los Angeles County grand jury, the official said.

"The real question is the number of arrests in which force was used against blacks and Hispanics," said Lt. David Lara of the District Attorney's Special Investigations Division.

"We're asking people the nature of their arrest, how they were arrested, what they were arrested for, and their handling by LAPD officers," Lara said.

The investigation grew out of the videotaped beating of Rodney Glen King by a group of Foothill Division officers on March 3, officials said.

Four officers indicted by a grand jury in connection with the King case pleaded not guilty on Tuesday to assault and other felony charges.

Sgt. Stacey C. Koon, 40; and officers Laurence M. Powell, 28; Timothy E. Wind, 30; and Theodore J. Briseno, 38, entered pleas after their attorneys lost motions to dismiss the indictment and have a preliminary hearing.

They were ordered to return to court on Thursday for scheduling of their trial, possibly in late April. They could face maximum penalties of four years to nearly eight years in prison if convicted.

The county grand jury reconvened its hearings into the King case this week, considering testimony about LAPD officers who were at the scene and did not intervene.

At least seven LAPD officers who were at the scene have been subpoenaed to testify before the grand jury, department officials said Tuesday.

Meanwhile, both the FBI and the District Attorney's Office were conducting broader investigations to determine whether the King beating was part of a broad pattern of civil rights abuse by Foothill Division officers.

Through his spokeswoman, District Attorney Ira Reiner declined comment Tuesday on the expanded investigation.

Cmdr. Rick Dinse, who is overseeing LAPD's internal and criminal investigations of the King case, said an officer must file a report any time he uses force — ranging from "pain compliance" holds to the use of a baton to subdue a suspect.

The reports include a listing of the suspect's race, Dinse said.

The reports do not include shootings, which are handled through a different reporting process. The District Attorney's Office responds to every LAP shooting, and does its own inve tigation of those shootings, ofi cials said.

Meanwhile, the FBI continue trying Tuesday to question 24 officers at the Foothill Divisio — but suspended questioning at least 65 officers who said the were "under duress" to coope ate, according to the Los Angel Police Protective League.

Union officials said they kno of only four officers who were ac tually questioned by the FBI afte deciding not to claim they wer under pressure.

The union has advised officer that in order to protect them selves, they should tell the FB they are cooperating under th threat of being fired and in viola tion of their constitutiona rights.

Los Angeles Mayor Tom Brad ley said Tuesday he was "disap pointed" with the officers' re sponse to the FBI investigation.

"I have asked for cooperation. the police chief has asked fo their cooperation and, frankly. I'm disappointed there would be a reluctance to do so," Bradley said.

"I don't want to try and intervene in their legal counsel's advice," he said. "But ... cooperation is essential in order to help

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build a solid foundation for what the facts are."

Capt. Tim McBride, the commander of the Foothill Division, said officers have "nothing to hide" from the FBI.

McBride declined to say whether he has been questioned by agents, or whether he planned to tell the FBI that he was "under duress" to answer their questions.

But his attorney, Barry Levin, said he has advised McBride not to answer any questions without stating he was under pressure to do so.

"All they are is on a witch hunt," Levin said. "My advice to him is that he assert his constitutional privilege (against self-incrimination).

"These officers and Capt. McBride will answer any questions by any law enforcement agency that has do to with the King beating, but we're not going to get involved in political games here," Levin said.

Thomas F. Jones, the FBI's chief spokesman in Washington, said agents would not interview any police officer who claims he was under pressure to cooperate.

"Their cooperation is strictly voluntary," Jones said. "They are not compelled to talk to us. If they don't want to talk with us, we record that fact, but that's it."

Carlos Fernandez, an FBI spokesman in Washington, D.C., said agents involved in the King investigation would prepare an initial report within 21 working days.

He would not comment specifically on the King case, but said that Justice Department officials generally use such reports to determine if further criminal investigation is necessary.

Assistant U.S. Attorney Michael W. Emmick, chief of the Public Corruption and Government Fraud unit in Los Angeles, said local prosecutors are assisting a team of Justice Department lawyers dispatched from Washington to oversee the King investigation.

Emmick said the government generally has the power to issue grand jury subpoenas in cases where witnesses are reluctant to testify. He would not say whether federal officials are considering issuing such subpoenas in the King case.

Daily News staff writers Jaxon Van Derbeken, Rick Orlov and John Polich contributed to this story.

(Mount Clipping in Space Below)

Chief: 'I am calm, collected, at ease'

By Howard S. Gantman
COPLEY NEWS SERVICE

Los Angeles Police Chief Daryl Gates said Wednesday he regrets calling the beating of Rodney King by police officers an "aberration" and hopes the city's leaders can put politics aside so he can have a chance to restore the LAPD's battered image.

In an interview, Gates told Copley News Service that despite growing pressure from Mayor Tom Bradley and other city officials for him to step down, he still has no immediate plans to retire.

Even with the department inundated by complaints about the King incident, the 64-year-old chief said, "I don't have a siege mentality at all. I am calm, collected, at ease." Wearing a navy blue sports jacket, white shirt and gray slacks with a blue-striped tie, royal LAPD blue hanky and a Drug Awareness and Resistance Education pin in his lapel, Gates sat at a table decked with letters from what he calls "a silent majority" who continue to support him.

Top-ranking officers, secretaries and clerks in his outer office all wore metal "blue-ribbon" pins to show support for the chief and signs were placed strategically around the room proclaiming: "We support Chief Gates."

But the chief — who celebrated his 13th anniversary as head of the Los Angeles Police Department on Sunday with a rally by some 3,000 supporters — said he was not "orchestrating" a public relations campaign to counter the anti-Gates efforts.

Restore confidence

Gates spoke for an hour about a wide range of subjects after a morning news conference where he announced a 10-point plan to help restore public confidence in the LAPD.

At the news conference, he declined to discuss Councilman Michael Woo's call earlier Wednesday for his resignation and stressed the positive results he hoped to get from his new plan. But he later spoke candidly about the drive to force him from office.

The chief noted that Sima, his wife of 21 years, had asked him repeatedly to retire before the March 3 King incident sparked a national outrage.

But he believes stepping down now would be a disservice to both the 8,300 LAPD officers and law enforcement supporters throughout the city.

"I have to admit it has not been an easy job. ... I have a vision of how to deal with crime in this state and I think across the nation. I had hoped that

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was going to be my final effort," Gates said.

'Using some of my ideas'

"I didn't think it was going to take too long to do that. I know we have a governor who was willing to because he was already using some of my ideas in his approach to things."

Gates said he "had no idea that something like this would come along and change things so dramatically."

Gates attributed the seemingly unending furor over the beating to a combination of the repeated airing of the videotape that showed policemen striking King more than 56 times and surprise that the incident involved officers from the LAPD, which was considered by many a "model department."

"I don't think anyone in the world expected that it could happen in LAPD and I think their shock was enormous," Gates said. "I was horribly shocked that it was happening, but the fact that my officers were doing it, I still don't believe that.

"It is just almost I can't believe it and that is why I came up with that aberration (statement). I wish I had chosen another word, but I don't think it would have made any difference. If I had chosen another word, they would have just jumped on whatever word I used."

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(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date: THE OUTLOOK
Edition: THURS. MAR 28, 1991
Front Section, Page 7

Title: POLICE CHIEF DARYL F. GATI

CIVIL RIGHTS

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APR 3 1991

FBI — LOS ANGELES

HIGHLIGHTS OF GATES PLAN

Police Chief Daryl F. Gates unveils his plan Wednesday.

- A five-member panel to be formed to study the police department's training and procedures relating to use of force.
- The department's chief psychologist to prepare a profile of the officers involved in the Rodney King incident.
- Cmdr. Mike Bostic to examine the department's use of force policies, procedures and training, and to compare them to complaints of excessive force.
- Cmdr. Rick Dinse, of the chief's office, to act as Gates' representative for both the criminal and administrative investigations, to act as a liaison between the department and other agencies conducting those probes.
- Develop a high-ranking command duty officer program, in which a command officer would be assigned during night and morning watch shifts to oversee and inspect field operations, making unannounced inspections.
- Implement a 24-hour hot line telephone number — (800) 339-6868 — that can be called by anyone in the 213 or 818 area codes, starting Friday afternoon. The hot line number to be staffed by Internal Affairs Division personnel to field complaints of excessive force by police.

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APR 3 1991
FBI — LOS ANGELES

Woo Says Gates Should Quit or Be Fired

■ City Hall: Fellow councilmen Braude and Yaroslavsky take similar, but softer, stands. Chief says criticism distracts the LAPD.

By GLENN F. BUNTING
TIMES STAFF WRITER

The political pressure on Police Chief Daryl F. Gates intensified Wednesday as Councilman Michael Woo became the first city official to demand that Gates resign over the Rodney G. King beating.

Woo's call for Gates' ouster is the first sign that the solid support the chief has enjoyed from the City Council is beginning to erode. He was quickly followed by Councilman Marvin Braude, who said at a news conference that he would like to see the chief step aside.

Two other council members said in interviews that they want Gates to resign, but are not yet prepared to say so publicly.

And Councilman Zev Yaroslavsky, who previously said he did not think Gates should resign over the King incident, changed course on Wednesday. "I think the chief should retire in August when he turns 65," Yaroslavsky said.

Lining up council support is part of an ongoing behind-the-scenes campaign by the mayor's office to force Gates out, said City Hall sources familiar with the effort. Woo acknowledged that he had talked with Deputy Mayor Mark Fabiani about Gates, but said the mayor's office did not influence his decision. Braude said he has had no contact with anyone in the mayor's office.

Fabiani, who is directing the campaign to oust Gates, met on Wednesday with a prominent black and Latino religious group that is scheduled to push on Friday for Gates to quit.

Mayor Tom Bradley kept up the pressure Wednesday, telling reporters that Gates must remove himself "from the center of this controversy" before a healing process between the Police Department and the community can begin.

Woo, who has aspirations to run for mayor in 1993, hastily arranged his press conference Wednesday morning before Braude was scheduled to make a statement about the chief.

"The time has come for Chief Gates to resign," Woo said flatly. "If Chief Gates does not resign, the Police Commission should initiate proceedings to dismiss him."

While Woo "has a right to his opinion," Gates said Wednesday, calls for his resignation are not productive and distract the Police Department from its responsibilities. Gates said he had read Braude's statement and pointed out that the councilman did not specifically call for him to resign.

Gates also went on the offensive Wednesday and in doing so seized some political initiative from the mayor's office. He announced a 10-point plan to restore public confidence in the Police Department that includes establishing a panel, headed by retired California Supreme Court Justice John Arguelles, to study police training

44A-LA-119954-D-168

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and procedures on the use of force.

The mayor's office, as part of its effort to put pressure on Gates, has been working to form an independent citizens panel patterned after the Knapp Commission, which investigated police corruption in New York City two decades ago. Bradley said Wednesday that he plans to appoint the blue-ribbon commission, which would investigate the Police Department, sometime next week.

"[Gates] beat them to the punch," said one police lieutenant who is familiar with the Gates plan and asked not to be named. "He's going to have his own Knapp Commission."

The five-member group appointed by Gates, which he called the "Arguelles Panel," also includes James Zumberge, retiring president of the University of Southern California. The three remaining members will be announced later.

Gates' panel does not conflict with the citizens commission that the mayor's office is putting together, Bradley said. The mayor added that he is not yet ready to name his panel but pledged it would be a group of "independent, credible members . . . whose reputations are beyond question or reproach."

The citizens panel is just one of several strategies designed by Deputy Mayor Fabiani to exert so much political and public pressure on Gates that he will give up his $168,000-a-year job.

These include naming activist and civil libertarian Stanley Sheinbaum, a Gates critic, to fill one of two vacancies on the Police Commission, and on Tuesday replacing one of five Civil Service commissioners who eventually could determine whether Gates should be disciplined or fired.

Council President John Ferraro said it is clear to him that both appointments reflect political "scheming" by the mayor's office. He suggested that the council should consider rejecting Sheinbaum and labor lawyer Larry Drasin, the mayor's nominee to the Civil Service Commission.

"It seems like it's a concerted effort to pack the commissions with people who might not look at this openly and be prejudiced against the chief when they arrive," said Ferraro, who supports Gates.

Bradley, who has denied any attempt by the mayor's office to get Gates to quit, also rejected suggestions that the two commission appointments were politically motivated. "There has been no desire whatsoever to load up . . . any commission," the mayor said.

He urged council members to "wait and hear from the nominees. . . . Those are carefully considered nominations [that] I think are going to stand up."

Fabiani, the mayor's chief of staff, met Wednesday with representatives of the church-based Southern California Organizing Committee, who have scheduled a Friday press conference to demand Gates' resignation, said spokesman Rev. David O'Connell.

Group officials, who say they represent 83,000 families in the southern sections of Los Angeles, discussed with Fabiani "what we would be working for in the next few months," O'Connell said after the meeting. He said the group's stand and the timing of its demand for Gates' resignation were decided independently of Bradley's office.

"We are on our own agenda," he said.

The United Neighborhood Organization, an Eastside sister group of the Southern California Organizing Committee, has scheduled a press conference today to demand that Gates resign. United Neighborhood officials said they were not aware of any communications with Bradley's office.

Several City Council members said they have been in touch with the mayor and Fabiani, and have been kept abreast of developments in the movement to dump Gates.

Woo said he phoned Bradley minutes before his news conference to make sure that his call for Gates' ouster would not interfere with any plans in the mayor's office.

Bradley said it was "OK," Woo recalled.

Woo said that calling for Gates to step down "has not been an easy decision for me." He cited several reasons why Gates is "no longer capable" of providing moral leadership and setting the right tone for the conduct of his officers. He said that Gates has made "comments about Rodney King's past criminal record, as if it partially justified the beating."

More troublesome, Woo said, are the concentrated efforts by Gates to save his job rather than "managing the department."

"By pitting his personal supporters against his critics, Chief Gates has placed himself at the center of a fight which threatens to tear this city apart," Woo said.

Woo scheduled his press conference to begin 30 minutes before Braude's after learning that Braude intended to make a statement about Gates, City Hall sources said. But Braude stopped short of calling for Gates' ouster.

"This has become a major catastrophe for the city and a major disaster for the Los Angeles Police Department," Braude said. "I am deeply concerned with Chief Daryl Gates' assessment that the beating represented a mere aberration."

Braude said it is clear that the King episode represents a pattern of abuse. He said that Gates either knew such a pattern existed and tolerated it—or should have known about the problem.

Only when repeatedly pressed by reporters did Braude say that he favored the removal of Gates. "I would like to see him resign, but I am not demanding his resignation at this time," he said.

An effort to recall Gates was given legal clearance on Wednesday by the city attorney's office. Deputy City Atty. Arthur B. Walsh wrote in an opinion to the city clerk that Gates can legally be recalled, despite laws requiring employees to receive a hearing before they are disciplined. Voters can decide a recall "upon any basis which they see fit," Walsh wrote.

Gates has been served with a notice of the recall attempt, initiated by City Council candidate Kerman Maddox, and has until April 5 to submit a 300-word response, said City Clerk Elias Martinez. Recall proponents then have 120 days to collect nearly 64,000 signatures needed to place the recall question on the ballot.

City law gives the clerk and City Council up to four months after that to put the matter before voters, Martinez said.

Responding to the deep split between his supporters and detractors, Gates said Wednesday: "I am torn by two groups. That's a difficult position to be in. If I go with one group, I dissatisfy the other and vice versa. I respect both groups and I'm going to try to be a very good chief of police as I've tried for a very long time."

HOW THE COUNCIL STANDS ON GATES

Views from Los Angeles City Council members on whether Police Chief Daryl F. Gates should resign:

- ***2nd District, Joel Wachs:** No position.
- **3rd District, Joy Picus:** "I think we're better off if he stays. He can involve himself in making the changes. He recognizes the importance of doing it and I think he is committed to doing it."
- ***4th District, John Ferraro:** "We ought to let Daryl do what he can to correct the situation. In the long run, we will be a better Police Department."
- **5th District, Zev Yaroslavsky:** "I think the chief should retire in August when he turns 65."
- ***6th District, Ruth Galanter:** No position.
- **7th District, Ernani Bernardi:** "I think something very beneficial can come from all of this. I'm very optimistic Daryl Gates can be the key."
- **8th District, Robert Farrell:** No position.
- ***10th District, Nate Holden:** "I'm neutral. I'm not taking a position."
- **11th District, Marvin Braude:** "I would like to see him resign, but I am not demanding his resignation at this time."
- ***12th District, Hal Bernson:** "I'm not one of those clamoring for his head. That's going to be his call. . . . I think he's been a good chief."
- **13th District, Michael Woo:** "The time has come for Chief Gates to resign. . . . If Chief Gates does not resign, the Police Commission should initiate proceedings to dismiss him."
- ***14th District, Richard Alatorre:** "I think ultimately that is a decision he has to make. . . . I question whether so long as he is the central point of protest by people whether he can [restore public confidence]."
- **15th District, Joan Milke Flores:** "My preference is that the chief stay. You need someone who is strong, someone who has the confidence of his employees, someone who has the understanding that he has to get to the bottom of this, rather than someone new."

NOTE: The 1st District City Council seat has been vacant since Gloria Molina was elected to the Los Angeles County Board of Supervisors. The 9th District Council seat has been vacant since the death of Gilbert Lindsay.

* Denotes council members currently up for reelection.

Compiled by Times staff writer Glenn F. Bunting

(Mount Clipping in Space Below)

King suspect in robbery; clerk shot

By Howard S. Gantman
COPLEY NEWS SERVICE

As embattled Los Angeles Police Chief Daryl Gates laid out a plan designed to restore confidence in the LAPD, police and prosecutors called for an investigation of Rodney King as a suspect in an armed robbery that occurred 10 days before his videotaped beating by police, officials said.

King has been identified as a suspect in the Feb. 21 holdup of a Sun Valley video store in which a store clerk was shot and wounded, Los Angeles Police Department officials said Wednesday.

Police said King's "name came up" on Tuesday during an investigation of the robbery, but refused to say how he was identified as a suspect.

Los Angeles police Cmdr. Rick Dinse, who is heading the department's investigation of the King beating, said that he contacted the California attorney general's office on Wednesday and asked them to take over the robbery investigation.

On Wednesday, Gates announced a 10-point plan designed to bolster public confidence in his department and decrease incidents of police brutality.

Gates said a key part of his proposal is the establishment of an independent panel to study the department's training procedures regarding the use of force, examine previous abuse complaints and recommend improvements.

But Mayor Tom Bradley, who has repeatedly suggested that Gates' resignation would speed the "healing process" in Los Angeles, said the new proposal was too little and too late.

"It seems to me that these are things that were called for a long time ago; why they have not been done I don't know," Bradley said. He said he plans to announce his own blue-ribbon panel next week and suggested his would have much greater authority in reviewing problems in the 8,300-member force.

Gates said retired California Supreme Court Justice John Arguelles would chair the panel, which would include James Zumberge, retiring USC president. Arguelles would also name three other members from a cross-section of the community.

In an interview, Gates said he had first asked Gov. Pete Wilson to name a statewide commission to investigate training procedures and the excessive use of force by law enforcement officers throughout California. But he said Wilson believed it should remain a local matter.

James Lee, a spokesman for Wilson, concurred with Gates' assessment, noting that "the chief asked about the commission" but the governor concluded "it was a local intervention issue and it ought to be dealt with on that level first."

Gates' announcement received a lukewarm reception from acting Police Commission President Melanie Lomax, one of the chief's harshest critics.

"It doesn't really address the very deep-seated doubts and suspicions about his leadership and in particular whether or not he has established or set the negative hostile tone and philosophy in terms of the department," Lomax said.

Recall may proceed

In a related development, City Attorney James Hahn issued a formal legal opinion that a little-known section of the city Charter allows the recall for general managers.

Hahn's ruling cleared the way for a recall Gates drive set up by City Council candidate Kerman Maddox and a group of community activists.

Maddox needs about 57,000 signatures within four months of the official start of the recall. Once the signatures are certified by the city clerk, the council would be required to hold a special election within 90 days.

Also, an attorney for Rodney King, whose beating by at least three police officers as 22 others watched sparked a national outcry, has filed an $83 million claim against the city on behalf of King.

FBI/DOJ

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FBI — LOS ANGELES

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Woo wants Gates out

Earlier in the day, City Councilman Mike Woo became the first city elected official to demand the chief resign.

"The time has come for Chief Gates to set his personal concerns aside in the best interest of the Police Department and to let new leadership restore public confidence in the men and women of the LAPD," Woo said.

The announcement by Woo — a possible candidate for mayor in 1993 — was followed by statements from at least two other council members that the chief's departure would help the city move forward following the controversial beating.

"If Chief Gates decided to resign that might be a useful thing for him to do," said Councilman Marvin Braude, who stopped just short of demanding that Gates step down.

Councilman Zev Yaroslavsky added: "I would hope the chief would retire, retire when he turns 65, he is going to turn 65 in August."

The mayor, meanwhile, sought to downplay speculation he was putting additional pressure on Gates to resign by moving Civil Service Commissioner Claire Bronowski to the Municipal Auditorium Commission and replacing her with Lawrence Drasin.

"There has been no desire whatsoever, as you put it, to load up any commission," Bradley said.

Drasin is a labor lawyer with close ties to Los Angeles County Federation of Labor leader Bill Robinson, a staunch ally of the mayor, who has called for Gates' resignation.

'Stacking the deck'

But several council members said it appeared that Bradley was "stacking the deck" against Gates and suggested they may turn down the mayor's commission changes.

"I'm tired of the scheming and pleading that is going on in the mayor's office. I don't think it is fair and I think the council has to take initiative and reject some of these new appointments," Council President John Ferraro said.

Councilwoman Joan Milke Flores, meanwhile, sought to counter the anti-Gates furor.

"My preference would be that the chief stayed and make the necessary changes in the department," Flores said.

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(Mount Clipping in Space Below)

Gates Offers Plan to Revive Confidence in the LAPD

■ **Police:** Ex-state Justice Arguelles will head panel examining misconduct. Rights leaders criticize program.

By HECTOR TOBAR
TIMES STAFF WRITER

In a sweeping program to restore confidence in a Police Department tarnished by the videotaped beating of Rodney G. King, Chief Daryl F. Gates announced Wednesday a 10-point plan to examine the causes of police misconduct and improve community relations.

■ **KING INVESTIGATED**
New armed robbery allegations against beating victim Rodney King are being investigated. **B1**

Gates said he has asked retired state Supreme Court Justice John Arguelles to chair a five-member panel that will examine incidents in which officers have used excessive force and recommend reforms of LAPD policies.

Other elements of the plan include a psychological profile of officers who commit violent acts and an extensive review of department training procedures.

"We must look for any and all conditions that may have contributed to the development of attitudes and patterns of behavior that could have led to this kind of gross misconduct," Gates said.

The chief added that the Police Department must develop improved methods for teaching recruits "a reverence for the law" and "a more compassionate understanding" of the city's cultural diversity.

High-ranking department officials said the plan was the product of 2½ weeks of meetings between the chief and his top assistants as the department attempts to respond to one of the worst crises in its recent history.

One of the LAPD officials involved in drafting the plan, Cmdr. Bob Gil of the press relations section, said the beating had prompted a much-needed self-reflection within the department.

Gil said the department recognizes it has its share of bad officers. "Officers are found guilty of a whole range of things," he said. "We discipline those people; it exists. This [the King beating] shows that things were getting a little lax. . . . Something happened here. Let's look at ourselves."

Gates and the Police Department have come under intense criticism since the March 3 beating of King, who was struck more than 50 times by officers wielding batons. Recorded on videotape, the incident has become a national symbol of police brutality, prompting calls for Gates to resign.

The Los Angeles County Grand Jury indicted four officers in the incident on March 15.

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The measures announced Wednesday by Gates were almost immediately criticized by civil rights leaders who have called for the chief to step down from the post he has held for 13 years.

"These are minor, insignificant steps, designed to quell the calls for Chief Gates' resignation," said Ramona Ripston of the American Civil Liberties Union.

"We welcome any changes that the Los Angeles Police Department is going to implement to make itself more responsible to this community," Ripston continued. "However, this does nothing to solve the problems of the department. The department needs new, vigorous leadership with innovative ideas about policing."

In a tacit admission that the public has lost confidence in the department's ability to police itself, the chief's 10-point program includes sending teams of police supervisors to make unannounced spot checks on field officers. The program will also establish a toll-free telephone hot line for citizens to report complaints of excessive force.

Other elements of the program announced by Gates:

- Dr. Martin Reiser, the department's chief psychologist, will profile officers involved in the King beating and other cases of police abuse. His findings will be used in the department's screening of new recruits.
- The department will strengthen its system of random monitoring of both voice and computer communications between officers. Some of the officers who participated in the King beating were found to have made racial slurs in computer messages just before the incident.
- The LAPD's Planning and Research Division will conduct quar-

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terly opinion surveys in each of the department's 18 divisions for public "feedback" on police services.

- Renewed discussions with the federal government to "commit a significant amount of resources" to the development of new police technology that will provide "more modern, non-lethal alternatives to . . . the club and pistol."
- Cmdr. Rick Dinse, formerly a captain in the San Fernando Valley, has been assigned as the chief's "personal, full-time" liaison to the government agencies—including the FBI—conducting investigations of the King beating.
- Cmdr. Mike Bostic, currently acting chief of operations in the South Bureau, will lead a review of the department's training procedures. Bostic will also study police training methods in cities across the country.

Mayor Tom Bradley praised elements of Gates' program but said it was overdue, while some civil rights groups said the plan falls woefully short of the reforms needed to prevent future incidents of brutality.

"While I am pleased that the chief is looking at these kinds of things, my only concern is it seems to me that these are things that were called for a long time ago," Bradley said at a press conference Wednesday.

"As to why they have not been done, I do not know," Bradley continued. "I think his efforts to have an independent committee take a look at some aspects of excessive use of force is beneficial."

Danny Bakewell, president of the Brotherhood Crusade, an African-American civic organization, called Gates' program "too little, too late."

He said his organization will continue to call for Gates to resign.

Gates said the Arguelles committee will act independently from a similar review panel soon to be established by Mayor Bradley.

Arguelles, a 63-year-old Irvine resident, was appointed to the Supreme Court in 1987 by Gov. George Deukmejian. He served two years before retiring in March, 1989.

"I know John Arguelles," Gates said. "He's a tough guy, a tough-minded guy. They're not going to sugarcoat anything and I don't want them to."

Arguelles said he first met Gates in 1989 at a Police Academy luncheon honoring the Hispanic Command Officers Assn., a group of Latino LAPD supervisors at the rank of lieutenant and above. Arguelles was the principal speaker at the luncheon.

Arguelles said his committee will avoid discussion of the King beating, choosing to focus instead on Police Department training methods in general and other cases of police brutality that have cost the city millions of dollars in court settlements.

"I hope we can disengage ourselves from all the politics over whether Chief Gates should resign," Arguelles said Wednesday from his Orange County law office.

"I was born in the city of Los Angeles," Arguelles said in explaining why he had accepted the post. "It's a wonderful city and it's going to have a Police Department as long as it's a city. If it has deficiencies, we want to find them and batten down the hatches. . . . Let the chips fall where they may."

Gates said that Dr. James Zumberge, retired president of USC, had also agreed to serve as a member of the panel.

As Gates made his recommendations at a crowded downtown news conference, investigations into the King beating continued.

FBI agents and Los Angeles County district attorney's investigators—sometimes working together—renewed their efforts to interview police officers assigned to the Foothill Division in the North San Fernando Valley, where the March 3 incident took place.

A Justice Department source said the FBI intends to finish its investigation of possible civil rights violations this week, after being met with resistance by many of the division's 246 officers who were advised by their union to seek immunity before talking. Only a handful of officers have agreed to be interviewed.

The 14 district attorney investigators assigned to the King case are concentrating their efforts on the 17 uniformed officers who watched the beating but did not intervene. They are reviewing these officers' actions in other cases, sources close to the case said, and are trying to determine whether still other officers might have participated in an attempted cover-up of the incident.

"The district attorney's investigation is into the Rodney King incident and any officers who may be involved as principals or accessories," said spokeswoman Sandi Gibbons. She said it does not parallel the broad federal inquiry into whether a pattern of racism and police brutality exists.

Late Tuesday, attorneys for King filed an $83-million claim with the city of Los Angeles, naming the four indicted officers as "perpetrators" in the beating. If the claim is not settled within 45 days, King can file a lawsuit.

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(Mount Clipping in Space Below)

Videotape Haunts Officers Who Were at Beating Scene

By LESLIE BERGER
TIMES STAFF WRITER

One says he cannot fall asleep without the image of "that videotape" appearing before his eyes, while another fights tears as he speaks of how mixed up he is.

Another officer with less than a year's experience in the field directed traffic yards away while Rodney G. King was beaten. Still another Los Angeles police officer, his voice tight with tension before slamming down the phone, said of his life since the March 3 incident: "It's been like . . . hell."

However peripheral their roles that night, no matter their inexperience or subsequent anguish, 17 officers who allegedly stood by while colleagues beat a motorist now find themselves the focus of investigations.

Most of those officers contacted refused to be interviewed, and several clearly resent being involved in the King investigation. "I am fed up with this crap!" said one officer when reached by phone. "I did nothing wrong! . . . I didn't see anything! And I'm being hung like everybody else!"

But two Los Angeles Police Department patrolmen, who spoke last week on the condition of anonymity, offered a look at their side of the story and its emotional toll.

"I'm definitely losing sleep over this," one of the officers said. "The first thing you see when you close your eyes at night—and the first thing you see when you keep waking up all during the night—is that videotape."

"I've never been in any trouble myself and this has just been a real stressful incident," the other officer said.

"It's all I hear about," he continued, shifting anxiously from one foot to another and pausing often, as if to hold back tears. "Everywhere I go people talk about this. Everything I turn on . . . they're talking about it. It's just hard to escape it."

Speaking at their homes, the two officers said they and other officers arrived at staggered times as they responded to a call for backup and saw only portions of King's arrest. At least five of the officers on the scene were still on probation because they had less than a year's experience in the field and were there with their training officers, they noted.

Both also said they have learned more from newspapers, television and the videotape than from personal observation. One maintained that by the time he got there, he saw nothing he considered improper.

"At the point I arrived, I didn't see anything incorrect. What I saw was a person already 'tased,' and he was being given orders to lay down and put his hands behind his back, and he wasn't doing that," the officer said, referring to a Taser gun.

"I only saw three or four hits with a baton, then they stopped," the officer continued, adding that those blows—the tail end of a beating consisting of an alleged 56 blows—were delivered to King's legs and thighs. "Nothing out of policy with that," the officer said.

The officer spoke of how the average citizen does not understand the realities of a police officer's work and "the dirty, rotten, nasty stuff you have to do to people in a fight.

"Some of it looks pretty bad," the officer said of the videotape.

"Beating with a baton does not look nice but unfortunately it's something we have to do sometimes to take someone into custody," he said.

"We're not paid to get hurt or to get killed. Tina was killed three weeks ago," he continued, in reference to slain Los Angeles policewoman Tina Kerbrat, "and everyone has forgotten all about her now, haven't they?"

All told, 25 officers from three different agencies—the Los Angeles Police Department, the California Highway Patrol, and the Los Angeles Unified School District—were at the scene. Four LAPD officers have already been indicted for the beating; two LAPD officers were in a helicopter overhead, and two more are believed to have remained in their cars—leaving 13 LAPD officers, two CHP officers, and two officers for the school district as bystanders, according to LAPD Cmdr. Rick Dinse, who has been supervising the department's investigations.

"We're going to see just who has culpability here and fairly and objectively evaluate each person's actions," Dinse said Wednesday.

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FBI — LOS ANGELES

FBI Probe Must Push Forward

The U. S. Justice Department must seize an important opportunity to help restore public confidence in the Los Angeles Police Department in the wake of the Rodney King beating.

Police Chief Daryl Gates has announced his own plan to evaluate and improve police services. But outside, independent authorities familiar with law enforcement, such as the FBI, can do a better job of examining the LAPD's system to determine if problems exist with training, discipline or the chain of command.

The FBI began investigating the King incident shortly after a videotape of the beating was widely televised. The quick response was unusual because federal authorities typically wait until local probes and prosecutions have been completed. But the King case warranted special attention, and the FBI probe now includes contacting all 246 officers in the LAPD's Foothill Division.

As many as 21 LAPD officers were at the beating scene, and additional officers participated in an exchange of derogatory messages on patrol car computers that same night. That raises troubling questions. Was the verbal behavior consistent with the physical behavior in the King case? Did officers feel free to joke about racial groups, or the use of force, in transmissions? Was this a callous disregard of department policy? Were there no sanctions for making such comments? The answers are best obtained by independent investigators.

Many officers have refused to cooperate with the FBI without guarantees of immunity from future prosecution. Officers have the right not to make statements, but federal investigators must not be deterred by efforts to close ranks and stymie the probe.

The FBI investigation is not a fishing expedition. It was prompted by a specific crime. To determine whether discriminatory patterns or policies led to that incident or other incidents that may have denied suspects their civil rights, federal agents must interview as many officers as possible.

The King case is an extreme example of what many minorities have complained about for years, and not just in Los Angeles. A speedy and thorough federal probe could help assuage the national outrage.

FBI/DOJ
44A-LA-119954-D-1982

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Area Chiefs Try to Minimize Fallout From King Beating

By JOSH MEYER
TIMES STAFF WRITER

As the national controversy brewed over the beating of Rodney G. King at the hands of some Los Angeles police officers, Santa Monica Police Chief James F. Keane began getting messages of support from members of his own community.

Keep up the good work, some people told the chief. Don't let the Los Angeles Police Department controversy get you down, said others.

Keane had all the messages, many of which arrived via the city's innovative public computer network, printed up together, and made sure they were read aloud at roll calls and meetings so that every one of his department's 161 sworn officers could hear them.

Fearing that the resulting cloud over the LAPD might spread west to his department, Keane said he wanted to make sure his officers knew that they were not viewed with scorn and suspicion by everyone in the community. "I'm sure the officers on the street get [angry] comments made at them," Keane said this week. "So I think these messages were appreciated."

As Los Angeles police try to weather the turbulence that has come with the King beating and the furor it has created, Keane and the police chiefs of the Westside's other two independent police forces—in Beverly Hills and Culver City—said this week that they have felt the need to address the issue as well.

So far, four LAPD officers have been charged and entered not guilty pleas in the March 3 beating of King. As the investigations continue, the incident has exposed an undercurrent of tension between the LAPD and segments of the community it protects.

LAPD officers say their rules of engagement have informally changed since the videotape of King's beating became national news. They say they have tried to be more cautious and even more courteous, perhaps, and that they have encountered more hostility than usual from the public.

In the relatively peaceful enclaves of Santa Monica, Beverly Hills and Culver City, however, the police chiefs say that much of that tension is, and always has been, absent.

Each of the three police forces has fewer than 200 officers, compared to more than 8,300 on the Los Angeles force. Each department is therefore far easier to manage, with much more direct supervision of officers. The three cities are considerably more affluent and less vulnerable to violent crime than Los Angeles, and citizens are appreciative that serious crimes in many cases actually has decreased during the past few years, the chiefs said.

Keane, Beverly Hills Police Chief Marvin D. Iannone and Culver City Police Chief Ted Cooke said their departments have taken no special measures or issued any directives in the wake of the LAPD controversy.

Iannone and Cooke said they too have talked to their troops in an effort to keep morale up, and to remind them of the need to make sure the appropriate use of force never escalates into police brutality.

(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
Edition: THURS. MAR 28, 1991
WESTSIDE SECTION, PAGE1

Title: AREA CHIEFS TRY TO MINIMIZE FALLOUT FROM KING BEATING

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FBI/DOJ

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Keane brought up the LAPD controversy in meetings with his training officers because, he said, "I wanted to make sure that nothing even close to that happens in this department."

"It's certainly a black mark on law enforcement," Keane said of the videotaped beating. "I was on the streets 20 years, and I never saw anything like that my entire career."

Iannone and Cooke both served as high-ranking LAPD officers before taking over their departments, and both refused to comment on the King incident.

Because of the international allure of Beverly Hills, its 132 police officers are constantly in the spotlight, and have endured controversies in the past. The Zsa Zsa Gabor cop-slapping trial, for one, made headlines around the world, Iannone said.

And although he always stresses the "ever-present necessity for doing the job professionally," Iannone said he and his lieutenants "have tried to drive that message home" doubly hard in recent weeks.

"We've talked about this, but we haven't experienced anything profoundly negative," Iannone said. "The citizens treat us very well, and we try to reciprocate."

The Culver City Police Department is especially sensitive to its image in the community, Cooke said. His department has been sued for alleged brutality, and a federal judge late last year cleared the way for a constitutional challenge to a department policy that limits the ability of citizens to register complaints of police brutality or misconduct.

The lawsuit, which accuses Culver City police of violating a West Los Angeles man's civil rights, is expected to get under way as early as next week.

Cooke said he has seen no need to tell his 117 officers to do anything different in the wake of the LAPD incident, except that they should expect some adverse and unwarranted media publicity and reactions from the public.

"Nothing has happened in the last few weeks that indicates any kind of a substantial problem in law enforcement or in this department," Cooke said.

"But when anyone of us does anything wrong we have legions of people that say . . . it was all the police's fault. It is popular to hate police officers.

"We have to deal with this. I tell [the officers] that they have to expect it, that they are not going to be appreciated."

'Nothing has happened in the last few weeks that indicates any kind of a substantial problem in law enforcement or in this department.'

TED COOKE
Culver City police chief

'I'm sure the officers on the street get [angry] comments made at them. So I think these [positive] messages were appreciated.'

JAMES F. KEANE
Santa Monica police chief

'We've talked about this, but we haven't experienced anything profoundly negative. The citizens treat us very well, and we try to reciprocate.'

MARVIN D. IANNONE
Beverly Hills police chief

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

LAPD says King is suspect in Feb. 21 holdup, shooting

By Jaxon Van Derbeken
and Karen Nikos
Daily News Staff Writers

Los Angeles police and prosecutors have asked the California attorney general to investigate Rodney Glen King as a suspect in an armed robbery that occurred 10 days before his videotaped beating by police, officials said Wednesday.

King has been identified as a suspect in the Feb. 21 holdup of a Sun Valley video store in which a store clerk was shot and wounded, Los Angeles Police Department officials said.

Police said King's "name came up" Tuesday during an investigation of the robbery, but refused to say how he was identified as a suspect.

LAPD Cmdr. Rick Dinse, who is heading the department's investigation of the King beating, said he contacted the Attorney General's Office on Wednesday and asked that it take over the robbery investigation.

Both the U.S. Justice Department and the District Attorney's Office are investigating the Foothill Division, where both the beating and the holdup took place.

"There is a crime report, and Mr. King is a suspect on it," Dinse said.

"I have requested the attorney general take over the case to avoid the problems of appearance of conflict of interest, in all fairness to Mr. King and the department," he said.

"I have no doubt that our investigators are perfectly able to conduct the investigation," Dinse added. "But we're trying to decrease the perception that this department is out to get Mr. King. I think that the Attorney General's Office is the way to do that."

The Los Angeles County District Attorney's Office agreed with the decision to call in state prosecutors, a spokeswoman said.

"We have told the Los Angeles Police Department that it is not the appropriate agency to be investigating this matter," said Sandi Gibbons, a spokeswoman for District Attorney Ira Reiner.

"We believe the investigation should be done by the State Department of Justice," Gibbons said.

Officials in the California Attorney General's Office refused to discuss the case.

King, who is on parole for using a tire iron to rob a Monterey Park grocer in 1989, could not be reached for comment.

His attorney, who has filed an $83 million claim against the city for injuries suffered by King during his March 3 beating at the hands of police, said he was unaware of the new allegation.

"My client has not told me of any involvement in the case," said attorney Steven Lerman. "We don't know about it."

Police officials initially declined to identify the video store, but Dinse confirmed information obtained by the Daily News that it was the Video All Stars store on Glenoaks Boulevard in Sun

(Indicate page, name of newspaper, city and state.)

Date: DAILY NEWS
Edition: THURS. MAR 28, 1991
FRONT SECTION, PAGE 1

Title: LAPD SAYS KING IS SUSPECT IN FEB. 21 HOLDUP, SHOOTING

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FBI — LOS ANGELES

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FBI/DOJ

> *"Since Rodney King is a victim in one (case) and a possible suspect in another, we thought it would be better if an outside agency should do the investigation."*
>
> **— Capt. William Gartland**
> Head of the LAPD's robbery-homicide division

Valley.

Marcos Kaffdos, who owned the store at the time of the robbery but has since sold it, said in an interview that a black man armed with a gun entered the store in the early afternoon on Feb. 21.

The robber fired a shot that hit one of two women who were working in the store, said Kaffdos, who was not present at the time of the robbery. The woman is still recovering from a wound to the left shoulder, Kaffdos said.

Capt. William Gartland, who heads the LAPD's robbery-homicide division, said the weapon used in the robbery was either a sawed-off shotgun or a rifle.

Gartland said that information linking King to the case was uncovered Tuesday by Foothill Division investigators.

"People in Foothill called yesterday and asked us to take over the case," Gartland said.

"Since Rodney King is a victim in one (case) and a possible suspect in another, we thought it would be better if an outside agency should do the investigation," Gartland said.

King, who was paroled on Dec. 27, was reported speeding on March 3 by California Highway Patrol officers, who began a chase that ended when he pulled over in Lake View Terrace.

At least 21 LAPD officers were at the scene, and some of them beat and kicked King while other officers watched.

The scene was captured on videotape by an amateur photographer, and has caused a nationwide uproar over police brutality that has led to increasing pressure for the resignation of Police Chief Daryl F. Gates.

A grand jury has indicted a sergeant and three officers on assault and other felony charges. Those officers pleaded not guilty Tuesday and ordered to return to court today for scheduling of their trial.

Rodney Glen King
State asked to probe robbery

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date: DAILY NEWS
Edition: THURS. MAR 28, 1991
Front Section, Page 20

Title: WOO DEMANDS CHIEF'S RESIGNATION

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APR 23 1991
FBI — LOS ANGELES

Woo demands chief's resignation

By Patrick McGreevy
and Rick Orlov
Daily News Staff Writers

Calls for Police Chief Daryl F. Gates to resign widened Wednesday with Councilman Mike Woo becoming the first council member to demand that Gates quit and Councilman Marvin Braude saying he would "like to see him resign."

A recall drive against Gates gained strength when City Attorney James Hahn issued an opinion saying the City Charter does allow an initiative ballot measure to oust the police chief.

Woo — who tangled publicly with Gates at a council meeting last week — said Gates was not capable of rebuilding the department's tarnished image in the wake of the police beating of Rodney Glen King following a March 3 traffic stop in Lake View Terrace.

"The chief of police has a higher responsibility to provide moral leadership for the department and to set the right tone for the conduct of his officers," Woo said. "Today, Chief Gates is no longer capable of providing that moral leadership."

The beating of King, an unemployed black construction worker, by Los Angeles Police Department officers has raised new concerns about racism in the department, and Woo said that as long as Gates remains on the job he threatens to divide the city.

"Chief Gates is concentrating his effort into saving his job, which instead should be put into managing the department and making changes which would restore the public's confidence," Woo said at a news conference.

The chief has been "pitting his personal supporters against his critics ... (in) a fight which threatens to tear this city apart," Woo said. If Gates continues to resist calls for his resignation, the Police Commission should remove him, he said.

Gates responded at a later news conference that he is trying to get back to running the Police Department and would not be sidetracked by calls for his resignation.

"Everybody has their opinion, Councilman Woo has his opinion," Gates said.

Braude suggested that Gates' resignation would be best for the city but stopped short of calling on Gates to resign outright — echoing the stance taken by Mayor Tom Bradley.

"I would like to see him resign but I will not demand his resignation at this time," Braude said.

No other council members have called on Gates to resign, although Councilman Zev Yaroslavsky said he hopes Gates retires in August when he turns 65.

"It would be appropriate to announce the retirement now," Yaroslavsky said. "If he announced it now, it might enable the city to put itself back together."

When told of Woo's statement, Bradley again refused to demand the chief's resignation, but repeated his statement that the city cannot recover from the incident with Gates at the helm of the LAPD.

"It is my judgment that in order for the healing process to effectively begin there must be retirement of the chief, (his) removal from the center of this controversy before that process can begin," Bradley said.

The mayor bridled when asked why Gates should resign when the mayor didn't step down two years ago when he was the subject

44A-LA-119954-175 FBI/DOJ

"Chief Gates is concentrating his effort into saving his job, which instead should be put into managing the department and making changes which would restore the public's confidence.

— Michael Woo
City councilman

of a city investigation into his financial dealings.

Bradley said that the city attorney cleared him of wrongdoing and that the circumstances were different.

"I don't believe there was the same public outcry," he said. "The call for resignation when it was with regard to my case came from a few people who were not willing to wait for the facts to come in. In this case there's a huge storm of protest that exists out there and I think there's a clear distinction."

Bradley also denied that his replacement of Civil Service Commissioner Clare Bronowski with labor lawyer Larry Drasin on Tuesday was a political move to set up the commission so it would be more likely to fire Gates.

"There has been no desire whatsoever to load up, as you put it, any commission," Bradley said.

Woo said he reached his decision to demand the chief's resignation late Tuesday, after reviewing a report that less than one-third of police misconduct cases are investigated by the LAPD Internal Affairs Division.

The councilman, considered a possible mayoral candidate in 1993, denied any political motivation.

However, Woo did acknowledge that a sharp exchange he had with Gates last week during a City Council meeting played a role.

In that exchange, Gates reacted angrily when Woo asked if the chief was threatening to withhold police services from council members who criticize Gates.

"That is the most insulting thing I've heard on this council floor in all of the time I've been here and I've been here a lot longer than you've been alive," Gates told Woo on March 20.

Other council members continued to either stay neutral or to support Gates.

Council members Joan Milke Flores, Hal Bernson, Nate Holden and John Ferraro said Wednesday that Gates is the best person to make sure changes are made in department policy and practice to prevent a repeat of an incident like the King beating.

Councilmen Joel Wachs and Robert Farrell said they will not call for Gates to quit while the Police Commission still is investigating the King incident and studying possible reforms.

A recall effort against Gates already has been started by a group led by Kerman Maddox, a candidate in the 8th District City Council race. Backers must collect 57,000 signatures in four months, starting April 12, in order to qualify the recall for the ballot.

Once the petitions are validated by the city clerk, the City Council has 90 days to place it on the ballot.

Hahn's opinion, issued to City Clerk Elias Martinez, said the City Charter does allow residents to recall the police chief from his appointed position.

Although the charter gives the police chief civil service protections, other provisions, Hahn's opinion said, "clearly establish that it was the intent of the Charter to permit the electorate to remove appointed officers despite the fact that other provisions for removal already exist."

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Gates offers 10-point plan

Ex-justice will direct policy study

By Rick Orlov
Daily News Staff Writer

Under fire for the police beating of Rodney Glen King, Police Chief Daryl F. Gates announced a 10-point plan Wednesday to overhaul the LAPD, including appointment of a citizens commission to help restore the department's image.

At a Parker Center news conference, Gates said he will impanel a five-member commission headed by former state Supreme Court Justice John Arguelles to study policies regarding the use of force as part of a plan to restore the department's image in the wake of the King incident.

Related story:
■ Woo asks Gates to step down. **Back Page**

Afterward, Gates — who last week said he will step down when he has restored public confidence in the department — said in an interview that he had been close to a decision to retire before the King incident occurred.

"I don't have a siege mentality at all," Gates told the Daily News. "I feel very calm, collected, at ease.

"My wife has been after me for years to retire," said Gates, 64. "This changed things so dramatically. That's why I want to get the issue of whether I should stay or not stay behind me and deal with those issues that I think are important."

King, a 25-year-old black and an unemployed construction worker, was beaten by white officers in Lake View Terrace March 3 after he was stopped for speeding following a short pursuit. The incident was recorded on videotape by a bystander and sparked outrage from the White House to Sacramento.

Disclosures that some of the officers involved made racist comments on police communications systems increased calls by civil rights advocates for Gates to resign. Mayor Tom Bradley has called for a review of racism in the department and has repeatedly said the "healing process" would be helped if Gates retires.

Joining Arguelles on the panel reviewing use of force will be Dr. James Zumberge, the retiring president of USC. Three others to be named will represent a cross-section of the community and be subject to Arguelles' approval, Gates said. He said he hopes to have the report within three months.

"The overall goal will be to reduce the number of incidents of unnecessary force and the attendant liability suffered by the city," Gates said.

"The aftermath of the Rodney King incident has been an exceedingly difficult and trying time," Gates said. "We must look for any and all conditions that may have contributed to the development of attitudes and patterns of behavior that could have led to this kind of gross misconduct."

Gates also said he wants a psychological profile on all officers involved in the King incident or other cases of excessive force, a review of the department's policies and training, and he will require high-ranking command officers to make spot checks of field operations.

Also, Gates said he was starting a 24-hour hot line Friday at 1 (800) 339-6868 for people to call Internal Affairs Division officers to report complaints of excessive force and discuss community concerns.

Part of Gates' proposal to repair the department had been submitted earlier to the Police Commission.

Four officers have been indicted on felony charges for the beating. Late Wednesday, Gates briefed the Police Commission in closed session on the department's investigation into 17 other officers suspected of wit-

(Indicate page, name of newspaper, city and state.)

Date: DAILY NEWS
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FRONT SECTION, PAGE 1

Title: GATES OFFERS 10-POINT PLAN

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nessing the incident and taking no action.

Commissioner Melanie Lomax said Gates told the panel that the department expects to conclude its probe next week.

Bradley gave a mixed reaction to Gates' proposals, saying they do not change his mind that Gates' retirement is needed.

"I'm pleased that the chief at least is looking at these kind of things," Bradley said. "My only concern is that it seems to me that these are things that were called for a long time ago and why they have not been done, I don't know."

The mayor said he still intends to appoint his own independent panel to look at the LAPD.

"His call for a committee that he wants to form will not be in conflict with the commission that I will appoint and will probably announce next week," Bradley said.

Gates, during a nearly one-hour interview following his news conference, said he hoped the program would begin to end the divisiveness that has occurred in the city.

The chief also offered an opinion on why the beating has drawn so much attention.

"I look at what's happening in New York, which was much more serious with a person dying and 30 to 40 officers cheering on the sidelines, I don't see the same outcry," Gates said.

"I think there were two things here. One, it was visual, and secondly, it was the LAPD. I don't think anyone in the world expected it could happen with the Los Angeles Police Department. I think the shock was enormous," Gates said.

"The shock with me was enormous," he said. "I've said over and over again that I was not only shocked it was happening, but that it was my officers doing it. I still don't believe it. I can't believe it."

Gates said he has also taken steps to repair damage with the black community after black leaders broke off formal contact with the department as a result of the King incident. Gates had been meeting with the community leaders every other month for the past several years.

"Some of them have already re-established contact and they are broken away from the original group," said Gates, who declined to identify specific leaders. "We are going to continue to meet and also encourage our command officers to get out in the community and re-establish contact with those we've worked with in the past."

Gates said he was surprised when black leaders announced plans to end the sessions. In breaking off the meetings March 15, black leaders said Gates failed to grasp the gravity of the situation.

While he said he has come to believe that Bradley is behind an organized effort to seek his ouster, Gates denied that he had played a similar role in encouraging his officers and citizen groups to support his own tenure.

"Those things have been spontaneous," Gates said. "There's nothing I have done to stimulate those. Actually, I think they've come in response to what others have done, the calls from the other side.

Bradley has repeatedly denied orchestrating widespread calls by civil rights leaders and others across the country for Gates to step down.

"I must admit, I didn't believe it at first," Gates said.

The police chief said he changed his mind because the mayor has repeatedly called for Gates to step down — indirectly — by saying it is the only way to restore public confidence in the department.

"I guess I was incorrect," Gates said. "But I don't think that makes any difference."

Gates said his departure would be an easy solution for Bradley and other city elected officials.

"It's the easy way to get rid of the problem. Only (Bradley's) finding it's not so easy. I'm going to hang on to my head."

Part of the reason for the intensity of the attacks on him, Gates added, is the fact there are City Council elections April 9. One candidate is leading a recall drive against the chief.

Daily News Staff Writer Patrick McGreevy contributed to this story.

WEDNESDAY'S DEVELOPMENTS

Following are Wednesday's developments in the case involving the beating of Rodney Glen King by Los Angeles police officers:

GATES

GATES OUTLINES OVERHAUL

Police Chief Daryl F. Gates announced a 10-point plan to revamp the LAPD, including appointment of a citizens commission to help restore the department's image. Gates said he will impanel a five-member commission headed by former state Supreme Court Justice John Arguelles to study policies regarding the use of force as part of a plan to restore the department's image. Gates also said in an interview that "I don't have a siege mentality at all. I feel very calm, collected, at ease. **Page 1**

KING NAMED AS SUSPECT

Los Angeles police and prosecutors have asked the California attorney general to investigate Rodney Glen King as a suspect in an armed robbery that occurred 10 days before his videotaped beating by police. King has been identified as a suspect in the Feb. 21 holdup of a Sun Valley video store in which a store clerk was shot and wounded, police officials said. **Page 1**

WOO CALLS FOR GATES TO STEP DOWN

Los Angeles City Councilman Mike Woo became the first councilmember to demand that Gates quit and Councilman Marvin Braude said he would "like to see him resign." Woo said Gates was not capable of rebuilding the department's tarnished image. **Back Page**

RECALL EFFORT

A recall drive against Gates gained strength when City Attorney James Hahn issued an opinion saying the City Charter does allow a ballot measure to oust the police chief. **Back Page**

THE CHIEF'S PROPOSALS TO RESTORE PUBLIC TRUST

Here is the 10-point plan announced by Daryl F. Gates to restore confidence in the LAPD:

PANEL TO REVIEW PROCEDURES
A five-member panel to be headed by retired state Supreme Court Justice John Arguelles will examine use-of-force procedures.

POLICIES ON FORCE TO BE EXAMINED
An LAPD commander will examine use-of-force policies and training and compare them with excessive-force complaints. Training procedures by other departments around the country will also be reviewed.

LIAISON TO OTHER AGENCIES
An LAPD commander will serve as liaison with other law enforcement agencies investigating the department.

PSYCHOLOGICAL PROFILES
An LAPD psychologist will perform psychological profiles of officers involved in the King incident as well as any officers involved in complaints of excessive force to try to identify behavior or attitude problems.

SPOT INSPECTIONS IN FIELD
High-ranking command officers will make spot inspections to review performance.

COMMUNICATIONS MONITORING
The department will increase random monitoring of voice and computer communications.

COMPLAINT HOT LINE
A telephone hot line — 1 (800) 339-6868 — will be staffed on a 24-hour basis for people to call in complaints of excessive force.

OPINION SURVEYS
Public opinion surveys will be conducted to assess views on LAPD performance.

NEW WEAPON TECHNOLOGY
The LAPD will seek federal assistance to find non-lethal alternatives to batons and pistols.

COOPERATION
The department will cooperate with any official agency looking at the LAPD and make appropriate changes in policy or training.

John McCoy/Daily News

Chief Daryl F. Gates will impanel a citizens commission to review LAPD policies.

D-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

City attorney: Gates recall effort valid

City News Service

LOS ANGELES — A grass-roots effort to recall Daryl Gates is legally valid and could force a special ballot to determine if the police chief should be removed from his post, City Attorney Jim Hahn said Wednesday.

In a 14-page opinion, Hahn said the City Charter provision that authorizes the recall of city department heads is applicable to the position of chief of police.

Community activists and religious leaders — angered at the March 3 beating of Rodney King by a handful of police officers — began a recall movement last week to force Gates out of office.

But Assistant City Attorney Fred Merkin had questioned the validity of the recall effort,

Daryl Gates

despite a 1987 opinion that said all city department heads are subject to recall.

Hahn said Gates can face a recall despite Civil Service system protection.

(Indicate page, name of newspaper, city and state.)
P. 1
San Gabriel Valley Tribune
West Covina, California
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Daily

Title: CITY ATTORNEY: GATES RECALL EFFORT VALID

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Title: L.A. POLICE ASK STATE TO PROBE NEW ROBBERY ALLEGATIONS AGAINST KING
Character: CIVIL RIGHTS
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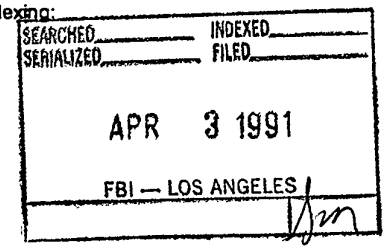

L.A. Police Ask State to Probe New Robbery Allegations Against King

By RICHARD A. SERRANO
and TRACY WOOD
TIMES STAFF WRITERS

The state attorney general's office has been asked to investigate whether Rodney G. King committed an armed robbery 10 days before he was beaten by a group of Los Angeles police officers, law enforcement officials said Wednesday.

Los Angeles police said they began gathering information earlier this week that King may have brandished a weapon in the Feb. 21 robbery of a northern San Fernando Valley electronics store.

Citing a potential conflict of interest because Los Angeles Police Department officers were involved in the March 3 beating, detectives asked the attorney general's office to review the armed robbery case and determine whether King is a suspect. The robbery allegedly occurred in the LAPD's Foothill Division, the same area where King was stopped by officers and beaten.

"In all fairness to Mr. King, we want to avoid any conflict of interest here," said Police Cmdr. Rick Dinse, who is coordinating the King beating investigation.

King, a 25-year-old parolee, could not be reached for comment Wednesday, but his aunt, Angela King, said he was working at Dodger Stadium on Feb. 21.

"Every time something happens, they [police] are trying to tie him up with all these robberies and stuff," she said. "This boy has not been in any trouble since he did his time [in prison] and came home."

After the beating was captured on videotape, criminal charges were filed against four Foothill officers, and there have been repeated calls for the resignation of Police Chief Daryl F. Gates.

Police were unusually close-mouthed Wednesday about the robbery investigation, saying they did not want any information released because the attorney general may assume control of the case.

Dinse said that on the advice of the Los Angeles County district attorney's office, which is prosecuting the four officers, the Police Department has asked the attorney general's office to take the case.

"If Mr. King's guilty of anything, it should be fairly dealt with there, and if he isn't, it should be cleared up very quickly," Dinse said.

Dave Puglia, a spokesman for the attorney general's office in Sacramento, refused to discuss the matter. "I can't get into it at all," he said.

Sandi Gibbons, the district attorney's spokeswoman, said her office is not involved in the case.

"We have told the Los Angeles Police Department that it is not the appropriate agency to be investigating this matter," she said. "We believe the investigation should be done by the state Department of Justice."

King was paroled two months before he allegedly led police on a chase that ended with the beating in Lake View Terrace. He had been paroled after pleading guilty in the second-degree robbery of a Monterey Park grocery in November, 1989.

In the more recent robbery case, Foothill police detectives learned that King was a possible suspect only after the beating. But Dinse declined to discuss who identified King as a potential suspect, or why.

"All I can say is someone came forward with the identification af-

44A-LA-119954-D-179 FBI/DOJ

ter the March 3 incident," he said. "Once we found out about it, we took it away from Foothill and reassigned it to robbery-homicide" detectives downtown.

"They now are just collecting the paperwork and getting the information together."

Capt. William Gartland, who supervises the robbery-homicide bureau, said: "The only information I have is that the suspect was armed with a gun. We're not sure what kind. It was described as either a sawed-off shotgun or a sawed-off rifle, and the victim did sustain a gunshot wound."

However, other police officials interviewed Wednesday did not confirm whether someone was shot.

In another development Wednesday, police said another possible witness to the King beating stepped forward this week. The witness claimed that King was uncooperative in the moments before the beating.

"We were informed that he [the witness] had some very important information regarding the incident," Dinse said. "I don't think there is any big revelation in anything he says."

Times staff writer Leslie Berger contributed to this story.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
Date: THURS. MAR 28, 1991
Edition: Front Section, Page 28

Title: N.Y. PREACHER AL SHARPTON PLANS L.A. PROTEST IN AN ATTEMPT TO FORCE GATES TO QUIT
Character or Classification: CIVIL RIGHTS 80-33B
Submitting Office: LOS ANGELES

Indexing:
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APR 3 1991
FBI — LOS ANGELES

N.Y. Preacher Al Sharpton Plans L.A. Protest in Attempt to Force Gates to Quit

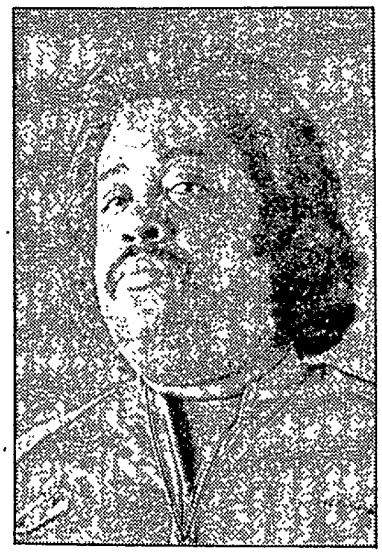
By SHERYL STOLBERG
TIMES STAFF WRITER

The Rev. Al Sharpton, the controversial New York City preacher and civil rights advocate, is bringing his flamboyant brand of protest to Los Angeles in an attempt to force Police Chief Daryl F. Gates out of office.

Declaring that Gates is "now a national symbol of police brutality," Sharpton—who was scheduled to arrive in Los Angeles Wednesday night—vowed in a telephone interview to stage a massive, nonviolent demonstration Friday in Los Angeles.

"I'm willing to do everything from tying up the freeways to sitting in police headquarters to having a prayer vigil," he said. "My thing is that I know how to mobilize masses of people in one direction and that's what I intend to do. I can guarantee you that Saturday morning, L.A. will know that we protested."

With his pompadour hairdo, his expansive waistline and a penchant for wearing jogging suits, Sharpton is frequently featured in New York's racy tabloid press. The Pentecostal preacher (he is not affiliated with any church) once described himself as a "loose cannon" who gets "white folks all riled up."



ELENA SEIBERT

Rev. Al Sharpton

Sharpton gained notoriety in 1987 for his role in the sensational case of Tawana Brawley, a 15-year-old black girl who claimed she had been raped by six white men. Sharpton advised Brawley and her family not to cooperate with investigators; a grand jury later concluded the rape never took place.

As news of Sharpton's visit filtered through Los Angeles, Mayor Tom Bradley and others expressed concern that the colorful minister might further divide a city that is seriously split in the wake of the police beating of Altadena resident Rodney G. King.

"I think that what we need is an effort to heal this community, not something that is going to inflame them," Bradley said at a morning press conference. "I am not going to prejudge what he may say but I hope that anybody who comes to town will keep this in mind."

Samuel Paz, a lawyer who specializes in police misconduct cases and has criticized the LAPD in the wake of the King beating, said: "I hope he takes the time to learn the dynamics of our city before he takes a public position. . . . I don't have any problem with his input or his comments as long as they are constructive and helpful."

At the Los Angeles Police Department, where Gates on Wednesday unveiled a sweeping, 10-point plan to make the LAPD more responsive to citizens complaints, the reaction to Sharpton was cool.

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"Let Mr. Sharpton do what he's going to do," said Cmdr. Robert Gil, the department's top press officer. "We're trying to get going in a positive way, moving forward and getting the department back to more of standard operating procedure."

Sharpton was invited to Los Angeles by Elizabeth Munoz, last year's Peace and Freedom Party candidate for governor, and Lawrence Grigsby, a lawyer and South-Central Los Angeles community activist who ran for Congress last year. Grigsby said he and Munoz believe Sharpton can bring a national perspective to the King beating, and possibly turn out more protesters than local civil rights groups have.

"I hate to criticize them [the local activists] but I certainly am not pleased," Grigsby said. "If Chief Gates can raise between 3,000 and 4,000 people to say he should stay, how come these people can't raise 600?"

But a spokesman for the Brotherhood Crusade, an African-American civic group that has been organizing protests against Gates, said the demonstrations have gone well. "I think that there is a very forceful, organized effort here," said Ralph Sutton, "and I think that the pressure is being felt."

"We are so involved and focused on what we are doing that we really haven't been paying any attention to Mr. Sharpton's visit here," Sutton said.

In New York, Sharpton has been involved in countless protests in which race has been a factor. After white youths attacked three young blacks in Howard Beach, Queens, he led massive "Days of Outrage" demonstrations that shut down traffic on the Brooklyn Bridge and halted subway service in Brooklyn and Manhattan. In January, Sharpton was stabbed in the chest as he prepared to lead a demonstration through the Bensonhurst section of Brooklyn, in protest of the death of Yusef Hawkins, a black youth slain by a white mob.

In Los Angeles, however, Sharpton said he does not expect to even meet with King, the black motorist whose brutal beating at the hands of white Los Angeles police officers has touched off a national outcry over police misconduct. "I don't think King is the issue," he said. "I think Gates is the issue."

LOS ANGELES TIMES, Friday, March 29, 1991

Grand Jury Widens Probe of King Beating

By RICHARD A. SERRANO
and RONALD L. SOBLE
TIMES STAFF WRITERS

The Los Angeles County Grand Jury began taking testimony Thursday from a series of Los Angeles police officers who were bystanders at the Rodney G. King beating, placing the officers in the position of either testifying against each other or facing the possibility of being fired.

The testimony, which follows indictments against four Los Angeles Police Department officers for allegedly assaulting King on March 3, signals that the grand jury is widening its criminal investigation and weighing evidence against another 17 officers for not stopping their colleagues as they repeatedly struck and kicked the 25-year-old black man in the north San Fernando Valley.

In another development, a black police officer told The Times that she found a Knights of the Ku Klux Klan business card proclaiming "Racial Purity Is America's Security" on her car while it was parked in a secured police lot at the Foothill Division station.

Officer Janine Bouey said she observed several examples of racial

■ **RELATED STORIES:** A3

bigotry while she worked at the station between 1987 and 1989, including white officers freely using derogatory terms against black officers.

The beating of King, captured by a man using a home video camera, has ignited cries from some community leaders that longtime Police Chief Daryl F. Gates should be removed because he has allowed racism in his department.

The crisis has also polarized the Foothill Division, where the ac-

Please see BEATING, A22

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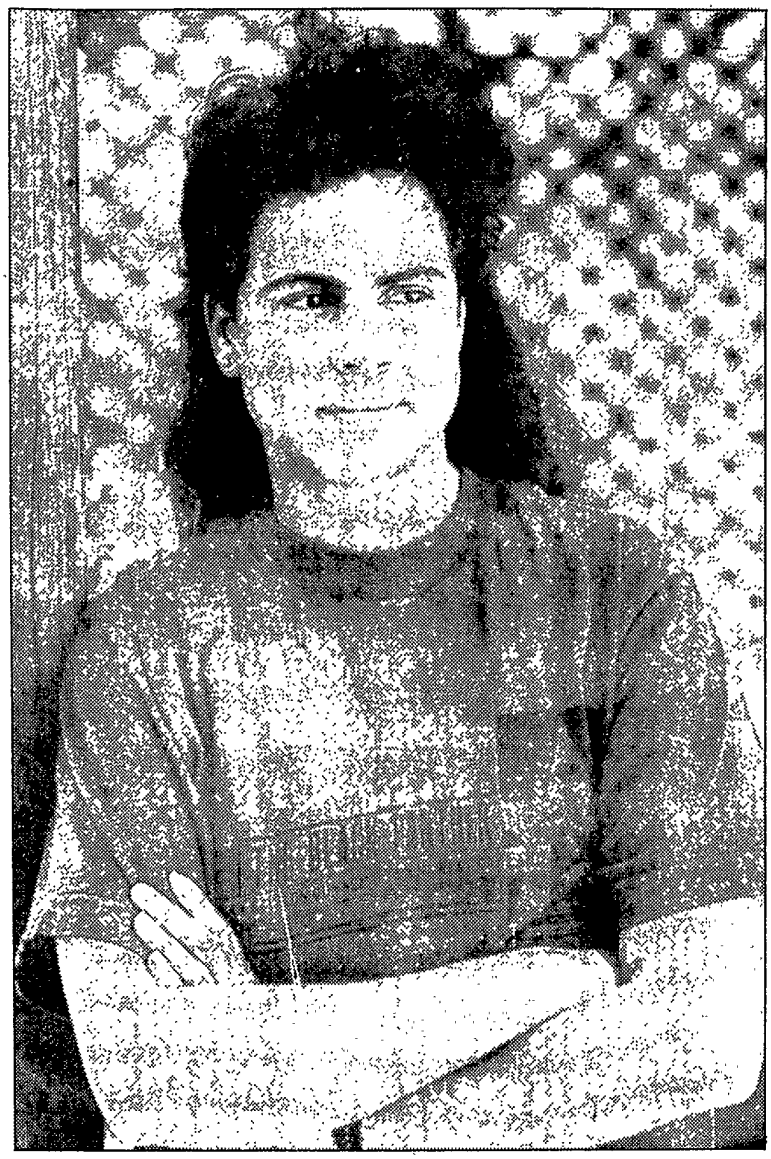

LARRY DAVIS / Los Angeles Times

Los Angeles Police Officer Janine Bouey says a KKK business card was placed on her car in a secure Foothill Division parking lot.

BEATING: Grand Jury Widens Investigation of King Beating

Continued from A1

tions of many of the officers are being reviewed by the FBI and the police internal affairs unit for possible civil rights violations and other acts of misconduct.

As the grand jury probe broadens, the panel is gathering evidence on whether any Foothill officer who stood by during the beating actually committed a felony by "aiding and abetting" the assault on King.

LOS ANGELES TIMES

Their testimony inside the grand jury room is placing the officers in a delicate position. Some may be hesitant to provide evidence against their fellow officers, and also may be worried about what their colleagues are saying about them.

Also, a "special order" issued two years ago by Gates warns that all police officers risk losing their jobs if they refuse to testify before grand juries about any criminal activity they witness.

"We're walking a very thin line here," said Diane Marchant, a criminal defense attorney who is advising the officers who were spectators during the beating. "We're trying to stay within the chief's order without giving away the store."

She said four rookie officers who were at the scene have told her of their frustrations over being called before the grand jury.

"This came on very suddenly," she said. "The officers are calling up and saying, 'What should we do?' And all we can say to them is that the information can in some way be used against them."

Marchant said that each officer who stood by brings a different perspective to what happened to King. The Altadena man, who had been on parole for an armed robbery conviction for two months, was stopped in Lake View Terrace after a police chase that began on Interstate 210.

Police officials have said 21 LAPD officers went to the scene, including the four indicted, 15 others on the ground, and two in a police helicopter. Four California Highway Patrol officers and two security officers from the Los Angeles Unified School District also were present.

"It was broadcast on a frequency the LAPD monitors," Marchant said of the chase. "All of the units heard it and they were responding from various distances and arriving at various times.

"As for what they saw, it depends on when they arrived, where they parked, what they could see, whether they saw enough officers already at the scene, and if they turned around and left.

"It's a real mixed bag, and every officer remembers something a lit-

tle different. Each officer has a slightly different viewpoint."

If the officers refuse to describe how their colleagues stood around during the beating, they could be severely punished.

In November, 1988, Gates issued Special Order No. 24, which established a Police Department policy informing officers of their duty to testify before any grand jury, coroner's inquest or court proceeding.

The order states:

"When police officers acquire knowledge of facts which will tend to incriminate any person, it is their duty to disclose such facts to their superiors and to testify freely concerning such facts when called upon to do so, even at the risk of self-incrimination.

"It is a violation of duty for police officers to refuse to disclose pertinent facts within their knowledge, and such neglect of duty can result in disciplinary action up to and including termination."

Said Marchant: "To a peace officer, particularly in the LAPD, his job is very important to him and he's going to do everything he can to not get an insubordination charge against him, because that can be a firing offense."

A Los Angeles Police Protective League source added: "They don't have any choice. They have to go in and rat on each other."

One officer who has come forward is Janine Bouey, 31, who told The Times how in the early spring of 1989, she was startled to discover a small card displaying the KKK signature tucked under the windshield wiper of her late-model Volvo station wagon. The car was parked in an area accessible only to officers, she said.

Along with the words "Holy Order Knights of the Ku Klux Klan," the card displayed a logo with a cross inside a circle and gave a Sunland post office box for inquiries and copies of the Klansman Newsletter.

"It made me nervous," she said.

Bouey said she complained to Foothill Capt. Valentino Paniccia, who told her racism does not exist at the northern San Fernando Valley station. "No one else has ever complained, you're the first one," she said in quoting Paniccia.

But Bouey said it was the second incident she knew of involving a KKK card appearing at Foothill. The first instance, she said, occurred a few days earlier when a black male officer found one on his locker.

Paniccia could not be reached for comment. But Lt. Fred Nixon, a Police Department spokesman, said: "We need time to look into Bouey's allegations and after doing that we will respond in any way

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LOS ANGELES TIMES

A24 FRIDAY, MARCH 29, 1991 ★

BEATING: Inquiry Grows

Continued from A22

that seems appropriate."

Bouey said she has been suspended without pay by the LAPD for three minor infractions, each time for a period not exceeding five days.

Ultimately, she was given a transfer out of Foothill and is now an officer in the Harbor Division where she also works as a police defense representative. Bouey said she plans to continue her LAPD career despite her perception of deeply rooted racism in some of the divisions such as Foothill. "To be black in the LAPD," she said, "is a liability."

Bouey said she hopes to tell her story to the FBI as part of its investigation of the Foothill station.

On Monday, after news of the FBI inquiries at Foothill surfaced, Bouey said she received an unexpected call from Sgt. Charles Beck of the internal affairs unit. She said Beck wanted to assure her that another officer who sent her a racist message more than two years ago had been suspended for a few days without pay.

Bouey asked Beck if the FBI actions suddenly prompted the call. She said he replied, "No." Beck could not be reached for comment.

Also on Thursday:

• Los Angeles Superior Court Judge Bernard Kamins ordered the four indicted officers—Sgt. Stacey C. Koon, Laurence M. Powell, Timothy E. Wind and Theodore J. Briseno—to stand trial May 13.

Kamins, a 48-year-old one-time public defender who took the bench in 1986, was given the case after attorney Paul De Pasquale, who represents Wind, objected to the first trial judge, Superior Court Judge John Reid.

Defense attorneys complained that the case is moving too fast to trial, with one saying he was not sure whether he could be ready because he could not predict the future.

"Well, I can predict the future," Kamins said. "The future is you should be ready to go."

After the court hearing, De Pasquale wondered, "Are they pushing this case because it's the media football of the year?"

• The Rev. Al Sharpton, a New York preacher and civil rights advocate, sat quietly in the back of the courtroom watching the proceedings, and then held a news conference outside the courthouse. He announced a noon march today from City Hall to Parker Center to call for Gates' removal.

Wearing his trademark "I Have a Dream" medal, Sharpton also tossed aside criticism from some Los Angeles community leaders who have suggested that he is interfering in a local problem.

"The issue is not who invited me or why I came," he said. "The issue is Gates. No one asked the people that came from around the country to support Gates last week why they were here. We're here because police brutality's here. . . . The question is, why isn't everybody here?"

• The city attorney's office issued an opinion that Gates can be disciplined by the Police Commission and the Civil Service Commission upon a showing of "good and sufficient cause."

The Police Commission, which has been deluged with demands by community leaders to fire the chief, would need to initiate a disciplinary hearing and refer it to the Civil Service Commission for review.

According to the 12-page report, "good and sufficient cause" would involve conduct by the chief that "can be shown to have been detrimental to the discipline and efficient achievement of the Police Department's mission to assure public safety." The misconduct would have to have occurred during the previous year, meaning that any insensitive remarks made by Gates before last year that were not the subject of reprimands could not be used against him, according to labor law experts.

• City Councilman Michael Woo and a group of community leaders criticized Gates' plan to appoint his own commission to review Police Department policies on the use of force. The chief on Wednesday unveiled a 10-point program to examine police misconduct and improve community relations.

But Woo said, "It would be very hard for the chief's own commission to bring back findings that were critical of the chief. Such a commission might fail to make the LAPD's top brass truly accountable."

Woo said he supports a plan, like one being drawn by Mayor Tom Bradley, that would have a commission report to the mayor and City Council. The councilman said the commission should be funded by private foundations and individuals, rather than the city, to assure its impartiality.

Among those backing Woo's position were Joseph Duff, president of the Los Angeles chapter of the National Assn. for the Advancement of Colored People; Mark Ridley-Thomas, director of the local chapter of the Southern Christian Leadership Conference, and Alan Clayton, a representative of the League of United Latin-American Citizens.

• Bradley said he will ask the Police Commission to establish a computer data base with records of all cases of excessive force, so that problem officers and police stations can be tracked "at a punch of the computer button."

"You'll be able to see if there is a pattern that demonstrates a danger," Bradley said.

• The United Neighborhoods Organization (UNO) became the latest group to call for Gates to resign.

"We want to show our African-American brothers and sisters that we stand with them," said the Rev. Joseph Pina, a spokesman for the group. "What Chief Gates is doing is dividing the city by neighborhood, income level and race."

• In New York, Gloria Molina, the newest member of the Los Angeles County Board of Supervisors, appeared at an annual convention of Latino journalists in New York, predicting that aggressive media coverage of the King case and the constant public clam-

or will force Gates "to quit by the end of the year."

"That would be my guess because I think this is the beginning of the end for Gates," she said.

However, she added, it would be unfair to call for Gates' resignation now because he received outstanding performance ratings during the last three years.

Times staff writers Glenn F. Bunting, James Rainey, George Ramos, Lois Timnick and Hector Tobar contributed to this story.

(Mount Clipping in Space Below)

Hollywood Comes Calling for Man Who Filmed Beating

By LOUIS SAHAGUN
TIMES STAFF WRITER

Blinking nervously under the hot camera lights and surrounded by news reporters, the man who shot a video that created the Los Angeles Police Department beating scandal announced Thursday that he is going Hollywood.

At the Los Angeles Press Club, the plumbing business manager said he is negotiating with an unnamed production company to make "The George Holliday Life Story."

"I'm in it now, I might as well," said Holliday, 31, who documented the beating of Rodney G. King on March 3 from the balcony of his Lake View Terrace apartment with a minicam he had bought to record "home stuff."

Los Angeles Times

George Holliday

Asked what kind of a feature film could be made about his 90-second video, the soft-spoken Holliday said, "I don't know. That's what I can't figure out myself."

His attorney, James Jordan, was more direct when he told the assembled media representatives: "You'd have given your eyeteeth" to shoot such a video.

"What fame and fortune we can get for him we all feel he richly deserves," Jordan said. "We're going to explore all the possibilities for him."

Those possibilities include a range of commercial, movie and television offers, Jordan said. The lawyer would not elaborate on any of these offers, though Holliday made it clear that he has been besieged, describing himself as "overwhelmed and emotioned out" by a daily barrage of 30 to 100 requests for media interviews from around the world.

"I haven't been able to make my own decisions, I can't go where I want to go anymore, and I'm being deluged with calls," said the six-year Southern California resident. "I've changed my phone number twice."

Holliday, the Canadian-born son of an oil company executive, became a celebrity the day he sold the video to television station KTLA for $500. The tape was broadcast internationally by CNN and other networks.

Holliday said he has grown "tired" of the endless screenings of the videotape. When it pops up on his set at home, "I just change the channel."

In a statement read by Jordan, Holliday was quoted as saying the video "exposed . . . what many already suspected."

"Police brutality is not an aberration but a fact of life. A fact that we would never have realized was in our own back yard.

"It is people for whom laws were made, and this video, hopefully, will cause us to insist that politicians, judges and cops recognize that the arrogance of power corrupts and that we, the people, will not tolerate it."

Holliday was less eloquent when he was asked how he felt about the Police Department. "I feel bad. . . . It is real hard for them to do their job now."

As for those calling for Police Chief Daryl F. Gates to resign, Holliday said, "If Mr. Gates is to resign just over this incident, that isn't right."

Smiling admiringly at her husband, Eugenia Holliday, 27, told reporters that the attention has been "overwhelming, but I'm proud of George."

Even with so many people "knocking on our door that I can't do my laundry," she said, "we don't regret it."

Her husband agreed.

"I love L.A.," he said.

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
Date: FRI. MAR 29, 1991
Edition: FRONT SECTION, PAGE 3

Title: HOLLYWOOD COMES CALLING FOR MAN WHO FILMED BEATING

Character: CIVIL RIGHTS
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FBI — LOS ANGELES

FBI/DOJ

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FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Atty. Gen. Agrees to Conduct Robbery Investigation of King

By LESLIE BERGER
TIMES STAFF WRITER

The state attorney general's office has agreed to investigate whether Rodney G. King committed an armed robbery 10 days before his beating by police, officials said Thursday.

The Los Angeles Police Department, under fire for the nationally televised beating of King, asked the state to handle the case to avoid a potential conflict of interest. The Feb. 21 robbery occurred in Sun Valley in the Police Department's Foothill Division, the patrol area in which King was arrested March 3 for alleged speeding.

Officials said state agents would start from scratch in checking allegations that King committed the robbery. A store clerk was shot in the shoulder in the robbery at 1:40 p.m. at Video All Stars, in the 8700 block of Glenoaks Boulevard.

"We are conducting the investigation because the LAPD says he is a suspect, but as far as we're concerned, we are starting at step one," said Kati Corsaut, a state spokeswoman. Special Agent David Genens, in charge of the office's investigation bureau, said the matter "will be given top priority."

Los Angeles Police Cmdr. Rick Dinse said the department stopped its own investigation as soon as King became a suspect. He and other police officials have declined to disclose how King, who was convicted of robbery in 1989, was connected to the Feb. 21 case.

King's attorney, Steven Lerman, charged Thursday that the police were conducting "a smear campaign . . . to besmirch Mr. King's credibility in the hopes of lowering a jury award."

"They almost killed this guy and now they're trying to smear his reputation," Lerman said.

Dinse responded: "This is not a smear campaign in any fashion. . . . Even if this were proven to be true, it would still not change anything that is in the process of happening in the King incident."

Four LAPD officers have been indicted for King's beating, and 17 other LAPD officers are under investigation for their roles during his arrest.

(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
Edition: FRI. MAR 29, 1991
FRONT SECTION, PAGE 22

Title: ATTY. GEN. AGREES TO CONDUCT ROBBERY INVESTIGATION OF KING
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APR 13 1991

FBI — LOS ANGELES

FBI/DOJ

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LOS ANGELES TIMES, Friday, March 29, 1991

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Pays Record to Settle Po

LOS ANGELES POLICE PAYOUTS IN 1990

The city of Los Angeles paid more than $11.3 million in police-related legal settlements and jury awards last year. Following are payouts in excess of $100,000:

PLAINTIFF	REASON FOR SETTLEMENT OR AWARD	AMOUNT
Onie Palmer	Damage during drug raid on Dalton Street on Aug. 1, 1988.	Settled for $3.2 million
Murphy and Katie Pierson	Wrongful shooting by police officers on May 26, 1985.	$2.1-million award settled for $1.8 million
Gilbert Amescua	Personal injury suffered in suicide attempt while in custody on Jan. 20, 1987.	Settled for $1.5 million
Ronnie Melgar	Burglary suspect suffered brain damage after being shot while fleeing police on Nov. 18, 1981.	Award of $1.5 million settled for $1.45 million
Jacoby and Lamonte Smith	Wrongful shooting death of unarmed man Oct. 10, 1985.	Settled for $625,000
Paul Hutcherson	Injury arising from alleged medical mishandling by police officers on Nov. 13, 1978.	Settled for $500,000
William Foster, Leroy Mims	Death of two adults and injuries to two juveniles in a traffic accident involving a police pursuit on Jan. 1, 1986.	Settled for $350,000
Albert Carey, Ollie B. Young	Wrongful death of purse-snatching suspect killed by probationary police officer who accidentally discharged her firearm on Dec. 14, 1984.	Settled for $200,000
Laurie Chilcote	Personal injuries when a criminal suspect's vehicle struck her during a police pursuit on Nov. 11, 1984.	Settled for $185,000
Luis Milton Murrales	Alleged violation of civil rights, false arrest, malicious prosecution and excessive force by a police officer after a traffic violation and police pursuit on April 1, 1988.	Settled for $177,500
Richard Young	False imprisonment, assault and battery and violation of civil rights at Parker Center on May 15, 1984.	Award of $205,000 settled for $175,000
Karen Kennedy	False arrest and illegal strip search in 1983	Award of $138,220
Virginia Smith, Vickie Aaron	Alleged trespassing, battery, and false imprisonment charges arising from execution of a search warrant in 1988.	Settled for $133,120
Mark Cecil Snodgrass	Battery by police officers on Sept. 14, 1986.	Award of $98,000 settled for $100,000

Note: The total amount of judgments and settlements in 1990 resulting from traffic accidents with police vehicles was $690,070.

Source: City Council Budget and Finance Committee

Compiled by Times researcher Cecilia Rasmussen

444-LA-119954-D-184

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

An Unjustified Means

■ Government: Mayor Bradley, in apparently using the Civil Service Commission to pry the chief from his job, undercuts an important principle.

By RONALD B. TUROVSKY

When former Civil Service Commissioner Clare Bronowski first saw the Rodney G. King beating on television, she probably had no idea that the incident meant her days on the commission were numbered. But on Tuesday, she was "transferred," after six months of service, to the Municipal Auditorium/Convention Center Commission. Bronowski, a good soldier, had no choice but to agree to the switch.

Mayor Tom Bradley

The transfer sets an enormously bad precedent. Mayor Tom Bradley has either stacked the deck in order to influence a hearing on Police Chief Daryl Gates or has attempted to send a message to Gates and the public that he is determined to get Gates out. While Gates' removal may be a worthy goal, Bradley's decision undercuts the very idea of citizen commissions.

Bronowski, while not at odds with the mayor, has no ties to him. She was nominated by City Council member Joy Picus, for whom Bronowski served as an aide. Six months ago, the mayor probably thought not at all about Bronowski's appointment to the obscure commission.

Now the commission is not obscure. If the Police Commission were to recommend disciplinary action against Gates, or his dismissal, that recommendation would be referred to the Civil Service Commission for a hearing.

It is easy to imagine the mayor reviewing the commissioners to see how that hearing would turn out. One commissioner is Julie Depoian, the wife of a Bradley aide. Another is the Rev. Kenneth Flowers, a minister whose congregation has called for Gates' resignation. Two likely votes against Gates.

The other two are commission President Casmiro Tolentino and Vice President Anthony de Los Reyes. Both are question marks to the mayor. Both have been on the commission for years, however, and it would have been difficult to dismiss them. So Bronowski was the obvious target. She is to be replaced by Larry Drasin, a longtime Bradley supporter, giving the mayor three sure votes.

Since there is only a slim chance that the Gates matter will get as far as the commission, it's more plausible that in the Bronowski transfer Bradley is sending a strong message to Gates and to the public.

The transfer, whatever the motive, sets a dangerous precedent. While commission appointments are political to start with, this is different because the transfer appears intended to influence the outcome of a specific hearing.

This tinkering makes the commission's task impossible, since its purpose is to provide a fair and impartial hearing before disciplinary action is taken.

The transfer is comparable to allowing the mayor to choose the judge assigned to a specific case. Yes, individuals are often appointed to the bench based on their overall political views, and that is part of the system. That's a far cry from selecting a judge to decide a specific pending case based on the judge's political views. Would we want the mayor to choose the judge handling the trial of the officers indicted in King's beating?

The message to commissioners is clear: The mayor can remove them in order to ensure the outcome of decisions or replace them if he disapproves of their decisions. But commissions must be above that in order to do their job—particularly in highly charged cases. If the mayor is considering the appointment of an independent commission in the King beating, what message has he sent?

Since Bronowski has resigned, the only practical control left is for the City Council to reject the mayor's new appointment to the Civil Service Commission. That will be difficult because the action might be perceived as "pro-Gates." But it is not pro-anyone to let the commission work without tampering. It is called "due process," something that applies even to the chief of police.

Ronald B. Turovsky is a lawyer in Los Angeles.

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
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Edition: METRO SECTION, PAGE 7

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The Danger of Duck-and-Run Leaders

The Rodney King beating has brought to the surface ugly problems in Los Angeles: not only the allegations of police brutality, but the now exposed factionalism among races and ethnic groups and the tensions between longtime city powers who fear too much change and new-line city powers who fear too little.

With the political winds full of volatile elements, the easiest, safest—and the most timid—response for an elected official is to do nothing. That's why Los Angeles City Councilman Michael Woo deserves credit for taking an unequivocal stand in calling for the resignation of Los Angeles Police Chief Daryl F. Gates. Woo believes, as do many other responsible people, that the chief, "by pitting his personal supporters against his critics . . . has placed himself at the center of a fight which threatens to tear this city apart."

Given the crisis of public confidence in the Police Department, the national shame the beating brought upon the entire city and the controversy the chief has brought upon himself during his tenure, Woo's stand shouldn't be courageous. But it is, compared to some council members, who can't seem to decide, after three weeks of exhaustive public discussion, whether they support Gates' indefinite continuation as police chief. "Let's wait and see." "It's not really the council's job," some members have said. "We don't want to just add rhetoric." Really? Funny, that's never stopped council members from jumping into U.S. foreign policy, rhetorical guns blazing.

Some city officials simply are afraid to take a stand on the city's biggest controversy in recent history. Council members Joel Wachs, Ruth Galanter, Robert Farrell and Nate Holden say they have no position whatsoever on Chief Gates' tenure. Mayor Tom Bradley, although he's more than hinted that he wants Gates out, has been no model of clarity on this issue, either. And clarity is what's needed, whether the position is in favor of or against Gates as police chief.

Absent political leadership to give voice and positively channel public frustration—which is particularly strong among African-Americans—others step in to fill the gap. Enter Al Sharpton, the New York preacher-activist who has a proven knack for showing up in racially tense situations and making them more so. He describes himself as a "loose cannon," a point on which we agree.

Sharpton is just what Los Angeles doesn't need. But when you've got a town full of duck-and-run politicians, it invites others to take up the leadership mantle. And when that happens some people will follow—no matter, unfortunately, where they are being led.

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CRISIS IN THE LAPD: THE RODNEY KING BEATING

$11.3 Million Paid in 1990 to Resolve Police Abuse Cases

By JOHN L. MITCHELL
TIMES STAFF WRITER

The city of Los Angeles paid a record $11.3 million last year—more than any other major city, except Detroit—to resolve lawsuits alleging police misconduct such as excessive force and false arrest, records and interviews show.

Los Angeles, with 8,300 police officers, recorded slightly higher legal payouts than New York City, which has three times that many officers. The city spent nearly twice as much on police-related litigation as Chicago, which has about 4,000 more officers than Los Angeles.

Detroit, with half as many police officers as Los Angeles, led the nation with $20 million in police-related payouts last year, The Times found.

The jury awards and settlements in Los Angeles averaged more than $350,000, much higher than those in most other cities, records show. The city paid nearly $8 million on four of the 32 police suits cleared last year, including $3.2 million for suits arising from a controversial drug raid on apartments at 39th Street and Dalton Avenue.

"Lawsuits against government . . . have increased enormously," Los Angeles Police Chief Daryl F. Gates told the City Council last week. "Quite frankly there is a lottery mentality among juries now coming down with huge judgments. . . . I think that we have done a fine job, not that we can't do a better job."

After the beating of Rodney G. King early this month, federal and city officials began studying lawsuits against the Police Department to determine whether the incident is part of a pattern of excessive force against private citizens. The Justice Department is reviewing about 100 lawsuits while conducting a broader investigation into the conduct of Los Angeles officers. And the City Council is examining lawsuits dating back five years.

In addition, Mayor Tom Bradley on Thursday asked the Police Commission to examine suits and the department's disciplinary practices "to see if the conduct of the department's leaders allows some officers to feel if they are above the law."

"It is clear from the Rodney King videotape and the number of lawsuits in the last five years that some officers feel that way," the mayor said in a statement issued in response to a Times inquiry. "It frustrates me to learn when the city is held responsible for paying a settlement in one of these cases."

Council members have raised questions about the rising cost of police-related litigation, which city attorney records show has climbed from less than $1 million in 1980 to $9.1 million last year, plus interest and fees for plaintiffs' lawyers. The council also wants to determine whether racism is a factor in the excessive force cases and whether officers involved in costly lawsuits have been disciplined.

"In most companies if you make an error that costs a company that much, you would be fired," said Councilman Zev Yaroslavsky, who heads the Budget and Finance Committee. "It's outrageous the amount of money we are shelling out."

Last year, lawsuits against police represented more than 40% of the $25 million in city payouts for civil suits, according to the city attorney's office. A decade ago, the portion was 25%.

New York spent $10.6 million over the last fiscal year to clear 267 suits against officers in the 26,000-member department, said attorney Len Olarsch, who heads New York's litigation division.

A Brooklyn jury awarded $76 million

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to two men who were shot at and beaten by five officers before being charged with attempted murder. Because that case is on appeal, the award—believed to be the highest in the nation last year—was not included in New York City statistics, Olarsch said.

In Chicago, the nation's third most populous city behind New York and Los Angeles, a spokeswoman for the city's law department said the cost of 170 settlements and judgments from police-related lawsuits last year was about $5.9 million.

In recent years, Detroit, the seventh most populous city, has averaged about $10 million a year in payouts for suits against police—roughly the same as New York. But officials said that the amount increased to $20 million in 1990.

Detroit City Councilman Mel Ravitz, who compiled the figures, said the $20 million represented 200 payouts stemming from the "misbehavior of a relatively small number of police officers." City officials said Thursday that they could not explain why the total was nearly double that of previous annual figures, but they noted that Wayne County juries have a history of giving high awards.

Phil Shiner, Los Angeles assistant city attorney, was surprised that the city's payouts in 1990 were higher than most other cities, but he cautioned against drawing a conclusion that police misconduct is occurring more frequently here.

"Maybe if we had 26,000 officers [like New York City], the police would get better compliance from suspects and maybe if we had 26,000 officers we wouldn't be spending the large amounts we do on lawsuits," Shiner said.

The police totals include suits alleging excessive force, false arrests, wrongful deaths, civil rights violations, negligence and other misconduct, but not routine traffic accidents. Of the 32 cases in which the city made payouts last year, eight involved police shootings and 13 suits alleged excessive physical force such as beatings.

The Los Angeles County Sheriff's Department last year resolved 131 lawsuits at a cost of about $5.4 million, said Robert Ambrose, assistant county counsel, who noted that two shooting cases accounted for $1.5 million.

The increasing cost of police litigation in the city of Los Angeles can be traced to a change in attitude on the part of jurors, said Richard M. Helgeson, an assistant city attorney in charge of appeals.

"If you trip and fall and break your arm, a jury might award you $35,000, but if your arm is broken by a police officer putting handcuffs on you, you can bet it's a six-figure settlement," he said. "The jury can retaliate."

Helgeson pointed to the case of Murphy Pierson, a 70-year-old homeowner who last year received a $1.8-million settlement of his suit stemming from a police shooting in 1985.

"Normally, juries don't award a settlement that high for someone that old . . . it is not like it was a little kid and looking at 50 to 60 years left to live," Helgeson said. "That jury award was big because they were angry and there was bad judgment on the part of the officers."

Pierson was wounded by police as he stood, shotgun in hand, on his front porch after he had just chased two drug dealers from his property. Two police officers said Pierson was shot after he ignored repeated warnings to drop his shotgun and pointed the weapon at them. They fired 11 shots, striking Pierson in

LOS ANGELES POLICE PAYOUTS IN 1990

The city of Los Angeles paid more than $11.3 million in police-related legal settlements and jury awards last year. Following are payouts in excess of $100,000:

PLAINTIFF	REASON FOR SETTLEMENT OR AWARD	AMOUNT
Onie Palmer	Damage during drug raid on Dalton Street on Aug. 1, 1988.	Settled for $3.2 million
Murphy and Katie Pierson	Wrongful shooting by police officers on May 26, 1985.	$2.1-million award settled for $1.8 million
Gilbert Amescua	Personal injury suffered in suicide attempt while in custody on Jan. 20, 1987.	Settled for $1.5 million
Ronnie Melgar	Burglary suspect suffered brain damage after being shot while fleeing police on Nov. 18, 1981.	Award of $1.5 million settled for $1.45 million
Jacoby and Lamonte Smith	Wrongful shooting death of unarmed man Oct. 10, 1985.	Settled for $625,000
Paul Hutcherson	Injury arising from alleged medical mishandling by police officers on Nov. 13, 1978.	Settled for $500,000
William Foster, Leroy Mims	Death of two adults and injuries to two juveniles in a traffic accident involving a police pursuit on Jan. 1, 1986.	Settled for $350,000
Albert Carey, Ollie B. Young	Wrongful death of purse-snatching suspect killed by probationary police officer who accidentally discharged her firearm on Dec. 14, 1984.	Settled for $200,000
Laurie Chilcote	Personal injuries when a criminal suspect's vehicle struck her during a police pursuit on Nov. 11, 1984.	Settled for $185,000
Luis Milton Murrales	Alleged violation of civil rights, false arrest, malicious prosecution and excessive force by a police officer after a traffic violation and police pursuit on April 1, 1988.	Settled for $177,500
Richard Young	False imprisonment, assault and battery and violation of civil rights at Parker Center on May 15, 1984.	Award of $205,000 settled for $175,000
Karen Kennedy	False arrest and illegal strip search in 1983	Award of $138,220
Virginia Smith, Vickie Aaron	Alleged trespassing, battery, and false imprisonment charges arising from execution of a search warrant in 1988.	Settled for $133,120
Mark Cecil Snodgrass	Battery by police officers on Sept. 14, 1986.	Award of $98,000 settled for $100,000

Note: The total amount of judgments and settlements in 1990 resulting from traffic accidents with police vehicles was $690,070.

Source: City Council Budget and Finance Committee

Compiled by Times researcher Cecilia Rasmussen

the right hand, the left buttock and the chest.

"They never gave him a chance to put down the gun," said attorney Johnnie L. Cochran, who represented Pierson. "They continued firing after Pierson was lying on the porch begging them to stop. Then they pulled his wife out of the house in her housecoat and made her kneel down on the front lawn and handcuffed her and took her to jail."

Pierson died last year from complications resulting from the shooting, his wife, Katie Pierson, said. "It was only after the shooting that he started having problems," she said. "We would have been married 50 years."

In a suit stemming from a 1981 incident, the city paid $1.45 million to Ronnie Melgar, 20, a burglary suspect who was shot while fleeing police and suffered brain damage. Police apparently mistook Melgar's flashlight for a gun.

A police officer said he chased Melgar on foot from a construction site where it was suspected he was stealing lumber, according to police reports. The police officer said he repeatedly ordered Melgar to halt and fired his weapon only after he thought the suspect was preparing to turn and point a gun at him. The officer's bullet hit Melgar in the back, causing his lung to collapse and resulting in brain damage. Melgar's attorney, Barry Litt, said his client ran only after the officer used a racial epithet and threatened to hit Melgar with a baton.

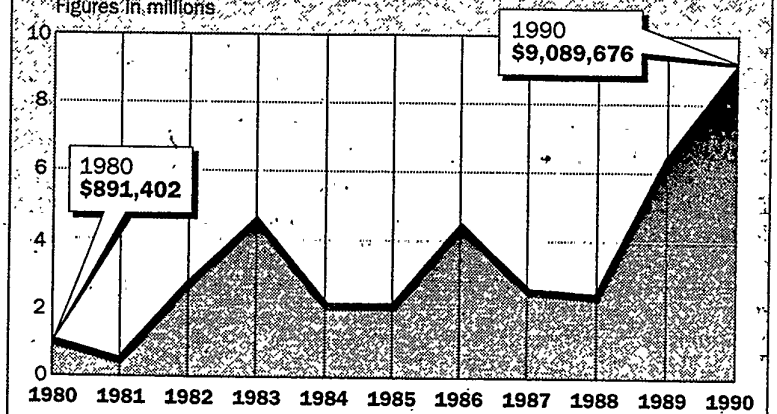
The city also paid $625,000 into a lifetime annuity for two sons of RTD bus driver Danny Smith, 34, who was shot in 1985 by officers who were searching for a suspect in Smith's back yard. Smith was unarmed, according to a summary of the incident in city Budget and Finance Committee reports. Several police officers went to Danny Smith's back yard looking for a man who was wanted for receiving stolen merchandise. Smith was shot, the officers said, only after they heard the "cocking of a weapon" and Smith ignored orders to freeze. Smith was shot in the back.

Will Glennon, a legal analyst for the California Trial Lawyers Assn., said the large increases in awards and settlements reported in Los Angeles were not consistent with the trend elsewhere in the state. "Mostly jury awards have been flat," he said. "If [police-related lawsuits] are showing an increase, then that's pretty frightening. . . . It's probably only the tip of the iceberg because police cases are very tough. The cops usually have all the [juror] sympathies on their side."

As large as payouts were last year, city attorneys said that it will become increasingly difficult to

THE COST OF LAWSUITS AGAINST POLICE

In the past decade, the costs for jury awards and settlements of lawsuits against the Los Angeles Police Department have soared. In 1990, the figure reached a record $9.1 million, plus another $2.2 million in interest in plaintiffs' attorneys' fees that the city was ordered to pay.



Note: Figures do not include plaintiffs' attorneys' fees paid by the city.

Source: City Attorney.

ANDERS RAMBERG / Los Angeles Times

POLICE LITIGATION NATIONWIDE

The following are total settlements and jury awards paid last year by the 10 most populous U.S. cities to resolve police-related lawsuits:

CITY	POPULATION	CASES	PAYOUTS	SWORN OFFICERS
New York	7,322,564	267	$10.6 million	26,000
Los Angeles	3,485,398	32	$11.3 million	8,300
Chicago	2,783,726	170	*$5.9 million	12,000
Houston	1,639,553	12	Under $100,000	4,078
Philadelphia	1,585,577	70	** $3.3 million	6,200
San Diego	1,110,549	730	***$5.6 million	1,850
Detroit	1,027,974	200	$20 million	4,300
Dallas	1,006,877	3	$3.92 million	2,792
Phoenix	983,403	4	**$48,202	2,046
San Antonio	935,933	28	Under $100,000	1,559

* Figures include some cases on appeal, but exclude fees to plaintiffs' attorneys.

** Excludes interest and fees paid to plaintiffs' attorneys.

*** Figures include suits over police-related traffic accidents, including a $3.2-million award.

NOTE: Most figures are for the 1990 calendar year. Those for New York and Philadelphia are compiled by fiscal year. Figures for San Antonio cover a 27-month period.

Compiled by Times editorial researcher Cecilia Rasmussen

lice.

Noting that the publicity surrounding the King beating will tend to influence jurors, Assistant Dist. Atty. Richard James said he plans to ask a judge to continue one of his current police cases. "I don't think a police officer is going to get a fair trial now," he said.

The city attorney's office frequently settles civil suits before trial to avoid the possibility of large jury awards and costly litigation.

Most cases that go to trial, however, are won by the city. Out of 78 cases tried last year, the city won 61, officials said. Another 85 cases were settled without trial, sometimes to avoid costly litigation or the possibility of an unfavorable jury verdict.

One of them was a suit over the 1985 police shooting death of Francisco Gutierrez. According to a City Council report, a police officer who shot Gutierrez thought his starter's pistol was a real gun. But Gutierstarter's pistol.

The Budget and Finance Committee recommended council approval of the $35,000 settlement, saying: "A jury possibly might decide that the plaintiff's version of the facts were true and that the officers shot a man who did not hold a starter pistol, or that there was negligence in the tactical approach which led to the shooting. Such a determination would result in a verdict far in excess of the proposed settlement amount."

Attorney Cochran, who has handled excessive force cases for three decades, said "the weight of all the cases over the years has sensitized people and raised questions in their minds about whether police always tell the truth."

Attorney Stephen Yagman, who also handles many police-abuse cases, said he doubts that there has been a significant change in the positive attitudes that jurors have toward the police. "It is very, very

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Gates' critics assail chief's reform plan

By Patrick McGreevy
Daily News Staff Writers

City officials and civil rights advocates critical of Police Chief Daryl F. Gates attacked his proposal Thursday for a citizens commission and other measures to restore confidence in the LAPD.

City Councilman Mike Woo and six civil rights leaders said the commission — proposed in the wake of the police beating of Rodney King — would answer to Gates, and thus not be accountable to the public.

Related story:

■ Man who videotaped beating wants to sell his life story. **Back Page**

"Chief Gates is right. The healing must begin," said Woo, who Wednesday became the first council member to demand that Gates resign.

"But it can't begin with a commission that is dependent on the LAPD," he said. "A commission which is appointed by the chief ... is not directly accountable to the public. It's a commission that will have divided loyalties."

Gates released a statement defending the commission, which would be headed by former state Supreme Court Justice John Arguelles.

"This panel is totally independent and its integrity is beyond reproach," he said.

"Justice Arguelles has stated that his loyalty is to the community and his goal is to make whatever recommendations are necessary to ensure that the city of Los Angeles is provided with the very best police service possible."

(Indicate page, name of newspaper, city and state.)

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Appointment of the commission is part of Gates' 10-point plan to restore confidence in the Los Angeles Police Department following the videotaped beating of King on March 3 in Lake View Terrace.

Four officers charged with assaulting King were ordered Thursday to appear for trial on May 13, and the Los Angeles County grand jury resumed hearings into the conduct of 17 other officers who were at the scene of King's beating.

In a separate development on Thursday, the California Attorney General's Office began a "top priority" investigation of King as a suspect in an armed robbery that occurred 10 days before his beating at the hands of police.

"We hope to complete it as soon as possible," said Dave Genens, special agent in charge of the Attorney General's Los Angeles investigations bureau.

"We're going to start from scratch and do our own independent investigation," Genens said. "We won't be consulting with the Los Angeles Police Department, (but) we will be gathering information from them."

To avoid the appearance of a conflict of interest, local police and prosecutors asked the attorney general to investigate a Sun Valley robbery in which King's name "surfaced as a suspect," LAPD Cmdr. Rick Dinse said.

King's attorney, Steven Lerman, said Thursday that King "absolutely did not" participate

FBI/DOJ

in the Feb. 21 robbery and "was not even in town on that day."

Lerman said he believes police named King as a suspect in the robbery to reduce pressure for reforms within the department.

The March 3 beating of King has prompted a nationwide Justice Department probe of police brutality and an FBI investigation of the Foothill Division, where the four officers worked.

The city Police Commission also is investigating the incident.

Acting commission chairwoman Melanie Lomax said that Gates' 10-point plan for overhauling the department does not address a central issue — the chief's own leadership.

Lomax applauded other elements, including a hot line for citizen complaints about police officers.

"But the problem with the 10-point plan is it does not go far enough. It does not address the issue of the chief's tone and philosophy," Lomax said.

She said the plan should have included efforts by the chief to tell his officers regularly that he will not tolerate force such as that used in the King case.

"He's got to make it clear from his leadership position that neither racism nor excessive force will be tolerated in the department," Lomax said.

The chief's proposal for a commission to review the LAPD was also criticized by Mark Ridley Thomas, executive director of the Southern Christian Leadership Conference; Joseph Duff, president of the Los Angeles chapter of the NAACP; Alan Clayton of the League of United Latin-American Citizens; and Kathy Imahara of the Asian Pacific Legal Center.

"We're afraid that a group of people who are beholden to the police chief will not ask the tough questions, will not demand the tough answers," Imahara said.

Woo and the civil rights leaders said they support a proposal by Mayor Tom Bradley for an independent panel to examine the use-of-force issue. Unlike Gates' proposal, Woo said the panel appointed by the mayor would not be dependent on financing and staffing by the police department.

Bradley has not called for Gates to resign outright, but has repeatedly said that the LAPD cannot regain public confidence until Gates steps down.

On Thursday, Bradley directed the Police Commission to study why the Police Department's Internal Affairs Division investigated officers named in only 36 of the 140 lawsuits against the department that were settled by the city in the last five years.

"I want the Police Commission to look at this matter very carefully — to see if the conduct of the department's leaders allows some officers to feel they are above the law," Bradley said in a written statement.

Bradley cannot fire Gates, who under the City Charter can only be fired for cause, which has generally been defined as gross misconduct or neglect of duty.

On Thursday, City Attorney James Hahn issued a report laying out the procedures that the Police Commission and and Civil Service Commission would have to follow to discipline or fire Gates.

The report says that if the Police Commission finds that there is "good and sufficient cause" to impose discipline stronger than a 30-day suspension, it can relieve Gates from duty without pay and refer the matter to the Civil Service Commission for a hearing and an order of discipline.

The Police Commission would then be able to execute the order and could lessen but not increase the penalty. Gates would then have the option of appealing the decision to the Superior Court.

"Good and sufficient cause" would include "actions or omissions by the chief which can be shown to have been detrimental to the discipline and efficient achievement of the Police Department's mission to assure public safety," wrote Senior Assistant City Attorney Fred Merkin.

In court Thursday, attorneys for the officers charged — Sgt. Stacey C. Koon, 40; and officers Laurence M. Powell, 28; Timothy E. Wind, 30; and Theodore J. Briseno, 38, complained they will not have enough time to prepare their case by the May 13 trial date.

But Judge Bernard Kamins refused to delay the proceeding. "That's the date that you should be ready on, because that's the date I'm inclined to hold the trial," he said. "This is a matter that takes priority — you should be ready to go."

Kamins was chosen to preside over the case after a defense attorney filed an unchallenged affidavit seeking to have Judge John Reid removed for reasons the attorney refused to disclose.

"It is a law that the defendant has this right," Paul DePasquale, attorney for Wind, said outside court. "The last intention that we would have is to engage in any disrespect for the court or to make any statement that Judge Reid is a bad guy or a bad judge," he said.

Later, the Rev. Al Sharpton, a New York activist, told reporters that he would stage a series of protests beginning today.

Sharpton said he will march from City Hall to Parker Center, the downtown police headquarters, on Good Friday "to show that people of color are being crucified by law enforcement."

Civil rights leaders reacted coolly to Sharpton, who has been criticized for heightening racial tensions.

"We do not need to have Al Sharpton here and his brand of leadership to tell us how to take care of things in Los Angeles," said Duff of the NAACP.

Daily News Staff Writers Jaxon Van Derbeken, Dawn Webber and Rick Orlov contributed to this story.

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Officers Claimed Self-Defense in Beating of King

By RICHARD A. SERRANO
TIMES STAFF WRITER

The two Los Angeles police officers seen on a videotape repeatedly beating Rodney G. King wrote in their original arrest report that they used their batons only to defend themselves against King and just struck him "several times in the arm and leg areas to incapacitate him."

The officers also claimed that an hour after the beating, King became "semi-cooperative and stated he then remembered fighting with officers."

A copy of the five-page report, obtained Friday by The Times, was prepared by Officers Laurence M. Powell and Timothy E. Wind. It states for the first time in the officers' own words what they claim occurred during the March 3 arrest.

But the report was written before the officers knew that the beating was captured on videotape by an amateur cameraman. It now lies at the heart of a multicount indictment handed down by the Los Angeles County Grand Jury in which some LAPD officers present at King's arrest are accused of filing false statements in an attempt to hide the severity of the beating.

"It's a cover-up, and it's disturbing," Deputy Dist. Atty. Terry White said Friday. "When you read this report and then see the video, you realize they're talking about two different incidents."

Attempts on Friday to contact Powell and Wind, and their attorneys, were unsuccessful.

The arrest report, among thousands of pages of documents reviewed by the grand jury, says that King was stopped by officers early on the morning of March 3, after a chase that began with the California Highway Patrol in the north San Fernando Valley.

During his arrest in Lake View Terrace, the 25-year-old parolee is seen on the videotape being struck up to 56 times by officers wielding their police batons.

At no time on the tape is he seen fighting with or threatening the officers.

Afterward, LAPD officers said they believed he was under the influence of PCP because of his erratic behavior in the moments before the beating began. But laboratory tests showed that while King was legally drunk and had some traces of marijuana in his system, he had not ingested PCP.

In their arrest report, Powell and Wind first describe joining the CHP chase of King and his two passengers. They said King was driving a 1988 Hyundai Excel at "speeds at 110 to 115 m.p.h.," although authorities now dispute that the car was going that fast.

Once the car was pulled over, the two officers said, King's two passengers got out on the passenger side and King stepped out the driver's door only after repeated commands to do so.

"Defendant [King] exited his vehicle, then got back in and then exited again," Powell and Wind said in their report. "Defendant failed to put his hands on his head, instead putting his left hand in his pants pocket and placing his right hand on the roof of his car.

"We continued ordering defendant to place his hands on his head and lay down on the ground."

The Powell-Wind report made no mention of King laughing or dancing when he first got out of the car, although a CHP officer told the grand jury that he did.

The report continued:

"Defendant finally laid down on the ground and I [Powell] approached him to handcuff him. Defendant then started to raise up and I placed my knee on his back to prevent this movement. Defendant continued to try and rise up, causing me to lose my balance and fall off [King]. Defendant started to turn and charge towards me.

"I backed away and Sgt. [Stacey C.] Koon fired a Taser at defendant, striking him in the back and temporarily halting defendant's attack."

The Powell-Wind report stated that Koon shot King only once with the Taser electric stun gun. But Koon's daily report and other evidence show that Koon shot King twice with the Taser.

"Defendant recovered almost immediately [from the Taser shot] and resumed his hostile charge in our direction," the arrest report went on. "Officer Wind and I drew our batons to defend against defendant's attack and struck him several times in the arm and leg areas to incapacitate him.

(Indicate page, name of newspaper, city and state.)

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Defendant continued resisting; kicking and swinging his arms at us. We finally knocked defendant down and he was subdued by several officers using the swarm technique."

On the videotape, however, Powell and Wind can be seen striking King over and over with their batons, and Officer Theodore J. Briseno is seen kicking him in the head. But the arrest report does not mention repeated baton strikes, and there are no statements about King being kicked by any officers.

King suffered a dozen broken bones, including the bones that make up his eye socket. In addition, CHP Officer Melanie Singer told the grand jury that she was "shocked" at the savagery of the attack and that the LAPD officers beat King over the head with their batons. She described the blows as "causing his face to split."

She said it is common police practice to avoid striking a person over the head because the injuries can be very severe.

"Defendant continued struggling while on the ground and then started laughing and making incoherent statements," the Powell-Wind report said. "Defendant continued struggling and was spitting at officers and paramedics even after being told to stop."

On the videotape, King cannot be seen spitting.

The report then details how King was taken to Pacifica Hospital in Sun Valley. The officers said "we detected a faint odor of alcohol" on King's breath.

A doctor and two nurses have told the grand jury and other investigators that King appeared cooperative and coherent at the hospital, and that he was having little problem conversing with the hospital staff and police. But the Powell-Wind report draws a different picture.

"Defendant was unable to answer questions about what happened and his hostile, agitated demeanor continued for approximately an hour," the officers reported. "Defendant's speech was hurried and usually incoherent and his muscles were extremely rigid.

"Defendant was possibly under the influence of a drug, probably PCP, but due to his injuries, we were unable to evaluate him. After about one hour, defendant was semi-cooperative and stated he then remembered fighting with officers."

The report also said King was given medical treatment "for abrasions and contusions on his face, arms, legs and torso areas."

The arrest report was signed and approved by Sgt. Johnny Amott, a supervisor assigned to the Valley Traffic Division. In his testimony to the grand jury, Amott described how Los Angeles police, rather than the CHP, took control over the case.

"One of the officers [Powell or Wind] mentioned there was a use of force involved," Amott told the grand jury. "And it was decided between their sergeant [Koon] and the CHP sergeant that since the use of force was by LAPD, that LAPD would handle everything."

White, the deputy district attorney who is prosecuting the case, said in an interview Friday that while the arrest report was prepared by Powell and Wind, it actually was written by Powell.

He added that the report is similar in tone to Koon's daily report, also written and signed before the videotape surfaced. In the sergeant's report, Koon describes King's injuries this way:

"Several facial cuts due to contact with asphalt; of a minor nature; a split inner lip."

Powell and Koon have each been indicted on a felony charge of filing a false report, which carries a prison term of from one to three years. In addition, they, along with officers Wind and Briseno, are charged with assault.

In his comments to the grand jury, White mockingly referred to the two police reports as "a lapse in memory."

"Well, actually, I guess we know the truth," he told the grand jury. "It's not a lapse in memory. They purposely are concealing this particular evidence. They are turning in false reports so no one knows what happened.

"Without a video camera out there, we would never know, because the truth is something that is not found in these reports by Stacey Koon and Laurence Powell."

In another development Friday, Mayor Tom Bradley asked the Los Angeles Police Commission to begin an investigation into the circumstances surrounding the firing and rehiring of another police officer who amassed a long record of altercations with the public.

"Police officers must not feel they are above the law," Bradley warned in a letter to the commission. "My concern, especially in light of the Rodney King beating, is that the department's failure to reprimand and terminate officers . . . helps create a culture within the department in which excessive force is accepted."

"That attitude," the mayor added, "that disregard for the rights of citizens, should not and will not be tolerated in the city of Los Angeles."

Bradley said he was "deeply concerned" about recent reports that Officer Robert Brodowy was fired from the force because of a history of altercations with the public, only to be rehired by Police Chief Daryl F. Gates. Brodowy then retired after 21 years of service on a stress pension in July, 1989. He was awarded a tax-free pension of $1,946.19 a month.

Brodowy could not be reached for comment. But in his pension application, he made this statement:

"I have been involved in numerous altercations and shootings throughout my career that have resulted in physical as well as emotional injuries.

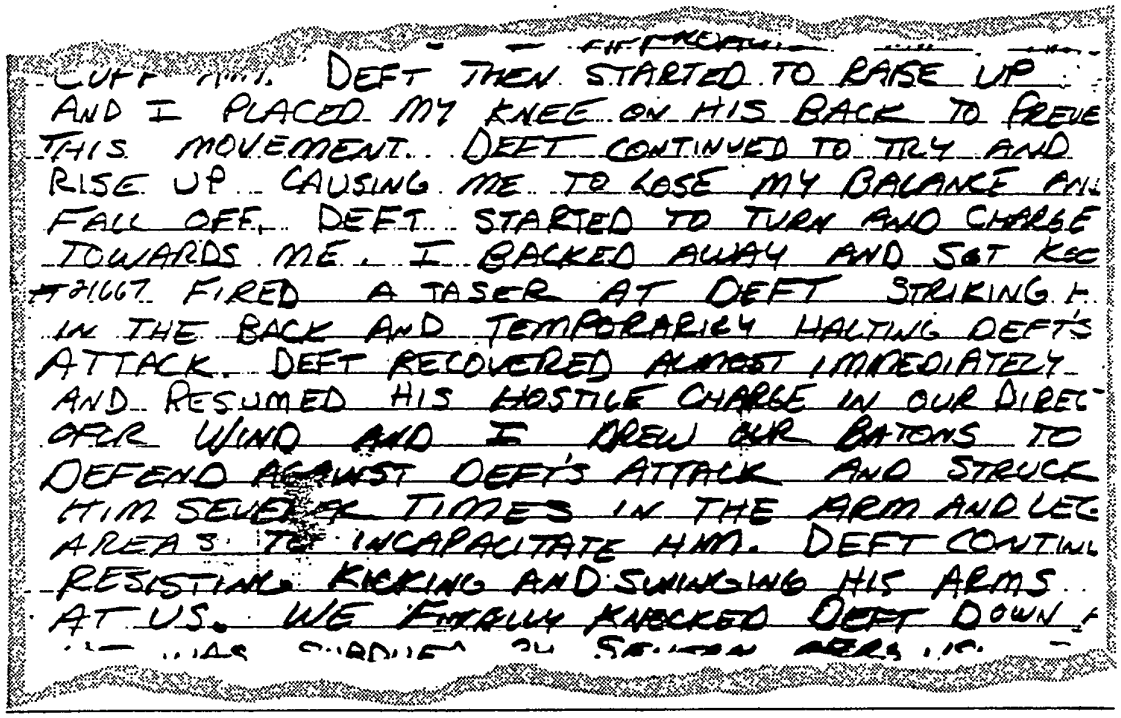
"Personnel problems and conflicts with [Police] Department hierarchy also have contributed to my emotional difficulties."

But one police source who worked closely with Brodowy said: "This guy was everywhere. People wouldn't work with him because they were afraid they'd get sued. He was such a dedicated officer, but not the smartest."

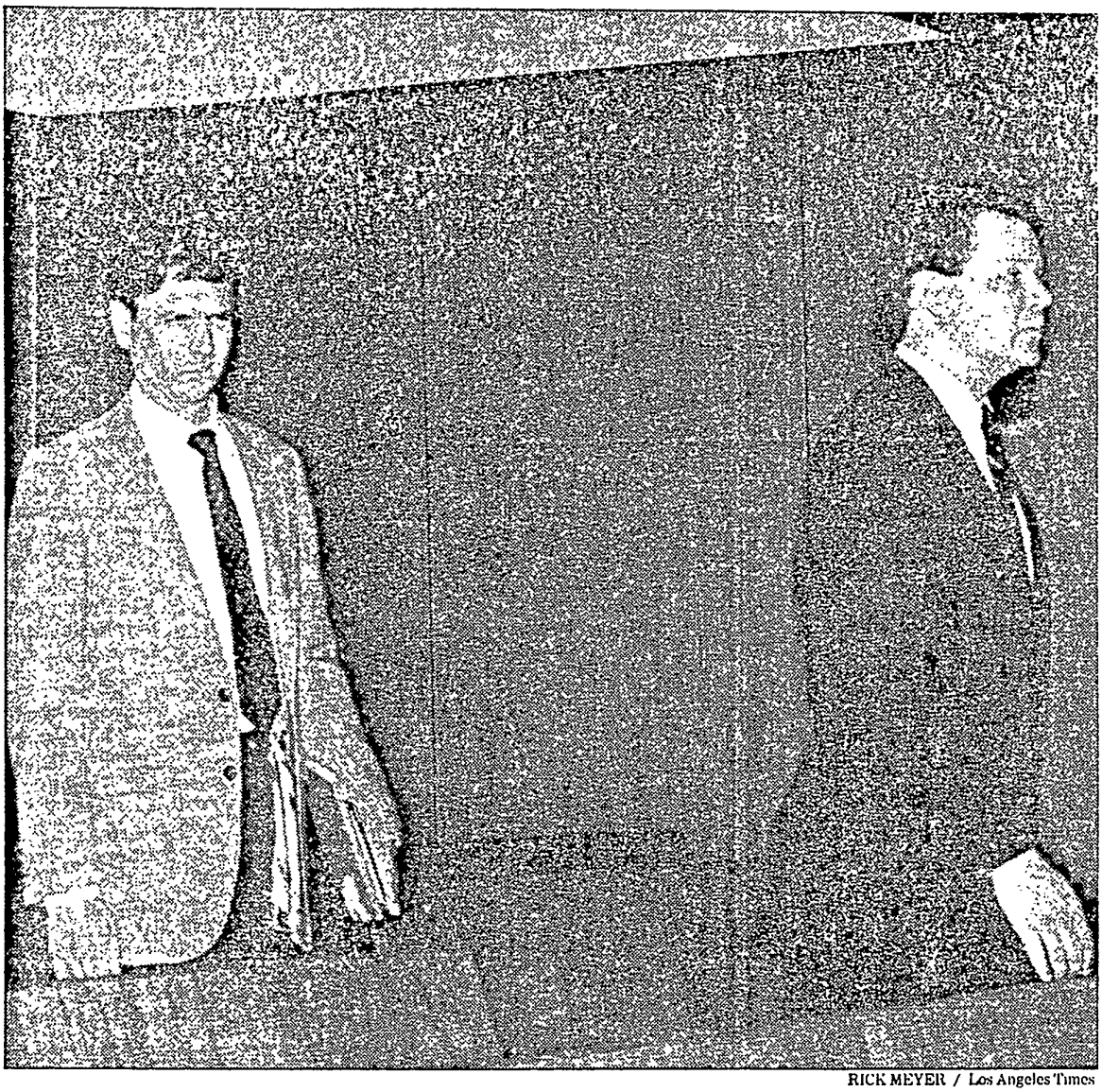
Cmdr. Frank Piersol, a department liaison to the Police Commission, said the panel "absolutely" will investigate the circumstances surrounding Brodowy's departure, and that its findings will be incorporated into an overall review the commission has undertaken on police abuse.

BEATING CASE ARREST REPORT

Following is a segment from the initial arrest report that was prepared by Los Angeles Police Department Officers Laurence M. Powell and Timothy E. Wind after the March 3 arrest of Rodney G. King. Both officers have since been indicted by the Los Angeles County Grand Jury for allegedly beating King, and Powell, along with a supervisor, has been charged with attempting to cover up the incident. The report uses the letters "DEFT" to represent the word defendant.



CUFF A/M. DEFT THEN STARTED TO RAISE UP AND I PLACED MY KNEE ON HIS BACK TO PREVE THIS MOVEMENT. DEFT CONTINUED TO TRY AND RISE UP CAUSING ME TO LOSE MY BALANCE AN FALL OFF. DEFT STARTED TO TURN AND CHARGE TOWARDS ME. I BACKED AWAY AND SET KEC #71667 FIRED A TASER AT DEFT STRIKING H IN THE BACK AND TEMPORARILY HALTING DEFT'S ATTACK. DEFT RECOVERED ALMOST IMMEDIATELY AND RESUMED HIS HOSTILE CHARGE IN OUR DIREC OFR WIND AND I DREW OUR BATONS TO DEFEND AGAINST DEFT'S ATTACK AND STRUCK HIM SEVERAL TIMES IN THE ARM AND LEG AREAS TO INCAPACITATE HIM. DEFT CONTINU RESISTING KICKING AND SWINGING HIS ARMS AT US. WE FINALLY KNOCKED DEFT DOWN A



RICK MEYER / Los Angeles Times

Timothy E. Wind, left, and Laurence M. Powell, accused in the Rodney King beating, enter courtroom.

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Opinions on King Case Are Jeopardizing Prosecutions

By DAVID WHARTON
TIMES STAFF WRITER

The images of the Rodney G. King beating have spilled from television screens into courtrooms across Los Angeles County, jeopardizing criminal prosecutions and making it difficult to find impartial jurors, prosecutors say.

They say that the reputation of police officers throughout the region has been damaged by the King attack, creating a new and troublesome dynamic in the judicial system.

"Every night we see the Rodney King videotape on every channel," said Steven Sowders, who heads the district attorney's Compton office. "We fear that every officer's credibility is being called into question . . . even in cases where the defendant is clearly guilty."

Defense attorneys are continually weaving King into their closing arguments and prosecutors are continually objecting.

"But if we object too much," Sowders said, "it looks like we have something to hide."

The impact of the March 3 beating of King has been felt in both the criminal and civil courts.

In the district attorney's Torrance office, prosecutors were planning a case against a man who allegedly had wrestled with Inglewood police officers during a Jan. 31 domestic dispute. One of the officers was injured in the fight.

"Normally, we would have asked for at least a formal felony probation," said Deputy Dist. Atty. Gil Garcetti.

But the police officers had used their batons during the scuffle, and the defendant claimed brutality. As the trial date drew closer and the King beating continued to stir outrage, Garcetti decided he could not risk bringing the case before a jury.

The felony charge was reduced to a misdemeanor and the defendant got off with the time he already had served in jail.

"Frankly, that's a disposition that, were it not for the Rodney King case, the defendant would probably not have been offered [a reduced charge]," Garcetti said. "I did not see that our case could go forward given the current atmosphere."

The city attorney's office this week reached the same conclusion on a police brutality lawsuit that that had been filed against the Los Angeles Police Department by the family of a 62-year-old black man who died after a 1985 arrest. The city settled out of court just before the case was scheduled to go to a jury.

An assistant city attorney familiar with the case said that the suit was settled not because it was believed the jury would find the police officers guilty, but because the jurors might try to "send a message of what they had seen on television."

And in Van Nuys Superior Court on Wednesday a judge dismissed a black juror from a murder trial after other members of the panel said she had cited the King beating during deliberations as proof that police are untrustworthy.

Legal scholars say controversial incidents that receive wide publicity typically skew the legal system for varying amounts of time. After the McMartin Pre-School case, for example, it is widely agreed that those accused of child molestation had a harder time fighting the charges.

"All criminal cases involve the police on one side and an individual on the other," said Erwin Chemerinsky, a USC law professor. "The Rodney King tape had such an emotional impact. That tape builds tremendous sympathy for the people who are against the police in a case."

(Indicate page, name of newspaper, city and state.)

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herself grappling with the problem during jury selection for a man accused of being under the influence of heroin. As in many such cases, the veracity of the police was at issue.

"Six people raised their hands and indicated they couldn't be fair in the case," recalled Deputy City Atty. Del San Juan, the prosecutor. "I was surprised about the number of people who were candid."

Last week, in a downtown courtroom, Deputy City Atty. Jonathan Mandel said he asked this question of potential jurors in a prostitution case in which a police officer was the only witness: "I asked them, 'Other than Saddam Hussein, who is on the hot seat right now? Is it Chief (Daryl F.) Gates?' They said, 'Yeah.' "

Defense attorneys, for their part, consider the King controversy a fortunate and long overdue turn of events.

"The [King] tape sickens me like it sickens anybody else who sees it," said Bill Weiss, head deputy of the Van Nuys public defender's office. "But for years and years defense attorneys have argued that there are racial problems with the Police Department. This incident will make it easier to make that point."

The issue is especially sensitive at the San Fernando courthouse. The officers involved in the King beating were from the Police Department's Foothill Division and that courthouse handles Foothill cases. Marc Hentell, a San Fernando deputy public defender, will soon go to trial representing an inmate accused of fighting with a guard. His jury will come from neighborhoods near where King was beaten.

"The defendant is a 4-foot-10 guy and the guard is 6-2," Hentell said. "I plan to make the King incident part of my closing argument."

Legal experts offer varying estimates as to how long the King incident will resonate in court proceedings.

A defense attorney, who asked not to be named, recalled that the Don Jackson case—in which a Long Beach police officer appeared to push a police-ethics activist through a plate-glass window during a routine traffic stop—was mentionned in cases for a year afterward.

Said Broderick, of Pepperdine: "It's a hot issue and it will be an issue for some while. It's one of those things that can't help but influence the system right now."

Times staff writers Michael Connelly and Carol McGraw contributed to this story.

'The Rodney King tape had such an emotional impact. That tape builds tremendous sympathy for the people who are against the police in a case.'

ERWIN CHEMERINSKY
USC law professor

Said Daniel Broderick, an associate law professor at Pepperdine University: "I wouldn't want to go to trial right now if my case depended on a policeman."

Almost any phase of a legal proceeding could be influenced by the publicity surrounding King, according to legal experts. For now, attorneys and judges say they are most concerned about their ability to select impartial jurors, a process known as voir dire.

"One of the standard questions is, 'Will you believe a police officer just because he's a police officer?' " said Van Nuys Superior Court Judge Judith Meisels Ashmann. "Usually people answer yes. Now you may get the opposite response."

Los Angeles Municipal Judge Marilyn Hoffman recently found

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Letters to The Times

Furor Over Police Beating

■ One of the most spineless public bodies in our area has to be members of the Los Angeles City Council, particularly for their reaction or non-reaction to police brutality and racism.

They certainly had to know that this situation existed because they had to approve payments to persons who had sued the Police Department.

You would think they would inquire more from Chief Daryl Gates every time they had to pay millions of dollars of taxpayers' money, but they rarely did.

I do know that the black and Latino communities are sick and tired of all this and they await quick answers from top city authorities starting with Mayor Tom Bradley and the backboneless City Council.

JOHN F. MENDEZ
Los Angeles

■ An example of biased reporting at its worst! The headline on your front-page article (March 22) says "31% of Angelenos Say Gates Should Quit Now."

As the old song goes, why not "accentuate the positive." If 31% favor quitting, then 69% must favor Gates not quitting.

CHARLES P. ARGANA
La Crescenta

■ This letter is in response to the full-page ad taken out in your paper by the American Civil Liberties Union headlined "Who Do You Call When The Gang Wears Blue Uniforms?" (March 12). The ad calls for the resignation of Gates and asks for money and support to assist its crusade.

To gain attention and raise public sentiment in favor of its cause, the ACLU parallels all "blue uniforms" to a gang. This insinuation was both distasteful and insensitive to the men and women in blue uniforms. Most of these officers, who proudly wear their uniforms, give great effort day after day to stop the gang violence the ACLU has equated them with.

The ACLU noted the millions of dollars given to victims of police violence last year by the city. However, the ACLU failed to mention the millions spent on police officers who were hurt, disabled or killed as a result of violents acts. Where was the ACLU then to protect their liberties?

I was just as shocked as the rest of the world and am outraged at what those officers did on the night of March 3rd. Police officers are drawn from society and like everyone are capable of any behavior. When that behavior crosses the line, the LAPD has the strictest "use of force" policy in the nation to curtail brutality.

Obviously, this incident points out a major problem that needs to be and will be addressed. However, the fact still remains that Los Angeles police have an outstanding record.

The American Civil Liberties Union owes everyone who wears the blue uniform an apology. A blanket smear on an entire department in order to discredit one man (Gates) leaves me to wonder, who do you call when the gang is the ACLU?

ROBERT J. NUCKLES
Los Angeles

■ We wish to commend The Times for the editorials and articles that have helped to illuminate the complex and sensitive issues affecting the LAPD.

As members of organized labor, as activists of minority group organizations, as long-time civil rights advocates and as citizens we have had frequent occasion to observe and have direct contact with the police of the city of Los Angeles.

With so many policemen involved in or present at the violent and revolting beating of Rodney King, it is difficult to escape the impression that they were a fairly representative cross-section of at least a segment of the department. This is indeed disturbing! Nothing can lead to dissolution of civil order more quickly than law-breaking under color of police authority.

We deeply respect the individual who enters the police force out of dedication to community service, and we know that most police officers are honest.

We believe the department must be suffused by a sense of the inviolability of the rights of every citizen. The individual policeman must be imbued with an appreciation of human rights and must cultivate a sensitivity for cultural, ethnic, racial and gender differences and diversity.

Achieving this is a responsibility of the department's leadership, and first of all of the chief. Gates has fallen short in this role and should step down.

KENT WONG, Chairman
Alliance of Asian Pacific Labor

ALEX SWEETEN, President
A. Philip Randolph Institute

AL HERNANDEZ, President
Labor Council for Latin American Advancement

MAX MONT, Regional Director
Jewish Labor Committee
Los Angeles

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Chief Daryl F. Gates

■ Being an Afro-American, I first believed that Gates should resign immediately to speed the recovery from the King incident. I now believe that Gates must remain to serve as a visual warning that future police brutality cases will not longer be looked at as minor incidents. Gates prompted this incident by his negative attitude toward minorities, so let him stay and clean up this mess. Staying would be punishment because he will have to work ten times harder to remove the tarnish from the LAPD.

ROLANDE MORGAN
Los Angeles

■ I think William F. Buckley (Commentary, March 25) is wrong in saying the behavior of the police in the King beating is inexplicable. Bigotry is at least part of the explanation. What it is is inexcusable.

WALTER D. DOUGLAS
Colton

■ How can we believe the report of the Police Department that blood and urine samples taken from King had traces of marijuana and enough alcohol for King to be declared legally drunk (March 22)?

My question: Is this a true and accurate report? LAPD officers at the scene falsified other aspects of this unfortunate incident. It would seem that people capable of the deception and cruelty visited upon King could conceivably submit doctored blood and urine specimens. These samples could have come from someone other than King—including the officers themselves.

Come to think of it, didn't those officers wielding batons seem a bit "dusted" to you?

JANE TOLAND
Los Angeles

■ The Black Journalists Assn. of Southern California strenuously objects to the front-page article stating that King was legally drunk at the time of the incident.

We believe the article was flawed on several journalistic grounds. Most serious was the omission of the fact that King was never charged with drunken driving. Because King has not been accused of a crime, we believe statements from the police on this issue were not worthy of an article displayed so prominently.

We also do not believe that the article fully supported the lead. The fact that the tests were taken five hours after King was arrested leaves open a number of questions about the validity of the tests that were not addressed in the article. It also failed to fully address conflicting test results cited in earlier articles.

DARLENE DONLOE
BJASC Board of Directors

■ Really now! Days after the King affair the headline appears that he was "legally drunk" at the time. So what? Are the officers somehow vindicated? The article "Police Develop Wary Courtesy, Thick Skin" (March 24), however, is even more sublime. The caption under the accompanying photo notes that even though one of the men stopped had an outstanding traffic warrant and the other no driver's license both were released. What is the LAPD doing? Has law enforcement become some sort of popularity contest?

Gates has gotta go—for the good and the security of this city! Even more important, the department needs a good cleaning up! We desperately need a Police Department that will lawfully enforce the law for all of us—brown, black or white!

JOHN E. HUBBARD
La Crescenta

■ It is easy to be cynical about LAPD officers discussing the weather with someone expecting to be rousted. However, small acts such as this can have a large and significant impact on the world view of both the officers and the civilians involved.

We define ourselves by how we act. Treating others as human beings causes us to see them as human beings. Accumulative, minor acts of kindness and friendliness toward long-time adversaries would lead to a major shift in outlook—enemies would be seen as friends. A reciprocal reaction would occur. Few people could continue to hate others who are consistently friendly toward them.

LAPD and community leaders take equal note: The opposite outcome is possible as well. Treating any group in a hostile and unfriendly way causes more feelings of animosity toward that group, and in turn elicits hostility from them.

GARY EMERY
Los Angeles

■ In his cartoon "LAPD profile of a terrorist" (March 24), Conrad, under cover of the First Amendment, sinks to a new low in prejudicially painting the more than 8,000 officers of the LAPD with the same brush, forgetting that except for a few rotten apples that may be red or green, most of the LAPD is true blue.

SYLVAIN FRIBOURG
Woodland Hills

■ If you think that firing Gates will solve the problems of police brutality, then you are confusing the symptom with the disease. Brutality, whether global, regional, national or local, is a form of denial.

Once in awhile events pierce that veil of denial and the system rushes to cover the tear with a body: Iran-Contra's Oliver North, the Drug War's Manuel Noriega, the S&Ls' Charles Keating and Operation Desert Slaughter's own Stormin' Norman.

Was the brutalization of King any different than the systematic annihilation of Iraq? And to cover this fact up for school-age children, who are taught to use words and not fists, don't we, as teachers, have to encourage them to deny the obvious?

ANTHONY R. FULLER
Placentia

■ Just a note to say how much I appreciate the actions of your police chief and several of your policemen. Of course their actions and excuses are despicable, but think how much better it makes us in Birmingham, Ala., feel—well, just a little better—about our sins of the 1960s.

OLIVER ROOSEVELT
Birmingham, Ala.

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PERSPECTIVE ON POLICE

Can Brutalizers Care for Justice?

There's a universal minority of overzealous, violence-prone cops. Only civilian review can control them.

By DEBRA CARRILLO

Had Rodney King not had the benefit of videotape, you wouldn't know his name today. I know this because I'm a deputy public defender for the County of Orange, with dozens of clients who have been victims of police brutality, with only their word against the officers' word. This isn't just a Los Angeles problem.

Ah, you say, here's another liberal defense lawyer jumping on the Rodney King bandwagon. Right and wrong. Yes, I am another liberal, proud to safeguard the constitutional rights of all citizens.

I am also an ex-cop.

My first great disillusionment in law enforcement was an unforgettable moment in the Orange County Sheriff's Training Academy. A crusty investigator was teaching us about probable cause—suspicious criminal activity that justifies police contact with a citizen. One of the recruits was having trouble grasping the concept. Exasperated, the investigator leaned forward conspiratorially. With melodramatic flair, he whipped a ball-point pen from his pocket and held it between his fingers, rotating his outstretched arm slowly for all to see: "*This* is probable cause." He explained that what mattered was how the officer described what happened. He was teaching a creative-writing course in law-enforcement fiction.

On the street, I was shocked by the attitude of a small percentage of officers. They were the zealots, frequently arresting people for resisting arrest and for assault on a police officer. Curiously, it always appeared to be the arrestee who came out on the short end of the nightstick. Even more curiously, these people were often arrested for only one or both of these charges. Why were they apprehended in the first place?

Other officers, in the majority, were able to work a 20-year career without a single arrest for either of these charges.

Too often, defendants would arrive at the station with an officer gleefully recounting how he had slammed on his brakes so that the handcuffed and helpless "dirtbag" would have his face "waffled" by the metal grille separating the patrol unit's front and back seats. Gang-in-blue officers have the luxury of selecting their victims: almost always male, poorly educated, frequently with some sort of criminal history and a member of a minority group.

Newport Beach officers gained notoriety in the early 1980s for their efforts to keep Newport Beach "clean." One of their unwritten codes was NIN: "(Negro) in Newport." Officers would stop the cars of blacks on a pretext and strongly encourage them to leave the city. The radio chatter would describe the incident as "November-India-November."

Ah, but I digress. If Rodney King had been my client, without benefit of videotape, there would be a thick stack of protective police reports by the officers who witnessed the beating, neatly justifying and minimizing the brutal actions of their brethren. As reflected by the casual attitude of the onlooking officers, jovial post-event radio colloquy and supervisorial participation, what occurred was standard operating procedure for a certain cadre of the LAPD's less-than-finest.

I have worked as a criminal defense attorney for Orange County for nearly

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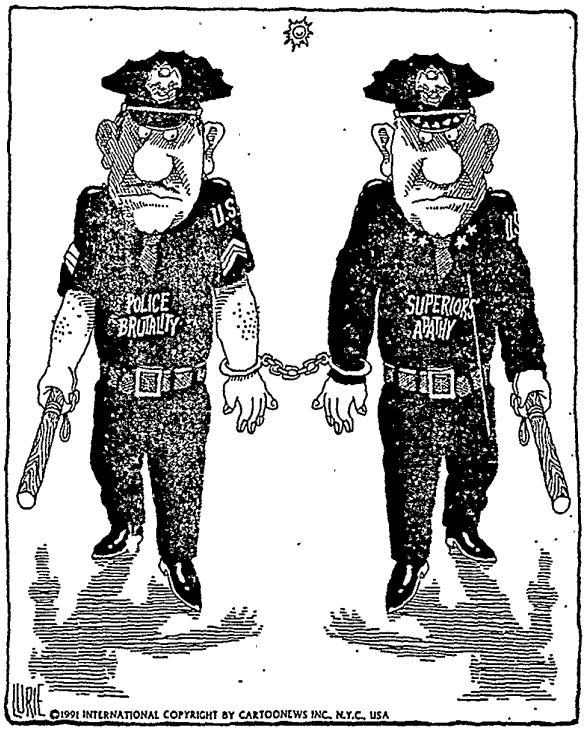
three years and I have dealt with officers from 12 police agencies. In that time, I have handled dozens of cases in which my clients told me of outrageous police brutality. The best they can expect, if their injuries are serious, is to have their cases dismissed, often after several days in jail and perhaps loss of their job. Often enough, only the charge of assaulting the officer will be dropped, in exchange for a guilty plea to the underlying charge. Of course, my clients have the option of fighting the case, but to do that they almost always must remain in custody. Judges are reluctant to release someone accused of attacking a police officer.



Hand in hand

If the victim perseveres, he is entitled to a hearing in which the judge reviews the disciplinary history of the accused officer. But in order for there to be a history of brutality, complaints must have been registered with, yes, the police department responsible for the brutality.

The good, the bad and the ugly of society are represented in the ranks of law enforcement, and being a police officer is a tough, often dangerous job. Still, the vast majority of officers never behave as those officers did; they are as outraged as the rest of us by the King affair. But can you expect them to snitch on their brethren? Would you want one of your colleagues to be responsible for your life as a back-up officer if you had reported him for violence and he despised you for it? Would you report someone who may have saved your life in the past?

The police must be policed. What this takes is civilian review and civilian governance for every department. Injured and harassed citizens must have access to a fair tribunal so they can report intimidation without fear of reprisal or further intimidation. This means a permanent, independent, elected citizen review board with disciplinary powers, not just a free-wheeling blue-ribbon appointed commission. The board must have free access to evidence, including police audio tapes.

Fair and neutral review of police actions will restore the honor and integrity of the majority of officers and will save millions of tax dollars that we'll otherwise keep paying out in settlements to brutality victims who somehow prove their cases.

Debra Carrillo was a police officer and deputy marshal in Orange County for five years and has been a public defender since 1988.

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L.A. CITY ELECTIONS

Police Now an Issue After King Beating

By PAUL FELDMAN
TIMES STAFF WRITER

On San Fernando Valley sidewalks, in South-Central Los Angeles churches, and at election forums from Venice to Eagle Rock, Los Angeles City Council candidates are debating the age-old issue of crime.

But there is a new twist this spring, a byproduct of the police beating of black construction worker Rodney G. King on March 3.

Rather than crime in the streets, the main focus has been on allegations of crime within the Los Angeles Police Department.

"You can't walk down the street and say hello to somebody without them talking about the Rodney King beating," said Walter Prince, a Chatsworth businessman challenging 12th District Councilman Hal Bernson. "Everybody is shocked by it."

Reactions to the nationally publicized furor—and in particular, to the demands from community groups for Police Chief Daryl F. Gates' resignation—vary markedly among candidates.

■ HAHN BACKS GATES
Supervisor Kenneth Hahn says Chief Daryl F. Gates should not resign. B5

All five council incumbents facing challenges have refrained from calling for Gates' ouster. The quintet—Richard Alatorre, Bernson, Nate Holden, Ruth Galanter and Joel Wachs—have been endorsed by the Los Angeles Police Protective League, the police officers' union, which has backed Gates in the controversy.

Challengers, in many cases, have a different outlook.

In the northwest San Fernando Valley, Bernson's leading rival, Los Angeles school board member Julie Korenstein, has said that Gates should step down "to quickly build back the credibility" of the Police Department. Bernson counters that the chief is "a very fine professional officer" who should not be held accountable for the King beating because he never would have "condoned or encouraged" it. Prince takes a middle ground, withholding judgment pending investigation of the King beating.

In South-Los Angeles, where two seats are up for grabs because of the death of Gilbert W. Lindsay and the departure of Robert Farrell, 19 contenders have sought to stake out their turf on the Gates issue and on ways to reform the Police Department.

Community activist Kerman Maddox, a candidate for Farrell's 8th District seat, has reaped a harvest of publicity with his bid to recall Gates through an obscure provision in the City Charter. In recent days, the former mayoral deputy has appeared on numerous radio talk shows and national TV news broadcasts.

"Hey, I saw your face on television," said postal carrier George Holt, 24, who crossed West 84th Street to shake Maddox's hand one drizzly afternoon last week.

"It's not easy taking on someone like Daryl Gates," replied Maddox, who was campaigning door to door. "You and I know [because] we live down here, this stuff has been going on for a long time. Thank God for the videocassette."

Another 8th District candidate, Mark Ridley-Thomas, is seeking to amend the City Charter to require a fixed term for the office of police chief. "I'm convinced that Daryl Gates is a liability to the health and welfare of the community and he has to be removed from office," said Ridley-Thomas, Los Angeles director of the Southern Christian Leadership Conference, during a recent televised forum.

A third 8th District contender, political consultant Rod Wright, has called for Gates' forced removal—or in the absence of that, the ouster of Mayor Tom Bradley.

"If we can't get any justice with the police chief, the mayor is the one who ought to be recalled," said Wright, who has been endorsed by Rep. Maxine Waters (D-Los Angeles). "I didn't vote for Daryl Gates. I'm going to recall the person who I voted for."

While the King case has dominated the campaign agenda, most council candidates say it cannot be divorced from other crime issues.

A Los Angeles Times Poll conducted earlier this month showed that 28% of Angelenos consider crime the most important problem facing the city. Next highest were the drought, 13%; drugs, 11%, and police brutality, 8%. Three percent listed Chief Gates and 2% said the King beating.

"Crime is a problem in our district, a very serious problem," said Martin GutieRuiz, a communi-

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ty organizer challenging Eastside Councilman Alatorre in the 14th District.

Referring to the $11.3 million that the city spent on police-related legal settlements and awards last year, GutieRuiz said: "That money could have been put into foot patrols."

Some candidates say that police conduct in the King incident sets a bad example and makes it more difficult to persuade impressionable youths to refrain from antisocial behavior.

Last week, Ridley-Thomas addressed a group of 30 pastors in a South-Central church, saying: "You cannot inspire law-abiding citizenship when the police force responsible for upholding the law violates the law in such a flagrant and abusive way. You can't handle gang violence when in [LAPD's] Foothill [Division], damn, you've got police officers acting in ways that are worse than gang members in some instances."

The King case could even have a fallout on the normally coveted endorsements from the Police Protective League, which is paying legal fees for the indicted officers.

"At this point in time it's clearly a negative," said former mayoral aide Tavis Smiley, who is challenging first-term Westside Councilwoman Galanter. "This community has generally been supportive of the LAPD. We need them, it's not an anti-police community. But individuals are concerned about the King incident.

"[Galanter's] first mailer after the beating was an endorsement from the Protective League. I got a ton of phone calls from people who asked, 'What is she, crazy?' "

Fellow 6th District challenger Mary Lee Gray, who says the chief's job should be changed to an elective post, questioned whether Galanter can remain objective when she is supported by the Protective League.

"This is the same group of people who support Gates and the police regardless of what they've done," said Gray, senior deputy to county Supervisor Deane Dana. "So if they are supporting Ruth Galanter, I would imagine her hands are tied."

Galanter said that such contentions are ridiculous. "All of the police officers that I've worked with in the community are well-liked by the citizens they work with," she said. "Their support will help."

Four years ago, Galanter became the focus of the city's festering crime problem when she was stabbed in the throat by a drug-abusing former gang member who broke into her home in the middle of the night. Police were summoned by neighbors who heard her screams and house alarm.

In her current campaign, the Venice resident has stressed the effectiveness of Neighborhood Watch-type community organizations. "I'm a living testimonial—thank God it's living—to the fact that Neighborhood Watch groups can really make a difference," she said. "My life was saved by my neighbors."

In races across the city, candidates are calling for hiring more officers, beefed-up foot patrols and a stronger commitment to job training and recreational programs to encourage teens to turn away from gangs, drugs and violence.

"We need jobs for young people," said Smiley. "They want a sense of belonging. When we can't give them something to work on for eight hours a day, five days a week, they beat someone else on the head and take what they have."

Korenstein and Maddox, among others, say that some funds controlled by the Community Redevelopment Agency should be targeted for child care, after-school recreation and job training.

Billy Mills, an 8th District candidate, said the impact of crime is evident as he and others campaign.

"We see people who won't even open their doors for candidates," said Mills, whose father served on the City Council. "So the crime issue always confronts you."

EDITORIALS of THE TIMES

FBI Probe Must Push Forward

The U. S. Justice Department must seize an important opportunity to help restore public confidence in the Los Angeles Police Department in the wake of the Rodney King beating.

Police Chief Daryl Gates has announced his own plan to evaluate and improve police services. But outside, independent authorities familiar with law enforcement, such as the FBI, can do a better job of examining the LAPD's system to determine if problems exist with training, discipline or the chain of command.

The FBI began investigating the King incident shortly after a videotape of the beating was widely televised. The quick response was unusual because federal authorities typically wait until local probes and prosecutions have been completed. But the King case warranted special attention, and the FBI probe now includes contacting all 246 officers in the LAPD's Foothill Division.

As many as 21 LAPD officers were at the beating scene, and additional officers participated in an exchange of derogatory messages on patrol car computers that same night. That raises troubling questions. Was the verbal behavior consistent with the physical behavior in the King case? Did officers feel free to joke about racial groups, or the use of force, in transmissions? Was this a callous disregard of department policy? Were there no sanctions for making such comments? The answers are best obtained by independent investigators.

Many officers have refused to cooperate with the FBI without guarantees of immunity from future prosecution. Officers have the right not to make statements, but federal investigators must not be deterred by efforts to close ranks and stymie the probe.

The FBI investigation is not a fishing expedition. It was prompted by a specific crime. To determine whether discriminatory patterns or policies led to that incident or other incidents that may have denied suspects their civil rights, federal agents must interview as many officers as possible.

The King case is an extreme example of what many minorities have complained about for years, and not just in Los Angeles. A speedy and thorough federal probe could help assuage the national outrage.

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(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
Date: MON, APRIL 1, 1991
Edition: FRONT SECTION, PAGE 17

Title: AD: TO THE PEOPLE OF LOS ANGELES

Character: CIVIL RIGHTS
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Classification: 80-33B
Submitting Office: LOS ANGELES

Indexing:

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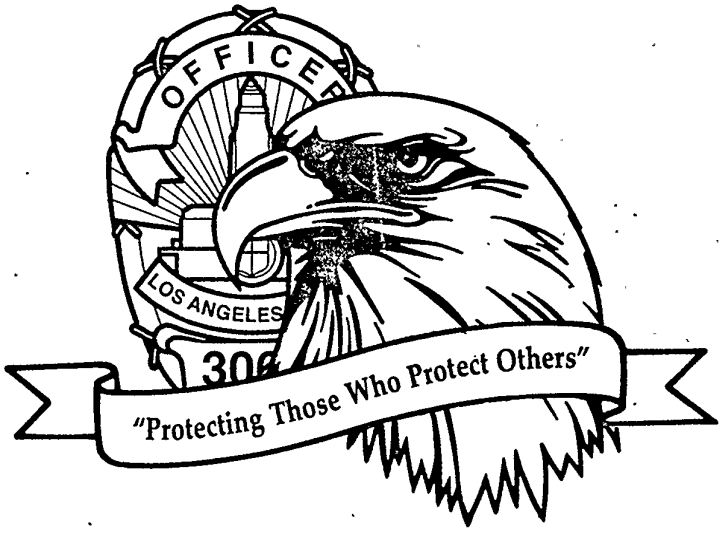
APR 10 1991
FBI — LOS ANGELES



To the People of Los Angeles:

Who was Eulia Love? David Kubley? Paul Verna? Rodney King? O.J. Bryant? Gary Murikami? Tina Kerbrat? Danny Pratt? Most people will remember Eulia Love and, of course, Rodney King, the subject of the much-viewed videotape of his arrest.

There was a great deal of protesting, picketing, political rhetoric and news coverage over the shooting death of Eulia Love, as there is now over the force used against Rodney King. Where was this outcry for the cops killed protecting you? People will not even remember who they were, even though they died for you. There was no picketing in front of Parker Center. There were no special hearings by the City Council or the Police Commission. There were no community leaders or ACLU attorneys demanding that officers be provided more protection or concerned about why it happened. Where were the protesters? Where was their outrage?

And, just as importantly, the police officers of this City did not picket or demonstrate in various communities to protest the failure of those community leaders or parents or peers to adequately control those in their environment who committed such heinous crimes. We don't blame communities or a class or group of people for the acts committed by individuals because we know everyone is responsible for his or her own actions. Those who attempt to blame an entire group are playing a fool's game and trying to dupe the public.

We are governed by law, and it is an insult to see some public figures and attorneys who demand that the laws be adhered to, now turn toward mob rule to foster their own political cause.

Archbishop Roger Mahony, at the funeral of Officer Tina Kerbrat said to the gathering of 4,000 law enforcement officers present, "We owe you an apology for not doing our job by allowing people to commit vicious crimes against you. We ask you to please forgive us." We do! We forgive because we understand human frailties and imperfections in others as we do in ourselves.

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44A-LA-119954-D-195

Now you, the people of L.A., must do the same so we can get on with life as we, your police officers, have done so many times.

Los Angeles Police Revolver and Athletic Club

California Oriental Peace Officers Association

LAPD Centurions Football Team

Latino Peace Officers Association (LPOA)

Hispanic Law Enforcement Administrators (HLEA)

Los Angeles Police Command Officers Association

Los Angeles Police Relief Association

Los Angeles Police Protective League (On behalf of our 8,000 members)

The Shomrim Society of Southern California (A Jewish Fraternal Law Enforcement Association)

Los Angeles Police Department Family Support Group (Widows and Families of Deceased LAPD Officers)

Los Angeles Women Police Officers Association (LAWPOA)

Los Angeles Police Memorial Foundation

Association of Black Law Enforcement Executives (ABLE)

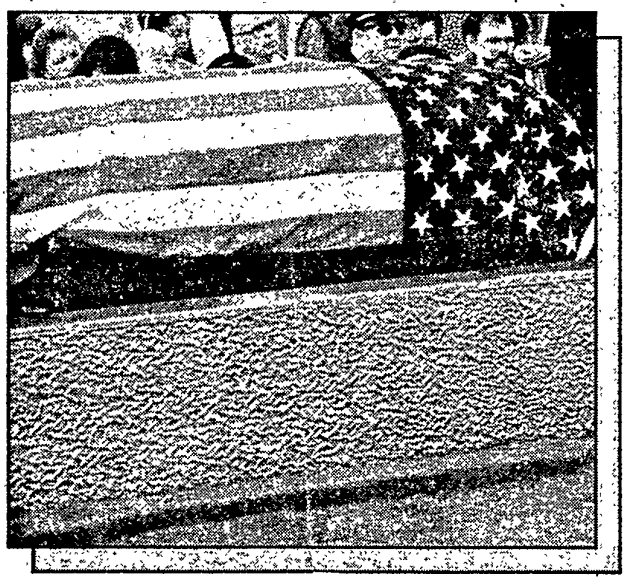
Latin American Law Enforcement Association (LA LEY)

Los Angeles Police Credit Union

Korean American Law Enforcement Association (KALEA)

Oscar Joel Bryant Foundation (Black Police Association Representing all of Southern California)

L.A.P.D. Officers rescue children from fire.



In the line of duty.

L.A.P.D. Police Officer rescues child in barricaded suspect incident.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Ex-U.S. Official to Head Mayor's Probe of LAPD

By GLENN F. BUNTING
TIMES STAFF WRITER

Mayor Tom Bradley today will appoint former Deputy Secretary of State Warren M. Christopher chairman of a seven-member citizens' commission that will launch an unprecedented investigation of the Police Department in the wake of the Rodney G. King beating, it was learned Sunday.

In addition, recently retired Assistant Police Chief Jesse A. Brewer and noted criminologist James Q. Wilson will be named senior advisers to the citizens' panel.

Naming of the commission is the latest in a series of political moves engineered by the mayor's office to bring pressure on Police Chief Daryl F. Gates to resign, a decision the mayor has said he regards as a necessary first step toward patching police-community relations.

Bradley is expected to announce the commission appointments at a news conference this morning, according to City Hall sources who requested anonymity. They said the mayor and the commission will raise more than $1 million in private funds and donations to scrutinize police operations as well as allegations of police brutality.

"We believe that the members are of such a high caliber and the staffing and funding so well developed that the citizens' commission will restore confidence in the Police Department," said a source familiar with the panel.

Christopher, 65, is the widely respected chairman of the Los Angeles law firm O'Melveny & Myers who served as deputy attorney general in the Johnson Administration and deputy secretary of state in the Carter Administration.

In 1980, Christopher was the key negotiator in the release of the 52 American hostages held in Iran. He was Bradley's top choice to serve as chairman of the blue-ribbon panel, the sources said.

Brewer, 69, who retired a month ago after a 38-year career with the LAPD, was the highest ranking black in the history of the department. His name has been mentioned by leaders in the minority community as an ideal interim replacement for Gates should the chief choose to retire any time soon.

Brewer will serve as one of three senior advisers to the commission. Joining him will be Wilson, a nationally recognized criminologist who has studied crime and police behavior for more than 20 years. Wilson formerly taught at Harvard University and is now the Collins professor of management and public policy at UCLA.

None of the three men could be reached Sunday.

Bill Chandler, a spokesman for the mayor, declined to comment on the makeup of the panel.

The mayor's commission is the second group formed within the last week to review law enforcement training and procedures in Los Angeles.

Last week, Gates disclosed that he had appointed retired state Supreme Court Justice John A. Arguelles and retired USC President James H. Zumberge to lead a separate inquiry into police misconduct. Three other panel members are expected to be named by Arguelles, who retired in 1989 and currently practices law in Orange County.

Gates' panel was announced as part of a 10-point plan intended to avoid a recurrence of the police beating of King, who was struck more than 50 times with nightsticks. Gates did not address precisely the funding or staffing levels for the "Arguelles Panel," raising questions about his commission's independence. The panel is expected to rely heavily on police funds and personnel.

(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
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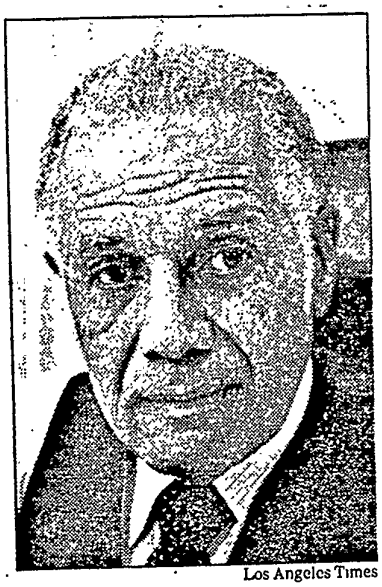
Since the King beating in Lake View Terrace was videotaped by an amateur photographer on March 3, allegations of racism and abusive conduct have been lodged against Los Angeles police officers. An array of community groups and national leaders have called for Gates to resign, but the chief has stood firm, saying he has no plans to leave before the King scandal is behind him and his department.

FBI/DOJ

44A-LA-119954-D-196

Los Angeles Times

Warren M. Christopher



Los Angeles Times

Jesse A. Brewer

"The public is interested in an independent analysis of what happened [in the King incident] and of the Police Department," said an official in the mayor's office. "The mayor believes that, only by appointing an independent group and assuring them independent funding, can you assure that the final report has credibility."

For the last three weeks, the mayor's office has waged a behind-the-scenes campaign, led by Deputy Mayor Mark Fabiani, to seek Gates' removal.

The effort has included naming civil libertarian and Gates critic Stanley Sheinbaum to fill one of two vacancies on the Police Commission, coordinating calls for Gates to resign by community groups and lobbying council members to publicly denounce the chief. So far, only Councilman Michael Woo has demanded that Gates step down.

Fabiani could not be reached for comment Sunday.

Bradley and the citizens' commission are expected to raise more than $1 million in funds and donated services through businesses, foundations and universities. The money will be used primarily to set up a staff and conduct a massive inquiry into Police Department practices and procedures, the sources said.

The mayor's office also has studied the possibility of arming the panel with subpoena power through the city's Police Commission.

At his press conference today, Bradley is expected to lay out an elaborate and detailed charge for the commission members, who will appear with him at City Hall.

The mayor's panel will be patterned after the Knapp Commission, which investigated corruption in the New York Police Department two decades ago. That commission, which also had subpoena power, found a pattern of systemic police corruption and recommended broad reforms to clean up the problem.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
Date: MON, APRIL 1, 1991
Edition: METRO SECTION, PAGE 4

Title: PRESCRIPTION FOR LAPD: AN INDEPENDENT PANEL

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APR 8 1991

FBI — LOS ANGELES

EDITORIALS

Prescription for LAPD: an Independent Panel

Mayor Tom Bradley was set to announce today the formation of a special citizens' commission to launch a thorough investigation into the structure and operation of the Los Angeles Police Department, focusing specifically on police brutality.

This is the latest effort by the mayor to assuage the local and national outrage over the videotaped police beating of an unarmed motorist, Rodney King. It's a necessary step, for only a totally independent and comprehensive probe of the King incident can restore public confidence in the LAPD. The notion of another special "commission" often draws understandable sighs. But a properly conceived and executed panel can and has worked.

THE MODEL: The panel is modeled on the Knapp Commission, which 20 years ago probed corruption in the New York Police Department after the police hierarchy there proved considerably less than willing to investigate allegations of widespread wrongdoing. A similar, totally independent commission that is not reliant on the LAPD or the city for resources is needed here to go beyond the scope of existing investigations, including the narrowly charged panel created by LAPD Chief Daryl F. Gates.

The New York panel of five private citizens, named after its chairman, Whitman Knapp, uncovered evidence of broad, systemic corruption, which it called an "extensive department-wide phenomenon, indulged in to some degree by a sizable majority of those on the force." It recommended broad reforms to deter corruption, discourage cover-ups and encourage honest officers and commanders who were willing to blow the whistle on colleagues. The commission also galvanized public opinion and helped remove what had become a nearly blanket suspicion of all police officers.

THE LESSONS: The investigative panel encountered financial uncertainty when the New York City Council balked at renewing funding. But the commission, which spent about $750,000 two decades ago, was rescued with federal law-enforcement funds.

To prevent similar problems here, the mayor and the commission are expected to raise more than $1 million in private funds and services from foundations, corporations and universities. That should provide protection from political meddling and give the commission the independence necessary to do a tough and unbiased job. Thus, the membership of the citizens commission is of paramount importance.

THE COMMISSIONERS: To lead the Los Angeles panel, the city needs a person of independence and probity. Today the mayor will announce the appointment of Warren Christopher, a world-respected local attorney who was deputy secretary of state in the Carter Administration, and a public servant of the highest caliber. He is an outstanding choice.

All additional members need to bring comparable high-caliber talents to this commission.

Another pick, as a senior adviser to the panel, is James Q. Wilson, a nationally recognized expert on urban policing at UCLA. He is an excellent choice because he understands the monumental challenges facing police officers in modern cities.

Another excellent mayoral appointment as a senior adviser is Jesse A. Brewer, who retired recently as assistant chief of the LAPD. He brings expertise on the inner workings of the department and a reputation for independence.

THE POWERS: The commission is expected to work similarly to the Knapp model, which had a full-time, independent staff that included former prosecutors with law-enforcement backgrounds. To uncover patterns of graft and cover-ups, the Knapp Commission held public hearings and subpoenaed testimony from police officers. That is worth doing in Los Angeles.

In fact, the citizens commission—if it's as successful as most people of good will in this

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city hope—could serve as a model for a truly independent city police commission. This crisis has shown that the current Police Commission—as constituted under outmoded City Charter provisions—is woefully under-funded and inadequately staffed to fully perform its task. Even when faced with its current assignment to investigate the Rodney King case, the Police Commission must depend on the LAPD to provide a small staff and minuscule budget.

THE GOAL: The fallout from the King beating unfairly has tarnished all police officers locally and nationally. To reduce those suspicions, the citizens commission must be prepared to stand up to the LAPD, the Police Commission, the City Council and even the mayor.

The citizens commission must be accountable only to the public in its quest to get at the truth of the strengths and of the problems that need correcting within the LAPD. In so doing the commission can restore full confidence in a proud department. It's a task of the utmost importance not only to the Los Angeles Police Department, but to all of Los Angeles.

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Edition: Mon, April 1, 1991
Metro Section, Page 4

Title: LETTERS TO THE TIMES - KING BEATING

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APR 3 1991

FBI — LOS ANGELES

King Beating

■ Members of the Assn. of Black Law Enforcement Executives (ABLE) are deeply hurt and embarrassed by the savage brutality inflicted upon Rodney King. The acts perpetrated by those officers cannot be defended by any of us. Their actions were criminal behavior and there is more and more evidence to show that it was a racially motivated event. However, we firmly believe that this is not indicative of the way that all police officers routinely perform their duties.

The current situation has compromised the strong relationship that the department has had with the community and put the police at a disadvantage in serving the public. When public trust is lost, efforts must be made to quickly regain that trust so that the customary high level of law enforcement service can be restored to the people of Los Angeles. We must now concentrate our efforts on investigating and re-evaluating police-citizen contacts because the community perceives the activity displayed in the videotape as routine police practice.

Much has been said and written about Chief Daryl F. Gates and the measure of his responsibility in regard to the incident. The call for the resignation of Gates is a simplistic and an unwarranted answer to a much larger problem. The man is not the issue. The tenure of the chief of police is separate and apart from what should be the main issue. Support for ensuring that justice is done through the execution of a thorough investigation, the proper administration of discipline for the involved officers and the establishment of a system to repair the harm that has been done to the community should be the main objectives. Chief Gates has provided leadership for this organization in all functions of management, including training and the administration of discipline. It is ludicrous to place blame at the feet of one person.

Every police officer in the Los Angeles Police Department must rightfully share the burden and the responsibility for rectifying the harm that has been done to this department by being professional and courteous in every public contact.

Whatever punishment the officers receive will not change what occurred to King, but will put in place graphic steps to rebuild public confidence in the LAPD and remind officers of the necessity of maintaining a reverence for the law while jealously guarding public trust.

As we seek strategies to eradicate the underlying causes of this terrible incident, we must look to the community to maintain and enhance those cooperative partnerships that have sustained us for so many years. As an integral part of the community, we must regain community trust in the Los Angeles Police Department's ability to do its job in a fair, humane, and even-handed manner.

LYMAN DOSTER
President of ABLE

FBI/DOJ

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FD-350 (Rev. 5-8-81)

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Woo Takes Call for Gates to Quit to Black Churches, Ministers

By JOHN L. MITCHELL
TIMES STAFF WRITER

Michael Woo, the first Los Angeles City Council member to call for Police Chief Daryl F. Gates to resign over the Rodney G. King case, made the rounds to several churches in the black community last weekend in what one influential minister described as an apparent prelude to a run for mayor in 1993.

Woo was given time to speak on the Gates controversy at three busy Easter services Sunday, including one at First African Methodist Episcopal Church, where Mayor Tom Bradley is a longtime member and trustee. Woo also addressed the issue Monday before 150 ministers of the Baptist Ministers Conference of Los Angeles and Southern California.

Woo downplayed any political motivation on his part, saying he was speaking at churches and to ministers across the city in an effort to heal racial divisions that have erupted in the wake of the March 3 beating of King by police. The incident has had racial overtones because the officers are white and King is black.

"I want to heal the wounds that have opened up," Woo said. "This is not a black or white issue but a broader citywide issue that applies to everyone. And I feel I am uniquely able to make this statement because first I called for Chief Gates to resign and I am an Asian-American, neither white nor black."

Woo said he is "interested" in running for mayor but has not made a decision. Bradley, mayor for 18 years, has not announced whether he will seek a sixth term in 1993.

Woo's call for Gates' resignation and "the restoration of public confidence in the Los Angeles Police Department" was well received by the congregation at First A.M.E., where one of the pastors credited Woo with taking a strong stance against police brutality and described him as a potential "mayoral candidate" in 1993.

Rev. Cecil L. Murray at First A.M.E. said it appeared that Woo's visit was designed to "build friends and bridges, a future network of support for a race for mayor, which is legitimate."

Woo said he telephoned Murray shortly after he publicly called for Gates' resignation. Murray said Woo asked for permission to address the congregation and it was granted.

Woo's visit to First A.M.E. took place with the blessing of Bradley, according to the mayor's office.

"The mayor was aware that Mike went over to First A.M.E. church," said Vallee Bunting, a spokeswoman for Bradley. "He fully supports Mr. Woo's right to appear at the church. Since Mr. Woo is the only council member to call for Mr. Gates' resignation, he thought that First A.M.E. would be a good forum to explain his position on this matter."

Councilman Nate Holden, who has expressed an interest in running for mayor in 1993, said he talked with Murray about Woo's appearance. Holden said he believes that the mayor had a role in arranging for Woo to take the pulpit but would not elaborate.

"He was given time at the pulpit on Easter Sunday, one of the highest religious holidays," said Holden, who has not called for Gates to resign.

Murray said his church was very supportive of Woo's call for Gates to resign. "There may be pockets of support for Gates in the black community but the overwhelming feeling is that he should step down," he said.

Bradley has stopped short of calling outright for Gates' resignation.

Rev. Frank J. Higgins, president of the Baptist Ministers Conference, said his group had called for Gates to resign shortly after reports of the King beating became public.

Los Angeles Times

Michael Woo

(Indicate page, name of newspaper, city and state.)

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FBI — LOS ANGELES

FBI/DOJ

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(Mount Clipping in Space Below)

2nd panel to probe LAPD

Bradley creates commission to remedy 'crisis of confidence'

By Patrick McGreevy
Daily News Staff Writer

Saying the Rodney King beating had led to a "crisis of confidence" in the LAPD, Mayor Tom Bradley created a seven-member commission Monday with sweeping powers to look at the leadership, oversight and operations of the department.

Bradley said the investigation, which could cost up to $1 million and take about 90 days, will be led by attorney Warren Christopher, a deputy attorney general in Lyndon Johnson's administration and deputy secretary of state in Jimmy Carter's administration.

Related stories:

■ Trial starts for officers involved in 1988 raid on apartments. **Back Page**

■ Woman awarded $55,000 in illegal detainment case. **Back Page**

The panel will be privately funded to bolster its independence and have power to subpoena witnesses to testify, Bradley said at a City Hall news conference.

"The Christopher Commission will deal with the whole range of the problem of police brutality in Los Angeles," Bradley said. "The time has come for a reasoned, objective, thorough and constructive examination of the structure and operation of the police department."

Other members Bradley named to the commission are Roy Anderson, chairman emeritus of Lockheed Corp.; Leo F. Estrada, an associate professor of Architecture and Urban Planning at the University of California, Los Angeles; Mickey Kantor, a partner in the law firm of Manatt, Phelps and Phillips; Andrea Sheridan Ordin, a former United States attorney; Dr. Robert Tranquada, dean of the University of Southern California School of Medicine, and John Slaughter, president of Occidental College.

Named as advisers were retired Deputy Police Chief Jesse Brewer, James Q. Wilson, a well-known criminologist and UCLA professor, and former New York City police commissioner Patrick Murphy.

The appointment of the mayor's commission comes less than one week after Police Chief Daryl F. Gates announced the formation of his own citizens panel, to be headed by former state Supreme Court Justice John Arguelles.

Gates' commission will focus on excessive-force cases and police training procedures — a narrower role than that of the Christopher Commission.

The chief said he "could not be more pleased" with the mayor's commission.

"We welcome an examination by any group that acts in good faith with fairness ad objectivity," Gates said in a statement. "I believe that the Christopher Commission is made up of people of high quality who possess an abundance of the above attributes."

Christopher, chairman of the law firm of O'Melveny & Myers, said: "I look forward to working with the Arguelles Commission. Their charge is much narrower than ours. I don't really see it as being competitive or incompatible."

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DAILY NEWS
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Character:
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The Police Commission, the City Council, the District Attorney's Office and the U.S. Justice Department also are investigating aspects of the LAPD in the wake of the videotaped beating of King by police officers in Lake View Terrace March 3.

Bradley said he hopes the commission's report, expected to be completed in 90 days, will help end what he called a crisis of confidence in the LAPD that resulted from the King incident.

"I think there is a need for us to restore public confidence in the LAPD and to restore the prestige and morale of the men and women who make up that great department," Bradley said. "I can think of no better way to start that process than by appointing a high-level, independent commission that will bring to this study the prestige that each of them enjoys individually."

Four LAPD officers have been indicted on criminal charges in the beating of King, 25, and the Los Angeles County grand jury is reviewing charges against 17 other officers who witnessed the beating. The incident sparked widespread calls for Gates to resign, but the chief said he will not retire until public confidence in the department is restored.

Bradley said that the police issues the Christopher Commission will review will include:

- Whether the City Charter should be changed regarding the appointment, disciplining and removal of the police chief, who is protected by the civil service commission.
- The selection, training and disciplining of officers.
- The effectiveness of the command structure.
- What the proper role should be for the Police Commission and whether its staff should continue to be made up of Police Department employees.

The inquiry could cost up to $1 million. The funds would be raised privately, and the $1 million estimate includes the value of in-kind services, such as donated time by attorneys, said Bill Chandler, a spokesman for the mayor.

Christopher brings to the commission experience as former Deputy Attorney General of the United States, former Deputy Secretary of State and former vice chairman of the McCone Commission, which investigated the Watts riots in 1965.

"We hope to make this the most probing analysis of its kind ever conducted," Christopher said Monday. "It will be an objective, independent and nonpartisan review."

Christopher said the panel, which met for the first time Monday, also will talk to police officers about the department's problems.

In addition to the Arguelles and Christopher commissions, the mayor-appointed Police Commission and the City Council also are examining police operations in the wake of the King beating. Bradley and Christopher said they do not think the new panel's review will conflict with any of the other investigations, saying the new panel is looking for long-term solutions.

Bradley, who has said that Gates' retirement would help start the healing process for the community, repeatedly emphasized that the panel will be independent of his office.

He denied Monday that the panel's objectivity should be questioned because of his appointment of Kantor, who was one of Bradley's attorneys during a 1989 city attorney's investigation into Bradley's personal finances.

"I think that has nothing to do with the work of this commission," Bradley said. He said Kantor's reputation of integrity is above reproach.

EXAMINING THE LAPD

There are now six agencies or panels examining the Los Angeles Police Department in the wake of the police beating of Rodney King on March 3. Here is a look at their investigations:

- **The Christopher Commission:** Named by Mayor Tom Bradley on Monday, the commission headed by former Deputy Attorney General Warren Christopher will look at the entire structure and operation of the LAPD, including the role of the police chief and the Police Commission. It will also examine the investigation and prosecution by the District Attorney's Office of officers accused of using excessive force.
- **The Arguelles Commission:** The commission, headed by former state Supreme Court Justice John Arguelles, will look specifically at the issue of excessive force and at police training procedures. Officials say its scope will be more narrow than that of the Christopher Commission.
- **The Los Angeles City Council:** The council recently voted to spend $1.5 million on an audit of the Police Department to determine whether the large number of police officers added to the force in recent years has been deployed effectively.
- **The Police Commission:** This panel, a standing commission appointed by the mayor, is reviewing whether Police Chief Daryl F. Gates should be disciplined as a result of the King incident and whether there is a pattern of excessive force in LAPD arrests.
- **The District Attorney's Office:** Investigators are examining police conduct in the Foothill Division, where the King beating occurred.
- **The U.S. Justice Department:** FBI agents are investigating the Foothill Division in connection with a Justice Department's civil rights investigation.

DAILY NEWS

Bob Halvorsen/Daily News

From left, Andrea Sheridan Ordin, Dr. Robert Tranquada, Roy Anderson, Dr. Leo F. Estrada, Councilman John Ferraro, commission head Waren Christopher, Mayor Tom Bradley, District Attorney Ira Reiner and John Slaughter.

PROFILES OF COMMISSION MEMBERS

Mayor Tom Bradley appointed a seven-member commission Monday to review police brutality issues and the operations of the Los Angeles Police Department. The commission members are:

■ **Warren Christopher,** who will be chairman of the commission. Christopher, 65, is a former deputy attorney general and former deputy secretary of state. He is now serving as chairman of the O'Melveny and Myers law firm, which acts as legal counsel for bonds issues by the city of Los Angeles. Christopher was also vice chairman of the McCone Commission, which investigated the Watts riots in 1965.

■ **Mickey Kantor,** a partner in the law firm of Manatt, Phelps and Phillips and one of Mayor Tom Bradley's defense attorneys during a 1989 investigation by the city attorney into Bradley's personal finances. Kantor, 50, is also a member of the Los Angeles Conservation Corps, the California Commission on Campaign Financing and the American Jewish Committee. He has been active in Democratic Party campaigns, including Walter Mondale's 1984 bid for the presidency.

■ **Andrea Sheridan Ordin,** a former United States attorney and chief assistant state Attorney General. Ordin is head of litigation for the Los Angeles law firm of Pepper, Hamilton and Scheetz.

■ **John Slaughter,** president of Occidental College and former chancellor for the University of Maryland. He has served on the President's Commission on the National Collegiate Athletic Association and the San Diego Urban League.

■ **Dr. Robert Tranquada,** dean of the University of Southern California School of Medicine. Tranquada is the former medical director of the County-USC Medical Center, and former regional director, of the Los Angeles County Department of Health Services.

■ **Leo F. Estrada,** associate professor at the Graduate School of Architecture and Urban Planing at UCLA. Estrada recently served as a principal adviser during the redistricting of the Los Angeles County Board of Supervisors' districts.

■ **Roy Anderson,** chairman emeritus of the Lockheed Corp. and a member of the board of trustees of Stanford University. He is also on the board of directors of First Interstate Bank of California.

DAILY NEWS

Bradley's announcement of the Christopher Commission drew skepticism from George Aliano, president of the Police Protective League, which represents 8,000 police officers.

"They are high-powered people but they don't know what happens on the street," Aliano said. "If the problem is going to be solved it has to be solved by the people accused of doing things wrong."

Aliano said the Police Protective League plans to announce later this week that it will conduct its own review of problems plaguing the Police Department.

Aliano said he does not see much difference between the goals of the commissions appointed by Gates and Bradley.

"They're just different people," he said.

However, the mayor's announcement of the commission was supported at the news conference by District Attorney Ira Reiner and City Council president John Ferraro.

But Reiner doubted that the commission alone can restore confidence in Police Department.

"It is not the purpose of this commission to restore public confidence in the Los Angeles Police Department because that can only be done by the department itself," Reiner said, adding that confidence only can be restored by police "deeds, not public relations."

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(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

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Title: BRADLEY'S CHANGE OF VIEW

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BRADLEY'S CHANGE OF VIEW

Mayor Tom Bradley's statements on the March 3 beating of Rodney King and whether Police Chief Daryl F. Gates should resign:

■ **MARCH 5:** After viewing an amateur videotape showing white police officers beating a black suspect as he lay on the ground: *"I am as shocked and outraged as anyone. This is something we cannot and will not tolerate. . . . Appropriate action will be taken by the [Police] Department and the Police Commission."*

■ **MARCH 6:** While Gates calls the beating an aberration, Bradley says it points to a breakdown in leadership that begins with the chief: *"The supervision does, in fact, flow from the top of the department down—through his orders and instructions, through his training. . . . We want to see where there was a breakdown, a departure from established orders."*

■ **MARCH 12:** Bradley proposes that the chief and department managers be subject to a performance review and possible dismissal every five years, but insists he is not trying to pressure Gates to step down: *"I get letters from all over the country from people saying that I should fire Daryl Gates, but they don't understand that it can't be done. The [City] Charter doesn't permit it."*

Mayor Bradley

■ **MARCH 18:** While in Hawaii on a business trip, Bradley comments on racial slurs contained in police radio and computer communications: *"It is no longer possible for any objective person to regard the King beating as an aberration. We must face the fact that there appears to be a dangerous trend of racially motivated incidents running through at least some segments of our Police Department."*

■ **MARCH 19:** In an interview broadcast by KCAL Channel 9, Bradley says the beating of King and its aftermath have caused the Police Department's reputation to suffer "grievous" injuries: *"It would help . . . in the healing process if the chief would retire."*

■ **MARCH 20:** Upon his return from Hawaii, Bradley tells reporters at LAX the only way for the department to recover is for Gates *"to remove himself from the center of the [storm]."*

■ **MARCH 21:** At Banning High School in Wilmington, Bradley responds to the question of whether Gates should resign: *"Only he has the authority and ability to say, 'I retire.' No requests are going to make any difference until the chief recognizes that he, by staying on, may be damaging the department."*

■ **APRIL 2:** Bradley meets privately with Gates and later announces: *"I called upon Mr. Gates to resign as chief of police."*

Compiled by Times editorial researcher Cecilia Rasmussen

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(Mount Clipping in Space Below)

Bradley Asks Gates to Quit for Good of City

■ Police: The chief promptly rejects the demand. The mayor cites damage to the department's reputation and loss of public confidence.

By HECTOR TOBAR
and RICHARD A. SERRANO
TIMES STAFF WRITERS

Mayor Tom Bradley called on Los Angeles Police Chief Daryl F. Gates to resign Tuesday "for the good of the LAPD and the welfare of all of Los Angeles," a demand the chief promptly rejected.

The standoff marked a sharp escalation in the monthlong controversy over the police beating of Rodney G. King, transforming it into a battle of wills between two of the city's most powerful public officials.

In a live televised address, Bradley said he met privately with Gates at City Hall earlier in the day and asked the chief to step down from the post he has held for 13 years. But Bradley said Gates told him: "Mayor, I think you're wrong and I will not resign."

Having failed in private to persuade the chief to resign, Bradley went before the public. "The Los Angeles Police Department is at a crossroads in its great history," the mayor said. "When the public begins to lose confidence in the chief, and in the LAPD, the chief has only one choice. He must step aside."

Gates, emerging from his Parker Center office after the mayor's address, appeared calm and unshaken and vowed not to resign.

"There are 8,300 members of this department who are depending on me to stay and to provide some leadership out of this situation," Gates said. "I believe I can provide that leadership and I will do that."

He added: "I don't believe that 8,300 police officers will follow the mayor anywhere."

King was beaten March 3 by LAPD officers who struck him more than 50 times with their batons after a car chase in the San Fernando Valley.

The beating, videotaped by a amateur cameraman, has prompted a national outcry against police brutality and many calls for Gates' resignation. Gates has publicly condemned the actions of the officers, but claimed it was an "aberration" and not part of a pattern of police abuse of citizens.

Bradley's call for Gates' departure drew a wide range of predictions about how the struggle between the two leaders will be resolved.

'If the chief resigns, it will create a firestorm," said Councilwoman Joy Picus, a Gates supporter. "It would polarize the city, not heal the city. I believe the only person who can make the changes required within the department is the chief of police himself."

Police Commissioner Melanie Lomax, who often has been critical of the chief, predicted otherwise.

"Mayor Bradley's statements will be given great weight," Lomax said. "I think it's going to be one of those pivotal events in this crisis that, in all likelihood, will increase the pressure that has been brought to bear on the chief of police."

In his speech, Bradley said the King case, and Gates' refusal to leave office, have damaged the department's reputation and ruined public confidence in the Police Department.

"I simply will not stand by as our city is split apart," Bradley said. "We must come together. We must heal."

Directing many of his remarks to the chief personally, the mayor said: "Chief Gates, now is the time for you to do the right thing—for your officers, for your department, for the public you serve."

Bradley also addressed the officers under Gates' command. "As an LAPD veteran, I empathize with the thousands of honorable officers who have watched helplessly as the department's prestige has been seriously tarnished. . . . The damage to the department's reputation cannot continue."

His remarks, which lasted 3½ minutes, were in sharp contrast to his cautious statements in the past four weeks in which he always stopped short of calling for Gates' resignation.

Earlier, Bradley had said Gates' resignation would be "the only way to start the healing process" in a city divided by the beating, but that the decision to resign was up to the chief.

(Indicate page, name of newspaper, city and state.)

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But Tuesday, Bradley crossed the line. "Unfortunately, Chief Gates has not recognized the impact he is having on the LAPD," the mayor said. "His reactions to the tragic Rodney King beating have made an ugly situation even worse."

"As mayor," he added, "I have reluctantly concluded that I can no longer wait for Daryl Gates to do what is best for the LAPD."

Instead, the mayor continued, Gates has embarked upon a public relations campaign to keep his job "that has only deepened our wounds and widened our differences."

Gates denied that he has orchestrated a public relations effort on his own behalf, saying that thousands of "just plain folks" have come to his defense.

The chief stressed that he would step down only if a panel he appointed last week to review LAPD procedures determines that he was "derelict" in performing his duties.

"If they find that I have been derelict . . . I'll say goodby. But I don't think I have," Gates said.

He read from a 1989 report by City Atty. James K. Hahn criticizing Bradley's ties to financial institutions that dealt with the city and the mayor's efforts to secure city funds for a scandal-plagued African trade group.

"Ethics is what we're really talking about," Gates told reporters after citing the report. "He's called on me to do the moral thing, getting into ethics. Well, no one's ever questioned my ethics. No one's ever questioned my integrity or my honesty."

Last month, the Los Angeles County grand jury indicted four LAPD officers in the beating on charges that include assault with a deadly weapon and assault under the color of authority. The officers have pleaded not guilty.

In addition, six other government inquiries into the Police Department and the King incident are under way.

Gates was appointed chief by the Police Commission in 1978. According to the City Charter, a police chief has Civil Service protections and can be fired or disciplined by the commission only if it can show "cause," usually interpreted to mean misconduct or willful neglect of official duties.

As a result, there have been calls in City Hall to change the Charter. Despite the legal difficulties in ousting Gates, a public groundswell—fueled in part by Bradley's office and the American Civil Liberties Union—has grown demanding his resignation.

Others who want him removed include several African-American groups, such as the Urban League and the National Assn. for the Advancement of Colored People.

A variety of local and national political leaders also have called on Gates to step down, including City Councilman Michael Woo, state Assembly Speaker Willie Brown (D-San Francisco) and U.S. Sen. Joseph Biden (D-Delaware).

Woo, the only City Council member to demand Gates' resignation, said after the mayor's speech: "Mayor Bradley has taken a very bold step in the best interests of the Police Department and the city. . . . Now it is up to Chief Gates to let the healing begin by stepping down."

In contrast, Gates has received the support of Gov. Pete Wilson and several City Council members, including Picus, Hal Bernson, Joan Milke Flores and council President John Ferraro.

Bradley's speech, according to sources at City Hall, culminated weeks of behind-the-scenes efforts directed by his top aide, Deputy Mayor Mark Fabiani.

On March 15, Bradley appointed civil libertarian Stanley Sheinbaum to the Police Commission, a move hailed by those seeking the chief's resignation. On March 26, Bradley replaced one of the five Civil Service commissioners who eventually could decide whether Gates should be fired.

The mayor's office also worked with community groups that are demanding new LAPD leadership and lobbied council members to publicly denounce the chief.

In public, however, Bradley said his office was not working to unseat Gates. The mayor repeatedly said he would not call for the chief to step down because it was unlikely that Gates would do so.

"I think he has been advised by some people already and he's made it very clear that he has no intention of leaving," Bradley said on March 21 during a tour of South-Central Los Angeles. "He's told me that. So I don't believe in engaging in fruitless activities."

Six days later, Bradley told a press conference: "There have been a number of people who have called for the chief's resignation. I have not done so. . . . I think that the chief is the one who is going to have to recognize when his retirement is required in order to bring about that process."

Under fire from various community groups and political leaders, Gates has responded with his own public relations campaign. He has appeared on a number of television talk shows—including "Prime Time Live" and "Face the Nation"—and addressed a crowd of supporters at a Police Academy rally. Los Angeles police officers and their supporters began wearing blue ribbons to symbolize their solidarity with the chief and his department.

Gates' most comprehensive effort to restore confidence in the LAPD came last week, when he announced a 10-point plan to improve community relations and explore the causes of police brutality.

The cornerstone of the plan was the appointment of a committee chaired by retired state Supreme Court Justice John A. Arguelles. The committee is to conduct an exhaustive inquiry into the LAPD's training practices and policies.

On Monday, Bradley countered by announcing the appointment of his own review panel, headed by former Deputy Secretary of State Warren M. Christopher.

Arguelles and Christopher said Monday they had discussed coordinating the efforts of their committees.

The Christopher Commission was a key element in the mayor's campaign to remove Gates from office, and the announcement that the two committees could work together appeared to temporarily frustrate Bradley's attempts at persuading the chief to resign.

In a statement released Tuesday, Bradley spokesman Bill Chandler hinted that accepting members of the Gates-appointed Arguelles Commission into the mayor's commission would compromise the latter's independence.

"A review [of the Police Department] that does not look to the city or the LAPD for financing or staffing is the only way to ensure the commission's independence," Chandler said. "And a completely independent review is what the city needs."

By contrast, Gates said that merging the two panels "makes a lot of sense and so I'm all for it."

In another development Tuesday, ACLU officials said they had gathered petitions with 20,000 signatures demanding Gates' resignation.

The ACLU also released a report, compiled by staff in New York and Washington, outlining allegations of police brutality throughout the nation. The report said the get-tough rhetoric of the "war on drugs" and the "war on crime" encourages police to become overly forceful "soldiers" in their communities.

Ramona Ripston, executive director of the ACLU of Southern California, applauded Bradley's call for the chief's resignation.

"That is certainly something this community wants," she said. "It's a beginning point, but no one should think that all the problems of the department will be solved when Gates goes. Starting with new, fresh leadership is the way to go."

A recently formed group called Citizens in Support of the Chief of Police presented the Police Commission with 13,000 signatures of people who support Gates and want him to remain as chief.

Times staff writers Leslie Berger, Glenn F. Bunting, John Kendall, John L. Mitchell, James Rainey and Sheryl Stolberg contributed to this story.

ROSEMARY KAUL / Los Angeles Times

Mayor Tom Bradley calls on Police Chief Daryl F. Gates to resign.

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Plea builds pressure on police panel

By Patrick McGreevy and Rick Orlov
Daily News Staff Writers

In his accusations against Police Chief Daryl F. Gates on Tuesday, Mayor Tom Bradley spelled out possible grounds for the suspension or firing of the chief, a city Police Commissioner said Tuesday.

The Police Commission — which already is considering disciplinary action against Gates — now must act quickly to determine whether Gates should be fired or suspended, said Commissioner Melanie Lomax.

"He has outlined correctly the factors that must be considered to determine whether there is ongoing viability in the chief continuing in that office," Lomax said. "The mayor's statement increased the obligation of the Police Commission to consider the issue. It increases the pressure on us to, in the near future, take clear action."

To fire or discipline Gates with a suspension of more than 30 days, the Police Commission must find that there is "good and sufficient cause," according to an opinion published March 28 by the City Attorney's Office.

"Good cause" would include "actions or omissions by the chief which can be shown to have been detrimental to the discipline and efficient achievement of the Police Department's mission to assure public safety," according to the opinion written by Senior Assistant City Attorney Fred Merkin.

In a televised address calling on Gates to resign, Bradley said the police chief has "deepened the wounds" in the city following the beating of Rodney King by police officers March 3.

"His reactions to the tragic Rodney King beating have made an ugly situation even worse," Bradley said, adding later: "I can no longer count on him to act in the best interests of all of Los Angeles."

Bradley said Gates has "embarked upon a public relations campaign" that has divided the city in the wake of the incident. In addition, Gates has trivialized public outrage over the beating by taking the criticism personally.

"Chief Gates has portrayed the public's outrage over the beating as a personal attack on himself and the department. That is not the case. And to suggest otherwise does a disservice to the LAPD and to the people of Los Angeles."

Lomax said the commission already has begun reviewing information that can help it decide whether to discipline, fire or clear the chief.

She called Bradley's outline of the case against the chief a "significant evaluation" but added: "It is not a marching order for the Police Commission. We are an independent commission."

Neither Bradley nor the City Council can fire Gates, whose job is secured by civil service protections extended to all city department heads.

The five-member Police Commission, which is appointed by Bradley, is the only panel that can initiate dismissal or discipline of the police chief.

At a news conference Tuesday following his call for Gates to resign, Bradley said he did not know

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whether there were grounds to dismiss Gates.

"I have not examined all of the evidence to determine that," Bradley said. "That is something that lies within the jurisdiction of the Police Commission, and I will not interfere with their decision."

The commission began reviewing possible disciplinary action against Gates shortly after the March 3 beating of King, 25, by police officers following a traffic stop in Lake View Terrace. Four police officers have been indicted in the incident — captured on videotape by a bystander — and a Los Angeles County grand jury is reviewing charges against up to 17 others who witnessed the events but did not intervene.

Bradley joined a growing number of community leaders who have called on Gates to resign, but the chief insists he has done nothing wrong and will not step down unless asked to by members of two citizens panels investigating the incident.

In the wake of the King beating, Bradley nominated longtime liberal activist Stanley Sheinbaum to fill one of two vacancies on the Police Commission. Two other commissioners — lobbyist Dan Garcia and Loma[illegible], a longtime civil rights advocate — were appointed by Bradley last year with specific direction to take a tougher look at LAPD policies.

The fourth member of the Police Commission is Sam Williams, and a fifth member has not yet been nominated.

Because of Sheinbaum's long affiliation with the American Civil Liberties Union — which has called for Gates to resign — some council members question whether his appointment to the Police Commission is fair to the chief.

"I'm leaning against voting for him," said Councilwoman Joan Milke Flores.

The City Council postponed until today a scheduled confirmation hearing for Sheinbaum on Tuesday. Council president John Ferraro asked for the delay, saying Councilman Richard Alatorre, who heads the council's Public Safety Committee and supports the appointment, was absent Tuesday because of illness.

The Public Safety Committee has endorsed Sheinbaum, but it was unclear whether there are enough votes to support his nomination w[illegible] it goes to the full council today.

In addition to Flores, Councilman Ernani Bernardi has questioned the appointment. Councilman Hal Bernson, who is seeking re-election, said Sheinbaum is unacceptable and predicted a major battle today over the appointment.

"You bet there will be a fight," Bernson said. "I'll say it now. I'm not voting for him."

If the Police Commission finds that there is good cause to remove Gates, it can relieve him from duty and refer the matter to the five-member Civil Service Commission for a hearing and an order of discipline, Merkin said.

The Civil Service Commission could then order that the chief be fired or suspended. That order would then be sent back to the Police Commission for execution of the disciplinary order.

The Police Commission could lessen but not increase the penalty.

There are four civil service commissioners now serving — Casimiro Tolentino and Anthony de los Reyes, who are both attorneys; the Rev. Kenneth Flowers, and Julie Depoian, who runs an employment agency.

DISCIPLINING GATES

Under the City Charter, only the police and civil service commissions can fire or discipline the police chief. Here is the process:

- The Police Commission first must find that there is "good and sufficient cause" for discipline, including "actions or omissions by the chief which can be shown to have been detrimental to the discipline and efficient achievement of the Police Department's mission to assure public safety," according to the City Attorney's Office.
- If the Police Commission finds that there is good cause to remove Gates, it can relieve him of duty and refer the matter to the five-member Civil Service Commission for a hearing.
- After a hearing, the Civil Service Commission then could order that the chief be fired or suspended.
- The Civil Service Commission action then would be sent back to the Police Commission to execute the order. The Police Commission could lessen but not increase the penalty.
- Following final action by the Police Commission, the police chief could appeal a disciplinary action in court.

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(Mount Clipping in Space Below)

Foothill boosts ranks of minority officers

By Jaxon Van Derbeken
Daily News Staff Writer

PACOIMA — About fifteen police officers, including four minority supervisors, are being transferred to the Foothill Division to strengthen community ties and balance the division's ethnicity, officials said Tuesday.

One black lieutenant and three minority sergeants already have been moved to Foothill, and 10 or 11 additional officers will be transferred to the division by April 21, said Assistant Chief Robert Vernon.

The transfers are not related to the March 3 beating of black motorist Rodney King by Foothill officers, Vernon said.

"I am trying to bring in strength to certain areas," Vernon said, adding that he did not know the ethnicity of all the incoming officers. "We need to have a little more ethnic and experience mix."

As of November, Foothill had 244 officers. There were 179 white officers, 51 Hispanics, 10 blacks, two Asians and two American Indians on the force, he said.

According to 1990 census figures, the communities of Sylmar, Pacoima, Sunland Tujunga and Lake View Terrace are composed of about 51 percent Hispanic residents, 37 percent white, almost 7 percent black and 3.6 percent Asians and Pacific Islanders.

Vernon said that the department recognized the ethnic imbalance in Foothill and other divisions in 1990 and had started taking steps before the King incident.

Most of the officers being transferred out of the division are white males, and one of the incoming sergeants is a white female, Vernon said. One of the new sergeants is Hispanic and comes from the Devonshire division and another sergeant is black, Vernon said.

Among the officers leaving Foothill is Sgt. Robert Ontiveros, who testified before the grand jury that indicted four Foothill officers in the beating of King, police said.

One of the new sergeants is Sgt. Pete Weinhold, a former senior patrol officer for the Pacoima area who is returning to Foothill to serve as a community relations liaison.

"I've assigned him to community relations, he's out there working out plans in the community," said Capt. Tim McBride, commander of the Foothill Division.

Vernon gave Deputy Chief Mark Kroeker the authority to bring in officers with "special skills" in dealing with the community. "They just know how to deal with people good," Vernon said of the skills the department is looking for at Foothill.

"We would like to have a little better ethnic representation of the community," said McBride. "I've been able to make some selections this time I would ordinarily not be able to do."

Vernon said that efforts to draw minority officers to Foothill were slowed by black officers who do not want to make the long commute to the Valley.

"They said it would bring a hardship upon them," he said. "We're going to have a better ethnic mix, regardless of the hardship."

More transfers will be effective over the next months as part of the long-term rebalancing of the division, Vernon said.

Also Tuesday, the newly formed African American Peace Officers Association charged that racial prejudice is widespread in the department.

"Silence is complicity, and we have agreed to break that silence in an effort to gain the community's trust and support," said Carl McGill, president of the organization. He said his organization pledges, "from this day forward, to disclose any violations of the police officer's code of ethics."

McGill called for civilian control of department facilities, civilian review boards for police misconduct and psychological screening of officers

(Indicate page, name of newspaper, city and state.)

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Text of Mayor's Statement

Here is the text of Mayor Tom Bradley's call for Police Chief Daryl F. Gates to resign:

Today I met with Police Chief Daryl Gates. At that meeting I called upon Mr. Gates to resign as chief of police.

I did so because the Los Angeles Police Department is at a crossroads in its great history. As an LAPD veteran, I empathize with the thousands of honorable officers who have watched helplessly as the department's prestige has been seriously tarnished. The men and women of the Police Department are on the streets every day, doing the tough, dirty and dangerous business of fighting crime. These officers deserve the best. The damage to the department's reputation cannot continue. My priority is to restore the public's confidence in the cop on the street.

Our city must also begin to heal its wounds. My duty as mayor is to all of Los Angeles. I simply will not stand by as our city is split apart. We must come together. We must heal.

I have said time and time again that this healing cannot begin—that the Police Department's reputation cannot be restored—as long as Daryl Gates is at the center of the storm of protests. The public has lost confidence in large measure in Chief Gates since Rodney King was beaten. I have asked him to show the uncommon courage to retire for the good of the Police Department and the welfare of all of Los Angeles.

Since I legally cannot remove the chief, I have waited patiently for him to see that by remaining on the job he is hurting the men and women of the Police Department he loves so much. Unfortunately, Chief Gates has not recognized the impact he is having on the Police Department.

Instead, Chief Gates has embarked upon a public relations campaign that has only deepened our wounds and widened our differences. His reactions to the tragic Rodney King beating have made an ugly situation even worse. Chief Gates has portrayed the public's outrage over the beating as a personal attack on himself and the department. That is not the case, and to suggest otherwise does a disservice to the Police Department and to the people of Los Angeles.

As mayor, I have reluctantly concluded that I can no longer wait for Daryl Gates to do what is best for the Police Department. I can no longer count on him to act in the best interests of all of Los Angeles.

That is why, today, I called upon Daryl Gates to resign. Chief Gates is a public official, and he owes a special responsibility to the public he has sworn to serve. When the public begins to lose confidence in the chief, and in the Police Department, the chief has only one choice. He must step aside. He must allow the winds of change to blow across the Police Department, to refresh its officers, and to restore the department's vigor and reputation.

Chief Gates, now is the time for you to do the right thing—for your officers, for your department, for the public you serve.

(Indicate page, name of newspaper, city and state.)

Date: LOS ANGELES TIMES
Edition: WED APRIL 3, 1991
FRONT SECTION, PAGE 11

Title: TEXT OF MAYOR'S STATEMENT

Character: CIVIL RIGHTS
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APR 10 1991

FBI — LOS ANGELES

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FD-350 (Rev. 5-8-81)

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(Indicate page, name of newspaper, city and state.) Daily News (News) P. 1 Van Nuys, CA

Date: 4-5-91
Edition: Conejo Valley

Title: More Than 150 at Foothill are Cooperating with FBI

Character: 44A-LA-11954
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Indexing:

More than 150 at Foothill are cooperating with FBI

By Jaxon Van Derbeken
Daily News Staff Writer

Although many officers initially blocked investigators by invoking their constitutional rights, more than 150 Foothill Division LAPD officers have agreed to answer questions in the FBI's civil rights investigation, officials said Thursday.

Thomas Jones, the FBI's chief spokesman in Washington, D.C., described the interviews as "courteous and professional," and said the officers did not claim they were pressured to cooperate — which under FBI policy would have prevented the questioning.

See **FBI** / Pg. 13

Officers claim no pressure to talk

FBI / From Page 1

"The key to this is that they were not subjects on an investigation, but witnesses," Jones said.

George Aliano, the president of the Los Angeles Police Protective League, which advised officers to claim they were under duress before answering questions, said he was surprised so many officers chose to ignore that advice.

"I'm surprised in that we were left with the impression that people were going to follow the advice," Aliano said. "I guess they had nothing to hide."

On March 25, federal agents began an investigation of the 240-officer Foothill Division to determine whether the March 3 beating of Rodney King was part of a pattern of civil rights abuses there.

FBI officials planned to question all officers who worked at the division, but were forced to terminate dozens of interviews after officers — on the advice of the union — stated at the outset that they were under duress to cooperate in violation of their constitutional rights.

FBI policy permits only voluntary interviews of witnesses in an investigation, Jones said — and more than 150 officers eventually came forward and agreed to be questioned without claiming they were pressured to do so.

The interview phase of the investigation was completed this week, Jones said.

The deadline to complete a preliminary report of the FBI investigation was initially set at 21 days, but Jones said the limit is not set in stone.

COMPLETELY ERRONEOUS.
JD

44A-LA-119954-D-205

FBI/DOJ

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Interim Chief to Be 'Steward'

■ **Succession:** An LAPD career official replaces Gates and promises not to be 'revolutionary.'

By LOUIS SAHAGUN
TIMES STAFF WRITER

Assistant Police Chief David Dotson awoke in the middle of the night wondering if he would be asked on Thursday to assume command of the second largest police force in the nation.

Shortly before noon, he was summoned to the city Police Commission's executive office. When he emerged a few minutes later, the 57-year-old career police officer, who has headed sensitive and potentially explosive divisions ranging from narcotics to anti-terrorism, was fighting back tears.

The commissioners told him they had decided to put Police Chief Daryl F. Gates on paid leave for 60 days, then asked if he would be interim manager of the Los Angeles Police Department.

"When he came out I put my hand out and said, 'Chief, if there is anything you need, you got it," said Lt. Stella Mattson, commanding officer of the commission's investigation division. "He forced a smile and said, 'Thanks.' "

Later Dotson, a 33-year LAPD veteran, was more composed as he met with reporters, saying, "I have some feelings of discomfort, but I am also pleased with the challenge."

Perhaps his biggest challenge will be boosting morale of the department's 8,300 employees, which has plummeted since the Rodney G. King beating March 3.

"I think the events of the past four weeks have, no question, had an adverse effect on the morale of the employees of this department," Dotson said. "But I intend, to the best of my abilities . . . to get them to enhance their morale by the accomplishment of their tasks."

He described his role as that of a "steward. I am a caretaker, an interim manager, and I understand that role very clearly. I will not be revolutionary in what I do."

In selecting Dotson, the commission bypassed the only other assistant chief on the force, Robert L. Vernon. A third assistant chief, Jesse Brewer, retired a month ago.

Dotson declined to speculate on why he was chosen by the commissioners. "They said it was a personnel matter and didn't want to respond," Dotson said. However, the fact that the city has agreed to pay $450,000 to settle a lawsuit involving Vernon may have figured in the decision.

Michael Zinzun, a former Black Panther Party official, said that Vernon used a police computer to gather information to damage his 1989 campaign for the Pasadena Board of Directors. Vernon had said he only gained access to a computerized file of media reports.

Dotson, a Newhall resident, joined the force in May, 1958, and rose steadily through the ranks. He was promoted to sergeant in 1964 and to captain in 1972. He later became deputy chief in charge of narcotics and vice operations. Ten days ago, he was named director of the department of administrative services, which oversees automated systems and finances.

"He chooses his words very carefully, and he is very soft-spoken," said Lt. Morrison. "But don't be fooled by still waters. When Dotson wants something, it gets done."

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
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Edition: Front Section, Page 22

Title: INTERIM CHIEF TO BE "STEWART"

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APR 10 1991

FBI — LOS ANGELES

What Next in the Police Furor?

Police Chief Daryl F. Gates is not the sole issue in the divisive aftermath of the videotaped beating of a motorist suspected of speeding. The accountability of the chief of police—and the extent to which the brutal beating of Rodney King reflects the chief's style of leadership, a pattern of behavior or a common attitude within the police department—are legitimate questions that must be answered.

But the Police Commission's decision Thursday to put Gates on administrative leave for 60 days pending completion of its investigation reminds Los Angeles, as if any further reminder were necessary, that the chief has become the lightning rod.

The commission's action, whose legality will be tested in the courts, is understandable. Gates has not been forced to leave. He is being asked to step aside for a decent interval while the commission's probe proceeds.

Gates is within his rights to challenge the police commission in court, but under the circumstances, is that the wisest course? Given the polarizing crisis and the increasingly ugly tone of the debate, would it not have been better for Gates to accept the decision? Even if the chief prevails in the courts, he must understand this issue is now larger than any one man.

No doubt Gates feels he did nothing wrong. But did his management style or controversial remarks foster a climate that permitted the beating? Lead to the failure of the sergeant at the scene? Set a tone that allowed other officers to watch the beating without intervening, and then fail to report it to their superiors? Encourage a belief that officers could transmit personal messages—including racially offensive remarks and jocular sentiments about use of force—over police computers without penalty?

The Police Commission, and the newly impanelled Christopher Commission, must find answers to these and other questions to help defuse this intensifying storm. To avoid counterproductive duplication and increase efficiency, the independent Christopher Commission has taken aboard retired state Supreme Court Justice John Arguelles, who had been tapped by Chief Gates to chair a narrower probe stemming from the March 3 beating.

The expanded commission fortunately will not depend on funds, staff or other resources from either the city or the police department. To guarantee independence, the citizens panel will be able to draw on as much as $1 million in funds and services raised from private foundations and businesses. That independence—from the mayor, the City Council, the Police Commission and the LAPD—is absolutely essential to reassure the public.

It is in the best interest of public safety to resolve this crisis. The Police Commission and Christopher Commission must act responsibly and with all deliberate speed.

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LOS ANGELES TIMES
Date: FRONT SECTION, PAGE 22
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Title: GATES TO CHALLENGE COMMISSION DECISION IN COUR'

Character: CIVIL RIGHTS
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FBI — LOS ANGELES

Gates to Challenge Commission Decision in Court

■ **Leave:** He says he has not been accused of wrongdoing. Panel's ruling is similar to the treatment the chief dealt officers charged in King beating.

By TED ROHRLICH
and FRANK CLIFFORD
TIMES STAFF WRITERS

Los Angeles Police Chief Daryl F. Gates plans to go to court Monday to challenge the Police Commission decision to place him on paid leave, claiming that he has been disciplined without first having been accused of wrongdoing.

Gates' relegation to inactive duty by the Police Commission amounts to the same treatment he gave the four officers who are charged criminally with the beating of Rodney G. King—the incident that has led to the city's crisis in law enforcement leadership.

Gates' supporters charge that the difference is that in the chief's case there has been no accusation of wrongdoing.

"There has been a fundamental violation of the chief's rights," said a Gates lawyer, Jay Grodin. "I feel very confident we are going to prevail in the legal system."

Grodin said the Police Commission gave Gates no reason for its decision to force him to take a leave of absence. "There were no allegations," he said.

The Police Commission itself said in a public statement that it was not accusing the chief of wrongdoing, but that the action was taken "in light of recent and serious allegations of mismanagement and/or neglect of duty by the chief of police." The commission did not elaborate.

The action taken against Gates is customary when an officer faces a serious accusation—usually a criminal charge. But without a charge, "there is no precedent for what was done," said Harry Melkonian, another lawyer for Gates.

David Baca, former vice president of the Los Angeles Police Protective League and now a lawyer practicing in Orange County, said that "in rare circumstances, where there are serious allegations of misconduct, the chief will sometimes exercise discretion and relieve an officer of duties pending an investigation.

"Generally, it's reserved for very serious kinds of misconduct, Baca said. "He doesn't exercise that often. But it does happen. . . . There is no formal guideline for him in making his decision. . . . More typically he would await completion of an investigation."

Gates' legal dispute may center on interpretation of the police manual, which says: "When it is contrary to the best interests of the

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department for employees to continue their regular duties while awaiting an investigation or formal disciplinary action, they may be assigned to inactive duty" by a superior officer."

The wording is "no more specific than that," said Asst. City Atty. Diane Wentworth.

Under the City Charter, Gates is treated as though he has the same rights as any other police officer. His "chief," however, is the mayorally appointed Police Commission. If serious, formal charges are brought, he would then be entitled to a formal hearing before the city Civil Service Commission.

Grodin said there is ample ammunition to challenge the Police Commission's decision. He said there must be "formal charges of a serious nature . . . moral turpitude, criminal activity or mismanagement," before an officer can be forced to take a leave with pay. "We don't have any of that here."

Representatives of the city attorney's office said that the Police Commission has a lot of leeway, but whether it has the authority to do what it did is unclear.

"Generally . . . there is substantial discretion given to an appointing authority [in this case, the Police Commission]," said Fred Merkin, senior assistant city attorney in charge of employee relations. "As to whether or not that's sufficient, I'm not going to say."

Because the city attorney's office customarily defends, in civil court, police officers accused of misconduct, Merkin said the office in this case has removed itself from its other customary role of advising the Police Commission.

"We are neutral in this controversy," he said. "We are asking the council to act on a request from the Police Commission that a private firm be retained." He said, however, the commission already had sought the advice of private lawyers, whom he declined to name.

Gates' lawyers said they plan to ask the Superior Court in Los Angeles to intervene on the chief's behalf, contending he has been the victim of a political frame-up.

"I think it's very political," Grodin said. "People in city government have decided they don't like the chief and they are using the King incident to try to get rid of him."

Added Melkonian: "We believe the Police Commission is acting through improper political influences, and that for the benefit of the city and the chief, the judiciary must take control of the situation."

Several members of the Los Angeles City Council agreed. "I think that today's action by the Police Commission, coupled with the mayor's attempt to take over the Civil Service system, are a shocking abuse of our time-honored system of government, and a flagrant disregard for due process," said City Councilman Joel Wachs.

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(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
Date: SAT APRIL 6, 1991
Edition: FRONT SECTION, PAGE 1

Title: CITY COUNCIL ACTS TO REINSTATE GATES DESPITE PLEA BY BRADLEY

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APR 10 1991

FBI — LOS ANGELES

City Council Acts to Reinstate Gates Despite Plea by Bradley

■ King beating: The vote of 10 to 3 is a major setback for the mayor, who is unable to sway the lawmakers. Police chief agrees not to sue the city for monetary damages.

By JANE FRITSCH
and PAUL FELDMAN
TIMES STAFF WRITERS

The Los Angeles City Council ordered the reinstatement of Police Chief Daryl F. Gates on Friday, just one day after the Police Commission relieved him of his duties pending the outcome of a wide-ranging investigation.

The council's action followed an extraordinary four-hour closed session at which Mayor Tom Bradley and Police Commission President Dan Garcia tried to persuade the council to back away from plans to thwart the commission's action.

The 10-3 decision by the council was a major setback for Bradley, who on Tuesday called for Gates to resign, and for weeks has been working behind the scenes to orchestrate Gates' ouster in the aftermath of the police beating of Rodney G. King.

"We wanted to assert our authority," said an elated Councilwoman Joy Picus, who called the council's action a "political decision."

The mayor swiftly condemned the council vote and questioned its legality. His staff and Police Commission members began working Friday night on a strategy to attack it. And Garcia said he might resign from the commission to protest the council's dramatic move.

"They have now destroyed the whole Civil Service system in one fell swoop," Deputy Mayor Mark Fabiani said.

The reinstatement was a personal victory for Gates, who had stubbornly resisted pressure from Bradley as well as calls by community activists for his resignation.

Council members said their decision reflected their anger at the treatment of Gates and the secretive manner in which the commis-

■ **RELATED STORIES,** A24-A25

sion operated.

Under questioning Friday, council members said, Garcia acknowledged that three commission members met privately Wednesday night to discuss putting Gates on paid leave, before making the action official at a public meeting Thursday morning.

Council President John Ferraro branded the commissioners' unannounced Wednesday night session a violation of the state's Open Meetings Act.

"We did not agree with the commission's action—they acted illegally and irresponsibly," Ferraro said. "They besmirched a public servant of 42 years."

The council made Gates' reinstatement contingent on his agreeing not to sue the city for monetary damages. City Atty. James K. Hahn and lawyers for the chief said Gates will agree to the terms. Hahn said Gates could resume his job as early as the next Police Commission meeting, which is scheduled for Tuesday.

One of Gates' lawyers, Harry G. Melkonian, said the chief told him he was "absolutely delighted and anxious to get back to work" and that he had no plans to sue for monetary damages. "I'm not interested in any money from the city," Gates told Melkonian. "I just want to be back in my office."

"But he still is going to wait for things to take their course [over the weekend]," the lawyer said. "He wants to see it happen first."

Technically, the council voted to direct Hahn to reinstate Gates as part of a settlement of a lawsuit Gates plans to file against the Police Commission on Monday. Under the City Charter, the council does not have the power to overrule the Police Commission's removal of Gates, but the council does have the authority to settle lawsuits filed against the commission.

Representatives of the city attorney's office were in the council chambers throughout the session and conducted negotiations by telephone with Gates' attorneys, who agreed to the council's terms.

In a statement Friday evening, Bradley said the council's action threatened the independence of the Police Commission and the other city panels he appoints. "I am

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concerned that . . . any action of the independent citizens' commission could be invalidated based upon the whims or the political motivations of the City Council members," he said.

"It is an incredibly damaging precedent if it's allowed to stand," Fabiani said.

No decision had been made late Friday about whether to fight the council action in court on Monday, Fabiani said, adding, "It will be a long weekend of deliberation and legal research."

Garcia said Friday he is "personally considering" whether to resign from the commission because of the council's interference.

"Do they or do they not want civilian oversight [of the Police Department]?" Garcia said. "If they want to take over the functions of the Police Commission, that's fine with me."

Councilman Michael Woo, the only council member who has called for Gates' resignation, questioned whether the council's move Friday would further cripple city government.

"It heals some of the wounds and opens others," he said. "It's extremely chaotic. It shows the city government is in disarray."

Woo and council members Ruth Galanter and Robert Farrell voted against the move to reinstate Gates.

The council also voted 9 to 4 to appropriate $150,000 to the Police Commission to hire an independent counsel to investigate the operations of the Police Department. The council also voted to order Gates to report to the council on a biweekly basis about the state of the department.

The chain of events was set off by the March 3 police beating of King, a 25-year-old black parolee from Altadena, after a car chase in the San Fernando Valley. The incident was captured on videotape by an amateur cameraman, and the stark, black-and-white images have been broadcast around the world repeatedly.

In calling for Gates' resignation this week, Bradley said it would begin a "healing process" that would start to repair the city's tarnished reputation.

Others, including Ferraro, said the Police Commission's action and Bradley's "premature" attack on Gates had further divided the city.

"If you're going to take an action . . . especially with a prominent figure," said Councilman Zev Yaroslavsky, "you had better have your ducks lined up.

"What the commission did, above all other things, is that it undermined the confidence that 10 of us [council members] had in them."

Council members said Bradley and Garcia made short statements after being invited into the meeting and that most of the council's questions over the next hour and a half were directed at Garcia. The mood, said Picus, "was calm, reasonable and reasoned."

Ferraro said Bradley "came in, he pleaded his case, and maybe convinced three council members. . . . He wanted to stand by his commission's action."

Bradley declined to comment when he emerged from the council chamber at 2:45 p.m.

Earlier, Bradley told reporters he requested the meeting with the council to put the Gates controversy "in the proper context." Bradley insisted that the commission's removal of Gates was an "independent" decision, free of influence from the mayor's office.

In a flurry of phone calls over the previous 24 hours, the mayor's office had tried to persuade council members to back away from overturning the commission's action.

As the council was meeting, civil rights leader Jesse Jackson urged businesses to boycott the city by scheduling their conventions elsewhere, and announced the start of a drive to register 1 million new voters.

Flanked by leaders of the American Civil Liberties Union and the National Assn. for the Advancement of Colored People, Jackson said a rally would be held at noon today in downtown Los Angeles. The group urged citizens to demand a change in city government that would make the Police Department accountable to civilians.

"Don't just stop by focusing on Gates . . . but turn our anger into action," Jackson said during a press conference at the office of the Los Angeles County Federation of Labor.

Jackson called King's beating "a watershed moment in our nation's history," and compared the widely televised incident to such historic moments as the arrest of Rosa Parks, a key event in the civil rights movement.

Police union officials said Friday they plan to organize mass gatherings of their members beginning next week to decide on a course of action that will indicate their unhappiness with Bradley and the commission for their action against Gates.

George Aliano, president of the 8,400-member Los Angeles Police Protective League, said the union "may well" organize an effort to recall Bradley. Other options range from a work slowdown to a "severe case of the Blue Flu," Aliano said, referring to a sickout. He said he would advise against any measures that would hurt the public.

Times staff writers Leslie Berger, James Rainey and Tracy Wood contributed to this story.

THE COUNCIL VOTES

Motion to invalidate Police Commission's temporary removal of Police Chief Daryl F. Gates, contingent on chief agreeing to waive any legal actions against city.

IN FAVOR:

Richard Alatorre
Ernani Bernardi
Hal Bernson
Marvin Braude
John Ferraro
Joan M. Flores
Nate Holden
Joy Picus
Joel Wachs
Zev Yaroslavsky

OPPOSED:

Robert Farrell
Ruth Galanter
Michael Woo

Motion to provide Police Commission with $150,000 to retain independent counsel to assist in commission's investigation of Police Department.

IN FAVOR:

Richard Alatorre
Marvin Braude
Robert Farrell
John Ferraro
Joan M. Flores
Ruth Galanter
Nate Holden
Michael Woo
Zev Yaroslavsky

OPPOSED:

Ernani Bernardi
Hal Bernson
Joy Picus
Joel Wachs

BORIS YARO Los Angeles Times

Daryl F. Gates addresses the group Citizens in Support of the Chief of Police at a Studio City luncheon. At left is George Holliday, who videotaped the police beating of black motorist Rodney G. King. **A24**

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FBI — LOS ANGELES

Fabiani: The Quiet Man in a Bitter Controversy

By DAVID FERRELL
TIMES STAFF WRITER

He has been a man in the shadows—seldom quoted by reporters, never seen on television despite the continuing furor over the police beating of Rodney G. King.

He was not in attendance when the Los Angeles Police Commission acted Thursday to put Chief Daryl F. Gates on 60-day leave; nor was he at a crowded City Council meeting on Friday, when angry council members moved to effectively reverse the commission action against Gates.

Yet Mark D. Fabiani, Mayor Tom Bradley's chief of staff, has been an important combatant in a political fight that lately has been cast as a clash of just two heavyweights, Bradley and Gates.

"I think he's calling about all of the shots," an irate Councilwoman Joy Picus asserted on Friday, echoing what others at City Hall are saying about the No. 2 man in Bradley's administration. At 33, Fabiani is seen as a brilliant intellect—who might also be an unsettling force in the delicate politics of trying to pull the city through such sensitive times.

With his slicked-back hair, Harvard Law School education and reputation for forceful behind-the-scenes politicking, Fabiani purposely shuns the spotlight, keeping Bradley's name before the news cameras. Even so, the sharp-tongued, quick-witted Fabiani has made more than a few enemies at City Hall. He became embroiled in a long-running conflict with Gates long before anyone had ever heard of Rodney King or the beating that Los Angeles officers gave him on March 3.

The administrative feud began last fall when Fabiani joined the mayor in calling for a sweeping management audit of the 10,000-member Police Department.

A defensive Gates responded by blasting Fabiani as "a slick-haired . . . young kid" of unproven capability.

Fabiani also alienated City Council President John Ferraro several times last year, once by stepping in as mayor when Bradley was out of town—a duty that, under the City Charter, belongs to the council president.

The personal conflict appeared to deepen on Thursday when Ferraro stepped in as acting mayor while Bradley was in Sacramento to discuss the city budget. In his fill-in role, Ferraro asked the Police Commission to withhold any action on Gates until commission members could meet with the City Council in a closed-door session Friday.

The commission ignored the request and suspended Gates, a rebuff that Ferraro attributed largely to Fabiani's lobbying.

"I think he and the mayor have orchestrated the whole thing," said an angry Ferraro, who ran against Bradley in a mayoral race several years ago. Ferraro added that he has "no idea why there's bad blood" between Fabiani and Gates.

"He's just a little kid," the council president said of Fabiani.

When asked about the timing of the Police Commission vote, Fabiani acknowledged that he spoke with commission president Dan Garcia before Thursday's action, but denied influencing the panel to proceed with Gates' suspension.

"I had no role in the decision," Fabiani said. "Dan Garcia called from the middle of the commission meeting to let me know that he had just received a letter from Ferraro and, as acting mayor, that Ferraro had made a request. I told Dan . . . that he ought to regard that request in the same way he would regard a request from the mayor. He ought to do what he felt was in the commission's best interest to do."

Councilman Nate Holden, who said the vote "bothered the whole council," attributed it to influence by Bradley or Fabiani. "There's no bad blood in my book," Holden said. "It's called the art of politics, and that's what everyone is playing."

Several other council members, however, conceded that the com-

FBI/DOJ

JAYNE KAMIN-ONCEA / Los Angeles Times

Mark D. Fabiani, Mayor Bradley's chief of staff, says he advises the mayor but denies calling the shots in the clash with Daryl F. Gates.

mission might have taken action on Thursday even if Fabiani was not involved, since the City Council has no formal power over the appointed panel.

The extent of Fabiani's influence over mayoral decisions has been an unanswered question since Fabiani was promoted from the mayor's attorney to chief of staff late in 1989, replacing the media-bashing Mike Gage.

Critics, including a number of supporters of Gates, have accused Fabiani of orchestrating the drive to oust the embattled police chief. Picus said the mayor has taken a more aggressive, high-profile role in battling Gates than he might have without Fabiani's persistent advice.

"The decisions have been wrong all along . . . [and] a lot of these things are unlike Tom," Picus said.

Another council member, who asked not to be identified, said of Fabiani: "I think he's spearheading the whole campaign and it's detrimental to the mayor. I don't think it could have been handled any worse."

Councilman Michael Woo disagreed, saying Bradley calls his own shots. "I don't think Mark Fabiani is the driving force here," Woo said. "To say Mark Fabiani is the driving force [to oust Gates] makes the whole controversy sound like a conspiracy. . . ."

Woo added, however, that "there has been a track record of bad relationships between some council members and Fabiani," which could continue to fuel the political fight. "It could make an uneasy situation more difficult."

Fabiani, who has consistently denied shaping mayoral policy, said Friday that nothing has changed in that regard.

"The mayor calls on the advice of a lot of people both inside and outside the office and after hearing from people he makes a decision," the deputy mayor said. "The mayor makes all of the decisions . . . and those who think otherwise are fooling themselves."

Times staff writer Glenn F. Bunting contributed to this story.

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(Mount Clipping in Space Below)

THE TIMES POLL

Divided City Sees Politics in Mayor's Move

By SHERYL STOLBERG,
TIMES STAFF WRITER

While Los Angeles residents remain sharply divided over whether Police Chief Daryl F. Gates should resign because of the Rodney G. King beating, a majority believe politics rather than civic good drove Mayor Tom Bradley to call for the chief to step down, a Los Angeles Times Poll has found.

The poll also revealed that 58% of Los Angeles residents approved of the Police Commission's decision Thursday to place Gates on a 60-day leave of absence, while 38% opposed it. The leave was thrown into question Friday, when the City Council ordered the city attorney to reverse it Monday in court.

The poll portrays a city that is divided along racial lines in its attitudes toward Bradley and Gates and their actions resulting from the King affair.

The survey found that six out of 10 respondents believe that, in calling for Gates to resign last week, the mayor was trying to further his political aspirations rather than, as he stated, to mend a divided city. In addition, 42% of all residents believe that the mayor has further split the city. Only 20% believe he has helped heal it, and the rest said he has had no effect.

"Bradley certainly did himself no good," said Times Poll director John Brennan, who supervised the survey. "Whether his motivations were sincere or political, he has failed on both accounts."

The Times Poll, which was conducted Wednesday and Thursday, has a margin of sampling error of plus or minus 4 percentage points. The poll surveyed 916 city residents; 620 were interviewed Thursday, after the Police Commission voted to place Gates on a paid administrative leave.

The King beating, captured on videotape by an amateur photographer, has thrust Gates and the Police Department into a center of a national uproar over police misconduct. Four LAPD officers have been indicted on charges of felony assault with a deadly weapon; others who stood by and did not intervene are being investigated by a grand jury.

The March 3 beating has carried racial overtones because King is black and most of the officers who were at the scene are white. This week, as Bradley asked Gates to step down, the focus of the controversy shifted to a bitter political struggle between the two most prominent public officials in Los Angeles. Deep division remains on the central question of Gates' future.

Twenty-seven percent of Los Angeles residents said they now believe that Gates should resign immediately over the King beating. That is a slight decrease from the previous survey, in which 31% said the chief should step down right away.

Among those polled this week, an additional 37% said the chief should step aside if an investigation proves his officers committed wrongdoing, up from 31% two weeks ago.

The percentage who believe Gates should stay in office has remained the same, 32%.

Brennan said the figures demonstrate a solidifying of public opinion on the resignation question.

"I think we've got a very polarized city," he said. "I think that people are beginning to dig in with their opinions."

Bradley's call for Gates to resign made public a long-simmering political feud. The poll found that while residents generally are more supportive of Bradley than Gates, their support for the mayor in this political battle is diminishing.

After the King beating, Bradley called for an amendment to the City Charter that would give him the authority to remove the police chief after a five-year performance review. Gates, who is protected by the city's Civil Service system,

THE TIMES POLL

opposes such a measure, saying it would make the Police Department vulnerable to political pressure.

The Times Poll found that more than half of all city residents—53%—now oppose giving the mayor such authority, while 39% favor it. In the survey taken two weeks ago, city residents were split evenly on whether Bradley should be able to remove the chief.

However, the poll found that when people are asked to choose between the positions Gates and Bradley hold on specific issues, more side with Bradley than with Gates.

The numbers are sharply divided along racial lines, with blacks and Latinos more often siding with Bradley and Anglos more often supporting Gates.

The poll found stark racial differences when it asked residents if they believe Bradley, who says Gates must leave in order to re-

(Indicate page, name of newspaper, city and state.)

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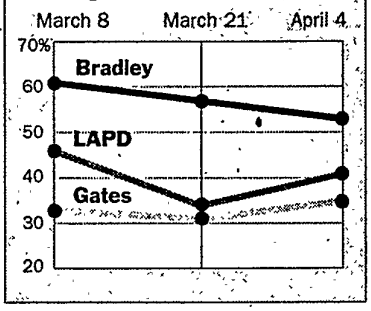
APPROVAL RATING

The Los Angeles Times Poll asked 916 adults in the city of LA to rate Mayor Tom Bradley, Police Chief Daryl Gates and the LAPD on the job they are doing:



store confidence in the Police Department, or if they believe Gates, who says he must stay to provide leadership to his officers.

On that question, 57% of Anglos said they agreed more with Gates, while 32% agreed with Bradley.

Among African-Americans, 65% sided with Bradley, while 11% supported Gates. Among Latinos, 61% sided with Bradley, while 31% agreed with Gates.

Poll results divided along racial lines as well on the question of whether Bradley or Gates is the more ethical and honest. Among Anglos, two in five said Gates is more honest, compared to one in five for Bradley. The remainder said neither or were unsure.

Among African-Americans, nearly half—49%—said Bradley is more ethical and honest, while 10% backed Gates. Nearly half of all Latinos said Bradley is more honest, while one in five said Gates has a better record for honesty.

This week's survey found that Gates' overall job approval ratings—which have been low in the wake of the beating—increased very slightly. Overall approval for Bradley—which has remained relatively high—took a slight dip.

According to the poll, 35% of all Los Angeles residents approve of the way Gates is handling his job, up from 31% two weeks ago and 33% four weeks ago, just after the King beating occurred.

The mayor had a 53% approval rating, down from 57% two weeks ago and 61% four weeks ago.

If the two men were running against one another for mayor today, the poll showed that Bradley would come out ahead in all three racial groups, and would win the election with 51% of the vote, compared to 18% for Gates. Twenty percent of all respondents said they would not vote for either man.

As for city leaders generally, the poll showed that residents are split over whether they are doing any good in the wake of the King beating. Only one in four believe that the city's leaders have made the atmosphere in Los Angeles better, while one in three believe they have been detrimental and the rest think their actions have been irrelevant.

While more than half of all residents still believe the correct amount of attention is being paid to the King beating, the poll found that nearly two in five respondents think the case is receiving too much attention. That is a noticeable increase from two weeks ago, when one-quarter of all residents said too much attention was being paid.

The survey also found an increase—from 5% to 17%—in those who think the mayor is being too tough on the Police Department, although they are outnumbered 3 to 1 by those who think the mayor is doing what he should.

In addition, the poll found that Bradley's call for Gates to resign had little effect on what people think should happen to the chief, with two-thirds of all respondents saying Bradley's announcement did not change their opinion.

The remainder of those polled were split almost evenly, with 14% saying Bradley's statement made them more likely to favor Gates' resignation, and 16% saying it made them less likely to favor the chief's departure.

While the poll found that the public has limited faith in the city's political leadership, it did show confidence in the criminal justice system. Asked whether justice will be done in the case involving King and the police, a majority of respondents—three out of five—believed that it would.

In addition, most of those surveyed believed that commissions appointed by Bradley and Gates to investigate the King beating would be effective in improving the performance of the Police Department, with 64% believing that the mayor's commission would be effective and 54% believing that the chief's commission would be effective. Those panels have since decided to merge.

THE LOS ANGELES TIMES POLL

The Los Angeles Times Poll interviewed 916 adults in the city of Los Angeles by telephone on Wednesday, April 3, and Thursday, April 4. The question on Gates' leave of absence was asked only on Thursday, April 4, after the Police Commission action placing Gates on a leave of absence. That question is based on 620 adults interviewed on Thursday.

■ **Do you think Police Chief Daryl Gates should:**

	APRIL 4	MARCH 21	MARCH 8
Resign immediately	27%	31%	13%
Resign if investigation proves wrongdoing	37%	31%	27%
Should not resign	32%	32%	48%
Don't Know	4%	6%	12%

■ **Whose actions and statements have done more to improve the atmosphere in L.A. in the wake of the Rodney King beating?**

Bradley	46%
Gates	23%
Both equally	5%
Neither	18%
Don't Know	8%

■ **When it comes to questions of ethics and honesty, who do you think has the better record?**

Bradley	37%
Gates	26%
Both Equally	7%
Neither	14%
Don't Know	16%

■ **If the 1993 election for mayor of Los Angeles were being held today, and the candidates were Tom Bradley and Daryl Gates, for whom would you vote:**

Bradley	51%
Gates	18%
Neither	20%
Someone Else	3%
Don't Know	8%

■ **Do you approve or disapprove of the decision to give Police Chief Gates a temporary leave of absence of at least 60 days?**

Approve	58%
Disapprove	38%
Don't know	4%

NOTE: The sample in this poll includes 525 Anglos, 189 Latinos and 114 blacks. Results are weighted to reflect the proper proportions of the city's population subgroups, utilizing census data on race and national origin, sex and labor force characteristics. The margin of sampling error for results based on the citywide sample is plus or minus four percentage points. The error margin for the sample of those interviewed Thursday night is also four points. For the Anglo subgroup the error margin is plus or minus five points, for Latinos it is plus or minus eight points and for blacks plus or minus nine points.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Sparring Seen Over LAPD Investigations

■ **Politics:** Ongoing probes of Mayor Tom Bradley and the head of the Police Commission have become political weapons, sources say.

By RICH CONNELL
and RICHARD A. SERRANO
TIMES STAFF WRITERS

As Police Chief Daryl F. Gates fights to regain the helm of his besieged department, Police Department investigations of Mayor Tom Bradley and the Police Commission president are becoming a new legal and political battlefront.

Knowledgeable sources say the chief in recent days has made pointed—even threatening—references to ongoing probes of the mayor and Police Commission President Daniel P. Garcia, whose panel ordered Gates on Thursday to temporarily step down because of the furor over the Rodney G. King beating. On Friday, the City Council voted to reverse the action through a legal maneuver.

Harry G. Melkonian, Gates' lawyer, denies that the chief made any threats. But he said Gates in a legal challenge may argue that Garcia should have been disqualified from the commission's vote because he has been under Police Department investigation for six months.

Investigators are trying to determine whether Garcia improperly raised campaign funds at a 1986 fund-raiser for Bradley, according to Capt. Doug Watson. Garcia has denied wrongdoing.

Bradley and several other present and former members of his Administration also are being investigated. The probes range from possible conflicts of interest and political fund-raising violations to influence peddling. Investigators have nicknamed the patchwork of inquiries "Chinatown," after the hit movie's labyrinthine portrayal of Los Angeles politics in the 1930s.

Watson, who has said he is retiring in protest over the commission's action against Gates, said Friday the investigations have been unaffected by the political turmoil. "We are being absolutely deliberate. We are being very careful," he said.

No one has attempted to influence the course of the investigations of Bradley or Garcia, Watson said.

Bradley's camp is concerned that Gates may use the investigation to fight back, said City Hall sources.

In a tense private meeting Tuesday, where the mayor asked Gates to resign, the chief made angry comments to Bradley regarding the investigation, said a source who spoke on condition of anonymity.

"Gates threatened the mayor during the meeting, making a pointed reference to the department's investigations," one source said. "[He] even went so far as to speculate that the mayor's call for the resignation was based on the investigations."

Gates' attorney Melkonian said, "I don't know anything about that going on in there."

George Morrison, Police Department chief of staff, said he had discussed the matter with the chief and it was "absolutely untrue . . . there was no threat whatsoever." Morrison said he did not know if Gates discussed the investigations with Bradley during the meeting.

Bradley spokesman Bill Chandler declined to comment.

Before the Police Commission meeting on Thursday, Gates raised the issue of the Garcia investigation, according to Senior Assistant City Atty. Fred Merkin.

"Gates raised with me an issue that Commissioner Garcia was disqualified . . . because Garcia was under investigation by the Los Angeles Police Department," he said. "He [Gates] thought it was a legal conflict."

Merkin said there was no immediate basis to disqualify Garcia. Garcia concurred in Merkin's version of events.

Melkonian insisted it was the city attorney, rather than Gates, who raised the issue of the Garcia investigation before the commission meeting.

In any case, Gates and his supporters have signaled they may use the ethics scandal surrounding Bradley to fight back. After Bradley went on live television to demand the chief's resignation Tuesday, Gates held a news conference and brought up a 1989 city attorney's investigation of Bradley. That probe resulted in $20,000 in civil fines against the mayor, and City Atty. James K. Hahn criticized the mayor for failing to avoid the appearance of conflicts of interests.

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At the same time, the chief has been making vague hints that there may be some major revelations coming. "If I laid it on the line," Gates said in an interview Wednesday night on KABC-TV, ". . . and it may come down to just exactly that, and when I do, watch out."

Pressed to elaborate in another television interview, the chief said he was referring to the politics behind the effort to remove him. "I think there's a great deal involved in that. Much of that has not come out yet. And I think that at the appropriate time that may have to come out," he said.

Watson declined to say what, if any, charges may result from the ongoing investigations. The department is looking into:

- Bradley's relationship with political fund-raiser Harold R. Washington, a developer whose city-subsidized housing project is the focus of a political corruption probe. Informants have said Washington sought contributions or payments for Bradley and other city officials to secure the project. Bradley and Washington have denied doing anything improper.
- Bradley's fund-raising operation. After a series of articles in The Times last year, the police opened an investigation of Garcia and other city commissioners who helped raise political donations from developers, lobbyists and others who have business with their agencies. The probe also includes possible misuse of city equipment and resources by Bradley's City Hall staff members who doubled as fund-raisers.
- Patric Mayers, a former Bradley appointee to the city Building Advisory Appeals board. Mayers is being investigated for possible conflicts fo interest and influence peddling, Watson said, in connection with payments and free movie passes he sought from firms doing business with the city. Mayers has denied doing anything improper.
- Politically connected consultants who have helped obtain city contracts from a variety of departments.

Times staff writer Tracy Wood contributed to this story.

ROSEMARY KAUL / Los Angeles Times

Daniel P. Garcia, left, heads the Police Commission, which on Thursday ordered Chief Daryl F. Gates, right, to take a leave.

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(Mount Clipping in Space Below)

More Than 'Plain Folks'

■ Organization: Behind the outpouring of support for Gates are four media-savvy professionals.

By LOUIS SAHAGUN
TIMES STAFF WRITER

The night before a newly formed support group for Police Chief Daryl F. Gates was unveiled at a news conference at Parker Center, its leaders met at the home of actress Peggy Rowe Estrada for lessons in how to respond to reporters' questions.

Playing reporter at the mock press conference March 20 was political consultant Eric Rose, an adviser to Gates during his exploratory campaign for governor in 1988. Estrada, the former wife of television star Erik Estrada of "CHiPS" fame, bore the brunt of Rose's bruising questions.

"This is a lot different than what I'd done before because this is real life," said Estrada, a spokeswoman for Citizens in Support of the Chief of Police (CISCOP). "I thought, 'Give me a script and I'll be fine.' "

In fact, much of the group's campaign to save Gates' job seems to have been scripted, despite what Gates has described as a traditional grass-roots movement of "just plain folks" rushing forward in his defense.

The group has come a long way since that evening. At a luncheon Friday attended by more than 1,000 Gates supporters, CISCOP pulled a public relations coup: Gates and George Holliday on the same dais.

"George who?" a woman in the crowd asked when Holliday was introduced. "Oh, that guy!"

It was Holliday, a San Fernando Valley plumbing business manager, whose videotape of the beating of black motorist Rodney G. King last March 3 shocked the world.

Now, Gates stood shoulder-to-shoulder with Holliday, the man who, it could be argued, nearly cost Gates his job as head of the Los Angeles Police Department. They shook hands as the crowd broke into applause and TV news cameras recorded the event.

It was another victory, albeit small, for CISCOP. But the images of Gates and Holliday exchanging pleasantries would make the TV news Friday night and give the chief a much-needed public relations boost as he struggles to stay in office.

The pro-Gates group has, in only a few weeks, attracted thousands of adherents, mainly from the extended families of police officers and segments of the Los Angeles business community.

But at its core, CISCOP is run by four media-savvy professionals.

Estrada—a tall, 35-year-old Van Nuys mother of two—acknowledges that her acting experience has helped her through intense questioning by reporters from across the nation seeking so-called average citizens who support the chief. In fact, she has ties to many people in Hollywood and is now the point woman at pro-Gates rallies and news conferences.

Working with her is Ed Cholakian, 55, an influential San Fernando Valley businessman, who sits on 14 corporate boards and owns what is believed to be the world's largest collection of antique Cadillacs. He founded the citizens' booster club at the LAPD's Foothill Division, the unit that is under scrutiny over the King beating. His role at CISCOP functions is to line up support from businessmen and elected officials throughout the Valley.

Adelaide Nimitz, 57, is a public relations expert and founder of Crime Prevention Committee, a citizens' group that helps organize Neighborhood Watch programs. Through her contacts, she promotes CISCOP events and works the phones looking for volunteers.

Behind them all, however, is Rose, a 25-year-old political consultant who normally makes $1,000 a day shepherding the campaigns of conservative political aspirants, the most recent of whom was Los Angeles County supervisorial candidate Sarah Flores.

Rose, a former aide to state Sen. Ed Davis (R-Northridge), who was Gates' predecessor as police chief, said he was asked by Gates' office to help CISCOP with media relations free of charge. He has orchestrated virtually every step the pro-Gates forces have taken in the past two weeks.

These people and a handful of dedicated volunteers have combined their talents and contacts to hold a boisterous rally for Gates at the Los Angeles Police Academy that was attended by 4,000 people. Among them was feminist attorney Gloria Allred, who stepped up to the microphone and said: "Surprise! Surprise!" The attorney, who has made a career battling the Establishment, said she was invited by Rose.

The group also has gathered 14,000 signatures on petitions circulated throughout the city calling on Gates to remain on the job.

The luncheon Friday at the Sportsmen's Lodge in Studio City came one day after the Police Commission put Gates on a paid 60-day leave of absence. The controversial furlough was "a big help in ticket sales," Rose said.

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Holliday, who is trying to sell his life story to a movie production company, readily accepted Rose's invitation a week ago to attend the $25-a-plate luncheon and receive a CISCOP award for "community service."

At the luncheon, Gates denied that he has orchestrated a public relations effort on his own behalf, insisting that thousands of "just plain folks" have come to his defense.

"It's been said I've had a public relations campaign," Gates told the audience, which greeted him with a standing ovation and chants of "Gates must stay!"

"All of this has been spontaneous," Gates said. "Folks, yesterday I felt horrible. Today, I feel good."

Indeed, the chief felt so good, he couldn't resist a joke. Turning to Holliday, he quipped: "As a guy who never goes to the movies and loves home movies, that was a lousy movie. . . . If it wasn't for our helicopter, the lighting would have been terrible." The audience laughed loudly.

Standing nearby, Rose surveyed the Police Chief and Holliday with satisfaction. He had pulled off the unthinkable in only a week and a half, and on a shoestring budget.

As he said before the event: "See, everything we do in this society is visual. What more visual way is there to express what we believe than to honor the man that took the video—pure and simple.

"What he [Holliday] did for the department was a brave and wonderful thing in the long run—simple."

Rose's efforts may be aimed beyond just getting Gates nestled comfortably back in the chief's suite at Parker Center.

The chief was recently considered a candidate for the posts of FBI director and President Bush's drug czar. Some who know him well have suggested he may well have postponed his long-awaited departure from the LAPD until a similar high post or political seat becomes available. But to do so, his office must not be tarnished.

To that end, CISCOP is a valuable ally. Rose has coached the group's leaders to tackle the beating incident with this phrase: "What happened to Rodney King was a horrible incident, but let's not castigate Chief Gates and the entire Police Department for it."

At Rose's insistance, that message is driven home in the first paragraph of every CISCOP press release, and in the first words spoken by CISCOP leaders at public gatherings.

Before Rose arrived to give them "a theme and focus," the people who would become CISCOP leaders were working independently to drum up support for Gates in the week after King's beating.

Estrada was circulating a "support petition" in the parking lot of a San Fernando Valley mall near her home. Cholakian was handing out "back our men in blue" cards at power lunches and Chamber of Commerce meetings. Nimitz was pleading with the Police Department to give her an opportunity to take its case public.

Rose, who was already recording every sound bite he could on the King case, wrote a letter to Gates. "If there is anything I can do to help," he wrote, "don't hesitate to call."

On March 19, Rose said he received a call from Gates' security aide, Officer Eugene Arreola, "who took me up on the offer."

In an interview, Arreola denied that Gates personally sought Rose out, although he acknowledged discussing the possibility of working with him.

The Police Department's community relations office introduced Rose to Estrada, Cholakian, Nimitz and others actively supporting the

chief.

Cholakian said CISCOP provided him with an opportunity to vent his frustrations over what he called "negative publicity" arising from the King affair.

"I had officers coming into my office and saying, 'Gosh, people are flipping us off and spitting at us,' " recalled Cholakian. "I was so overwrought by this whole thing I would sit there and cry about the defaming of our police officers."

Cholakian said that among his many friends in the department is one of the officers who has been indicted in the King beating. "He's a good officer," Cholakian said.

Rose cringes when he hears such comments. The smooth political adviser complained that some CISCOP members "are neglecting to say every time they speak that what happened to King was wrong."

Estrada said Rose taught her well in that regard. "They're the first five lines I speak at press conferences," she said.

TONYA A. EVATT / Los Angeles Times

From left, Adelaide Nimitz, Ed Cholakian, CISCOP supporter Hortencia Ramirez, and Peggy Rowe Estrada.

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(Mount Clipping in Space Below)

Marchers Demand Ouster of Gates

■ Protest: Jesse Jackson urges a boycott of Super Bowl and conventions until police chief leaves. Event is peaceful and there are no arrests.

By KENNETH J. GARCIA and FRANK CLIFFORD
TIMES STAFF WRITERS

At a boisterous but peaceful rally in downtown Los Angeles on Saturday, the Rev. Jesse Jackson called for a boycott of the 1993 Super Bowl and future conventions in Los Angeles in response to the televised beating of Rodney G. King and the ongoing political battle over Police Chief Daryl F. Gates.

"I say if we can use a boycott in Birmingham, and if we can boycott in Montgomery, if we can use it in South Africa, then we can stop the Super Bowl and conventions from coming to Los Angeles," Jackson told protesters who gathered in front of police headquarters. Police estimated the crowd at 5,000.

"We must not just remove Gates, we must remove Gateism," Jackson told the crowd in front of Parker Center. "We know the absence of Gates is not the presence of justice. The aberration wasn't the violence, it was the video camera. The beating of Rodney King exposed a national malady."

Jackson's remarks came after he led a wave of placard-carrying demonstrators on a march through downtown Los Angeles to demand the ouster of Gates and to condemn the City Council for ordering the reinstatement of the embattled department head.

It was the largest rally yet in opposition to the chief.

Mayor Tom Bradley said in an interview Saturday that he objects to Jackson's call for a boycott of Los Angeles by tourists and conventioneers.

"I think that it would be wrong to punish the whole city, to threaten the economy of the city and the jobs created at the Convention Center and at the hotels by saying to conventioneers, 'Don't come to Los Angeles,' " Bradley said.

However, he defended Jackson's right to call for the boycott. "Jesse Jackson is a distinguished leader in this country whose voice is heard and listened to by many people. He has the authority and the right to come make his statement."

At the rally, protesters chanting "Daryl Gates must go, Daryl Gates must go," descended on police headquarters and cheered as speakers blasted Gates, Bradley and other officials involved in the political fight over the police chief.

Although the angry crowd often shouted directly at police who lined the streets along the route, there were no incidents during the demonstration, which lasted nearly five hours. Police estimated that nearly 1,000 people who lined the path of the demonstration joined the march, which began at Olympic Boulevard and Broadway and ended at Parker Center.

The tensest moment came as a group of about 100 protesters walked directly in front of the Parker Center entrance shouting "No more Gates," as two dozen police officers stood on the other side of the glass. Police officials said the multiethnic crowd was well-behaved and reported no arrests.

The demonstration included more that a dozen civil rights and activist groups, ranging from the American Civil Liberties Union to Janitors for Justice. The rally began as a phalanx of marchers massed behind a colorful 30-foot-wide yellow and black sign proclaiming "Gates must Go. Stop Police Brutality."

There were virtually no counterdemonstrators, although one man, W.T. Minamoto, 46, held up a pro-Gates sign, and walked for awhile in front of the marchers, his young daughter riding on his shoulders.

"I'm sticking up for one of the finest men in our city," Minamoto said.

The rally, originally timed to coincide with the 23rd anniversary of the assassination of civil rights leader Martin Luther King Jr., was planned before the City Council's decision Friday to reinstate Gates. The council took the action just one day after he had been put on paid leave by the Police Commission.

The events that led to the demonstration were triggered by the March 3 beating of King, a 25-year-old black parolee from Altadena, by white officers after a car chase in the San Fernando Valley. The incident was captured on videotape by an amateur cameraman and the stark images have repeatedly been broadcast around the world.

Councilman Michael Woo, one of three council members who voted against Gates' reinstatement, said that the action "raises questions

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JIM MENDENHALL / Los Angeles Times

Rep. Maxine Waters, the Rev. Jesse Jackson and radio personality Casey Kasem lead protesters.

about the entire future of this city. What's very clear is that this crisis can only be resolved through new leadership in the Police Department."

Several speakers, including Rep. Maxine Waters (D-Los Angeles), also called for the ouster of those Los Angeles City Council members who voted to block the Police Commission's effort to put Gates on a leave of absence.

"Nate Holden's got to go," Waters chanted, referring to the one black councilman who voted against the commission's action. "Joan Milke Flores's got to go," Waters added.

Former Hawthorne Police Officer Don Jackson stated the sentiment more pointedly, saying: "There is a color problem in this city when we see Nate Holden backing up the Police Department. Nate Holden, you gotta go."

Jackson, who is black, focused attention on police abuse three years ago when an incident was videotaped in which a white Long Beach policeman allegedly pushed Jackson's head through a plate-glass window after stopping the car in which Jackson was riding.

Other speakers added the name of Councilman Richard Alatorre to the list of targeted council members.

Waters stood on the platform with a group of public officials that included state Democratic Assemblywomen from Los Angeles, Teresa P. Hughes, Marguerite Archie-Hudson and Gwen Moore, state Sen. Bill Greene (D-Los Angeles) and Jackie Goldberg, president of the Los Angeles Unified School District board.

Onlookers along the march route occasionally cheered but mostly were content to stop and look. An RTD bus driver drew cheers from the marchers when he waved, smiled and honked his horn in support.

Some of the protesters carried pictures of alleged victims of police brutality and hundreds waved homemade signs such as one that proclaimed: "Daryl just say yes." Several demonstrators said that they came to vent anger that has simmered in ethnic communities for years.

"If Gates isn't the disease, he's certainly one of the symptoms," said Compton resident Georgia Cave. "The people in this community have been angry for years. This isn't an isolated incident. It's just the first one caught on film."

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King Beating Makes Police's Job Harder

■ **Law Enforcement:** San Gabriel Valley departments weren't involved in the case but suffer from public backlash.

By JESSE KATZ
TIMES STAFF WRITER

Almost every weekend, Pasadena police are called to break up a crowd of youths who regularly turn a fast-food stand into a noisy outdoor party.

But on a recent Saturday night, police met an unexpected audience: four video cameras turned on the officers, as the revelers shouted taunts in hope of capturing a glimpse of brutality on film.

"The crowd was definitely attempting to bait us," said Pasadena Police Lt. Frank Wills, refusing to identify the restaurant. "With four video cameras rolling . . . it was real clear the whole thing was preplanned."

Although it is Los Angeles police officers who are accused of last month's beating of Rodney G. King in Lake View Terrace, San Gabriel Valley police say the incident has cast a shadow of suspicion on anyone who wears a badge.

From King's hometown of Altadena to the quiet streets of Claremont, officers are struggling to distance themselves from the ugly black-and-white images that have tarnished their colleagues in the metropolis to the west.

"We didn't have anything to do with this LAPD deal," said Monrovia Police Chief Joseph Santoro. "But people don't see us as separate. The average citizen just sees the officer in blue."

Few of the valley's 20 law enforcement agencies have been spared the embarrassment. Pedestrians have made catcalls as patrol cars cruised by. Crowds frequently gather to scrutinize officers during traffic stops.

On several occasions, police have even been berated by citizens who wonder out loud if they, too, won't be on the receiving end of a nightstick.

"We've had people who our officers have stopped on the street say: 'What are you going to do? Beat me with your baton now?' " said Claremont Police Lt. Gary Jenkins. "We're trying to be somewhat more empathetic . . . but it creates an extra burden."

In Altadena, where King was living with his wife and her two young sons, there have also been tensions and name-calling.

"Right after the incident, we were making a routine traffic stop and the first thing out of the guy's mouth was, 'I'm not getting out of the car so you can beat me like that other guy,' " said Sheriff's Deputy Philip Brooks.

But deputies in the area say those feelings have already begun to subside.

"I've been telling people, 'Please don't let what's happening, what you see on television, translate into what's happening in Altadena,' " said Sheriff's Lt. John Samuel, the station commander in Altadena. "I think the community understands that's not our standard operating procedure."

For some local police departments, the incident has been turned into a learning experience.

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In recent weeks, they have reviewed their training manuals, discussed the use of force at roll-call briefings and shown videotapes on how to de-escalate hostile encounters.

"We are spending an awful lot of time at the beginning of every shift talking about community relations—customer service training, if you will—to reinforce the sensitivity of this issue," said South Pasadena's new police chief, Thomas Mahoney, who assumed his post 10 days before the March 3 beating.

In other cities, officials warned against indecisiveness on the streets. Baldwin Park Police Chief Carmine R. Lanza distributed a memo to his staff on March 15, describing the King beating as an isolated incident and urging officers not let it impede their performance.

"I . . . want you to guard against being reactive in situations which call for decisive enforcement action," read Lanza's memo. "In other words, do what you have to do to get the job done."

Only a handful of departments have not formally acknowledged the beating, much to the relief of some officers in those agencies.

"Damn, everybody already knows about this," said Pomona Police Sgt. Larry Zambrano. "I don't think I need a memo from the chief telling me this was a bad thing."

In Pasadena, Police Chief Bruce Philpott threw himself into the thick of things, becoming the first Southern California chief to publicly call on Los Angeles Police Chief Daryl F. Gates to retire.

Since then, a few Pasadena officers have privately expressed concern that Philpott was getting unnecessarily involved in a volatile political battle. But the chief said he spoke out because he was angry that the King beating had made a tough job even tougher for police everywhere.

As for the Pasadena Police Department's own encounter with four unforgiving camcorders, officials said the recent stand-off ended peacefully without much of anything to film.

"The officers were able to resolve the situation without incident," said Lt. Wills. "I'm sure there are four people out there in possession of a very boring videotape."

LOU MACK / Los Angeles Times

Monrovia Police Officer Dorothy Portillo makes a point of talking to youngsters during a recent patrol.

(Mount Clipping in Space Below)

Bradley Aides Regroup to Assess Gates' Future

■ Police: Options to block chief's return are studied. Mayor seeks to distance himself from the dispute.

While Mayor Tom Bradley on Saturday sought to distance himself from the dispute over the future of Police Chief Daryl F. Gates, the mayor's aides and advisers hastily regrouped to assess options for blocking the chief's return to his job.

The mayor and his staff were attempting to recover from a stinging political defeat delivered by the City Council Friday when it ignored Bradley's personal plea and voted to reinstate Gates. The council action would, in effect, reverse a decision by the Bradley-appointed Police Commission to place Gates on leave while it conducts a wide-ranging investigation prompted by the police beating of Rodney G. King.

In an interview in his City Hall office, Bradley said Saturday that he intends to stay out of the legal dispute over Gates' status when it reaches Superior Court on Monday. The mayor said he will take no further actions regarding the chief's tenure, leaving the Police Commission to deal with the issue.

"I don't know what's going to happen on Monday," Bradley said. "It has been suggested that somehow I influenced the commission to take its action . . . I am removed from this."

This article was reported and written by Times staff writers Glenn F. Bunting, Rich Connell and Jane Fritsch.

Some city officials expressed skepticism about the mayor's assertion.

"For Bradley and his office to be saying they didn't have any influence with the commission is a bunch of bull," said City Council President John Ferraro. "[The mayor] put plenty of pressure on them one way or another."

The commission's action followed a month of behind-the-scenes maneuvering by Bradley and Deputy Mayor Mark Fabiani to oust Gates, sources have told The Times. But Bradley denied Saturday that he or anyone in his office has secretly plotted against Gates.

"I am not a devious or evil person," said the mayor. "I never function in that way. . . . If somebody believes me, fine. If they don't, they don't, so be it."

Bradley called for Gates to resign last Tuesday, one month after the videotaped beating of King, a 25-year-old black parolee from Altadena who was repeatedly struck by police officers after a car chase in the San Fernando Valley. Last Thursday, the Police Commission put Gates on a paid leave—and a day later an outraged City Council moved to reinstate Gates.

Among the developments Saturday:

- Bradley's aides and advisers huddled, reviewing legal and political options, as phone calls continued throughout the day between city officials, lawyers and community leaders, sources said.
- The tactics pursued by the mayor's office have raised concerns, even among some Bradley supporters, that that the mayor is contributing to the polarization of the city.
- An estimated 5,000 people attended a Los Angeles rally where the Rev. Jesse Jackson called for a boycott of the 1993 Super Bowl and future conventions in the city as a protest over the King beating. Earlier, demonstrators marched through the downtown business district to demand the ouster of Gates and to condemn the City Council's action.

(Indicate page, name of newspaper, city and state.)

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FBI — LOS ANGELES

Strategy Sessions

Sources said that the options being studied by the mayor's office, the Police Commission and outside groups include a high-profile, mass resignation of Bradley's Police Commission appointees and a multiple-front legal challenge to the council's action by individual police commissioners and possibly by a coalition of community groups.

One strategy, sources said, is to seek a court delay of the council's effort to reinstate Gates until Tuesday's City Council elections in hopes that new or returning council members could be persuaded to support the attempt to oust Gates.

After consultations with advisers and lawyers, Fabiani and Police Commission President Daniel P. Garcia said Saturday that they believe the council action was clearly illegal.

"It was a meaningless political action done for benefit of the television cameras," said Fabiani. Both argued the council action was a transparent attempt to usurp powers vested only in the Police Commission by the City Charter.

On Friday, the council voted 10 to 3 to instruct the city attorney to settle a lawsuit that Gates intends to file Monday seeking reinstatement. A settlement worked out between the council and Gates' lawyers would immediately return Gates to his job on the condition that he forgo any attempts to seek monetary damages from the city.

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Mike Qualls, a spokesman for City Atty. James K. Hahn, said Saturday that the settlement was legal and will be wrapped up swiftly. Negotiations on the agreement were completed Friday evening, Qualls said. "Our expectation is this will be concluded fairly quickly Monday morning," he added.

Qualls and Gates' lawyer, Harry G. Melkonian, said they doubt that either the police commissioners or anyone else has the legal standing to block the council's settlement with Gates. Sources in Bradley's camp concede that it presents a difficult legal hurdle.

What Next?

It is not clear what the Police Commission will do next, Garcia said. But the commission president added that he has retained attorney Paul Grossman to represent him personally in the matter.

"We might challenge [the council settlement] in court, but that would take a while," Garcia said. "Presumably [Gates] would be in office for some time . . . who knows where we'd be with our investigation" by the time the challenge was resolved.

"It perpetuates the drama in which he is a central character when we have [a furor over] a case of serious police brutality," he said.

If Gates wins back his job, Bradley's legal options are limited, said Fabiani.

"The mayor still hopes that the chief will see that his presence is hurting the Police Department and [that] the department will never recover its fine reputation as long as he is the chief," he said.

One legal option, sources said, would be to seek a delay in the court action until after Tuesday's council election.

But Ferraro, a Gates supporter, said it was doubtful there would be much change in the council's position after the election. He contended that the council voted to reinstate the chief because he was not given due process.

Forcing Gates to take a 60-day leave of absence "is a terrible way to treat someone who been chief for 13 years," added Ferraro.

One way to increase political pressure on the council would be to arrange for the resignations of the three commissioners who had placed Gates on leave, say sources close to the efforts to remove the chief.

While Bradley has denied that he influenced the Police Commission's decision, one source familiar with the deliberations acknowledged that the mayor's office was in close touch with the commissioners. "They felt a need to work this through with the mayor," said the source, who spoke on condition of anonymity. "But to suggest that the mayor picked up the phone and forced the commission to do anything is crazy."

The three police commissioners approached the removal of Gates from different viewpoints, according to City Hall sources. Vice President Melanie Lomax was adamant that Gates should leave office, Garcia preferred to proceed slowly and Sam Williams felt that Gates could be persuaded to resign, the sources said.

After studying their legal options, the three commissioners—all lawyers—agreed to put Gates on leave while pursuing an investigation to determine if there are grounds to discipline or fire him. They informed Bradley of their intent on Tuesday, which prompted the mayor to call on Gates to resign, said Fabiani.

Is Bradley Right?

The intense fight over Gates' tenure has further polarized the city, politicized the issue and obscured the fundamental questions of brutality, racism and police training raised by the King beating, civic leaders said.

"The basic issue of how the Police Department relates to the community and the question of undue violence have been totally lost in an atmosphere of increasing racial divisiveness, in the debate between the mayor and the chief and between the mayor and the council," said Ray Remy, president of the Los Angeles Area Chamber of Commerce.

Councilman Joel Wachs, who backed the move to reinstate Gates, said the feud between the mayor and the chief is "unbelievably harmful" to Los Angeles. "If you really care about this city, it is time to say, 'OK. We are [looking] into things that are significant in the long range, and not have this continuing battle between one individual and another and one branch of government and another.'"

The controversy also has become a political liability of sorts for the mayor. Although a Times poll found that 58% of Los Angeles residents support the temporary removal of Gates, the poll also found that 60% believe Bradley is trying to further his political ambitions rather than, as he stated, to mend a divided city.

The harsh community reaction and City Council outrage over Bradley's handling of the King crisis last week has fueled criticism of a behind-the-scenes campaign to oust Gates that was handled by Fabiani shortly after the March 3 beating. Gates and Bradley, a retired LAPD officer, have been longtime adversaries.

Many city leaders said the drive to remove Gates went "out of control" with Bradley's call for Gates to resign and the commission vote to put the chief on leave.

The confrontational approach was a departure from the mayor's handling of Police Department issues during his 17 years in office, said former Police Chief Ed Davis.

Before last week, one former Bradley strategist said, the mayor responded to the King crisis precisely as one would expect him to.

"It was a gentle, more measured response," said the ex-Bradley aide, who requested anonymity. "He didn't blow the council apart. He was seen as keeping things pretty well under control."

Then came the mayor's startling call for Gates to resign on Tuesday. "All I know is that I was shocked," said the former aide. "I don't know where it went off the deep end. It's out of kilter."

If Bradley's reaction seems "extraordinary," it is only because the King episode is an extraordinary crisis in the city's history, Fabiani said.

"I acted in good faith on what I felt were legitimate concerns," Bradley said Saturday. "There was divisiveness in the city. The chief was at the center of the storm of protests and so long as he remained in the position it was not likely to change."

Some of Bradley's strongest sup-

porters appear to be questioning the political strategy of the mayor's office.

Remy, who served as Bradley's chief of staff in the early 1980s, called the decision to put Gates on leave "not in the the best interest of the city."

Richard Riordan, a prominent Los Angeles attorney and supporter of the mayor, said that Bradley should understand that the city's business sector is "rallying around Gates" and does not support any effort to remove him at this time.

"It comes down to leadership," said Riordan. "[The mayor] has got to back off, look at the general picture and regroup. I think he cannot go ahead [with a plan to seek the chief's removal]. I think he would be just [putting] himself deeper and deeper into a hole."

By failing to persuade two key groups—the business community and the City Council—to join in the fight to oust Gates, the mayor and Fabiani did not have the political support they needed to challenge the police chief, according to interviews with both groups.

Several prominent business leaders and City Council members said they were not lobbied by anyone in the mayor's office on the Gates issue. They put much of the blame on Fabiani, the 33-year-old chief of staff whose management style has won him few friends on the City Council.

Fabiani said that council members are not siding with Bradley because they do not want to confront Gates or the Police Department, particularly with Tuesday's election looming.

"We've made a lot of effort to talk to council members, but frankly a lot of them are not interested in taking on Daryl Gates," he said. "And the screaming of a couple of council members, some of whom are up for reelection on Tuesday . . . is not going to dissuade the mayor from doing what needs to be done."

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(Mount Clipping in Space Below)

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Suit Planned to Block Gates' Reinstatement

By JANE FRITSCH
TIMES STAFF WRITER

Los Angeles civil rights groups made plans to file a lawsuit today to block the reinstatement of Police Chief Daryl F. Gates as warring factions of city government prepared Sunday for a possible showdown in court.

Embattled members of the Police Commission, which removed Gates from his job last Thursday, said Sunday they were unsure whether they would go to court today to defend their action. Gates is expected to file a lawsuit in Superior Court this afternoon demanding reinstatement.

The civil rights groups, sources said, plan to proceed in a separate action with a lawsuit of their own, claiming that the City Council is illegally attempting to overrule the Police Commission.

Last Friday, one day after the commission voted to place the chief on a 60-day paid leave, the City Council ordered Gates reinstated.

Under the City Charter, the council does not have the power to overrule the Police Commission's removal of Gates, but it does have the authority to settle lawsuits brought against the city. In its 10-3 vote on Friday, the council decided to settle Gates' anticipated lawsuit by reinstating him.

Ramona Ripston, head of the American Civil Liberties Union of Southern California, said representatives of civil rights groups mapped their legal strategy during a one-hour conference call Sunday. The groups decided to file a "taxpayer" suit, alleging that the City Council and Gates have engaged in collusion to reinstate him by settling "a phony, unreal lawsuit."

■ RELATED STORY, B1

So-called taxpayer suits normally are filed against governmental bodies by citizens who allege that tax money has been wasted. But Ripston said Sunday that the groups will allege fraud, which also can be a basis for such a suit.

U.S. Rep. Maxine Waters (D-Los Angeles) said in an interview Sunday that she has agreed to be a plaintiff in the activists' lawsuit. Mark Ridley-Thomas, on leave as director of the Southern Christian Leadership Conference's Los Angeles branch to run for the City Council, also will be a plaintiff, he said.

"This is a mess," said commission President Dan Garcia. "I don't know if they have standing. Everybody's collecting their thoughts in a variety of different ways."

Garcia and commission member Sam Williams said Sunday they have not yet decided whether they will resign from the panel, which is appointed by Mayor Tom Bradley.

"It is not easy serving as a police commissioner in a city where the police chief controls and manipulates the City Council," said Williams, a longtime member of the commission. He said he is considering stepping down out of frustration.

The Police Commission had placed Gates on leave pending the outcome of a wide-ranging investigation prompted by the March 3 police beating of Rodney G. King, which was captured on videotape by an amateur cameraman and televised around the world.

Garcia said he, too, is frustrated, but sounded a conciliatory note. "If the chief is restored, we will try to work with him," he said. "All this political fighting among . . . city government is dispiriting. Our in-

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tent was to remove Chief Gates . . . so that we could not make him the issue, so we could get down to the real work."

If Gates wins a court order today, Garcia added, "we will clearly comply with it."

Garcia said the commission had not decided on Sunday whether to challenge the proposed settlement in court today. He added that he had not spoken with the mayor or his staff in several days and said the commission was not being advised on the matter by the mayor's office.

Bradley called for the chief's resignation last Tuesday, but has said he is not attempting to influence the actions of the commission, a civilian panel that oversees and sets policy for the department.

Jay Grodin, one of Gates' attorneys, said the chief's lawsuit will allege that he was illegally removed from his job and will name the city and the Police Commission as defendants.

"This could conceivably be all put to bed tomorrow," Grodin said.

A representative of the city attorney's office is expected to be in court today at the direction of the City Council to settle the lawsuit immediately.

Grodin said he doubts that the civil rights groups will succeed with their lawsuit because they lack legal standing in the matter.

The suit that civil rights groups plan to file also will name City Atty. James K. Hahn as a defendant, Ripston said.

"Jimmy Hahn has acted illegally and is guilty of a conflict of interest because he advised the commission and now is advising the City Council and, to some extent, Gates," Ripston said.

Mike Qualls, a spokesman for Hahn, said Sunday there was no conflict of interest. "We advise every city entity. That's our job," he said. "We maintained a position of neutrality. The advice we gave the Police Commission was general in nature."

Meanwhile, at a rally in South-Central Los Angeles on Sunday, Bradley was applauded and cheered for his stand on the Gates controversy.

"It's not what I said or did that brought about the misery in this city," Bradley told a crowd of about 400 at the Afro-American Community Unity Center. Waters also was cheered when she called for Gates to step down.

The crowd turned hostile, however, when Councilman Nate Holden tried to speak. Holden, who is seeking reelection Tuesday, has been a staunch supporter of the Police Department and has refused to call for Gates' resignation. One man yelled that Holden was a "sellout," another called him an "Uncle Tom" and others interrupted him with shouts that he was "jiving" them.

Times staff writer Henry Weinstein contributed to this story.

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DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

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4 L.A. officers plead not guilty in King beating

Judge says trial in late April likely

Associated Press

LOS ANGELES — Four white policemen pleaded innocent Tuesday to charges stemming from the videotaped beating of a black motorist after their attorneys failed to have a grand jury indictment tossed out.

In soft voices, a sergeant and three of his officers answered "not guilty." They face penalties of four years to nearly eight years in prison if convicted.

Sgt. Stacey Koon, 40, and Officers Laurence Powell, 28, Timothy Wind, 30, and Theodore Briseno, 38, are charged with assault with a deadly weapon and unnecessarily beating a suspect under color of authority.

Koon and Powell are also charged with filing a false police report, and Koon is accused of being an accessory in a cover-up.

In the case that prompted national outrage, motorist Rodney King is seen in a video being beaten 56 times with batons, kicked and shot with a Taser electric stun gun during a nighttime traffic stop March 3 in Lake View Terrace. Doctors say King may suffer permanent damage from 11 skull fractures.

The videotape was made by a neighborhood resident, George Holliday, from his balcony.

During the Superior Court arraignment, lawyers for the four charged policemen lost bids to have the indictment declared insufficient on grounds the charges were vague. They also failed to show the men were entitled to preliminary hearings.

All four were ordered to be in court Thursday. Judge Gary Klausner said a trial could probably begin the week of April 28.

California Highway Patrol Commissioner Maury Hannigan and three executive assistants will review results of its own probe into the case, said CHP spokesman Sam Haynes. The findings and recommendations will be given to the District Attorney's Office, the state Department of Personnel and the Governor's Office.

The investigation reviews the actions of Highway Patrol Officers Tim and Melanie Singer, who were among 21 police officers present when the attack occurred.

Meanwhile, FBI agents seeking to question about 250 officers at the station where the indicted officers were assigned called off interviews with about two dozen officers when investigators were told they would not voluntarily cooperate, a lawyer said.

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- 50 (Rev. 5-8-81)

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Vandalism Trial Opens for 3 LAPD Officers

■ **39th and Dalton:** Prosecutor says the men set out to level duplexes in drug raid. Defense denies a conspiracy.

By LOUIS SAHAGUN
TIMES STAFF WRITER

Amid heightened awareness of police abuse, the trial of three Los Angeles policemen accused of wrecking two duplexes in a 1988 narcotics raid began Monday with the prosecutor alleging that the officers conspired to "level those residences and make them uninhabitable."

In his opening statement to jurors in the courtroom of Municipal Judge Larry Fidler, Deputy Dist. Atty. Christopher Darden said more than 80 officers involved in the raid in the 3900 block of Dalton Avenue were offered protection against "consequences" by Southwest Division Capt. Thomas Elfmont, a defendant in the case.

"Capt. Elfmont told these officers that if they happened to . . . shoot someone, that the department would not scrutinize or look as closely at that officer-involved shooting as they normally did," Darden said. "Capt. Elfmont told them they had carte blanche to do what they wanted to do. And he wanted those residences leveled."

"The officers destroyed just about everything inside those units," the prosecutor said. "Refrigerators were chopped to pieces, televisions were busted . . . clothes were thrown to the floor and bleach was poured onto the clothes."

In his opening remarks, Elfmont's attorney, Barry Levin, denied that his client gave any officers a license to destroy property when they descended on the suspected drug houses Aug. 1, 1988.

"He was only telling his officers, 'If you find any lawful reason at all, put them in jail,'" he said. "The evidence may show somebody went too far, but it certainly wasn't a giant conspiracy."

Elfmont, Sgt. Charles Spicer and Officer Todd Parrick are each charged with vandalism and conspiracy to commit vandalism in the drug raid.

Before the beating of motorist Rodney G. King in Lake View Terrace last month, the 39th and Dalton incident was the most notorious misconduct case facing the Police Department.

A fourth officer charged in the Dalton case, Charles Wilson, earlier pleaded no contest to misdemeanor vandalism and agreed to testify against his fellow officers.

"Parrick was swinging his ax . . . chopping at everything," Darden told jurors Monday. "Some officers even went outside because they didn't want to get hit."

Although many of the officers were "appalled" at what had happened, no one filed a complaint, the prosecutor said. He said this was because it was "assumed that defendant Parrick and the officers were only doing what they had been ordered to do."

The 45-minute incident on Dalton cost the city more than $3 million in civil court settlements and resulted in disciplinary actions against dozens of police officers who demolished the two residences during their search for narcotics paraphernalia, weapons and ammunition.

The raid resulted in the seizure of one rifle, 18.6 grams of rock cocaine and five ounces of marijuana. Thirty-three people were arrested, but only two teen-agers were charged with narcotics possession.

Darden said the raid was prompted by complaints from a family living in a home sandwiched between the duplexes about drug dealing in the streets, and about a shotgun blast that destroyed floodlights they had installed outside.

When the family declined to testify in court out of fear for their safety, police, led by Elfmont, decided to "make an impression" on the gang members who were selling rock cocaine two blocks from his station, Darden said.

In his arguments, Levin tried to shift part of the blame for the destruction on Wilson, who is expected to testify that he used a homemade battering ram to smash property at the duplexes.

"They [prosecutors] charged and brought before you the wrong people," the defense lawyer said. "Why the prosecution of Capt. Elfmont? The reasons are one great misunderstanding about how the Police Department operates, a twisting of words, anger, frustration, and holding someone responsible for excessive damage that occurred out there."

Attorney Michael Stone, who is representing Spicer, suggested that the officers were simply being thorough in their searches for drugs when they ripped up carpeting, broke toilets, smashed staircases and poked holes through walls.

Serving search warrants on fortified rock houses in South Los Angeles are almost always "violent, loud, traumatic events," the lawyer said.

Assigned to Foothill Division

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LARRY BESSEL / Los Angeles Daily

From left, Sgt. Charles Spicer, attorney Michael Stone, Capt. Thomas Elfmont and attorney Barry Levin listen at trial Monday

Officer Todd Parrick, at left, and his attorney, Peter Ferguson.

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FBI — LOS ANGELES

Bradley asks Gates to quit; chief refuses

Mayor says public good is at stake

By Patrick McGreevy
and John Polich
Daily News Staff Writers

Mayor Tom Bradley called on Los Angeles Police Chief Daryl F. Gates to resign Tuesday, accusing him of hurting the LAPD and dividing the city in the wake of the videotaped police beating of Rodney King.

Gates immediately rejected the mayor's demand, just as he refused to step down in the face of similar calls from civil rights and community groups in the month since the beating stirred a national uproar.

In a live televised address from City Hall, Bradley said he was rebuffed when he asked Gates to resign for the good of the city in a face-to-face meeting in the mayor's office Tuesday morning.

"The public has lost confidence in Chief Gates since Rodney King was beaten," Bradley said. "I have asked him to show the uncommon courage to retire for the good of the LAPD and the welfare of all of Los Angeles . . .

"Chief Gates has embarked upon a public relations campaign that has only deepened our wounds and widened our differences," he said. "His reactions to the tragic Rodney King beating have made an ugly situation even worse."

Gates told reporters at Parker Center after the mayor's speech that his own leadership is needed to restore the department's tarnished image.

"The 8,300 men and women of this department, I think, are depending on me to stay, and to provide some leadership out of this situation," Gates said. "I don't believe that 8,300 officers will follow the mayor anywhere."

Gates, who previously has said he intends to retire when the controversy over the King beating is cleared up, said for the first time that he would quit if members of two citizens panels examining the beating find he was negligent in his duties. Officials said Tuesday there is a possibility that the panels — one appointed by Bradley and another by Gates — will merge.

"If the blue-ribbon committee, after intensive examination, comes to the conclusion that I have been derelict somehow in my duty, then that would be the time that people would say, Chief, maybe you ought to go," Gates said. "I'm not stupid. If that's what a commission of that character would determine, then I would say, hey, I must have failed somewhere, and I suppose that would be the time to retire."

The chief had said previously that he would retire only after reforms were in place to ensure such a beating never is repeated.

Bradley said he waited until Tuesday to ask the chief to resign because he hoped Gates would see that he has become a divisive issue and would remove himself. In-

stead, Gates has fought back politically and deepened the rift in the community.

"Chief Gates has portrayed the public's outrage over the beating as a personal attack on himself and the department," Bradley said. "That is not the case. And to suggest otherwise does a disservice to the LAPD and to the people of Los Angeles."

Bradley expressed disappointment that Gates has not acted, despite evidence that the public has lost confidence in the chief.

"I simply will not stand by as our city splits apart," he said. "We must come together. We must heal.

...

"As mayor, I have reluctantly concluded that I can no longer wait for Daryl Gates to do what is best for the LAPD," Bradley said. "I can no longer count on him to act in the best interests of all of Los Angeles."

At a short news conference after his televised address, Bradley said his decision to call for Gates to quit also was influenced by disclosures that officers involved in the beating made racist comments on a police communications system on the night of the beating.

Those remarks, Bradley said, were evidence that the King incident was not an "aberration" as

"The communications between the officers in those separate cars pretty clearly put aside any thoughts that it might have been an aberration," Bradley said. "There were racist comments. There was a jocular mood and attitude among those officers. There were incidents that took place prior to the Rodney King beating so it became very clear it was not just an aberration. It was not just a single incident and I fear that the problem lies much deeper. That's the reason so many actions have been taken recently

the chief to resign."

Four officers have been indicted on criminal charges in the beating of King, 25, following a Lake View Terrace traffic stop March 3. The Los Angeles County grand jury is reviewing possible charges against up to 17 other officers who witnessed the beating but took no action.

Gates has steadfastly maintained that he will not quit because he has done nothing wrong.

At one point during his press conference, Gates read a quote from a report by City Attorney James Hahn in 1989 that sharply criticized Bradley's financial dealings, but found no evidence of wrongdoing.

"No one has ever questioned my ethics," Gates said. "No one has ever questioned my integrity, my honesty. No one."

Bradley said the chief also rebuffed his call to quit during their meeting Tuesday morning.

"He said, 'Mayor I think you're wrong and I will not resign.' " Bradley said.

The mayor noted that the City Charter gives the authority to fire the chief to the Police Commission. But Bradley said he can take a strong stand in hopes of convincing Gates to quit.

"Under the Charter system I do not have the legal authority to remove him. I can use moral suasion. That is what I did today," Bradley said.

Bradley's call for Gates to resign was criticized by some City Council members who said it will widen the division of community.

"I don't believe calling for the chief's resignation heals the city," said Councilwoman Joy Picus. "I think it only polarizes the city."

Councilman Zev Yaroslavsky,

"NOW IS THE TIME"

Mayor Tom Bradley called on Police Chief Daryl F. Gates to resign Tuesday, culminating two weeks of statements suggesting that Gates should step down without calling for his resignation outright. Here are some previous statements:

TUESDAY, MARCH 19: "I don't want to see this become a Bradley-Gates battle. This is a matter for the chief to decide. He has his own constituency. But a retirement by Chief Gates would help in the healing process."

WEDNESDAY, MARCH 20: "I did not and I have not yet called for the chief to resign. I am saying that the only way we can start this healing process is for him to remove himself."

THURSDAY, MARCH 21: "I think that for us to have a healing process it is going to be necessary that the chief recognize his role in the matter. But only he has the authority and the ability to say, 'I retire.' "

FRIDAY, MARCH 22: "I suspect that if he remains, there will continue to be the ferocity of demands we've seen for his retirement. I think it's going to be very unlikely that anything constructive can take place with regard to healing the city until the storm has settled with regard to Chief Gates."

MONDAY, MARCH 25: Asked if he was disappointed that Gates had refused to step down, the mayor replied: "He thinks by remaining, he can restore the prestige and reputation of the department. There are many who disagree and I'm one of those."

WEDNESDAY, MARCH 27: Responding to Gates' 10-point plan to restore confidence in the LAPD: "My only concern is that it seems to me that these are things that were called for a long time ago, and why they have not been done, I don't know."

TUESDAY, April 2: "The chief has only one choice. He must step aside. He must allow the winds of change to blow across the LAPD, to refresh its officers, and to restore the department's vigor and reputation. Chief Gates, now is the time for you to do the right thing — for your officers, for your department, for the public you serve."

putes with Gates, said he was not surprised by Tuesday's standoff.

"You have an irresistible force meeting the immovable object," Yaroslavsky said. "But what it really means is that we have a crisis in city government.

"The mayor says to the chief of police to quit and the chief says he won't. I don't think this speaks well of the city."

Yaroslavsky questioned whether the city could take action to fire Gates.

"That would be a hard case to make," Yaroslavsky said. "Here you have a department head who, for six successive years, has received superior ratings from the mayor," Yaroslavsky said.

Councilman Michael Woo, who was the first elected city official to call on Gates to resign, said he believed Bradley had "taken a bold step in the best interests of the police department and the city.

George Aliano, president of the Los Angeles Police Protective League union representing officers, said the mayor is wrong.

"The mayor and the chief haven't gotten along for years," Aliano said. "The mayor made a mistake. My members do not believe they are hurting. If the mayor wants to let the healing period begin then he should allow all these investigations to complete their work and let Chief Gates take care of the problems."

Bradley and other city officials said the citizens panel set up by Gates to investigate the King beating may merge with the mayoral commission investigating the incident. The mayor said the decision was up to the commission, which he said is fully independent

On Monday, Bradley appointed a seven-member commission headed by former Deputy Attorney General Warren Christopher to look at use-of-force policies and the management of the Police Department. Last week, Gates appointed a five-member panel headed by former state Supreme Court Justice John Arguelles to review the use of force by his department.

Arguelles said that he and Christopher are continuing negotiations on a merger of the two panels.

"We're close to settling on some kind of relationship," Arguelles said. "Frankly we're hoping to merge if we can. I think that would make the most sense. But we may come up short."

Both Gates and Bradley said they would have no opposition to a relationship between the two panels.

City Council members said they do not see the need for two citizens panels, which come in addition to investigations by the Police Commission, the City Council, the District Attorney's Office and the U.S. Justice Department.

Earlier, the American Civil Liberties Union displayed 10,000 new signatures on petitions calling for Gates' resignation, adding to 10,000 already submitted to the Police Commission, for a total of 20,000.

ACLU officials said the police chief should not have civil service protection and should be accountable to an independent civilian review board.

"The Police Commission as it is now is not independent," said Paul Hoffman, legal director of the ACLU. "They are dependent on the same attorneys who advise the police. An attorney can't work both sides of the street."

Daily News Staff Writer Rick Orlov contributed to this story.

"I have asked him to show uncommon courage to retire for the good of the LAPD and the welfare of all of Los Angeles."

— Mayor Tom Bradley
calling for police chief Gates to retire

"(T)he) 8,300 men and women of this department, I think, are depending on me to stay, and to provide some leadership out of this situation."

— Police Chief Daryl F. Gates
who refused to step down Tuesday

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

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FBI — LOS ANGELES

Transfers of Foothill Staff Under Way

■ Police: None were involved in the Rodney King beating. The move is designed to help restore public confidence in the division, officials say.

By LESLIE BERGER
TIMES STAFF WRITER

More than a dozen Los Angeles police officers, none of them involved in the Rodney King beating, will be transferred from the division where the incident occurred, Assistant Chief Robert Vernon said Tuesday. He said the move is part of an effort to restore public confidence.

Vernon said the officers—including two lieutenants, at least two sergeants, and about 10 patrol officers—were being transferred from the Foothill Division not as punishment but to make room for incoming officers with special skills in community relations.

Most of the transfers, a few of which have already occurred, will be effective a week from Sunday, he said.

Vernon said Assistant Chief Mark A. Kroeker, the San Fernando Valley's top police official, has been conducting a department-wide search for officers noted for their compassion and communications skills. They will be traded for members of Kroeker's staff.

The reassignments stem from an order "to re-earn the trust of all the people in the Valley, but, in particular, in the Foothill area," Vernon said.

"I want to emphasize that the people we are now moving out have no connection with the Rodney King case. Those folks have already been moved," said Vernon, who declined to disclose the Foothill officers' names. "The folks being moved out are not being moved for any disciplinary reasons."

Despite Vernon's characterization of the transfers, two other police sources said the reassignments were viewed within the embattled Foothill Division—the Northeast Valley patrol area where King was arrested March 3—as a form of housecleaning that often follows scandals and unfairly involves officers with no direct connection to the problem.

The officers being transferred tend to have seniority and have spent a good portion of their careers in that division, the sources said. One said department brass wants "to bring in some new blood, that maybe there's a stagnation of supervision."

Another source, who also spoke on the condition of anonymity, said Foothill officers are bracing for more changes and believe that these transfers are just the start.

However, Vernon said no further transfers are planned because of the King case, but added that Foothill may undergo some other personnel changes as part of a department-wide effort to have officers' race and ethnicity reflect that of the community.

Foothill's officers now are 21% Latino, a close match to the community's population, which is between 25% and 30% Latino, Vernon said.

But only 4% of the division's officers are black, while 20% of the area's residents are black, Vernon said, "so we have some distance to go there."

Another 21 LAPD officers, including four who have been indicted in King's beating and others who were at the scene, have been removed from field duty pending the outcome of investigations. Some have been temporarily transferred to other divisions because one police station cannot accommodate so many officers on desk duty.

FBI/DOJ

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Growing Pressure Seen Behind Mayor's Action

■ **Politics:** But sources close to Bradley say the move is part of a carefully planned strategy to oust Gates.

By DAVID FERRELL
and RICH CONNELL
TIMES STAFF WRITERS

Mayor Tom Bradley's call for the resignation of Los Angeles Police Chief Daryl F. Gates surprised many at City Hall with its timing—just one day after Bradley had formed a special commission to investigate the Police Department.

But Bradley's speech on Tuesday was also seen by some as an inevitable step in a controversy that has continued to escalate, dividing the city and tarnishing its image nationwide. Bradley had to act soon to try to force Gates' ouster or face political damage himself, according to City Hall insiders and community leaders.

With Gates refusing to step down, Bradley found himself under increasing pressure from African-Americans and community organizations outraged over the March 3 police beating of black motorist Rodney G. King.

Bradley found his leadership

NEWS ANALYSIS

questioned at a time when he was making endorsements in next Tuesday's City Council elections, and he faced the risk of being upstaged by potential challengers in a 1993 mayoral race.

Against such a backdrop, Bradley took the momentous step of calling for the removal of a powerful police chief with 13 years in office. Insiders familiar with Bradley's thinking described the move as merely the latest and biggest step in a "carefully planned" strategy to to force out Gates.

In making the move, Bradley laid the political groundwork for action by the Police Commission, which is now in a stronger position to seek Gates' removal, according to two sources close to Bradley.

Reached for comment, Commissioner Melanie Lomax would only say that the commission is considering a number of options. "I think the Police Commission has an additional burden based on the mayor's statement and the current climate [to decide] how it views the performance and continued leadership of Daryl Gates," Lomax said.

"It is squarely before us," she said. ". . . It places an extra burden on us to address this issue with all deliberate speed."

Several sources said that one option being explored is ordering Gates to temporarily surrender his duties while several investigations of the department are conducted by federal and local agencies. Should Gates refuse, the sources said, the commission might be able to bring a charge of insubordination, possibly setting the stage for disciplinary action.

Two sources said that the Police Commission will meet in a special session Thursday to discuss the issue.

Others at City Hall predicted that the mayor's effort would backfire because he is misjudging the chief's public support and his dogged determination to keep his job.

"The mayor, in continuing to keep this issue burning, is really creating a lot of divisive feelings around the city," said Councilman Hal Bernson, a Gates supporter who is campaigning for reelection next week in the San Fernando Valley. "If it comes down to head to head between the mayor and the chief . . . I think the mayor is going to lose."

Although Bradley's campaign against Gates has failed so far, a number of important pieces have been put in place, according to sources close to Bradley. First,

■ **POLICE TRANSFERS**
More than a dozen Foothill officers will be transferred. B1

Bradley nominated a civil libertarian, Stanley K. Sheinbaum, to the Police Commission, giving the panel another strong political ally of Bradley. The mayor's office then ordered his appointees on the Police Commission to work with Gates to release transcripts of the controversial statements made by officers before and after the King beating—transcripts that included racial slurs.

(Indicate page, name of newspaper, city and state.)

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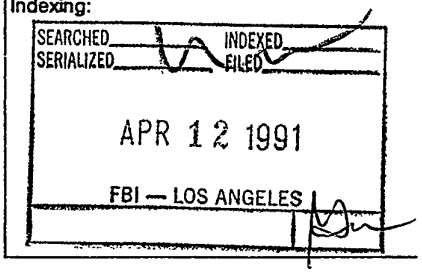

FBI/DOJ

Next, Bradley's office forced out a member of the Civil Service Commission—which ultimately could decide Gates' fate with the city—and brought in labor lawyer Larry Drasin, a longtime supporter of the mayor.

After that, Bradley's office made overtures to council members, hoping to persuade them to come out publicly against Gates.

Finally, the mayor's office established the so-called Christopher Commission to run an independent investigation into police use of force, perhaps setting the stage for the Police Commission to ask the chief to step aside pending the probe's outcome.

Councilman Michael Woo—the only council member to call for Gates' resignation—said he has conferred with Bradley's office on the Gates issue in the past. But he insisted Tuesday that he was not consulted about Bradley's call for Gates to resign.

Even so, Woo seemed to agree that the stage was now set for Police Commission action.

"I think the Police Commission is moving in the direction . . . of considering the removal of the chief," Woo said. "I think the mayor wants to make his position clear in advance of the Police Commission action. It's appropriate [for the commission] to look to him for leadership."

Woo, who is a potential mayoral candidate, made Easter visits to churches in the black community, where outrage over the King beating and demands for Gates' resignation have been particularly strong. But he dismissed any link between those visits and the timing of the announcement by the mayor, who has not ruled out the possibility of seeking a sixth term.

City Hall sources said they believed there was virtually no political risk for Bradley in calling for Gates to step down at this time.

A Times poll in late March found that almost one of three Los Angeles residents wanted Gates to resign immediately, and another one of three wanted Gates to resign if inquiries find wrongdoing by his officers in the King case.

About half the respondents said that Bradley was doing what he should in handling the controversy, while 34% thought he was being too lenient and only 5% thought he was too tough. Among blacks, 46% thought Bradley was being too lenient with Gates, while only 5% thought the mayor was being too tough.

Political observers say Bradley's move Tuesday would deflect criticism that he has been too indecisive during the crisis.

"I commend him and give him high marks for taking this decisive step," said Los Angeles Urban League President John Mack. " . . . There has been growing impatience among the mayor's supporters, particularly in [the black] community."

Bradley's call for Gates' resignation could help candidates supported by Bradley in next week's City Council elections, especially in the heavily black inner-city districts. In the 9th District, for example, Bradley has endorsed Rita Walters for the seat held by the late Gilbert W. Lindsay, and some of her opponents have criticized the mayor's reluctance to demand Gates' ouster.

City Councilman Richard Alatorre, a Bradley ally who is seeking reelection in East Los Angeles, came close to following Bradley's lead Tuesday night. "I have serious concerns as to whether the chief can continue to lead under the present circumstances," said Alatorre, who heads the council panel that oversees Gates' department.

Longtime political consultant Joe Cerrell, of Cerrell Associates, described Bradley's action by saying, "It shows he's trying to lead. . . . The problem is, it would seem a little inconsistent since he just appointed a commission to look into the matter. . . . Why doesn't he wait to see what the commission has to say?

"I know he's under pressure to do this, I'd say primarily from the black community and the liberals."

Initial reaction to Bradley's announcement in the black community was positive. The Rev. Cecil L. Murray of First African Methodist Episcopal Church said, "I think that it was inevitable, necessary and good. I think the mayor . . . has come to the conclusion that there is no other" solution.

"I'm sure now that he has demanded the police chief's resignation he will follow through on his demand," Murray said, "because a sizable portion of his constituency feels that their well-being is at stake."

The Rev. Frank Higgins of Trueway Baptist Church criticized Bradley for taking so long to call for Gates' removal and described anti-Gates sentiment in the black community as "snowballing."

"In some regards we appreciate Bradley's decision" to call for Gates' resignation, said Higgins, president of the 400-member Baptist Ministers Conference of Los Angeles and Southern California. "But he could have done something sooner. We need a radical change of leadership to address this situation. Bradley said he couldn't fire [Gates]. Well, he should have fired him anyway."

Council President John Ferraro said he will continue to support Gates despite Bradley's speech and expects other elected officials to do the same.

Gates supporter Eric Rose, a consultant for the chief's exploratory campaign for governor in 1988, accused Bradley of continuing a "political war [that] will be more unpopular than Vietnam." With Tuesday's speech, Rose said, Bradley has "tossed a hand grenade into a city that was just beginning to heal."

Times staff writers Glenn F. Bunting, Paul Feldman and John L. Mitchell contributed to this story.

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(Mount Clipping in Space Below)

Mayor's Tactics Are Unfair, Gates Charges

By GLENN F. BUNTING
and RICH CONNELL
TIMES STAFF WRITERS

Police Chief Daryl F. Gates went on the offensive Wednesday night with a scathing attack on Mayor Tom Bradley's call for his resignation.

"I know, clearly, there is an orchestrated campaign," Gates said. "It is evident to everyone. I think the City Council is voicing outrage over it, and well they should. It's not helping the city."

Gates called the mayor's tactics "unfair" in an interview Wednesday night after he appeared on ABC's Nightline program. It was his strongest response to the mayor's demand Tuesday for his resignation.

"The unfairness is that when the mayor talks about the healing process, how can you heal when you keep jabbing at the wound? You can't heal," Gates said.

What Bradley should have done, the chief said, was sit down with him and "figure out if we have a problem here."

■ **COMMISSION'S ROLE**
Police Commission will meet today on Chief Gates' fate. A21

"That would have brought the city together," Gates said. "That is true leadership. Unfortunately, the mayor is not providing true leadership."

Gates said he supports an independent review of police conduct in the wake of the March 3 beating of motorist Rodney G. King. And, the chief said, if the inquiry finds that he has not exercised appropriate control over the department "I would say, 'Mayor . . . I'm gone.' "

Gates said he believes some people are advising the mayor "improperly."

"If the mayor's really interested in healing the city he ought to go about doing that," Gates said.

The chief questioned why Bradley would appoint an independent commission one day and then "preempt" the panel the next day by asking for his resignation.

He suggested that Bradley reacted to Councilman Mike Woo's appearances in the black community last weekend during which he called for Gates to step down.

"I think that is nonsense," Gates said. "Let's . . . hold down the rhetoric, and I think we'll all be better off."

Bradley's call for Gates to resign has turned the King affair into a fierce clash between two of the city's most powerful figures and it threatens to further divide Los Angeles, community leaders said Wednesday. Gates' remarks about the mayor Wednesday night only underscored that contention.

Moving rapidly ahead on an elaborate campaign that began a month ago, the mayor and his staff have cranked up the pressure on the police chief by fueling public criticism of him while working behind the scenes to seek his ouster, said City Hall sources who requested anonymity.

The climax of these efforts may come as early as today, when Bradley's appointees on the Police Commission meet in a closed session.

But Gates, as he indicated with his latest counterpunch late Wednesday, has vowed to fight until the end.

Immediately after the mayor called for his resignation Tuesday, Gates alluded to the ethics controversies that have dogged Bradley for the last two years. Gates' department is investigating campaign fund raising by the mayor's aides and appointees, as well as allegations of corruption that involve Bradley himself.

Gates has hired an attorney to defend him against any possible disciplinary actions by the Police Commission.

And Eric Rose, who advised Gates during his exploratory campaign for governor in 1988, said he was "asked by the chief's office" to handle media relations work for the newly formed Citizens in Support of the Chief of Police.

A police spokesman, however, denied that such sanction was granted to Rose, although he acknowledged that the chief's office had discussed the possibility with Rose.

Bradley accused Gates on Tuesday of embarking "on a public relations campaign that has only deepened our wounds and widened our differences."

But Bradley's decision to call for Gates to step down after four weeks of refusing to do so is similarly disruptive, several prominent city leaders said.

"I think the strategy failed," said Councilwoman Joy Picus, who favors the chief remaining in office. "The mayor has focused attacks on Daryl Gates . . . and further polarized the city."

One longtime Bradley backer and city commissioner said: "I have not met anybody in the business Establishment who supports the mayor on this. . . . I think Tom made a terrible mistake."

The city is already torn over the King beating, said Woo, the only other city official so far to call for Gates to resign.

"I think the mayor deserves credit for taking a courageous stand on a very controversial issue in this city," Woo said. "He has been criticized throughout his career for not being outspoken enough. Now people criticize him for taking a bold stand."

(Indicate page, name of newspaper, city and state.)

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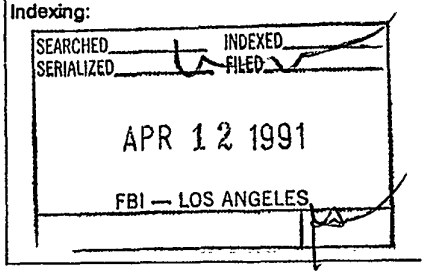

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In any case, the escalation of a deeply personal and political battle between the city's mayor and police chief is troubling to many city leaders.

"I have a lot of respect and admiration for both Chief Gates and Mayor Bradley," said Richard Riordan, a prominent Los Angeles attorney and supporter of both men. "I think that it is very divisive for the city to personalize any fight between the two of them. We should be focusing in on the problem of racism and how we solve it rather than making it into a personal fight."

Said Councilman Zev Yaroslavsky: "I would like to see a cease-fire between the chief and the mayor for a while. As long as there is a contest of wills between them, the city is going to be increasingly divided."

The mayor is "very comfortable" with his decision, said Mark Fabiani, Bradley's chief of staff.

"He felt it is the only decision that is in the best interest of the city. And the complaints of some members of the City Council who have never had a negative word to say about the chief in their lives really doesn't make any difference to the mayor," Fabiani said.

Although the mayor and police chief have engaged in a feud that has spanned several years, the animosity boiled over last year when Gates said Bradley had written a "dumb letter" calling for an investigation related to alleged police vandalism at 39th Street and Dalton Avenue.

The furor surrounding the King beating provided Bradley with an opportunity to push for Gates' removal, something the mayor's office had been contemplating for some time, sources said. A behind-the-scenes campaign was launched immediately to pressure the chief into resigning.

Bradley sought to further pressure Gates on Monday by appointing a seven-member citizens' commission to launch a wide-ranging investigation of the Police Department, including problems of police brutality. The mayor announced that Jesse Brewer, recently retired assistant police chief under Gates, would serve as one of three senior advisers to the panel.

But two sources told The Times on Wednesday that Brewer did not agree to serve the mayor's commission in an official capacity. "He feels he got tricked," said one source, who said he talked to Brewer about the subject and asked not to be named.

Another senior adviser announced by Bradley, criminologist James Q. Wilson, said Monday that he, too, had agreed to answer questions informally for the panel but was not asked to become an official part of the commission. He has refused to do so.

While Bradley has consistently denied any effort to sack Gates, his press conference Tuesday marked the first time that the mayor publicly called for the chief to step down.

Shortly after the announcement, Gates shot back at Bradley by bringing up City Atty. James K. Hahn's findings after a 1989 investigation that the mayor had "clearly failed" to avoid the appearance of conflicts of interest. The investigation involved Bradley's ties to financial institutions that dealt with the city and his efforts to secure city funds for a scandal-plagued group formed to promote trade with Africa.

Gates' department participated in that inquiry, which resulted in $20,000 in civil penalties against the mayor but no criminal charges.

For the last several months, the Police Department has been conducting a second investigation of political fund raising for the mayor's campaigns and allegations of corruption that involve the mayor. One focus of the investigation is Bradley's relationship with campaign fund-raiser Harold R. Washington, a developer-consultant who obtained a city-subsidized housing project. Informants have told police that Washington sought money for contributions or payments to Bradley and other city officials to help secure the project.

The police also are investigating possible conflicts of interest and misuse of city resources in the fund-raising activities of Bradley aides and commissioners.

Bradley, Washington and the mayor's aides have denied doing anything improper.

Sources close to the investigation have insisted the Gates-Bradley clash has not affected the course of the current investigation, although one source acknowledged that the escalating political fight is making it "more ticklish."

"No matter what you do, you're open to charges" of either moving too aggressively against the mayor or holding back, the source said. "Nobody has pushed this one way or the other . . . we don't want to get into that."

Capt. Doug Watson, who heads the Bunco-Forgery Division that is conducting the investigations, said Wednesday that he has given Gates and other top department officials briefings on the inquiries. But he said neither the chief nor any other superiors have shown unusual interest or attempted to influence the investigation.

"It was already so sensitive" that the Bradley-Gates clash makes little difference, Watson said.

Bradley has no concern about the outcome of the police investigations as long as they are "handled objectively and professionally," Fabiani said. "If they become the subject of political influence by the chief, the public will see through that in a split second."

Times staff writer Louis Sahagun contributed to this story.

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(Mount Clipping in Space Below)

Police Panel to Confront Issue of Gates' Fate

■ **Beating:** Commission schedules closed-door meeting today to wrestle with what to do about embattled chief.

By RICHARD A. SERRANO and JAMES RAINEY
TIMES STAFF WRITERS

With the political repercussions of the Rodney G. King affair reaching a peak, the Los Angeles Police Commission has scheduled a special closed-door meeting today to wrestle with what to do about embattled Police Chief Daryl F. Gates.

Although members have declined to discuss in detail their agenda, Commission Vice President Melanie Lomax said Wednesday that the panel must move ahead "in the very near future" in deciding what disciplinary action, if any, to take against Gates.

Mayor Tom Bradley called Tuesday for Gates to resign, but the chief's refusal to step down has shifted the debate to the civilian Police Commission, where sources said panel members could chose from a range of options, including placing Gates on a temporary leave of absence or firing him.

"I'm simply not going to accept it [discipline]," Gates said on ABC's Nightline program late Wednesday night. "I don't think they have a basis for it."

Gates said he would not disobey any order by the commission, but added that he would vigorously appeal any disciplinary finding.

Lomax and her colleagues might choose to wait for the return of Stanley Sheinbaum, a Westside civil libertarian who was confirmed Wednesday by the City Council, on a 10-2 vote, as a new member of the commission. Sheinbaum left on a European trip Tuesday afternoon and Cmdr. Frank Piersol, the commission liaison, said today's meeting may be postponed.

The council's confirmation hearing was marked by sometimes sharp criticism of Sheinbaum for his affiliation over the years with the American Civil Liberties Union, which has been outspoken in its call for Gates' removal. Some council members also blasted Bradley for publicly urging Gates to step down.

As debate raged in the council over Sheinbaum's appointment, and whether the Police Commission should remove Gates, the chief was marshaling his forces to fight for his job.

Jay Grodin, a private attorney personally hired by Gates to defend him against any disciplinary moves by the commission, warned Wednesday that the panel must have proof that Gates has been derelict in his duties before attempting to oust him from the post he has held for 13 years.

"Melanie Lomax and the other police commissioners ought to review the City Charter, the government code and a lot of case law first," Grodin said.

"There's nothing they can do right now. Even a temporary leave has to be for some cause, and the cause cannot be nebulous. There have to be charges that are brought and the fact that someone says there is a crisis in the LAPD is not enough."

Lomax, however, said she believed the commission could reach a decision on whether it wants to discipline Gates without waiting for the outcome of a series of independent investigations now under way into the LAPD. She also noted that the commission, which still has one vacancy left, should not wait for Bradley to appoint a fifth member before taking action.

"I do believe the commission has the responsibility to address this question seriously in the very near future," she said. "I think that it is bad for the department, the city and the chief for this crisis to continue *ad nauseam* without any clear resolution."

Attempts to reach two other commission members, President Daniel Garcia and Samuel Williams, were unsuccessful Wednesday.

But on Tuesday, after hearing Bradley's call for Gates to resign, Garcia said he could not comment on the matter "because we are in the peculiar position of maybe having to someday" discipline or remove the chief.

"I still think that the decision to retire is obviously a personal one for the chief," he added.

Last week, Garcia told The Times that the commission should do nothing about Gates until after its investigative staff has thoroughly reviewed the March 3 police beating of King. The beating was captured on videotape, and has led to a national furor over police brutality.

Sources said that Williams, a longtime Bradley ally who has served the longest on the commission, has in the last two weeks become convinced that Gates must go.

"He's had a tough time with it," said one source, who asked not to be identified, "but he just can't watch that videotape anymore without having the same reaction that the problem is systemic."

Another source said that Bradley's speech Tuesday calling on Gates to resign makes it easier for Williams to vote against the chief. "He'll go along with it, now that Mayor Bradley is out of the closet."

At Wednesday's confirmation hearing, Sheinbaum faced more than an hour of sometimes pointed

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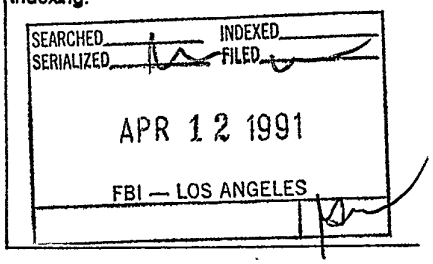

FBI/DOJ

questions, particularly from Gates' supporters, who said they were concerned about rumors sweeping the council chamber that Gates might be placed on administrative leave.

Sheinbaum said he knew nothing of such rumors, and added that he has an open mind about the chief's performance. "There is a civil libertarian process called due process," Sheinbaum said. "We are concerned with due process for anybody and everybody."

Several council members said they would not support a move to place the chief on leave while investigations are continuing into the King beating and the Police Department.

"If the Police Commission would do something like that, it would be a wimp-out," said Councilwoman Joy Picus, who backs Gates.

Sheinbaum said he would not be in a position to make a "rush to judgment." He flew to London later in the day for a 10-day conference on the economy of Eastern Europe.

Most of the council members said they trust Sheinbaum to view Gates impartially.

"He has always been known to be an objective and fair servant of this community," said Councilman Richard Alatorre.

"You will find [Sheinbaum's] record is one of fairness and balance," said Councilman Zev Yaroslavsky. "Because of his abiding commitment to equal protection, he would probably be one of the chief's best judges."

Sheinbaum, 70, a former University of California regent, is regarded as an elder statesman of liberal politics in Los Angeles. An economist, he has been active in a number of liberal causes over the years. He helped found People for the American Way, a group that promotes freedom of speech. He has been a major fund-raiser for several Democratic Party candidates.

In 1988, Sheinbaum created controversy in some Jewish circles when he encouraged the United States to negotiate with Palestine Liberation Organization leader Yasser Arafat. Sheinbaum, who is Jewish, said he was merely trying to resolve longstanding differences between Israel and the PLO.

Councilman Hal Bernson, who joined Councilwoman Joan Milke Flores in voting against Sheinbaum's appointment, said he will attempt to disqualify the new commissioner from voting on Gates' performance.

"If we are going to have a railroad job . . . to lynch the chief, then I cannot support it," Bernson told Sheinbaum.

Bernson cited Sheinbaum's past affiliation with the ACLU as the reason he cannot be an impartial judge of Gates' performance.

Under the City Charter, the city attorney's office determines whether members of boards and commissions should be barred from votes because of a conflict of interest. Such rulings must be made within 10 days of a request by a council member.

Assistant City Atty. John Haggerty, legal adviser to the City Council, said such a request has not yet been made official and that it is too early to say how the city attorney's office might rule.

Flores said she voted against Sheinbaum because she is concerned that the Police Commission would be slanted against Gates.

Sheinbaum resigned as chairman emeritus of the ACLU Foundation of Southern California two days before his appointment was announced by Bradley.

"This nonsense that ACLU people are anti-police is just that, nonsense," he told the City Council. "I want this post. I sent word to the mayor that I was interested even before I knew of the Rodney King beating.

"Just as many of you have asked me to keep an open mind about Daryl Gates, I am asking you to do the same about me."

In another development Wednesday, Mark Ridley-Thomas, executive director of the Los Angeles chapter of the Southern Christian Leadership Conference, and a candidate for the 8th District City Council seat, contended that at least five officers involved in the "39th and Dalton" police abuse case have been promoted rather than disciplined.

The case involves destruction at a series of apartments during a 1988 police raid at 39th Street and Dalton Avenue.

Ridley-Thomas said he has begun apprising Police Commission members of his information as a possible reason for disciplining Gates.

"Beyond a reasonable shadow of a doubt, this provides the kind of evidence that Daryl Gates has not effectively managed the department," said Ridley-Thomas.

However, Stephen Yagman, a private attorney who is suing the Police Department over the 39th and Dalton case, said that at least 15 officers have told him in depositions that they were disciplined, and that another 10 officers have said they have discipline cases pending.

George Aliano, president of the Police Protective League, said he did not know the status of any disciplinary action against the officers, but he said not all may have been directly involved.

"Politicians, when they're running for office, are going to get involved in what they think is going to get them votes," Aliano said of the claims by Ridley-Thomas. "What's dangerous are things that are incomplete and what they don't have full information on."

Times staff writers Leslie Berger, Paul Feldman and Sheryl Stolberg contributed to this story.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

COLUMN ONE

Brutality: Hard Issue for Police

■ Has the videotape of the King beating exposed a dirty little secret? Or is the problem of excessive force being blown out of proportion? Experts differ sharply on the matter.

By ERIC HARRISON
TIMES STAFF WRITER

John Davis, a white 46-year-old farmer in rural Mason County, Wash., has little in common with Los Angeles' Rodney G. King. But, in recent weeks, whenever he has watched the videotape of the beating King received at the hands of Los Angeles police officers, Davis has been carried back to a summer afternoon in 1985.

On that day Davis was beaten by sheriff deputies, in the words of one witness, until he "looked like he had been dipped in a bucket of blood."

Davis and his 15-year-old nephew were driving a load of hay in a horse-drawn wagon down a public road when a sheriff's deputy ordered him to move over to let cars pass. The patrol car's loudspeaker frightened the horses, though, and Davis couldn't control them.

That was when the deputy drew his gun. When the farmer stepped down, he was beaten, kicked and shocked with an electric stun gun by the deputy and two others who arrived on the scene. They swarmed over him, Davis recalled. "It just escalated into more and greater excitement. Their adrenaline just kept building until the climax," he said.

The videotape of the King beating began airing several days before a federal appellate court awarded Davis a $375,000 settlement stemming from his beating. When he saw the tape, "boy howdy, I had the feelings come right back to me," Davis said. "There was the same energy in the air, I could see it. I'd just cringe to watch it."

But how emblematic was that disturbing videotaped scene? Did it truly, as the Davis and other cases suggest, pull back the covers from America's dirty little secret, a secret some suggest had never really been kept under wraps in certain neighborhoods?

While some activists and lawyers describe police brutality as "endemic," particularly in minority communities, most law enforcement officials and some legal authorities say it would be a mistake to conclude that the problem is getting worse nationwide. On the contrary, most see it as less severe today than 20 years ago.

No one can quantify the police brutality problem because no agency keeps national records, and comparing statistics from city to city is rendered meaningless by inconsistent record-keeping methods.

"It's almost impossible to speak about the problem except in an anecdotal, impressionistic manner," said Gerald M. Caplan, a George Washington University law school professor, who formerly headed the National Institute of Justice and served as general counsel of the District of Columbia police.

"The number of people killed by police has gone down from the mid-1970s to the mid-1980s in major cities," said Patrick V. Murphy, who rose from a beat patrolman in New York City to head police commissions in Detroit and New York and a similar post in Washington, D.C. He now directs the police policy board of the U.S. Conference of Mayors and will serve as a senior adviser to Mayor Tom Bradley's panel investigating the King incident.

"I'm satisfied departments are much stricter about it [police brutality]," he said. "The FBI investigates these things, and it didn't 20 years ago. Lawsuits have increased dramatically, and liability forces mayors and city councils to get into it."

Samuel Walker, a criminal justice professor at the University of Nebraska, agrees that there has been improved management, higher personnel standards and better training since the 1960s. Furthermore, he said, about 30 of the nation's 50 largest cities have adopted some form of citizen review board to handle complaints against police officers, many in the last five years.

"So L.A.," he said, "is out of step at this point."

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But, acknowledging the lack of statistical evidence, he argues that police departments "lost momentum" in the late 1980s on curbing the use of excessive force. "Something happened out there," he said. "I can't prove that, but I believe it."

□

Federico Pereira was killed Feb. 5. A grand jury indicted five New York City police officers March 20 on charges of murder, manslaughter and assault in the choking and beating death of the 21-year-old car theft suspect.

One of the five officers indicted allegedly climbed onto the back of the prone and handcuffed Pereira and placed two hands around his neck, pulling his head back until his spine was bowed. Pereira died at a hospital soon after.

'Police officers are running scared' because 'more and more people resist arrest. These men and women have to be careful. It's a sign of the times.'

COL. W.D. TEEM
North Carolina Highway Patrol

The officers, all of whom have pleaded not guilty, maintain that Pereira became violent when the officers tried to arrest him and that he repeatedly banged his head on the pavement while they attempted to restrain him.

But to Latino activists in New York, the Pereira case was another demonstration of rising police violence in their community. From 1986 to 1989, an average of seven Latinos a year were killed by police gunfire in the city, but in 1990, 23 were killed.

In all, 41 people died in New York in 1990 in police gunfire, the highest number since 1975 and an increase of 37% over the 30 fatal shootings of civilians by police in 1989.

Police officials contend that the rise in the number of fatal shootings reflects a harsh reality—the streets are getting meaner as the drug trade grows more violent and guns become increasingly prevalent. Thirty-three of the 41 civilians killed in New York, for example, were armed, according to official statistics.

But critics of the department note that almost 75% of New York's police force is white—in a city where whites make up less than 50% of the population—and more than 40% of the officers live outside the city. Many of those who live in the suburbs, Latino activists contend, bring with them prejudices and phobias.

Part of the problem nationwide, said Walker, the University of Nebraska professor, may be racism. But he and others also think the war on drugs is to blame. "It sent a message to police officers that you can go out there and kick some butt, do whatever you need to do."

Murphy agreed. "There is no doubt that this war-on-drugs rhetoric is part of the problem—raiding all these crack houses, more guns on the street, cops getting automatics," he said. "It has cops so psyched up they think they are in combat."

Said Seattle attorney Timothy K. Ford: "What is the war on drugs? It's a war on people, and with a war, there's going to be collateral damage."

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Last week, two West Palm Beach police officers were indicted on charges of second degree murder and aggravated battery in the death of a man who was savagely beaten to death last November as he was walking home from a McDonald's restaurant.

Undercover officers Stephen Rollins and Glen Thurlow were driving down the street in a gold Cadillac, police say, when they stopped Robert R. Jewett, a 34-year-old plasterer. There are no witnesses to exactly what happened next. But within minutes, Jewett was dead from a beating in which his Adam's apple was crushed, nine ribs were broken and he was hit between the legs with nightsticks with such fury as to cause, what one veteran medical examiner called "the most severe testicular damage I'd ever seen."

Both officers, who were suspended without pay on Friday, have been named in previous brutality complaints.

In South Florida, and particularly in Miami, the issue of police brutality has long haunted relations between police and the black community.

In what became a landmark event in Miami history, black insurance man Arthur McDuffie was riding a friend's motorcycle on the morning of Dec. 17, 1979, when, according to police, he flashed them an obscene gesture and sped away. After a short chase, McDuffie pulled over and up to 12 officers wielding heavy flashlights began to pummel him. He died four days later of a fractured skull.

Almost five months later, when four of the officers on trial for taking part in the beating, and then covering it up, were acquitted by an all-white jury, Miami erupted. In three days of vicious rioting, 18 persons were killed, hundreds were injured and blocks of Liberty City were sacked and torched.

During the 1980s, two other riots convulsed Miami, both touched off by shootings of black men by Latino police officers.

Law enforcement officials acknowledge that many officers are edgy and that tempers get short. But they argue that cops have a right to be that way.

Col. W. D. Teem, commander of the North Carolina Highway Patrol, said, "police officers are running scared" because "more and more people resist arrest. These men and women have to be careful. It's a sign of the times."

"What gets lost is we have to deal with a lot of society's rejects and misfits," said Ronnie Clackum, chief of the Clayton County Police Department in Georgia. "People call the police when there's no one else to call."

Clackum, who said he doesn't tolerate excessive force in his department, added that high-speed chases put officers on edge. "The adrenalin gets to flowing, and by the time someone sideswipes your car, officers get so caught up in the events and emotion that they overreact," he said.

But Brian Spears, an Atlanta lawyer, speaks of the "spiraling effect" of police brutality, arguing that, in communities where the police have a reputation for using excessive force, suspects may flee or resist arrest precisely because they fear what will happen to them in police custody. "It [police brutality] breeds disrespect and mistrust and makes it likely that people who are taken into custody will act out of fear and run. Or fight."

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A New York state investigative panel recently called for the appointment of a special prosecutor to look into the fatal police shooting of a black man on Long Island in 1984.

The state Commission of Investigation charged that local prosecutors had skewed evidence to favor the police account of the death of Ricky McCargo, 27, who was shot in a parking lot by a Nassau County detective. A Nassau County grand jury heard evidence in the case in 1984 and refused to hand up an indictment against the detective.

Several witnesses said McCargo was on his knees, begging for his life, when he was shot.

In a large number of excessive force cases, there are no outside witnesses. Determining the facts—both for the public and for juries—often is difficult, according to lawyers and civil rights organizations that deal with brutality issues.

Even when other officers are present, corroboration often is difficult to get, say lawyers, because officers stick to the "code of silence" that bonds them. As Ralph Goldberg, an Atlanta lawyer, explained: "You don't rat on your partner."

In most cities allegations of police misconduct are investigated by other police officers, so there is widespread public suspicion that brutality or other misdeeds are covered up.

"In approximately 8,000 complaints investigated [in New York City] in 1987 and 1988, there was not a single instance of an officer coming forward with incriminating information about another officer," said Norman Siegel, executive director of the New York Civil Liberties Union.

John R. Dunne, assistant U.S. attorney general for civil rights, said criminal civil rights prosecutions for police misconduct are "among the most difficult under federal law. Almost always, the victims of police abuse have themselves committed some kind of law violation which has brought them to the attention of the police in the first place. Thus, their credibility is not always easy to establish."

But some lawyers contend that frequently the only charges filed against brutality victims is resisting arrest. "I get a lot of guys coming in here with black eyes and bruises," said Lori Lefferts, assistant district attorney for Pima County (Tucson), Ariz. "They're being charged with resisting arrest to cover the officers' rear ends, but I've never seen any of these charges prosecuted."

Some lawyers think the nationwide publicity surrounding the Rodney King tape will make it easier to successfully prosecute police brutality cases.

"With the L.A. tapes, people are shocked, people who wouldn't have believed police brutality really existed," said Patty Bates, who works with brutality victims on behalf of Dallas' privately funded Community Relations Commission. "There's no way you can deny anymore that it's happening."

"It's one of those epiphanies," said Harvard law professor Alan Dershowitz. "It's one of those transforming events which will never allow the situation to be viewed the same."

Such visual evidence is producing quick action elsewhere. Last week Charleston, S. C., policeman Julius Jeng was photographed kneeing a suspect who was being held by another officer. Police later released the suspect, Howard Sims, saying he had been mistaken for another man. Although no complaint was filed against the department, Jeng was temporarily suspended.

□

Charles Friel, dean of the college of criminal justice at Sam Houston State University in Huntsville, questions whether the highly publicized police brutality cases are a good sample of reality.

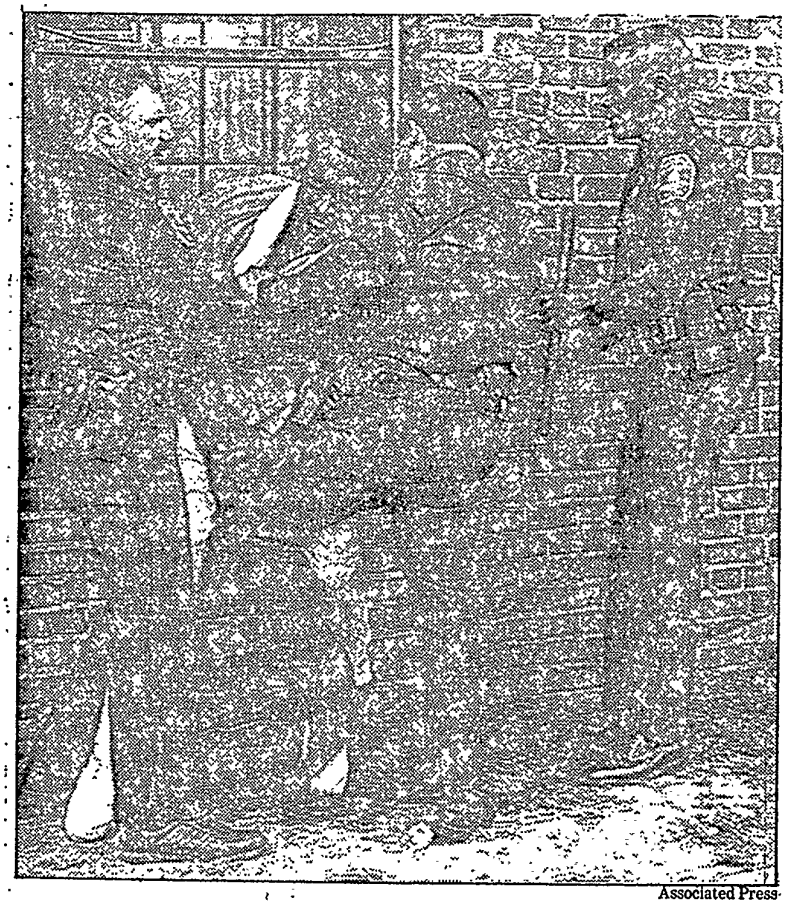
"Hundreds, thousands of arrests are done competently," he said. "When you have an incident like L.A., and it gets in the media; it's like a magnet sucking up little filings. The incident becomes a lightning rod for other issues [such as racism]. You have to be careful to separate the facts from what's sensational."

Beatings such as that dealt to Rodney King are "not tolerated in the vast majority of police departments," said James J. Fyfe, a former New York City police lieutenant who has appeared as an expert witness in damage claims against the LAPD. Fyfe contends that Los Angeles stands apart from other departments in excessive use of force. "The reason," he said, "is accountability. The police answer to the chief, and he answers to no one.

"In New York, Chicago, Houston, Philadelphia and every other big city, except for Los Angeles, elected mayors appoint police chief executives," Fyfe said. "Regardless of their expertise in police administration, the chiefs of these big cities all serve at the pleasure of their mayors."

In Los Angeles, Police Chief Daryl F. Gates' job is protected by civil service procedures. He can only be dismissed for cause by the city's Police Commission, with the concurrence of the Civil Service Commission.

Many cities also rely on civilian



Associated Press

Charleston, S. C., police officer Julius Jeng was photographed recently kneeing suspect Howard Sims. Jeng was temporarily suspended.

review boards. They have varying degrees of independence, said the University of Nebraska's Walker, and most cities adopt them only after controversial incidents, such as shootings and beatings, spark public protests.

But in Chicago, New York and in some other cities that have review boards not wholly independent of the police department or city administration, critics contend that they are set up in such a way that they become little more than arms of the police department.

"Every single [review board] that exists still only has power to make recommendations to the police chief, so the single critical factor is the attitude of the police chief," Walker said. Also, in slightly more than half of the big cities that have them, the initial investigations are performed by police officers, not independent investigators.

Jay Miller, director of the American Civil Liberties Union of Illinois, said his office does not refer brutality victims to Chicago's Office of Professional Standards, which sustained only 190 of the 2,410 excessive force complaints filed with it last year. "We don't trust them," he said.

In addition, police critics complain that the agencies charged with investigating police misconduct frequently are not interested in determining whether a systematic problem exists. In many cities records of complaints filed against police officers are purged after a few years.

For Denver City Councilman Hiawatha Davis, an advocate for changes in the internal investigations system in his city, the failure of police departments to keep records is evidence that the system is "severely flawed and totally compromised. They obviously don't have any information to evaluate trends. Without records, you can't do any analysis of the characteristics of complainants or the officers who have been complained about."

He added: "Ironically, the investigative nature of the police institution suggests that one of their primary activities would be record keeping. Police work thrives on bits and pieces of information gathered over a long period of time."

But Chuck Lepley, assistant district attorney in Denver who investigates police brutality complaints in his county, contends that independent civilian review might hamper the police. "If police officers feel they cannot trust the review process, they may just decide to let the guy go," he said.

"I think there's quite a few false reports of excessive force. The people who stand between violence and the public are the police.

Sometimes in the process people don't want to cooperate, but the police are still expected to arrest them," he said.

□

In some places across the country, lawyers and civil rights organizations say the number of police brutality complaints have gone up since the Rodney King case first was publicized.

"People are coming out of the woodwork," said Joe Cook, executive director of the Dallas ACLU, whose office receives some 200 citizen complaints a year against the police. "Before, they thought it wouldn't do any good. Now they have hope someone will listen to them."

"Our calls have increased since the L.A. videotape," said Ellen Spears, interim director of the ACLU of Georgia. "People feel that maybe something can be done."

"You're going to see a lot of groups and individuals running around with camcorders," said Clackum, the Clayton County police chief in Georgia.

He may be right. In May, well-known Miami attorney Ellis Rubin settled for $15,000 a police brutality case for a client whose mistreatment had been videotaped. Then he issued a call for blacks and other minorities to band together as "video vigilantes."

"I think people in neighborhoods where this brutality goes on should get together, buy a camera and then be there with it when police do a round-up or raid a crack house," he said. "I think that could put an end to this."

Contributing to this report were Anna Virtue and Mike Clary in Miami, Doug Conner in Seattle, Lianne Hart and J. Michael Kennedy in Houston, Laura Laughlin in Phoenix, Lee May and Edith Stanley in Atlanta, Ronald J. Ostrow in Washington, Ann Rovin in Denver, Tracy Shryer in Chicago and David Treadwell in New York.

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(Mount Clipping in Space Below)

Officers Are Sad—and Angry

By SHERYL STOLBERG
TIMES STAFF WRITER

The moment the big news hit, Los Angeles Police Detective Charles Press was there to see it. His coffee cup in hand, Press looked on in silent disbelief Thursday as Police Chief Daryl F. Gates—his chief—emerged from a closed-door meeting to announce before the hot white lights of the television cameras that he had been placed on leave for 60 days.

"It's the greatest injustice I have ever heard about in my 26 years as a law enforcement officer," a disgusted Press proclaimed as the media peppered the chief with questions. "The mayor is practicing political prostitution. . . . It's a joke. Mayor Bradley ought to resign."

Throughout the LAPD—in the corridors and elevators at Parker Center headquarters, in substations from the West Valley to the Harbor to South-Central Los Angeles—the reaction was much the same. For many, there were no words harsh enough to express the outrage and sadness, the dismay and betrayal they felt as they learned that their leader had been temporarily pushed out of office.

"Moscow-L.A.," one officer muttered bitterly as he watched a live television broadcast of the Police Commission announcing its action. "That's where I live. I don't live in America."

"I'm not in a very good mood," said another. "I don't think you'd like what I have to say."

"I feel shaken by it," said a third. "I'm at a loss for words."

Meanwhile, the president of the Los Angeles Police Protective League, the union that represents police officers, called a press conference to denounce the commission action as a "political mess."

Lt. George Aliano said that if the City Council does not overturn the Police Commission's decision, he will call meetings of the union's 8,100 members to discuss the possibility of taking a job action, perhaps a work slowdown, or a speedup in which officers would hand out tickets for minor infractions they would normally overlook.

Aliano said the union usually shies away from those forms of protest, believing them to be unprofessional. But this time, he said, "No one's getting the message how upset we are."

At the Civic Center, such an action—albeit unofficial—appeared to already be under way. At least one pair of patrolmen were unusually active Thursday afternoon, handing out jaywalking citations and ticketing press vehicles parked on the sidewalk of City Hall, where radio and television trucks normally park with impunity.

There is a certain code of stoicism among the city's men and women in blue, and this was evident Thursday. There were no tears; angry outbursts were rare. There was only stone-faced silence and measured words from a rank-and-file that has demonstrated intense loyalty to Gates since the March 3 police beating of motorist Rodney G. King.

Some officers began wearing black strips of tape over their badges in a show of "mourning" for the chief—the traditional sign that an officer has died in the line of duty.

Others, speaking in jargon of the criminal justice system, complained that Gates had not been given "due process," that his "rights

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were violated," that he deserved a "fair and impartial hearing."

"It was almost a public execution," said Capt. Francisco Pegueros, who commands the LAPD jail, "without the defendant being given the opportunity to state his case."

As glum officers tried to go about their jobs in Parker Center, the word of Gates' departure filtered out quickly to the LAPD's outlying substations—on radio, on television, by telephone or word of mouth. There was no official announcement from the department, no memorandum or radio broadcast. No matter; as one officer said, news travels fast through the LAPD's tight-knit ranks.

In South-Central Los Angeles, Lt. Michael Moulin heard from one of his supervisors, who was on hand at Parker Center for the Police Commission's announcement. In Reseda, Officer Russell Long found out when civilians called in to express their support for the chief. In San Pedro, Lt. Betty Kelepecz caught the tail end of a live television report.

"Oh, no," she said to herself. "This is a bad time to take our chief away."

With the department still in turmoil over the King beating, many of Kelepecz's colleagues shared her views. They worried that Gates' departure will only further demoralize the LAPD at a time when its public image has been severely damaged.

The officers' ire, for the most part, was directed at Mayor Tom Bradley, who three days ago called upon Gates to resign and who appoints the Police Commission that suspended the chief. Some said the LAPD, which has prided itself on being free of corruption and political influence, is now in danger of losing that independence.

"Our politicians are using our chief of police as a political pawn," declared Lt. Moulin, who works in the 77th Street Division. "That's what the mayor has wanted all along. He has wanted absolute control over the Police Department so he can manipulate us and the chief like little pawns, like they do in other cities around the country."

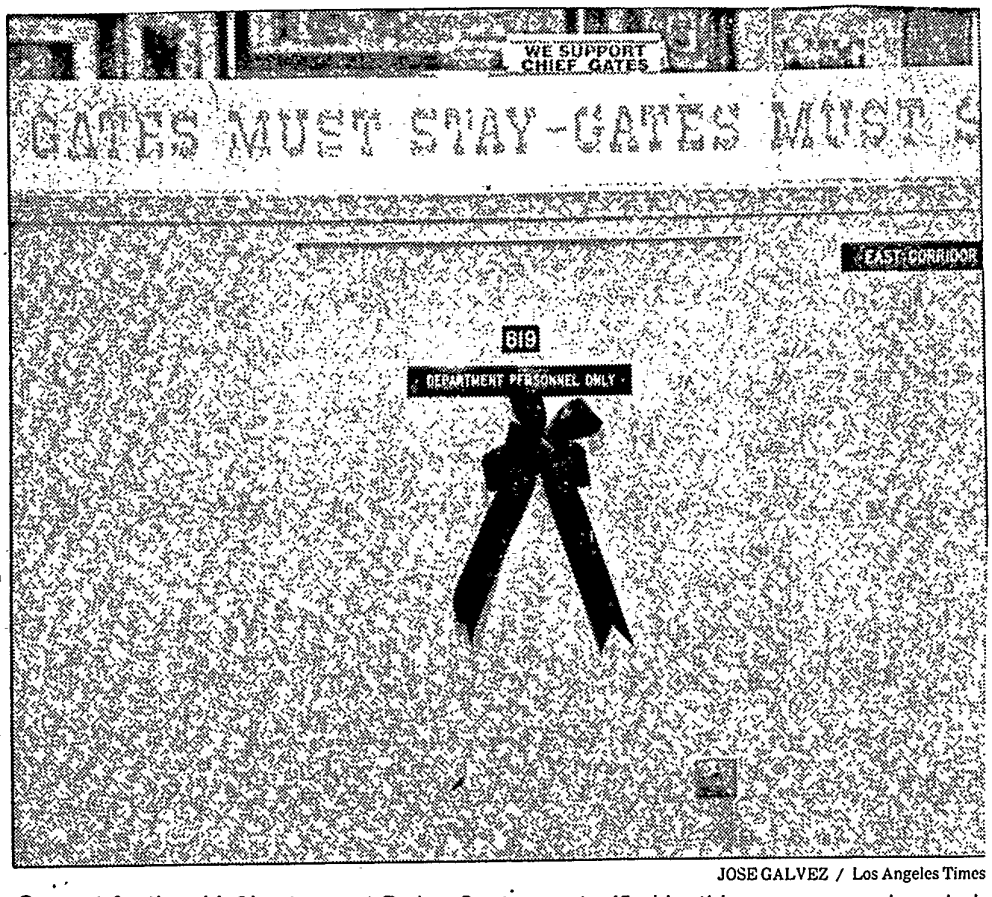
Said Detective Roger Gripe, who works at Parker Center: "When they do this to the chief of police, they did it to me as well as all of the rest of the officers. I kind of feel betrayed by the city, the politicians, the City Council and especially the mayor."

Several spoke of the LAPD as a family, with Gates as the father figure. But their words were not necessary; signs of support were everywhere. Their patrol cars sported bumper stickers that proclaimed: "We support Chief Gates." In Parker Center, nearly every office was adorned with photocopied drawings of an LAPD badge that read: "Chief Gates Please Stay."

On the eighth floor, Sgt. Ronald Sullivan, a 24-year LAPD veteran, talked of the chief over a ham-and-salami sandwich. "I think he's a good man," said Sullivan, who supervises the department's recruitment efforts. "He's been an outstanding chief. In my time, he has guided the department with deep devotion to duty."

Behind Sullivan hung a huge recruitment poster. It featured a smiling Gates, dressed in uniform—a photograph taken in happier times. "Stand and deliver," the poster beckoned. "Come join our family."

Times staff writers Fred Muir and Paul Lieberman contributed to this article.



JOSE GALVEZ / Los Angeles Times

Support for the chief is strong at Parker Center, as typified by this message and symbol.

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Gates Put on Leave, Pledges to Appeal Commission Action

■ King beating: Police chief says he has been disgraced. His lawyers will ask court on Monday to overturn decision.

By RICHARD A. SERRANO
TIMES STAFF WRITER

The Los Angeles Police Commission, saying it was acting in the "best interests of the Police Department," temporarily relieved Chief Daryl F. Gates of his duties on Thursday until it completes a wide-ranging investigation begun in the aftermath of the beating of Rodney G. King.

In his place, the commission appointed Assistant Chief David D. Dotson to serve as acting chief, and the 33-year police veteran immediately called upon the 8,300 sworn members of the LAPD "to put this crisis behind us and get on with what we do best, serving the people of this city."

Gates emerged with his attorneys from an hourlong, closed-door commission meeting, vowing to fight on for his job. His lawyers said they would take legal action Monday in Los Angeles Superior Court.

"I feel that I have been disgraced and defamed," said the chief, biting his lip. "I have done nothing wrong. What they have done is improper and we're going to prove that."

But the commissioners said their decision—coming two days after Mayor Tom Bradley called on Gates to resign—will hold up during the next 60 days, the time the commission needs to complete its investigation.

"The commission is confident," said Vice President Melanie Lomax, "that the action we have taken is on sound legal grounds and that the court will back us."

Also on Thursday:

● Within minutes of Gates' departure, some City Council members decried the commission's action. A few, noting that their constituents were clamoring for Bradley's resignation, said they

■ **RELATED STORIES, PHOTOS,** A22-23, B2

may attempt to settle any Gates lawsuit in order to reinstate him.

● At Parker Center police headquarters, many police officers strung dark ribbons over their badges, a tribute normally paid to officers killed in the line of duty. Others talked about a possible job slowdown. Emotions were so intense that one police employee stormed into the commission's meeting room and shouted: "Does this mean you're going to get rid of everybody else in the department!"

● Throughout the city, community groups, which have rallied both for and against Gates, reacted quickly. The ACLU hailed the commission's action, while Los Angeles County Sheriff Sherman Block called it outrageous. "Even my wife broke down and cried when I told her," he said.

It was a day of unusual turmoil in city government, with pro-Gates and pro-Bradley factions planning their next moves in the high-stakes face-off.

When Gates walked into the commission meeting at mid-morning, he appeared calm and relaxed, sometimes smiling at what lay ahead.

When he left an hour later, he appeared a little shaken, but all the more convinced that Bradley had lied to the public when he said in recent weeks that he had no hidden agenda to oust the chief.

"I must admit that I cannot believe him any longer," Gates said of the mayor. "I think this has all been well-orchestrated."

Gates' privately retained attorney, Jay Grodin, said he planned to go to court Monday to overturn the leave of absence. But the longtime Gates ally declined to discuss his legal strategy, except to note that the commission failed to cite a specific reason for its action.

The lawyer said his client continues to hold the title of chief of police. But, Grodin said, Gates cannot perform the official functions of the chief and cannot even appear at Parker Center in any official capacity.

"He can't come in here," Grodin said, "except for normal personal matters, like if he wanted to visit someone."

Gates returned to his office shortly before noon and met with

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
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his advisers behind closed doors. His aides later brought in take-out food, and the chief ate half a tuna sandwich. "He's lost his appetite," one aide explained.

Gates remained inside his office through most of the afternoon, stepping briefly outside once or twice. He finally left headquarters late in the afternoon, walking out with two satchels of personal items under his arm.

Asked if he would turn in his badge and gun, he answered testily: "Absolutely not. I'm a peace officer of the State of California."

He also gave a thumbs-up sign as he left and vowed: "I'll be back."

Police spokesman Lt. Fred Nixon said Dotson will move into Gates' office only if "he finds he needs to because of certain ceremonial things that can be handled in that ceremonial setting."

In explaining its decision to temporarily remove Gates, the Police Commission cited provision No. 3-840.10 in the LAPD's Management Rules and Procedures. The section, titled "Inactive Duty," states:

"When it is contrary to the best interest of the Department for employees to continue their regular duties while awaiting investigation or formal disciplinary action, they may be assigned to inactive duty by their acting commander, commanding officer, or the commanding officer, Internal Affairs Division."

Gates, as chief of police, reports directly to the commission.

The commission was responding to public outcries following the beating of King, a 25-year-old black parolee from Altadena who was repeatedly struck by police officers after a car chase in the San Fernando Valley. Four Foothill Division officers are now awaiting trial on charges that include assault. Unknown to the officers, the arrest was captured on videotape by an amateur cameraman, and its impact after being televised worldwide has caused a furor over police brutality.

Gates has come under fire for his contentions that the King beating was an "aberration." There have also been revelations that some of the white officers involved in the beating made racial slurs shortly before the incident.

There also have been widespread allegations from various local groups, many of them in the minority communities, that the LAPD under Gates' leadership has spawned a climate in which officers routinely abuse blacks and Latinos.

Three members of the commission took part in Thursday's decision to place Gates on leave. They included commission President Daniel Garcia, Lomax and Samuel Williams. Absent was Stanley Sheinbaum, who was sworn in Wednesday and immediately left on a European trip. A fifth member has yet to be appointed.

Garcia, who was elected president on Tuesday, said the move should not be seen as punishment of Gates. He said the commission has not determined that Gates is guilty of any misconduct in his performance of duties or that he has failed to provide adequate leadership since the March 3 beating of King.

"We emphasize that this action is not punitive in nature, and results in no loss of pay or benefits for Chief Gates," Garcia said.

"More importantly, it should not be taken by the public as reflecting any conclusion as to whether the chief should be charged and disciplined in the future."

But, Garcia added, the commission relieved Gates of his duties "in light of recent and serious allegations of mismanagement and neglect of duty by the chief of police."

He said the commission hopes that Gates' leave will not last longer than 60 days, when the commission's investigation should be completed. He said that if Gates is not proven derelict in his duties, he will be returned to his job.

"The next 60 days will provide a period for calm, reflective action," he said, "and it will provide the opportunity for us to make sure we don't have anything that is duplicative" of what happened in the King beating.

Garcia also deflected criticism from community groups that wanted Gates fired. He said the commission debated a wide range of alternatives in how to handle the situation.

"I don't think there is any option we didn't consider," he said.

But he disagreed with Gates' feelings that he had been "disgraced."

"That was certainly not our intent," the commission president said. "It was not our intention in any way to do that to him. We are not issuing a statement here that he is guilty in any way."

He and Lomax said they believe their action is defensible in court, and that if Gates files suit, a judge will side with the commission.

The closed-door session was marked with rancor as Gates threatened to sue each commissioner personally and made a last-minute attempt to have Garcia disqualified from judging him.

Gates cited a 6-month-old LAPD investigation into whether Garcia improperly raised campaign funds from developers for Bradley in 1986 when Garcia chaired the city's Planning Commission, according to sources close to the commission.

"This was pretty unpleasant today," Garcia said.

Grodin, however, gave a different version. "Chief Gates never raised his voice; he was calm and cool. That's why he's been chief so long."

Another Gates attorney, Harry G. Melkonian, described the meeting this way:

"The chief was called in with his counsel for [the commission members] to present their proposal. They listened to him, and then handed him a written note that he leave.

"In short, it was a farce, a conviction without a trial. There were no allegations of mismanagement. They were just doing it, and they were not giving any allegations or specifications about why."

After Gates left the commission's closed meeting room, he was hugged by one aide, and then surrounded by other Police Department employees. Then, Dotson entered the commission's room and was told of his appointment as acting chief.

Afterward, he defended Gates, thanking him for promoting him over the years and wishing him good luck. He also said his primary objective will be to heal the damage caused to the department's reputation by the King beating.

"I have a commitment to the people of this city to provide the best police service they can get," he said. "That's what we want to do. So I ask for their help in this very difficult period."

Dotson refused to comment on the King incident, saying he did not want to jeopardize the trial of the four officers. Asked if he agreed with Gates that the King beating was an aberration, he said:

"This is a model Police Department. But like any large organization, there are going to be some unfortunate incidents from time to time."

The Politics

At City Hall, various council members were quickly designing alternative plans on how to deal with the crisis.

Some were devising legal maneuvers to try to save Gates.

One option to be considered today was settling any lawsuit filed by Gates in his favor and reinstating him.

Under another plan, the council would deny funding for a private law firm the Police Commission wants to hire in the event Gates takes the commission panel to court.

Throughout City Hall, rhetoric was sharp and voices pitched high.

City Council President John Ferraro said at least 10 council members strongly object to the Police Commission's decision to place Gates on leave. "I think that they're a loose cannon," Ferraro said. "I think that is a dangerous group to have in there."

Councilman Zev Yaroslavsky called the situation a "crisis in governance" that is "ripping . . . the people of this city apart and has now driven a wedge between the various branches of city government to no constructive end."

Councilman Joel Wachs likened Bradley to former President Richard M. Nixon, who resigned in disgrace. "It's a naked political power grab and it's got to be stopped," he said. "Not since Richard Nixon, has anyone employed the ends justifying the means as we've seen in this case."

But Bradley, after returning from a trip to Sacramento, said the commission had done the right thing.

"It is my hope that today's Police Commission action will give us all time to bridge the differences that have grown between us since the Rodney King incident," he said.

He referred to Gates' leave of absence as a "time-out," and added: "The Police Commission is using a well-established procedure that the chief himself often applies to officers under investigation."

In addition, Garcia said his panel will not cave in to political influence.

"The City Council is not the operating body of this department," Garcia said.

The LAPD

Throughout Parker Center, rank-and-file officers and members of the chief's high command reacted angrily to the news that Gates was told to vacate his sixth-floor office, where he has served as the city's top law enforcement official for the last 13 years. Chief of Staff George Morrison, one of Gates' top commanders, strung a dark ribbon over his badge. "It's better than losing my temper over this," he said.

George Aliano, president of the Los Angeles Police Protective League claimed that "no one's getting the message how upset we are." He declared that if Gates doesn't get his job back, the police union will hold mass meetings to consider protests that could lead to some unprecedented job action.

He suggested that rank-and-file officers will consider work slowdowns or other activities. Shortly after Gates was placed on leave, officers were seen writing an unusual number of jaywalking tickets around City Hall.

Capt. Doug Watson, who heads the LAPD unit probing political corruption cases and is currently investigating the mayor's fund-raising operation, said he was "sick to my stomach [and] disgusted" by what had happened to Gates.

He predicted that the events of Thursday will lead to the politicization of law enforcement.

"Fear of an investigation" by an independent police chief has helped keep graft out of city government, he said. Gates' ouster and any effort to bring the chief under the control of the mayor will mean police commanders will "rely on the milk flowing out of the breast of the police chief. The department becomes a political animal."

He then said that after 27 years on the Police Department, he is retiring. "This did it," he said.

Lt. Fred Reno said he will assume supervision of the investigation until a new captain is named. He added, however, that the mayor's move to oust Gates will not be a factor in the contributing probe.

"It's incumbent upon us at this time that the public knows the investigation we are conducting is going to go on with great integrity with no pressure," he said. "No matter whose name comes up, there will be no witch hunt. This is the Los Angeles Police Department."

The Community

Community reaction was sharply divided along lines espoused by the Gates and Bradley camps.

Ramona Ripston, executive director of the American Civil Liberties Union of Southern California, praised the Police Commission for putting "the control of city's police force squarely back in the hands of the civilians."

Danny Bakewell, president of the Brotherhood Crusade, a group active in the black community, also defended Bradley and the Police Commission.

"I think the action he [Bradley] took showed he was the mayor of all the people," Bakewell said. "He gave Daryl Gates enough rope to either distinguish himself or hang himself, and I think Daryl Gates chose the latter."

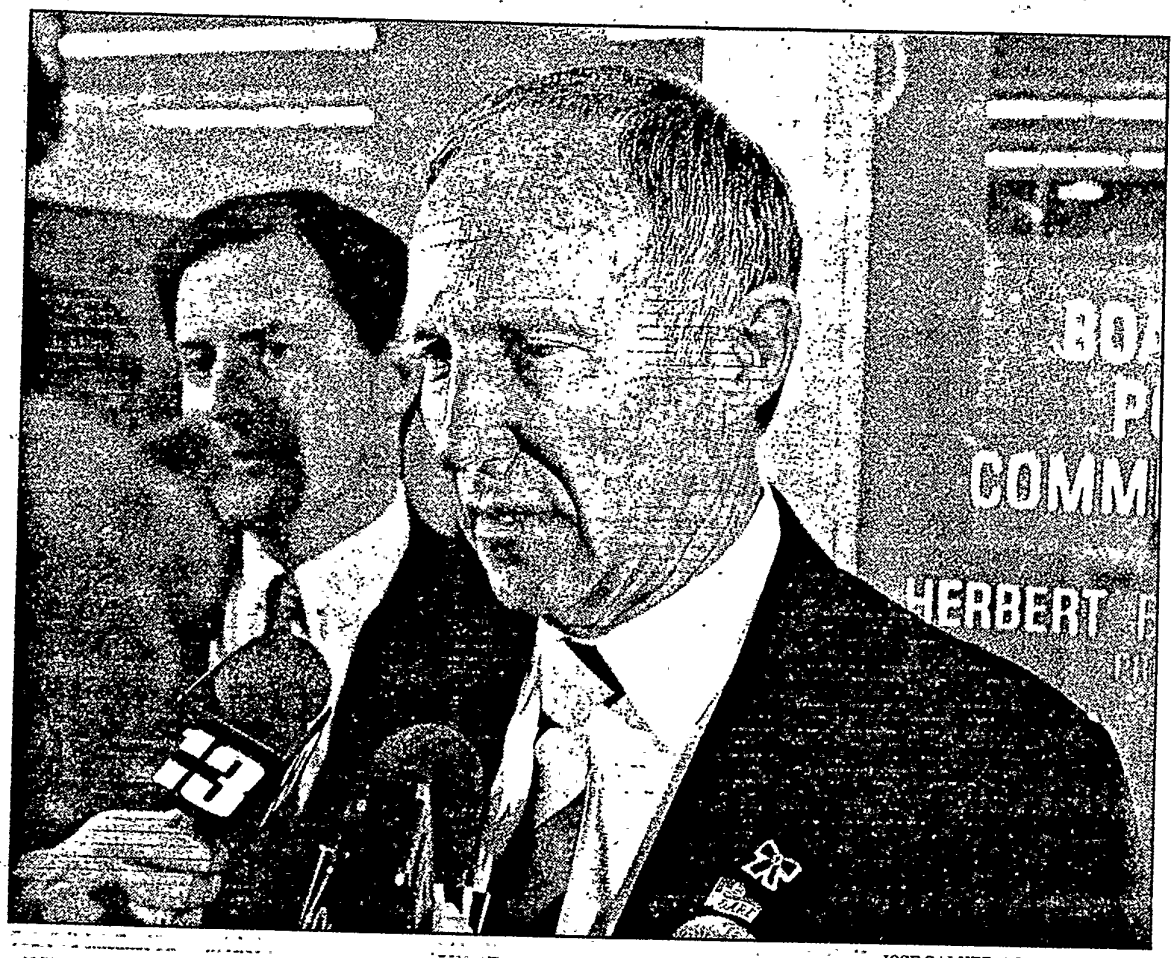
But attorney Stephen Yagman, an unrelenting Gates critic who has built a career out of suing the LAPD, wrote Gates a letter encouraging him to "hold his ground."

"It's outrageous to put the chief of police on a paid leave of absence without first affording him all of his rights," Yagman said. "Even the police chief is entitled to due process of law."

Yet, Steven Lerman, who is pressing a multimillion-dollar claim against the city on behalf of King, said his client believes the commission has signaled to the community that police brutality will not be tolerated.

"He wants to be the last man the police ever beat up," Lerman said.

Times staff writers Leslie Berger, Paul Feldman, Paul Lieberman, James Rainey and Tracy Wood contributed to this story.



JOSE GALVEZ / Los Angeles Times

Police Chief Daryl F. Gates tells reporters he will fight his forced 60-day leave of absence in Superior Court.

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(Mount Clipping in Space Below)

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FBI — LOS ANGELES

For the Chief, a Quiet Exit and a Vow to Return

■ Departure: Gates acknowledges humiliation but asserts that he will be back one day from his involuntary leave.

By DAVID FERRELL
TIMES STAFF WRITER

A computer-printed sign above the door of Room 619 proclaimed, "GATES MUST STAY—GATES MUST STAY." But as the door opened late Thursday afternoon, Daryl F. Gates was leaving, perhaps never to return as chief of police in Los Angeles.

Carrying a jam-packed satchel in each hand, a stern-looking Gates stepped from his sixth-floor office at police headquarters at 4:10 p.m., four hours after the city Police Commission stripped him of power pending ongoing investigations into the beating of black motorist Rodney G. King.

"Well, I guess there's humiliation in all of this, as you might expect," Gates said quietly, looking straight ahead, as he moved through a steamy hallway obstructed by reporters and television cameras. "[But] I think we'll get through it. I anticipate getting through it."

Gates was asked whether he expected to return from the involuntary 60-day leave, which he has vowed to fight in court and which has seemed to signal a swelling political tide to remove him permanently from office. His answer was emphatic: "Oh, absolutely. No question about it, I'm coming back."

The departure, about the same time that Mayor Tom Bradley was briefing reporters on the issue at Los Angeles International Airport, was quick and seemingly anticlimactic, the end of a slightly shortened but busy workday for the man who has been the city's powerful and controversial police chief for 13 years.

Gates was dressed in gray slacks and a blue blazer. He had ordered out for half a tuna sandwich after the commission action shortly before noon. He then spent much of the afternoon behind closed doors, he said, negotiating details of his leave with members of the commission.

The throng of reporters awaiting Gates' departure witnessed two false alarms, once when the embattled chief stepped from his office to walk 20 feet to a hallway drinking fountain, a journey that required two bodyguards to keep back aggressive cameramen. Gates later traveled the long corridor to the elevator to take care of personal business on the eighth floor, declining to answer questions as his staff tried to keep the cameras out of his way.

"CNN, how about backing off?" one bodyguard yelled.

"Back off, CNN!" another hollered.

Gates returned 15 minutes later. He had been videotaping a goodby message to officers in the department.

"They do feel badly about all of this," he said later. "I'm concerned about them. But they're strong-willed people. They're professionals . . . and I know they're going to do a great job."

By the time Gates did leave, the crowd of media people had thinned to half a dozen die-hards.

As a guard shut the door behind him, Gates walked past his conference room—the same room where nearly a month earlier he appeared at a press conference to thank amateur photographer George Holliday for turning over the videotape of the King beating.

Gates said the satchels in his hands contained just a few of the many mementos he kept in his office.

"I've got a lot of personal things," he said. "If I had to get all my personal things out of the office, I'd have to have a couple trucks."

He left behind a display case filled with some of them—including plaques from the nations of Israel and Argentina and a gold trophy presented by the department's Northeast Division in 1986, with the inscription: "Our sincere appreciation for the Number One Chief of the Number One Police

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Department.

As he boarded an elevator with three bodyguards, Gates said he still doesn't understand the commission's action.

"I don't think there was a good explanation for it," he said, glancing up at the lighted floor indicator above the elevator door, following its path downward. "At least, if they have one it was not explained to me."

His pace accelerated as he reached the ground floor and headed into a tunnel leading to the police garage. He said the commission agreed to let him keep his bodyguards during the suspension.

"I've had many threats against my life and my family's life, so they allowed me to have some protection, yes," he said.

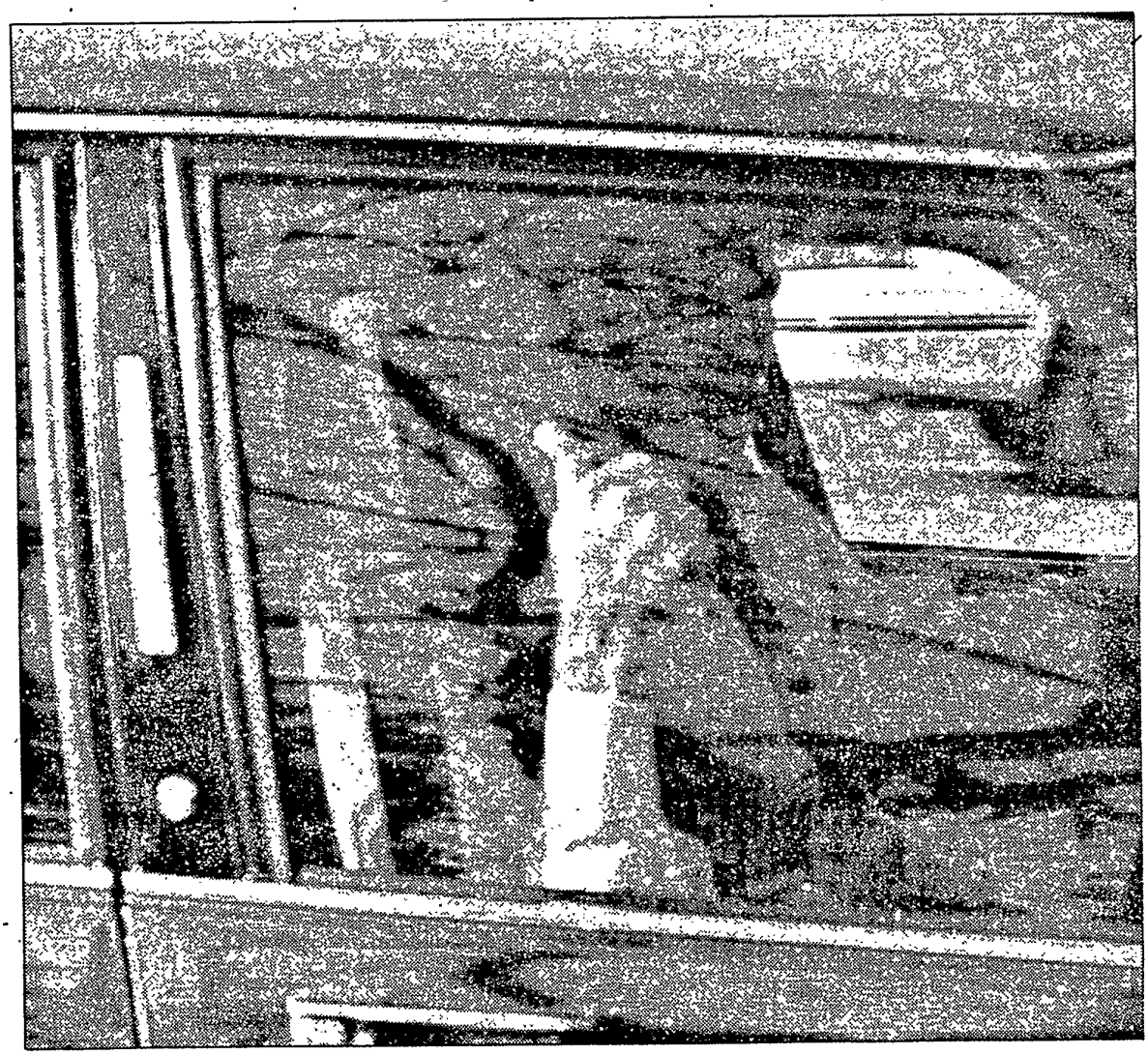
As for his personal police car, "Well, I won't need a car much because I'm not going anywhere. I have my own personal vehicle."

Gates showed his only sign of testiness when asked if he would have to check his gun, as a civilian might, when entering police headquarters.

"Absolutely not," he said quickly. "I'm a peace officer of the state of California."

Ever the tough cop, he said he had only one message for the people of Los Angeles: "I'll be back."

Then he stepped into the passenger seat of a late-model Oldsmobile and flashed a thumbs-up sign as it whisked him toward home.



GARY FRIEDMAN / Los Angeles Times

Los Angeles Police Chief Daryl F. Gates gives a thumbs up as he is driven from Parker Center.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Gates put on leave

Chief says he will challenge order

By Patrick McGreevy
and Rick Orlov
Daily News Staff Writer

The Los Angeles Police Commission put Police Chief Daryl F. Gates on paid leave Thursday for at least 60 days because of "serious allegations of mismanagement" against him over the beating of Rodney King by LAPD officers.

After an 80-minute meeting with the commission, a grim-faced Gates said he would challenge the order in court, and Councilman Zev Yaroslavsky said a majority of the City Council would support a move to block the Police Commission from defending its action in court.

The series of developments in the month-long controversy over the videotaped beating of King threatened to thrust the city into an unprecedented political crisis in which Mayor Tom Bradley and community groups demanding Gates' ouster are pitted against the chief and the City Council.

The March 3 beating in Lake View Terrace was caught on videotape by a bystander and created a national furor after it was shown on television. It has led to the indictment of four officers, continuing investigations by local and federal authorities into possible civil rights violations and the appointment of a citizens commission to investigate the LAPD's operations and structure.

Attorneys for Gates said they will seek to prove that the furlough was a result of "political tampering" in the civil service process by Bradley, members of the Police Commission and others.

"I feel that I have been disgraced and defamed and I think it's a tragedy. It will not heal the wounds of the city," Gates said when he emerged from the closed-door commission meeting. "I have no idea why this is happening. I'm very controlled. I always have been."

Yaroslavsky, who has long harbored mayoral ambitions, rushed to Gates' defense for the first time and said the City Council was prepared to use its authority to override the Police Commission's action.

"The Police Commission may have acted legally, but it certainly wasn't properly," Yaroslavsky said. "The charter is very clear. The City Council is the governing body of this city and we can decide whether to settle any legal action. If Chief Gates goes to court tomorrow, the council could decide to say, 'We surrender.' "

Bradley, civil rights advocates and others praised the decision, with the mayor saying the paid suspension will give the city a "timeout" to heal itself in the wake of public outrage over the King beating.

"It is my hope that today's Police Commission action will give us time to bridge the differences that have grown between us since the Rodney King incident," Bradley said.

(Indicate page, name of newspaper, city and state.)

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The mayor met with Gates on Tuesday in an unsuccessful effort to persuade him to resign and then publicly called for the chief's resignation, saying the controversy was tearing the city apart, and Gates' campaign to save his job was divisive.

Bradley refused to discuss the possibility of the council blocking the commission's action, saying: "I'm not going to comment on something as speculative as that."

Deputy Mayor Mark Fabiani added: "I think the council will understand that, once they get over the initial display of anger, this is something that ought to be resolved by a judge."

After voting to put Gates on leave, members of the Police Commission — Dan Garcia, Melanie Lomax and Sam Williams — named Assistant Chief David D. Dotson, 57, to serve as acting chief until it completes an investigation to determine whether Gates should be disciplined further.

In being placed on inactive duty with full pay and benefits, Gates was ordered by the commission to remain on call at his home and to refrain from taking any action as chief of police. While on leave, he will continue to draw his salary of $14,000 a month.

Garcia said the commission acted because of "serious allegations of mismanagement and/or neglect of duty" against Gates and because it is "contrary to the best interest of the department for the chief of police to remain on active duty."

"This assignment to inactive duty is not a disciplinary or punitive action and reflects no conclusion whatsoever as to whether we will charge or discipline the chief in the future," he said.

The commission will investigate to determine whether charges should be brought against Gates for "mismanagement, neglect of duty or any other breach of duty," Garcia said.

Civil rights advocates and some elected officials have called on Gates to resign, saying his response to the King beating and his actions and comments over the years — including a statement that blacks are more prone to injury from chokeholds than "normal people" — have encouraged brutality among police officers.

Garcia cited two sections of the City Charter as the legal authority for placing Gates on leave.

Section 78 gives the commission power "to supervise, control, regulate and manage the department." Section 79A says the commission "may issue instructions to the general manager of its department concerning his exercise of any of the powers conferred upon him by the charter."

Garcia also cited Section 3/840.10 of the LAPD 1991 Manual that permits an employee to be placed on inactive duty "when it is contrary to the best interests of the department for an employee to continue their regular duties pending an investigation."

Gates, 64, a 42-year LAPD veteran who has served as chief for 13 years, was handed the order near the end of the meeting.

He said the commission did not provide him with specific charges on which the action was based.

"None whatsoever," he said.

"I think it is illegal and inappropriate," Gates said.

But he added later, "I would not dispute their authority. I understand that would be insubordination."

Gates has acknowledged that insubordination could be grounds for suspension without pay or firing.

The attorneys representing Gates, Jay Grodin and Harry G. Melkonian, said they will go to court Monday to seek a reinstatement order and an order to show cause.

Melkonian said Gates will seek a full evidentiary hearing, which might take as long as 30 days to schedule, rather than a temporary restraining order that would put Gates back on active duty immediately.

The full hearing could include testimony or depositions from Mayor Bradley, his staff, council members and commissioners who could show what went on behind the scenes that led to the commission's action, said Melkonian.

Gates said he believes Bradley orchestrated the efforts to suspend him — a charge the mayor has denied.

"I said before that I have to be-

lieve that," Gates said. "I didn't think so at first. He (Bradley) told me he wasn't but now I must admit that I do not believe him any longer. I think this has been well-orchestrated."

Commissioners denied they were influenced by Bradley.

"I think you can be assured that all of us acted independently, based upon our own evaluation of the totality of circumstances," Garcia said.

Commissioners said they consulted with three members of the City Attorney's Office before making their decision, and said they had no obligation to bend to the wishes of City Council members.

Council members, however, said they believe there are enough votes to deny the Police Commission the ability to retain private attorneys to defend itself against a challenge from Gates.

The City Attorney's Office is unable to represent the commission against Gates because it is defending him in a number of other actions brought against the department.

As a result, the commission has decided to hire the New York firm of Skadd and Arps, Yaroslavsky said.

Assistant City Attorney John Haggerty said there never has been a case in which the council refused to hire an attorney for a city agency. But Haggerty said the council can override the Police Commission on the matter.

Police commissioners could not serve as their own attorneys or retain counsel without council approval, Haggerty said. "Any outside counsel has to have the council's consent."

Yaroslavsky said the commission has not established that it acted properly in putting Gates on leave.

"There is a rush to judgment," Yaroslavsky said. "Frankly, I'm increasingly troubled by the perception, if not the reality, that the chief is not being treated fairly. I believe this incredibly inflames the situation in this city, not only racially, not only politically, but as far as our police officers are concerned."

Council president John Ferraro said he was angry with the commission's action because he had asked Garcia and Lomax to delay their decision.

"Dan Garcia called me in the morning and told me what they were going to do and I was shocked," Ferraro said. "I called back and talked with him and Melanie Lomax and asked them, as the governing body of the city, to hold off their decision until we could talk about it with them."

Ferraro also had a letter hand-delivered to the commission asking them to delay the decision until the commission and Gates could meet with the council today.

"I must say that Dan Garcia hesitated," Ferraro said. "But he said he felt the commission had to act. It was almost like he was being forced to act."

Daily News staff writer Tony Knight contributed to this story.

WHAT GATES WAS ORDERED TO DO

City officials refused to spell out the terms of the Police Commission's order of administrative leave to Police Chief Daryl F. Gates, but police officials and the chief's attorneys set down these rules:

STAYING HOME: The order says to Gates: "You are hereby assigned to duty in your home, ordered to remain on call, and ordered to refrain from acting in any Police Department official capacity." If Gates wants to attend an event during the middle of the day, he will have to get permission from Acting Chief David Dotson.

AFTER HOURS: Gates may participate in events such as support rallies and court hearings for his challenge to the ruling, as long as they are after hours and he is not representing himself as the chief of police.

POLICE CONTACT: Gates is allowed to contact Police Department employees but is not allowed to conduct department business with them.

BADGE AND GUN: Because Gates has been assigned to inactive duty and has not been removed from the police force, he will be allowed to keep his police badge and gun during the period he is on leave.

THE RODNEY KING INCIDENT AND CHIEF GATES

The following shows key developments in the Rodney King incident and related comments made by Police Chief Daryl F. Gates.

MARCH 3: A beating given unarmed black motorist Rodney King by three police officers in Lake View Terrace is captured on home video. Gates calls the beating an "aberration" but warns against prejudging the officers involved.

MARCH 7: Gates announces he will seek felony assault charges against the officers. Community activists urge swift and harsh discipline for the officers, and the American Civil Liberties Union calls for Gates to resign. "I'm not going," Gates said. "If anything, this is a time for strength of leadership. I provide that leadership to this organization."

MARCH 9: In a videotaped message to his officers, Gates refuses to resign and vows to overcome the King controversy. "I'm going to be here for a long period of time and I will be here to make sure what I say is done and (that) the image of this department is restored and we can hold our heads high once again."

MARCH 13: Gates compares his critics to opponents of the U.S.-led Persian Gulf War. "I'm kind of proud of the fact that most of the people who disliked George Bush and disliked what we were doing in the Middle East and giving him hell, they're the same people who are attacking me."

MARCH 14: As the grand jury indicts four officers for the King beating, civil rights and black community leaders confront Gates at a Police Commission hearing. "I resent the implication that I am somehow racist," Gates said. "I've always resented that. I am not."

MARCH 20: In an angry exchange with City Council members, Gates defends his department and says a failure to support his officers could weaken police protection. City Councilman Michael Woo asks Gates if his remarks are meant as a threat to withhold police services if council members oppose the chief. "That is the most insulting thing I have heard on this council floor," Gates tells Woo.

MARCH 21: Gates says he would retire only after he restores public confidence in the LAPD. "I'm not going to go out in a cloud after all those years," he said.

MARCH 24: At a rally in his support, the chief says the videotape of King's beating has been overplayed on television and could jeopardize a fair trial for officers involved. "No one is more upset with the officers involved than I am, but you know, they deserve a fair hearing and they cannot have a fair trial if that continues to be played over and over again."

Scott Garrity/Daily News

Police Chief Daryl F. Gates last month at a luncheon at the Police Academy.

MARCH 24: Mayor Tom Bradley suggests that Gates retire to help in "healing the city." In his reply, Gates says, "This controversy over 'should the chief stay or go' is counterproductive . . . I wish we could get beyond it. It will subside because this chief is not going anywhere."

MARCH 27: Gates announces a 10-point plan to overhaul the LAPD, including the appointment of a commission to help review procedures in the wake of the King incident.

MARCH 27: Woo calls for Gates to step down, and Councilman Marvin Braude says he would "like to see him resign." Gates responds, "Everybody has their opinion, Councilman Woo has his opinion."

APRIL 1: Bradley forms a commission to review the LAPD.

APRIL 2: Bradley calls on Gates to resign, accusing him of hurting the LAPD. Says Gates, "I don't believe that 8,300 officers will follow the mayor anywhere."

APRIL 4: Gates is ordered to take a 60-day paid leave of absence by the Police Commission. "I haven't any idea why this is happening, no idea whatsoever. Perhaps the Board of Police Commissioners can explain that," Gates says. "We'll talk about all of this in court."

WHERE COUNCIL MEMBERS STAND

Here is how members of the Los Angeles City Council stand on denying the Police Commission legal counsel to defend its furlough of Police Chief Daryl F. Gates.

■ City Council members who said they support the plan to thwart the Police Commission furlough of Gates are Zev Yaroslavsky, John Ferraro, Joel Wachs, Joy Picus, Emani Bernardi, Hal Bernson and Joan Milke Flores. All but Flores represent parts of the San Fernando Valley.

■ Councilman Marvin Braude, who also represents part of the Valley, is leaning toward supporting the plan, a spokeswoman said.

■ Councilman Robert Farrell said he is undecided while Councilman Nate Holden said he wants to get more information from the Police Commission on how it reached its decision.

■ Council members Ruth Galanter and Richard Alatorre did not return telephone calls.

■ Councilman Michael Woo, who also represents part of the Valley, is the only council member who has called for Gates to resign.

Roger W. Vargo/Daily Ne

Flanked by his lawyer, left, and bodyguard, Police Chief Daryl F. Gates faces the media after being placed on administrative leave.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Janitors urge Gates to quit

By Mary Ann Huser
STAFF WRITER

Century City janitors beaten during a clash with police last summer joined a growing chorus of voices Thursday calling for the resignation of Los Angeles police Chief Daryl Gates.

Union leaders claimed that more than 40 janitors — all of them Hispanic — were treated for injuries ranging from a skull fracture to a miscarriage during the melee on Olympic Boulevard in June.

Their experience contradicts Gates' claim that the beating of motorist Rodney King was an aberration, the janitors said at a news conference at the Century City Shopping Center.

"It's much harder for Gates to refute systemic problems when you look at police treatment of Latinos and refugees," said Jono Shaffer, an organizer for the Service Employees International Union which represents the janitors.

"I firmly believe that the decision to break up the demonstration was racist," Shaffer said. "If the workers were white, the police would have rolled out the red carpet."

Shaffer said two of the injured janitors have not been able to work because of their injuries — including Ramon Mejia, who was shown in a graphic news photograph as he was clubbed from behind by

Strikers were beaten by police last June

two helmeted officers.

Union members claim police shouted racial slurs before and during the demonstration. When Hector Alvarado told an officer that he had a First Amendment right to assemble and demonstrate, he said the officer told him, "These are your f---ing rights, lousy Mexicans."

Assistant police Chief Jesse Brewer said a week later that the officers had the right to stop the demonstration because marchers were tying up traffic and planned to engage in illegal activities.

"They were told they were going to disrupt Century City. They were planning to block the entrances to the buildings," Brewer said.

On June 15, about 200 janitors and their supporters were met by police in riot gear as they marched from nearby Roxbury Park to the high-rise office enclave. As they walked up Olympic Boulevard, they stayed on sidewalks at first, but as they turned onto Century Park East they found their way blocked by a police line, forcing the marchers into the intersection.

A videotape of the demonstration distributed by the union Thursday shows a marcher being hit in the back of his head

(Indicate page, name of newspaper, city and state.)

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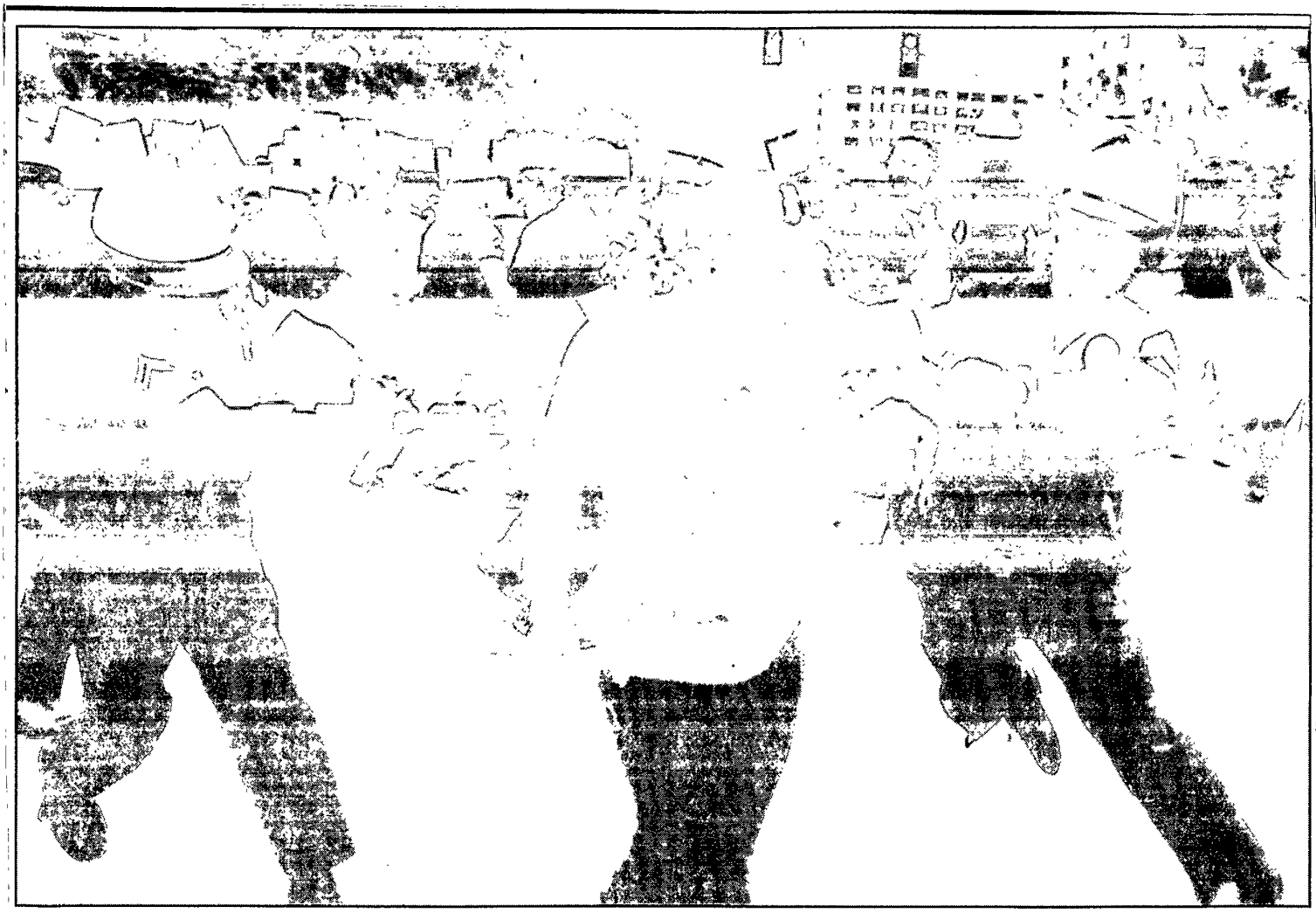
I firmly believe that the decision to break up the demonstration was racist.

— Jono Shaffer
Union organizer

as he walked away from the police line. Other demonstrators were knocked down by officers who continued to hit them with batons as they tried to crawl away. Forty demonstrators were arrested during the noontime march.

A Police Commission investigation of the confrontation found that officers overreacted when they waded into the crowd, but the commission also blamed union organizers for being so secretive about their plans that the police were not fully prepared.

Some 150 marchers have filed a $75 million claim against the police department, accusing officers of assault and battery, violating their First Amendment rights, intentional infliction of emotional distress and negligent supervision.



OUTLOOK FILE PHOTO

Ramon Mejia, a striking janitor, is shown being clubbed last June during a protest march in Century City.

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Acting police chief called 'quiet' leader

By John Polich
and Patrick McGreevy
Daily News Staff Writers

Interim Police Chief David D. Dotson is a quiet administrator whose manner owes little to that of the man he was chosen to replace for the next 60 days, the outspoken Chief Daryl F. Gates.

Dotson, 58, was appointed to head the department Thursday by the city Police Commission, which placed Gates on a 60-day paid leave while considering disciplinary charges against him in the wake of the Rodney King beating.

"We intend to get back in the business of policing the city," Dotson said. "That will be my goal and really the thrust of my efforts in the next several days."

Dotson is a 33-year veteran and one of the department's two assistant chiefs.

Commission president Dan Garcia would not discuss why Dotson was appointed over Assistant Chief Bob Vernon, who has more seniority than Dotson.

Colleagues praised Dotson as a hard-working leader who keeps himself out of the spotlight.

"I think he's a low-profile guy. He's never been flamboyant or flashy," said Jack B. White, a former LAPD commander who now heads the bureau of investigation in the county District Attorney's Office. "He's never been one to seek out publicity."

Gates' comments about minorities have drawn criticism from City Council members, Hispanics, blacks and civil libertarians.

White, who was Dotson's patrol car partner in the late 1950s, said Dotson would deal with "acute problems" such as the King investigation but probably will not consider wholesale changes in the department's policies or structure.

"He's quiet and he's effective," said Deputy Chief Ron Frankle, head of the LAPD's Operations Headquarters Bureau.

Dotson is a native of Des Moines, Iowa. He joined the LAPD as a patrol officer in 1958. He rose to sergeant in 1964 and commander 10 years later.

Dotson has held a dozen different commands, including the Operations Valley Bureau, Central Detectives and the Personnel and Training Bureau. He became an assistant chief in 1985 when Gates named him to head the Office of Administrative Services.

Earlier this month, Dotson was named director of the Office of Special Services, which includes internal discipline, intelligence, terrorism, narcotics, vice, labor relations and other functions.

Dotson said he talked to Gates before the commission acted.

"It's overwhelming and very gratifying that my 33 years of service were recognized," Dotson said. "Chief Gates is a friend of mine. We have a long, friendly relationship."

Dotson said he planned to send a message to police officers urging them to keep up their standard of service.

Daily News Staff Writer Tom Chorneau contributed to this story.

David D. Dotson
Praised by colleagues

(Indicate page, name of newspaper, city and state.)

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Christopher and Arguelles Commissions Merge

By PENELOPE McMILLAN
and RICH CONNELL
TIMES STAFF WRITERS

Separate commissions set up by Los Angeles Mayor Tom Bradley and Police Chief Daryl F. Gates to investigate the city Police Department were merged Thursday as the fierce political battle between the mayor and the chief escalated.

The heads of the panels—former Deputy Secretary of State Warren Christopher and retired state Supreme Court Justice John Arguelles—said they were seeking to distance themselves from the clash as the Police Commission forced Gates to take a leave.

Meanwhile, The Times found that two appointees of Bradley to the Christopher Commission were involved in recent efforts to obtain a lucrative city contract for a Lockheed Corp. subsidiary. And two city councilmen said this raises questions about the independence of the two appointees.

The chief, under pressure to resign after the police beating of Rodney G. King, last week named Arguelles to head a panel to examine department practices. Bradley followed this week by naming Christopher to head a second blue-ribbon investigating commission.

Confusion and questions about independence had surrounded both of the hastily created panels. The merger came after a series of discussions had achieved a rare point of agreement between Gates and Bradley in the month-old crisis.

"In order to maximize the commission's contribution to the community," Christopher and Arguelles said in a joint statement, "we must concentrate on making an objective and thorough study of the fundamental long-term issues without being drawn into the controversy over the tenure of Chief Gates."

The unification is intended to bolster public confidence in the inquiry and its independence.

However, records and interviews show that two Bradley appointees to the new nine-member panel—former Lockheed Corp. Chairman Roy A. Anderson and lawyer-lobbyist Mickey Kantor—have met with Councilman Nate Holden and other city officials regarding a $49-million contract for its subsidiary, Lockheed Information Management Services Co., to process parking tickets.

Holden, chairman of the council committee reviewing the proposed contract, said he had doubts about the independence of the two commission members.

"They've got to do what the man [Bradley] tells them because they want the big contract," he said.

Councilman Hal Bernson, another member of the committee reviewing the contract, said the pending contract "does raise some conflicts questions."

FBI/DOJ

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Records show Anderson and other Lockheed officials have met with Bradley four times in recent years. Kantor, who said Bradley called him to invite him to serve on the police investigation panel, recalled one meeting last year in the mayor's office in which Lockheed's handling of parking tickets was discussed.

But he and Anderson denied that the pending contract would influence their conduct on the Christopher Commission. Anderson resigned from the Lockheed board of directors in January but still has a consulting contract.

"Mr. Anderson's, and I hope my reputation, are both beyond reproach," said Kantor. "We would not do anything on this commission that would be colored by that particular contract."

Said Anderson: "The parking contract is entirely separate [from the Christopher Commission's work]. I don't want any taint on the commission. I'd get off the commission if I thought there was going to be any taint."

Bradley's office refused to answer questions about the mayor's meetings with Lockheed officials—nor would a spokeswoman say what the mayor knew about the efforts of Kantor and Anderson on behalf of LIMS.

Bradley spokeswoman Val Bunting said in a statement: "This commission and each of its members will withstand the toughest scrutiny. The mayor and Warren Christopher agreed upon each member of the commission because of their impeccable credentials."

The Lockheed subsidiary's performance came under fire last year when The Times reported that $226.6 million in parking fines had gone uncollected in Los Angeles. Although LIMS was the high bidder for a new five-year contract last year, city transportation officials recommended the firm.

The Times reported last month that the FBI is examining the parking ticket contract. Sources said agents asked two mid-level LIMS employees whether any city officials had requested or been given money. The FBI declined to comment, but Lockheed officials said they have been assured by federal officials that the firm is not being investigated.

Gates on Thursday said the Christopher and Arguelles panel are a "good group."

It also was announced Thursday that two new commission members had been appointed, attorney Willie Barnes, a former state corporations commissioner, and Richard M. Mosk, a former judge who served as a member of the Warren Commission.

Stepping down from the panel was James H. Zumberge, the recently retired president of USC, who noted another USC dean is already serving.

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Word on Removal Spreads Quickly in South-Central L.A

■ Reaction: Many in community approve of commission action. Others voice sympathy for embattled police chief.

By CHARISSE JONES
AND JOHN MITCHELL
TIMES STAFF WRITERS

Elnora Cole was going door to door, gathering signatures to remove Police Chief Daryl F. Gates from office, when she learned the chief had been put on a leave of absence.

"You have got to be kidding, I can't believe it," said Cole, a 71-year-old retired nurse. "This will make the city a better place. It will restore confidence in the police.

Cole savored the moment, and then resumed knocking on doors, gathering more signatures. Now, she said, was no time to stop: A temporary leave of absence wasn't enough.

"He should have been fired," Cole said.

From the moment a videotape showed black motorist Rodney G. King being beaten by white police officers, the incident struck a strong emotional chord in South Los Angeles, a section of the city where many residents say they have known victims like him. In a place where residents have long felt their complaints of police abuse have gone unheeded, ministers and community leaders have helped lead the call for Gates' resignation.

When the Police Commission decided Thursday to put the veteran police chief on leave of absence, word spread quickly among the people who gathered in restaurants, browsed in bookstores and shopped at a Crenshaw Boulevard shopping mall.

A group of teachers were discussing the beating over lunch at the Baldwin Hills Crenshaw Plaza when they got the news. They broke out in applause.

"The whole incident is confirmation that this sort of thing goes on

JOE KENNEDY / Los Angeles Times

Carolyn Bruce expressed sympathy for the police chief, but said he must heed community voices who believe it is time for a change.

FBI/DOJ

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all the time," said Margaret Bibbins, a sixth-grade teacher at Woodcrest Elementary School. "Los Angeles has a history of police brutality."

Bibbins said the children she teaches in South Los Angeles grow up knowing that the police can be brutal. "One of my students saw the police shoot a man. It's something you don't forget," she said.

Dwayane Hester, a 21-year-old microbiology student at UCLA, said that while Gates might not be directly responsible for the beating, the chief has set a tone that allowed it to happen.

"If there was no videotape the whole thing would have been swept under the rug by the chief of police," Hester said.

"Gates has to go. It starts from the top and the only way to change the department is to begin with the chief."

But a black police sergeant in the Southwest Division had mixed feelings.

"I think it's time for the chief to retire, but I don't think he should be forced to go," said the sergeant, who did not want to give his name.

"The chief is not the larger issue," he said. "The problem is deeper, and changing the chief will not change the attitudes in the department."

While few doubted that Gates bore some responsibility for the actions of his officers, some questioned the fairness of the commission's singling him out.

"I know that he is over [police officers] but he can't control them at all times," said Sophia J. Ward as she sat on a bench and rested from a morning of shopping. "I feel he should have a chance. If he's wrong, I'm sure he's realized it, and if they'd give him the chance, he'd make things better."

Carolyn Bruce, who sells T-shirts with religious slogans in the Baldwin Hills Crenshaw Plaza, said the suspension was good because it would give Gates time to reflect on his duties and his department, but that he should not be forced out.

"He's only one person. He can't watch everybody," Bruce said, leafing through a newspaper on the counter of her booth.

Bruce said that while she sympathized with Gates, he needed to heed the voices in the community who believe it is time for change.

Most agreed with Elnora Cole, who predicted that the suspension would not slow down the movement to recall the chief.

"Gates should go," she said. "I lost faith in him as soon as he said [King's beating] was an aberration. We know it wasn't."

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Gates placed on paid leave

Acting chief says he's 'caretaker'

By Howard S. Gantman
COPLEY NEWS SERVICE

Assistant Police Chief David Dotson, a 33-year Los Angeles police veteran, seemed almost embarrassed as he was called into a Police Commission meeting Thursday and placed in charge of the LAPD while Chief Daryl Gates is on forced leave.

With dozens of television cameras trying to spy on what was transpiring as various LAPD officials and lawyers went in and out of the confidential commission meeting, Dotson quietly waited his turn.

Finally, after Gates was besieged by the camera crews and reporters, the media turned their attention to Dotson and he responded evenly, thoughtfully and carefully to the questions about how he would restore the shattered morale of the 8,300-member department.

The key, Dotson said, was to get officers "to concentrate on their roles as servers and protectors of the city. They have got to believe they are effective."

"The officers of this department identify closely with their chief and they are saddened," Dotson said. "I think the events of the past four weeks have, no question, had an effect on the morale of this department."

Despite the controversy over the March 3 beating of black motorist Rodney King by white officers, Dotson insisted that the LAPD remained a "model department."

Dotson said he considered himself a "steward, caretaker, interim manager in Gates' absence and added, "I will not be revolutionary about what I do."

He said his goal was "to manage the affairs of this department in such a way that the people of this city do not see any diminishment in the services they are provided."

Avoiding confrontation

Where Gates would look closely into the eyes of reporters and almost dare them to ask a tough question, Dotson sought to avoid confrontations, and he repeatedly deflected queries about Gates.

"I am not going to now or probably in the near future make any comments regarding the actions of this board this morning or the controversy that surrounds the chief of police or the board action in this matter," Dotson said.

One high-ranking LAPD member, who asked not to be identified, called Dotson a "quiet survivor" who has stayed out of the interdepartmental politics that have forced a number of other top officials to leave the

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department.

As director of the Office of Administrative Services, Dotson is one of two LAPD assistant chiefs. The other is Robert Vernon, the department's second-in-command who has more seniority and normally would be named acting chief.

But Vernon has been the center of controversy over his role in a police spying scandal in the mid-1980s and for his alleged involvement in using a department computer to gather and disseminate information against a political activist during a Pasadena city election.

Dotson, who will celebrate his 58th birthday Tuesday, said he agreed to take the new post for at least 60 days or "as long as they wish me to remain."

Dotson became an LAPD officer in 1958. He lives in Newhall, is married and has two sons and a daughter.

Dotson became a deputy chief in 1980 and made assistant chief in 1985, originally as director of the Office of Special Services, a unit overseeing vice, narcotics, internal affairs, organized crime, public affairs and the anti-drug DARE program.

THE ASSOCIATED PRESS

David Dotson, left, talks with reporters Thursday after appointment as interim chief, as Daryl Gates, right, was forced to take a leave.

Says Bradley orchestrated the vote

By Howard S. Gantman
COPLEY NEWS SERVICE

Los Angeles Police Chief Daryl Gates was ordered to take a paid administrative leave Thursday for at least 60 days in a move that further divided a city polarized by the aftermath of the Rodney King beating.

Gates, a 42-year LAPD veteran, called the action by the Police Commission "illegal and inappropriate" and vowed to file a lawsuit on Monday to get his job back. He also blamed Mayor Tom Bradley for "orchestrating" the vote.

"I feel that I have been disgraced and defamed and I think it is a tragedy," Gates said. "It will not heal the wounds of the city."

Striking janitors beaten by police last June in Century City have demanded that Daryl Gates quit as police chief./**A3**

Several City Council members said they were so outraged by the panel's action that they plan to hold a special hearing today to examine ways to force the commission to return Gates to the post he has held for 13 years.

"I think it is a very callous, total disregard for the great service the chief has given this city," said Council President John Ferraro.

This could include a form of end run around

the commission by immediately settling Gates' lawsuit and allowing him to return or refusing to pay legal bills for some private attorneys the panel has sought for the court proceedings, Ferraro said.

The commission's action came two days after Bradley called for Gates' resignation.

But the chief's refusal to step down set the stage for the vote Thursday by the mayoral-appointed commission to place Gates on "home assignment" until investigations of the videotaped police beating of King and other allegations of mismanagement and breach of duty by the chief could be concluded.

Councilman Joel Wachs accused Bradley and his panel of bending city policy in an attempt to drive his longtime critic from office.

"Not since Richard Nixon has anyone employed the ends justifying the means as we have seen in this case," Wachs said.

"I am really troubled by the way things are moving and the way things are happening," Councilman Zev Yaroslavsky said. "There is a rush to judgment here."

But the mayor, meeting with reporters at Los Angeles International Airport after a trip to Sacramento, said the commission's action was timely and necessary.

Provides 'time out'

"The reassignment of Chief Gates simply provides a 'time out' until the investigation reaches a fair and speedy conclusion," Bradley said. "It is my hope that today's Police Commission action will give us all time to bridge the differences that have grown between us since the Rodney King incident."

Commission President Dan Garcia and panel members Melanie Lomax and Sam Williams met with reporters after their closed-session meeting, but refused to spell out any specific charges against Gates.

"We emphasize this action is not punitive in nature and results in no loss of pay or benefits for Chief Gates," Garcia said.

"More importantly, it should not be taken by the public as reflecting any conclusion as to whether the chief should be charged or disciplined in the future."

Newly appointed Commissioner Stanley Sheinbaum was out of town and did not participate in the vote. The mayor has allowed the fifth position to remain open for more than a month.

The 64-year-old chief earns $168,000 a year but he said he took no joy in being able to continue to earn the large salary while staying off the job.

Feels 'humiliation'

"I feel a great deal of humiliation over it," Gates said as he left his office known as the "corner pocket" in Parker Center police headquarters.

But as he stepped into the elevator, the chief said, "I'll be back, you betcha."

Harry Melkonian, one of two private attorneys hired by the chief, said he would not immediately seek a temporary restraining order Monday to have the chief returned to office.

Instead, Melkonian said, he would seek a full hearing as soon as possible in which Bradley, the commissioners and all other parties involved in the "plot" against Gates would be required to testify.

The commission chose Assistant Chief David Dotson, 57, as interim head of the department while Gates remains on leave. Dotson is a 33-year LAPD veteran.

Sen. Ed Davis, R-Valencia, a former LAPD chief who often battled the city's political leaders, said the move against Gates was unfortunate because it shifts the focus from the King beating to the mayor, Police Commission and police chief and leaves a power vacuum at a time strong leadership is needed to restore confidence in the department.

"A police department, of all agencies, needs leadership, and now it's going to be unclear who's the leader. A brand new leader can't go in the first day and come up with all solutions," Davis said.

As word spread of the commission's action, police officers and police supporters expressed anger and disbelief that such an action could be taken without a full public hearing on specific charges.

"It almost feels like an officer getting killed. It is real depressing," said Officer Tim Wunderlich.

Some officers began wearing black tape over their badges in honor of the chief and others began talking about a sick-out or work slowdown next week.

Joy in black community

But members of the black community and civil rights groups who have been demanding Gates ouster said the chief's leave was a first step in overhauling a department they claimed is plagued by racism and brutality.

"It is a very good day in Los Angeles," said Danny Bakewell, president of the Brotherhood Crusade. "I think that what the commission did was what we have been calling on them to do for the last month. But the story is not over, the chief has not yet been fired."

Ramona Ripston, head of the Southern California chapter of the American Civil Liberties Union, praised the panel.

"I think that it's a sincere effort to mend the damage that has been done to the reputation of our city and our police force," she said.

Although Bradley and the commissioners said they had hoped that sending Gates home would help the healing process after the King beating, a political firestorm soon was raging throughout the city.

Contributing to this report was staff writer Donna Littlejohn.

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Heavy Collateral Damage in War on Crime?

■ Police: City Hall politicians think their constituents would rather look the other way as long as the LAPD is fighting real bad guys.

By Ron Curran

In the wake of the Rodney King controversy, Police Chief Daryl F. Gates and Los Angeles City Council members are taking sharply diverging paths toward the same end: political self-preservation. Gates came out swinging to save his job. Council members—many of them facing primary challengers Tuesday—initially came out silent on Gates' tenure to preserve their own. The outrage they have finally shown has not been toward Gates but toward Mayor Tom Bradley and the Police Commission.

It took Bradley's calling for Gates' resignation and his commissioners suspending the chief for 60 days to provoke the council into a higher profile in the matter of the police beating of King.

"If we want to have a test of wills in this building about who runs the city," Councilman Zev Yaroslavsky told reporters after the suspension, "I think you're about to get your answer. It will be a very interesting civics lesson." Even though Yaroslavsky and his council colleagues are finding a voice now, it remains one of reaction to Bradley and Gates. Uppermost in the council members' minds in trying to head off Gates' suspension is their constituents' concern with crime, or more important, its effect on their political futures.

Someone unfamiliar with the City Hall power structure and its pervasive political pragmatism might have anticipated at least some degree of challenge of Gates from the City Council at its only face-to-face confrontation with the chief in late March. Certainly there were enough angry citizens there calling for Gates' resignation. By the time of that meeting, members had seen the playing and replaying of the videotape of police beating King for nearly three weeks.

Throughout the chief's 13-year tenure, they had heard what he himself described as "inelegant" comments about African-Americans—and just about everyone else different from himself—and paid millions of dollars in excessive-force damages. In fact, Gates was before the council that day to explain why the city had just authorized another $625,000 settlement.

That council members never specifically summoned Gates to explain the King case, however, should have been a clue to their reluctance to take on the chief. When Gates finally appeared, liberal and conservative council members alike went out of their way to preface even mild criticism with praise for the department and sympathy for the tough job its officers face. The fractious council had finally found something it could agree on—the political peril of even appearing to challenge the police chief, given the city's current fear-of-crime climate and despite the King beating.

Many council members insist they're only reflecting the views of a majority of their constituents, and there's some validity to that. The most recent Times poll, conducted last week, showed that only 27% of Los Angeles residents now believe that Gates should resign immediately over the King beating. That is a slight decrease from a poll three weeks ago in which 31% wanted him to go right away. Another 37% hedged by saying he should if his officers are found guilty. Many people still feel that protecting their civil liberties from police abuse is less immediately important than protecting their person and property from criminals.

In theory, they think the King beating was wrong. In practice, they're willing to accept it as collateral damage in the war on crime.

Another reason cited for not challenging Gates is the fear that, despite the chief's assertion to the contrary, he might punish a district whose representative challenges him by cutting police services. Special programs conducted in conjunction with his department—such as efforts to track down slumlords—could be discontinued and response to district needs could take longer.

"A lot of people want Gates to go, but an equal number are saying, 'If beating a Rodney King helps the cops keep people from stealing my car stereo, I'll look the other way,'" says a council aide. "They also don't want their councilperson going after Gates if it in any way might hurt the delivery of police services to their neighborhood. It's a real factor that we have to consider."

But the fact that L.A. has a crime-harried populace and loose-cannon police chief should not reinforce council caution; it should instead hasten police-reform efforts. The explanations that council members give for inaction are really convenient canards to rationalize abdicating leadership. The real reason for their kid-glove handling of Gates has less to do with district interests and constituent safety than with their own interests and the safety of their incumbencies.

Council members don't want Gates to retaliate with cuts in services—they don't even want to give the appearance that they may have jeopardized those services—for fear that voters will voice their objection at the polls. Then there's the potential loss of influential police endorsements. Despite his mishandling of the King beating, few politicians want Gates to endorse their opponent.

Leaders of the Police Protective League have also made it clear that they're willing to fall on their swords for Gates on this issue, so there's the risk of losing that endorsement. Without police backing, an incumbent is "soft on crime." If you're soft on crime, you may soon be out of office.

In the eyes of most council members, these political disadvantages far outweigh the benefits gained by siding with the American Civil Liberties Union or any of the myriad other groups who have de-

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manded Gates be fired. So intimidating is the threat of backlash that none of the council incumbents now facing reelection, liberal or conservative, have called for Gates' head. Ironically, they include representatives of communities where complaints of excessive force and slow police response have been most common.

South-Central Councilman Nate Holden has been uncharacteristically quiet, even though he once was pulled over by a LAPD officer who said he thought Holden might be a bank robber. Residents of Crenshaw-Baldwin Hills have been left without a voice in the debate because Ruth Galanter is fence-sitting during her reelection bid. Richard Alatorre, now the council's only Latino, says Gates should not be targeted, as does Joel Wachs. Hal Bernson supports Gates, as has John Ferraro, running unopposed.

Just three council members have come close to publicly questioning if Gates should step down. Marvin Braude said he's "deeply concerned with Chief Gates' assessment that the beating represented a mere aberration," but added, "I am not demanding his resignation at this time." Yaroslavsky stated that "the chief should retire in August, when he turns 65."

Only Mike Woo has specifically said that "the time has come for Chief Gates to resign," and that if Gates refuses, "the Police Commission should initiate proceedings to dismiss him." Unfortunately, the mayoral aspirant's announcement also seemed politically motivated. Woo has used the issue to meet with African-American and Latino leaders whose support he would need in a 1993 mayoral run, especially since he has probably sacrificed police backing.

Woo, like his fellow council members, is primarily out "to protect and to serve" his personal political fortunes. There is, of course, no way of knowing how this issue will play out, but it's clear that for this political year, the police, not the council, are in command. □

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Judge Reinstates Gates in a Temporary Ruling

■ Police: The hearing on the chief's future covers a broad range of issues and will resume April 25. At stake is who will control the department.

By SHERYL STOLBERG and LOUIS SAHAGUN
TIMES STAFF WRITERS

Los Angeles Police Chief Daryl F. Gates was temporarily reinstated by a Superior Court judge on Monday, but the judge refused to sign an agreement that would have thrown out the Police Commission's decision to place Gates on a 60-day leave.

Judge Ronald M. Sohigian paved the way for Gates to return to work this morning by issuing a temporary restraining order saying the commission's decision "has caused and will continue to cause immediate and irreparable damage" to the chief and to the public.

But in a setback for the chief, the judge decided to allow lawyers for the Police Commission and several civil rights groups to return to court April 25 to argue that the City Council acted improperly when it agreed to give Gates his job back.

At stake in the legal battle is who will control the Los Angeles Police Department—the City Council, or the civilian Police Commission appointed by the mayor. The City Charter allows the commission to hire and fire, as well as discipline, the police chief. But the City Council has authority to settle lawsuits.

The issue of Gates' future has divided the city—and city officials—since the March 3 police beating of Altadena resident Rodney G. King. With the judge's ruling, the focus of the controversy has now shifted to the legal arena.

City government was plunged

■ RELATED STORIES, A20-22

into turmoil last week when the commission placed Gates on involuntary furlough pending an investigation. The chief threatened to sue the city, but the council came to his defense, agreeing to settle the suit before it was even filed by giving Gates his job back.

On Monday, attorneys for Gates arrived in court fully expecting a quick victory by persuading the judge to sign off on their settlement. But the agreement fell apart when a coalition of civil rights and community groups rushed forward with their own lawsuit and declared the arrangement a "sham settlement."

The coalition—made up of the National Assn. for the Advancement of Colored People, the Southern Christian Leadership Conference and the Urban League, among others—was elated after Monday's hearing, saying the judge had cleared the way for them to continue their fight to thwart the settlement in court.

"We rained on their parade," declared Mark Ridley-Thomas, executive director of the Southern Christian Leadership Conference and a candidate for City Council.

"If we had not been here, it would have been a done deal."

But Gates' lawyers also claimed victory after the hearing—even though they did not get their settlement approved. "Our real purpose for being here was to see the chief back on active duty as chief," said Harry Melkonian, who acknowledged that he had drafted the temporary restraining order in case the judge did not sign the settlement.

During the hearing, Melkonian tried unsuccessfully to keep the judge from hearing attorneys who were trying to block the settlement. "There is only one matter in front of you," he told the judge. "And that one matter is: All the parties have agreed upon a settlement."

Despite Melkonian's efforts, the judge allowed a much broader range of issues to be discussed—including whether the City Council is usurping the authority of the Police Commission and whether the city attorney has a conflict of interest.

In all, nine lawyers stood before Sohigian. Lawyers for the civil rights groups contended that the city attorney's office had a conflict

(Indicate page, name of newspaper, city and state.)

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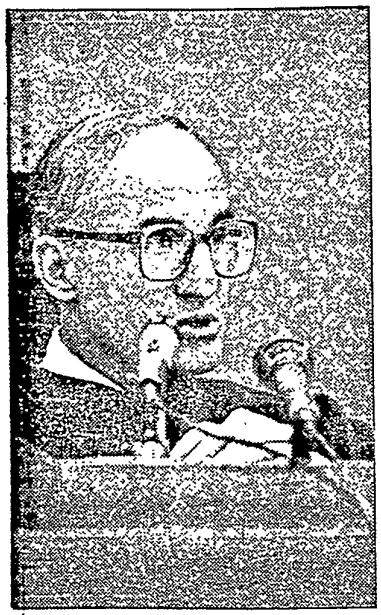

LARRY DAVIS / Los Angeles Times

Judge Ronald Sohigian's temporary restraining order allows Chief Daryl F. Gates to return to work.

of interest because it had advised the Police Commission, the chief and the council at various times throughout the King affair.

Meanwhile, the Police Commission hired a private attorney, Hillel Chodos, to represent it at the hearing, even though the city attorney had lawyers present.

"They're not just settling a case," Chodos told the judge. "The chief and the city attorney have gotten together and agreed that you should make an order directed at the Police Commission. . . . The power to decide how to run the Police Department belongs to the commission and the City Council does not have the power under the [City] Charter to override the Police Commission."

But Senior Assistant City Atty. Fred Merkin claimed he was rightfully representing the Police Commission and that Chodos did not belong in the courtroom.

"His clients are interlopers," Merkin told the judge. "They have no standing."

The judge said he needed time to sort out the conflicting claims.

"I'm simply trying to make a distinction between the rights of the parties here," said Sohigian, who ordered the attorneys to file briefs before the April 25 hearing. At that time, the judge said, he will consider whether to make his restraining order permanent.

At one point during Monday's hearing, Sohigian questioned whether it was necessary to have Gates on leave while an investigation continued into the King beating. He likened Gates to federal court judges who retain their seats while impeachment proceedings are brought against them in Congress.

"Does anybody really need to have the chief of police on administrative leave, particularly when the investigation will be sealed from Gates' ability to control it?" Sohigian said. ". . .It isn't as if having him around is going to let him poison the waters."

Gates himself was not at the hearing, but he did make an afternoon visit to Parker Center, dressed in civilian garb. In brief remarks to reporters, he attempted to defuse some of the tension that has gripped the city for the past month.

"I think it's time to cool it," Gates said. "Let's get together. Let's get this city back together."

Meanwhile, Mayor Tom Bradley, who last week publicly called on Gates to resign, issued a terse statement in which he also sought to calm tempers. "Now maybe everyone can give a rest to the rhetoric that has monopolized the airwaves over the last few weeks," Bradley said.

None of the three police commissioners who voted to place Gates on leave was at Monday's court hearing. Reached afterward, commission Vice President Melanie Lomax said: "The fact that the judge made the decision today doesn't mean that this will be a final determination. . . . I believe as much today as I believed last week that the Police Commission did the right thing."

Sohigian's ruling capped a day of intense legal maneuvering on the part of lawyers for Gates, the City Council, the commission and the civil rights groups. All weekend long, they had mapped their different strategies.

On Monday morning, as threatened, lawyers for Gates filed suit. They claimed that the chief's constitutional rights to due process had been violated and said the commission ignored the state's open meetings law by convening in secret to decide Gates' fate.

Meanwhile, attorneys for the civil rights groups filed what they called a "taxpayers' suit" in which they claimed that the council illegally attempted to usurp the authority of the Police Commission to prove who is "boss in the city of Los Angeles."

In other developments, Lt. George Aliano, president of the Police Protective League, said the police union has scheduled a general membership meeting Thursday and Friday to discuss a possible effort to recall Mayor Bradley.

Aliano, whose union represents 8,100 of the Police Department's 8,300 members, said he will also suggest "lawful, off-duty" picketing and a work "slowdown." But he said he did not favor a strike or a slowdown because they might anger the public.

Meanwhile, Bradley—who has come under fire for calling on

Gates to resign—defended his actions Monday before the National Forum of Black Public Administrators at a convention at the Los Angeles Airport Hilton.

"I have made a decision, taken a position because I thought they were right," Bradley said. "I didn't do it because I thought it would have some popular appeal, some political return. And if there is approval, so be it. If there is misunderstanding or disagreements with statements or positions, so be it."

Bradley then thanked the crowd for applauding his stand and for offering to back him if he needed it.

"Thanks for the offer to help," he said. "But let me tell you something. If you find Tom Bradley and the bear in a fight, help the bear."

Times staff writers Leslie Berger, Jane Fritsch and John L. Mitchell contributed to this story.

LORI SHEPLER / Los Angeles Times

Chief Daryl F. Gates outside police headquarters downtown after learning of his reinstatement.

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(Mount Clipping in Space Below)

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PERSPECTIVE ON POLICE

This Is No Time to Play the Mob

Over the years, Chief Gates did what he had to to earn the respect of his officers, at the expense of being impolitic in public.

By DANIEL M. SHAPIRO

The Police Commission's decision to to place Chief Daryl Gates on administrative leave, combined with Mayor Tom Bradley's call for the chief to resign, finally brought into the open the mayor's not-so-hidden agenda. Gates has received exemplary fitness evaluations by the mayor-appointed commissioners for the past 13 years. Suddenly, one videotape has vitiated those evaluations and the 40-plus-year career that goes with it. What has really happened, of course, is that the composition of the commission has changed substantially over the past few months, with the new appointees having much closer ties to the mayor than had previously been the case.

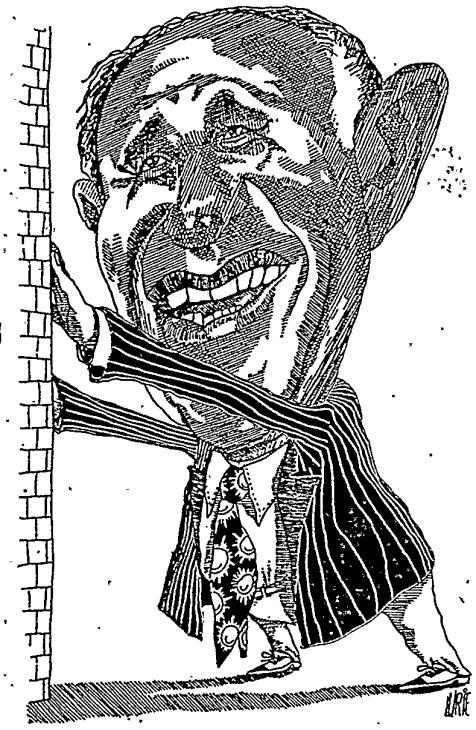
However the court rules, Bradley's and the commission's actions can only be seen as political moves to decrease pressure on the mayor from the black and liberal communities. At the same time, Bradley is punishing Gates for the adversarial positions the chief has taken against the mayor over the years.

What has Gates done to deserve the heat? His crime is that he has not been sufficiently "politic" in a highly visible and political job. Those who know Gates state that, in private, he is sensitive, even caring. His public persona is a different matter. Abrasive is the least of the adjectives.

The reason for the two personas may lie with the fact that when Gates was appointed chief, he was not viewed by the rank-and-file officer as a "cop's cop," but as an administrator. The street cop saw Gates as politically astute and carefully calculating his career to land him in the top spot largely by occupying administrative positions.

During his rise to the top, Gates had minimal "combat" experience and no "combat" commands. Thus, unlike his immediate predecessor, Ed Davis, the chief first had to earn the respect of his men. Noting the results of the "sensitive" tenure of Tom Reddin—who preceded Davis—Gates saw what worked in Los Angeles. Davis was held in high regard by the street officer. Reddin, who quit after only two years, was not held in the same high esteem. To earn the respect of the street officer, Gates had to project the "tough cop" image. While this image has cost him dearly among some constituencies—including the mayor—it was and is necessary to maintain the morale of the police force.

My own experiences with Gates have revealed the two personas. In private meetings, I found him to be courteous, understanding and sincerely interested in trying to resolve problems. Public sessions were another matter. During a meeting to discuss budget cuts for the department, I was shaken by his attitude. He was aggressive and abrasive, so much so that he ended up alienating many of his supporters on the budget



Police Chief Daryl Gates

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committee I chaired.

In retrospect, his position was understandable. He was fighting for his department and his men. If he had taken the "politically correct" position, he would have been viewed by his soldiers as just another politician.

The view of the soldiers has changed from Gates first few years as chief. He has earned their respect and—as a result of the commission's action—he is now viewed as a martyr. The commission could not have done anything worse to harm the department. In its response to the pressure from the mayor and from some vocal members of the community, the commission has seriously damaged the department.

Many years ago, the City Charter was designed to insulate the police from the political pressures and temptations so visible in other cities. The chief was given civil-service protection so that whoever held the position would not become the lackey of the mayor. The police and the charter have served us well. Procedures are in place to determine whether the King incident is an "aberration" or pervasive. The combined Christopher-Arguelles commission investigating police procedures can be expected to do a scrupulous job in examining the facts and recommending the appropriate course of action.

No one could watch the King tape without being sickened. But incidents have occurred in the past—police corruption in Hollywood, renegade officers performing contract murders—all of which have been dealt with effectively by the department and civil authorities. When Gates has seen a problem, he has faced it and dealt with it. For this, he has consistently received years of exemplary fitness reports.

Now, suddenly, the political time is right to go on a witch hunt, to destroy careers and to fundamentally damage the department. In times like these, McCarthyite calls for someone's blood must be avoided, and scrupulous attention must be paid to due process. There is time enough for resignations and discipline once the facts are in. But now is not the time to play to the mob.

Daniel M. Shapiro, a Los Angeles attorney, in 1983 chaired the mayor's committee on city finance and budget.

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Defiant chief warned panel, transcripts show

By Patrick McGreevy
Daily News Staff Writer

A defiant Police Chief Daryl F. Gates warned Police Commissioners placing him on forced leave that he would hold each of them responsible for any harm to him as a result, according to transcripts of the meeting released Monday.

The transcripts, released by Gates' lawyers, also show that Gates repeatedly demanded an explanation for the 60-day furlough, and that Gates told the commission he had been the subject of death threats.

At one point during the closed-door meeting last week, Gates told the panel that placing him on leave would cause him "great embarrassment" and he put the commissioners on notice that he would hold them responsible.

"I think this whole issue, this whole action of the board defames me," Gates said. "And I would like the record to show that I hold each and every one of you personally responsible for any defamation that — any harm that this brings to me."

A Superior Court judge ruled Monday that Gates could return to work, temporarily staying the Police Commission furlough. Gates' attorneys released transcripts by a shorthand reporter of the commission meeting to support their case that the furlough was made without good cause.

In addition, the chief's lawyers say the commission violated the state's open meeting law, or Brown Act, by meeting privately the day before the hearing without public notice.

Police Commission president Dan Garcia said at the start of the meeting that the commission was "contemplating" placing Gates on leave but wanted to give Gates a chance to respond.

But when the panel voted unanimously to approve the motion halfway through the meeting, Gates was handed an order that already had been signed by the commissioners.

The following exchange between Gates, Garcia and Commissioner Melanie Lomax occurred:

Gates: "May I ask when you signed this order?"

Garcia: "Just when we got here."

Gates: "You signed it before you took the action?"

Garcia: "No, We were sitting. We had taken a motion at our prior meeting and we wanted to make sure . . ."

Gates: "You made it in a prior meeting?"

Lomax: "I don't . . . well, I don't want to get into . . ."

Garcia: "It's common knowledge."

Commissioner Sam Williams previously acknowledged that th commission met the day before handed Gates the order, and possible Brown Act violation wa one reason cited by the Cit Council on Friday when it agree to a court judgment for Gates t return to work.

City Councilman Joel Wach said Monday that the transcrip clearly shows a possible Brow Act violation by the commis sion.

"The whole thing was a joke,' said Wachs. "They met the da before and had already signed th order before they met with th chief."

The transcript also shows tha the commission agreed to allow Gates to keep his car and drive as security because the chief hac reported death threats..

"Because of the actions that I think have recently taken place. it is inflaming of this situation by many," Gates told the commission. "I have been the sub-

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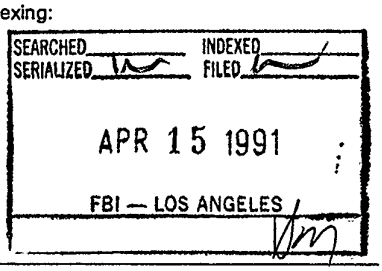

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ject of serious threats to my life. My family has been threatened and I would like to know if I am going to continue any kind of security or be provided any kind of security by the police department during that period of time?"

The transcript also shows that Garcia refused to say what the charges were against Gates.

"From our standpoint, we have initiated a series of charges for the purpose of discipline against the chief," Garcia told Gates' attorneys. "But that there are facts and circumstances which lead us to conclude that an investigation is warranted without knowing what the outcome of that investigation would be. And it's as likely as anything that there might be nothing that results in terms of immediate discipline against the chief."

A tense moment occurred between Gates and Lomax, who challenged an assertion by the chief that only Garcia cared whether Gates would be embarrassed by the furlough.

"This commission is interested in minimizing embarrassment and harm to you," Lomax said. "And I want to say that I share his (Garcia's) concerns and his views and am interested in this commission being as sensitive to those concerns as possible."

That drew a sharp response from Gates.

"... Commissioner Lomax, I don't share your views at all," Gates said. "I think you have been part of the problem. I think your comments right from the very beginning before you were a part of this organization, this suggested that there would be trouble. You made comments which you said you didn't make, but I have heard those repeated. I heard them as early as last night and I think this action coming from you is punitive."

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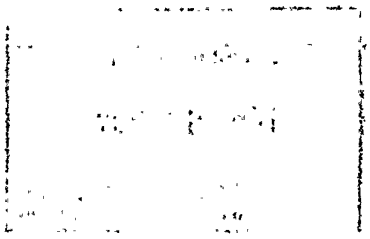

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Gates Voiced Concern, Anger to Commission

■ **Confrontation:** Transcript shows the chief sparring with police board members in the meeting at which they placed him on leave.

By RICHARD A. SERRANO
TIMES STAFF WRITER

Meeting behind closed doors with the Los Angeles Police Commission last week, Chief Daryl F. Gates made it clear to his superiors that he was embarrassed by their decision to place him on administrative leave, that he planned to hold each of them personally responsible, and that their order "is going to be extremely disruptive."

"I think these problems could have been solved in a much more effective way," he told the three commissioners as they voted last Thursday to temporarily remove him from office.

"I think to do this just before an election also is disruptive to the city," Gates said. "And I'm very disappointed in the action of this board. But I will respect it and follow it."

A transcript of the hourlong session at Parker Center police headquarters, made available Monday, also shows that Gates was deeply concerned about the personal ramifications of being forced to vacate his sixth-floor office, where he has run the LAPD for the last 13 years.

He asked and was given permission to attend two social functions he already had scheduled as chief. He worried about what would happen to personal files kept in his office.

Gates was given approval to make a videotape for his troops to explain his departure, a request that was granted after commission Vice President Melanie Lomax advised him not to include any "editorializing or other comments that are likely to inflame the situation."

Gates also won assurances that he could keep his city car and retinue of bodyguards. Citing the spreading controversy over the Rodney G. King police beating, Gates said, "I have been the subject of serious threats to my life. My family has been threatened."

King was seriously injured by police baton blows during his arrest after a March 3 car chase in the San Fernando Valley. The beating was videotaped. Four officers have been charged with assault, and numerous investigations are under way into allegations of brutality and racism by Los Angeles police.

A week ago, Mayor Tom Bradley publicly asked Gates to resign. Gates refused and the Police Commission on Thursday ordered him placed on home leave.

On Friday, the City Council voted to reinstate Gates by ordering the city attorney's office to settle Gates' lawsuit seeking his job back. A Superior Court judge on Monday issued a temporary restraining order allowing Gates to return to work.

At last week's executive session, Gates barely had taken his seat when commission President Daniel Garcia told him that he was being reassigned to home duty.

With Gates gone, Garcia said, the commission "would continue and expand its investigation to determine whether there is any basis for bringing charges of mismanagement, neglect of duty or other breaches of duty."

Gates, saying that the commission was being unfair, complained about Lomax's comment when she was appointed to the board last year that she would bring a "shotgun" approach to the job. She has since denied making the statement.

"I don't share your views at all," he told her. "I think your comments right from the very beginning before you were a part of this organization . . . suggested that there would be trouble."

Lomax, in an interview Monday, angrily termed Gates' comments a "personal attack against me."

"That is his style," she said. "He likes to say, 'I will remember you, watch out.' He has a bullying type of style. . . . It's the kind of lower-level dialogue that the chief too often engages in. I believe

distinctions between philosophical differences and personal animosity."

Garcia told Gates that he would be relieved only if the commission's investigation determined he was derelict in his duty. "There might be nothing that results in terms of immediate discipline against the chief," Garcia said.

Gates criticized commissioners for removing him under a section of the LAPD manual normally used when "there are serious charges being brought and serious allegations made against an officer."

He asked the commission to cite specific allegations against him, a challenge the commission did not meet. He also said that Bradley and the commissioners should have delayed a decision until after the mayor's new commission investigating the Police Department had completed its work.

"This whole action of the board defames me," Gates said. "And I would like the record to show that I hold each and every one of you personally responsible for any defamation [or] any harm that this brings me."

Toward the end of the meeting, Garcia appeared exasperated when he wondered aloud whether both sides had properly aired their grievances. "Has everybody got it out of their system?" he asked.

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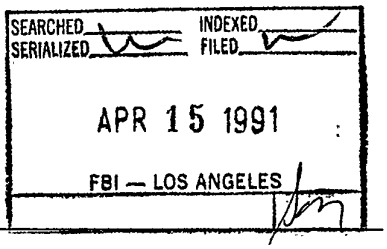

Gates Hearing Attracts a Sideshow

By SCOTT HARRIS
TIMES STAFF WRITER

The portrait is as unflattering as they come: Daryl F. Gates as *der Fuehrer*.

Bob Stickman had taken the image of the Los Angeles police chief, painted in a Hitler mustache with the demand "GATES MUST GO" above it, and silk-screened hundreds of T-shirts to sell at $10 apiece.

After selling 175 shirts at the anti-Gates rally at Parker Center on Saturday and another 65 on Venice Beach on Sunday, Stickman wore one of his creations to the Los Angeles County Courthouse on Monday morning to witness the latest maneuvers in the political battle concerning Gates' future.

"The object," Stickman said, "is to keep the pressure on. . . . A couple people question the mustache. But I say, look, I got a mortgage to pay and these shirts are selling like hot cakes."

A few hours later, Lorenzo Moriel presented a different kind of image—one that cop-turned-author Joseph Wambaugh called "The Blue Knight."

Neatly turned out in the midnight blue of the Police Department that employs him, Moriel had come to court to testify on a routine arrest he had made. He had wandered up to the 8th floor just to watch the hubbub.

That's what Moriel was telling a reporter Monday when, suddenly, he was caught in the glaring white light of a TV news camera and microphones were in his face.

Moriel seemed taken aback at first, then responded to the challenge. The news that Gates would be reinstated to his job "kind of makes me feel like the chief's been vindicated," the officer declared. As far as he was concerned, Moriel added, "the chief is being persecuted for something a few officers did."

With confidence in the city's leaders and its Police Department wavering, there are no bystanders.

As lawyers debated legal points before Superior Court Judge Ronald M. Sohigian, a full battalion of Los Angeles' Fourth Estate had convened inside and outside the courtroom for the media event *du jour*. Someone counted 17 TV news cameras in all.

"It must be a celebrity thing," one passerby muttered.

"This here is unbelievable," said county employee Andy Seaman, who tends the eight elevators and 36 escalators in the courthouse. "I've been here 10 years, and I've never seen this much."

But the courthouse on Hill Street did not host the trials for McMartin defendants, Zsa Zsa Gabor or Christian Brando. As media events go, Zsa Zsa being a 10, this was about a 4.

"I'm not impressed," sniffed city attorney spokesman Ted Goldstein. Not that it isn't a good story, he added, saying that in more than 20

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years in municipal government it was unparalleled "in terms of interest, interplay, infighting."

Political activist Cynthia McClain-Hill, a proponent of the recall of Gates, dismissed Monday's hearing as "the preliminary shenanigans." McClain-Hill, who is active in the 8th District City Council candidacy of Kerman Maddox, predicted that a recall will ultimately bring Gates down. The Committee to Recall Daryl Gates needs 57,000 signatures in 120 days to bring about a special election.

"Based on what I'm seeing out in the community, it should be easy," she said.

City Council politics offered a subplot Monday. McClain-Hill was happy to learn that Maddox's chief political rival, Mark Ridley-Thomas of the Southern Christian Leadership Conference, was inside Sohigian's courtroom, while Maddox, a former aide to Mayor Tom Bradley, was campaigning for today's election.

"There aren't a lot of votes in there," she said.

But after Sohigian issued a temporary restraining order returning Gates to his job, it was Ridley-Thomas who spoke into a bouquet of microphones, disputing the notion that it was a victory for Gates.

"You just simply have to know there will be more to come." Ridley-Thomas said.

Earlier, as reporters watched on hallway monitors, the lawyers' debate dragged on. "What *are* they doing in there?" someone asked.

"They're wasting time," said Steve Futterman, a reporter for NBC Mutual Radio. "And they're making lots of money."

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DAILY NEWS
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Gates is back — for now

Judge returns chief to duty pending April 25 hearing

By John Polich
and Rick Orlov
Daily News Staff Writer

A Superior Court judge on Monday temporarily returned Police Chief Daryl F. Gates to active duty, but refused to ratify a legal settlement that permanently would have rescinded Gates' forced leave by the city Police Commission.

Saying that he would need more time to consider conflicting legal arguments, Judge Ronald M. Sohigian ordered Gates reinstated until April 25, when another hearing is scheduled.

Gates is expected to be back on the job today.

The decision was accepted as a partial victory by both sides in the dispute — Gates and the City Council on one side, and Mayor Tom Bradley, the Police Commission and civil rights groups on the other.

Gates said he hoped the ruling would end his bitter feud with Bradley, who last week called for Gates to resign in the wake of the videotaped police beating of Rodney King.

"I don't think we should be fighting," Gates told KABC-TV as he left Parker Center, where he was attending a meeting of the non-profit Coro Foundation in an off-duty role. "I've been disappointed with all this rhetoric. For the life of me I don't understand why so much violent rhetoric has been aimed at my direction."

Late Monday, Bradley issued a statement emphasizing that the court order was a temporary ruling.

"No one should consider this court action as an indication the investigation into the Rodney King beating will slow down," Bradley said. "We all want the truth to come out and I am confident our independent Police Commission will work toward that goal."

The Bradley-appointed Police Commission furloughed Gates for 60 days with pay Thursday, citing "serious allegations of mismanagement" against him in connection with the beating of King by LAPD officers. A day later, however, the City Council moved to thwart the decision by directing the City Attorney to draft a settlement with Gates that would lead to his reinstatement.

On Monday, lawyers for Gates and the city appeared before Sohigian to seek a stipulated judgment in which the city would agree to the chief's return and Gates would agree to drop claims for unspecified damages.

A coalition of civil rights groups and individuals intervened, however, by filing a lawsuit claiming the agreement would destroy the Police Commission's independence. At the same time, an attorney retained by three police commissioners sought to disqualify the City Attorney's Office from the case, citing a conflict of interest.

After a two-and-a-half hour hearing, Sohigian said he had not had time to review the "three inches of paper" submitted by all the parties, and would need more time to consider the case. He

Related stories:

■ LAPD to give seminars on reporting police misconduct. Page 3

■ Bradley defends his call for resignation of Gates. Back Page

Judge Ronald M. Sohigian speaks to attorneys in court Monday.

asked both sides in the dispute to submit additional written arguments before the April 25 hearing.

"Clearly, the judge is saying that he needs more time to consider the issues, and he feels that can be done with the chief on the job," said Peter L. Haviland, a lawyer for the Southern Christian Leadership Conference. "That was not a (negative) settlement of the issue of what the power of the Police Commission is."

Hillel Chodos, the attorney hired by the police commissioners, said the commission would abide by the judge's order.

"We don't consider it a defeat for the Police Commission," Chodos said. "He issued a temporary restraining order. Unless it is renewed, it will dissolve at the next hearing.

Jay Grodin, an attorney for Gates, said the order meant his client could return to active duty immediately.

"We got exactly what we hoped to get and we consider this a great victory," Grodin said.

"I think the result today clearly indicates that the judge recognizes the chief's fundamental right to his job," Grodin said. "I think that after the (next) hearing . . . it will become permanent and the chief will remain on active duty."

Grodin said that Gates and the City Council acted only to ensure that Gates was afforded his rights to due process.

"There never were charges — specific charges (against Gates)," Grodin said. "We are not trying to take anything away from the Police Commission.

Police Commissioner Melanie Lomax said the commission decided over the weekend to hire Chodos "to vindicate our interests" and because the City Attorney's Office had a conflict of interest because of its opinion that the council could settle the lawsuit as the legal governing body for the city.

"I do think that all that has happened since last Friday does not bode well for the Police Commission and civilian review of the Police Department," Lomax said.

Councilman Zev Yaroslavsky questioned whether the commission could hire its own lawyer. He also said the ruling supported the council action to overturn the furlough.

"The court has come to essentially the same conclusion that the decision to remove Gates was done without an adequate reason," Yaroslavsky said.

Other council members who had supported reinstating Gates were pleased with the ruling and expressed hope that Gates would no longer be the issue.

"If I was the mayor, I would issue a statement saying, 'Let's put this behind us. We have a problem with the department. Let's get to it,' " said council president John Ferraro.

But Councilman Robert Farrell, one of three council members who opposed the settlement, said he felt it was only a temporary reprieve for Gates.

"This just puts off the inevitable," Farrell said. "I think the Police Commission is going to meet in open session. They will put forward their charges that the chief should leave so they can continue an investigation."

Attorneys for Gates and the City Council sought Sohigian's signature on a settlement that would enjoin the Police Commission and the city from enforcing a directive Thursday placing Gates on inactive duty.

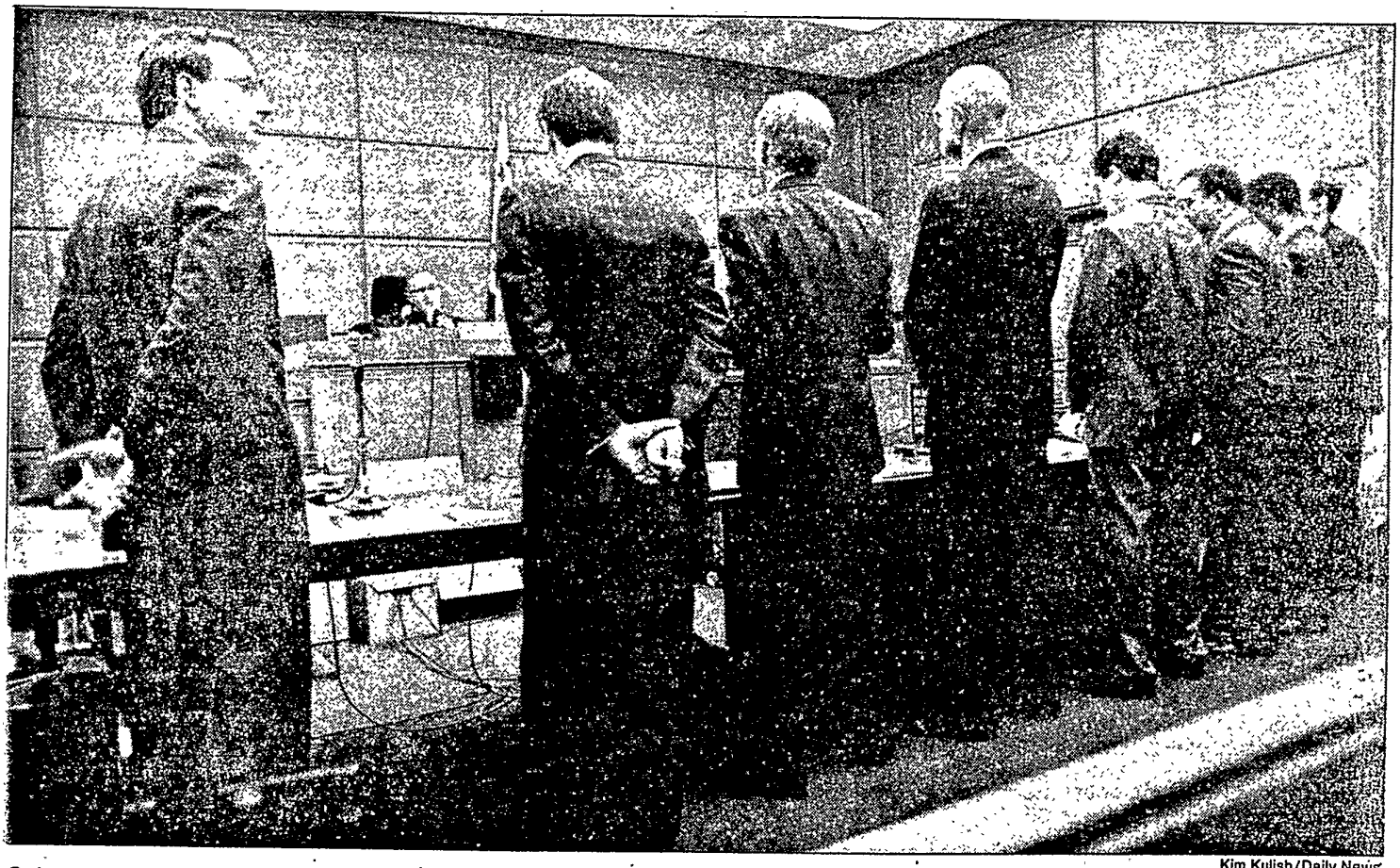
Under the terms of the agreement, Gates would be restored to active duty with full powers as chief of police and the city and Police Commission would be "permanently enjoined from taking any action whatsoever to interfere with the conduct of . . . Gates in connection with his duties . . . to the extent that any such action may be based on the (Thursday) directive."

In court documents, Gates' attorneys argued that the Police Commission's action not only violated Gates' rights to due process, but the mandates of the city charter and police manual, the Public Safety Officers Procedural Bill of Rights Act, the Brown Act and the state and federal constitutions.

In their lawsuit, however, the civil rights coalition charged that the proposed reinstatement deal was a "collusive settlement" intended to undermine the commission's authority to discipline Gates and other LAPD personnel.

Daily News staff writers Dawn Webber and Patrick McGreevy contributed to this story.

Daryl F. Gates
Hopes ruling ends feud



Kim Kulish/Daily News

Gates attorney Harry Melkonian, left, and lawyers from all sides await Judge Ronald M. Sohigian's ruling Monday in L.A. County Court.

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(Mount Clipping in Space Below)

4 officers at King scene claim health problems

By Jaxon Van Derbeken
Daily News Staff Writer

Four of the 21 Los Angeles police officers who were at the scene of the Rodney King beating have obtained medical diagnoses judging them physically unfit to be interviewed by police investigators, authorities said Tuesday.

"There are four officers claiming illness," said Cmdr. Rick Dinse, who is overseeing the Los Angeles Police Department's investigation of the March 3 beating of King in Lake View Terrace.

"They have what is called a 'stay-away' order from a doctor that says due to health reasons, they can't be interviewed," Dinse said.

He declined to identify which of the officers had obtained the orders.

The 21 officers who were at the scene of the King beating include four who have been charged with assault — Sgt. Stacey Koon and Officers Lawrence Powell, Theodore Briseno and Timothy Wind.

Darryl Mounger, an attorney who represents Koon, said in an interview Tuesday that Koon does not have any health problems and did not obtain a health-related "stay-away" order.

Attorneys for Powell, Briseno and Wind declined comment.

Seventeen other officers who were present and did not intervene also are under investigation by the LAPD and the Los Angeles County grand jury.

Diane Marchant, an attorney for all but one of the 17 officers, said none of her clients had obtained the stay-away orders.

"I represent 16 people, and none of them are sick," Marchant said.

Marchant said the remaining officer, whom she didn't identify, has a pre-existing blood-pressure problem and has obtained an order not to be interviewed.

Such an order can be the first step in seeking stress-related disability, internal affairs officials said.

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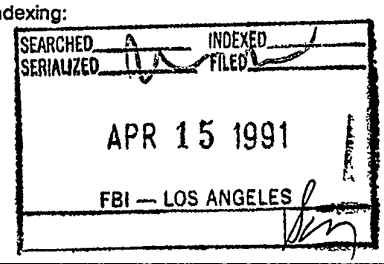

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Gates, Bradley Declare a Truce

■ Police: Mayor and chief join City Council President Ferraro in agreeing to stop public feuding. Ten rookie officers say they have immunity in beating case.

By RICHARD A. SERRANO and SHERYL STOLBERG, TIMES STAFF WRITERS

Seeking to reunite a city deeply divided over the Rodney G. King beating, the city's top three public officials agreed Tuesday to put an end to their feuding while investigations continue into allegations of police brutality and racism in the Los Angeles Police Department.

However, Mayor Tom Bradley, Police Chief Daryl F. Gates and City Council President John Ferraro—standing shoulder-to-shoulder at a late afternoon City Hall press conference—made it clear that they still have major differences over who should control the LAPD and whether Gates should step aside.

"It's true we do not agree on everything," Gates said, "but we do agree that we need to get this city in shape. We need to get it back in order."

Bradley, who said he still believes Gates should resign, also called for unity.

■ **RELATED STORIES,** B1, B4

"We hope that we can reduce the rhetoric that has developed over the past few weeks and begin the process by which this culturally diverse city comes together," the mayor said.

In other developments Tuesday:

• About 10 rookie Los Angeles police officers who were bystanders during the police beating of King say they are being granted immunity from criminal prosecution in return for their testimony about what veteran officers did or failed to do at the scene. But prosecutors said no decision had been made.

• New internal police documents obtained by The Times show that police investigators searched the lockers of the four officers charged with assault in the March 3 beating, looking for traces of blood on the officers' batons and boots.

• Michael Yamaki, a criminal defense attorney, was appointed to fill the fifth and final seat on the Los Angeles Police Commission. Meanwhile, the panel's weekly meeting was delayed after about 100 protesters leaped to their feet shouting "No blue! No blue!" as LAPD personnel attempted to place a blue cloth—the LAPD's color—on the commission's table.

• The newly formed independent citizens commission investigating the Police Department met for the first time, promising a top-to-bottom probe of every aspect of the department. Gates, returning to work after a five-day forced leave of absence, was welcomed by 150 cheering supporters as he arrived at Parker Center.

The Press Conference

The City Hall press conference was a marked difference from the vitriolic statements made last week as the Police Commission and City Council fought over Gates' future.

Ferraro said he brought Bradley and Gates together to set aside their personal differences and "give the people of this city a chance to cool off."

The council president said he called Bradley and Gates on Monday night and the three met in Ferraro's office at 4 p.m. Tuesday. They had "a nice long discussion," Ferraro said.

"We shook hands when we went into his office and when we left," Bradley recalled.

At the press conference, the chief thanked Ferraro for taking the initiative in a situation that, he said, demanded leadership. "Blessed are the peacemakers," Gates said. "John is a peacemaker here."

But it was evident that not all tensions between Gates and Bradley had eased. Each time a controversial question was asked of either Gates or Bradley, Ferraro stepped in to try to deflect it.

When Bradley was asked if he still thought Gates should resign, Ferraro stepped to the microphone and responded: "We're going to work together now."

But the mayor answered anyway. "I did make that statement," Bradley said. "I believed it then and I stand by that statement."

When it was over, the council president forcibly lifted the hands

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of Bradley and Gates in an attempt at a victory gesture. But the mayor and the chief looked tense and they did not join hands.

"I thought if they buried the hatchet, they didn't bury it too deeply," said Councilman Zev Yaroslavsky afterward. "I didn't detect a lot of warmth."

Grand Jury Probe

On Friday and Monday, the district attorney's office began conducting interviews with about 10 rookie police officers employed in the rank of Police Officer I. The rookie officers also were subpoenaed to testify before the grand jury, a process that began Tuesday and is scheduled to continue through this week.

They are among 21 LAPD officers who were at the scene of the King beating, which occurred after a car chase in the San Fernando Valley. A sergeant and three officers have been indicted in the beating, but an investigation is continuing into the onlookers.

Diane Marchant, an attorney for the rookie officers, said her clients could be fired if they refuse to cooperate with the grand jury. Because of that dilemma, she said, the officers are being "coerced" into cooperating.

Because they are coerced, she said, their statements cannot be used to file criminal charges against them.

"You can draw a conclusion from this that the district attorney does not consider these officers as suspects," she said. "That is based on the fact that the district attorney is accepting statements made under duress. And these are statements that cannot be used against the officers in a court of law."

While prosecutors said that no decision had been made on immunity for the rookie officers, it is reasonable for them to assume that they will not be indicted in connection with the March 3 beating.

"Defense attorneys could draw that conclusion," said Mike Botula, a spokesman for the Los Angeles County district attorney's office. No decision on immunity had been reached, he said, adding, "But we're still examining it. We're still assessing it."

Botula said there have been other police abuse cases, such as the 39th and Dalton incident, where some officers were not charged with crimes after they agreed to cooperate with prosecutors.

"We recognize there is a legal situation here involving the officers being compelled to testify because of Police Department policy," he said. "That has come up in other cases as well."

Other sources in the district attorney's office and at police headquarters said the prosecutors have grouped the 21 officers at the scene in three categories: the four already indicted, the rookie officers and the other veteran officers who were bystanders.

Prosecutors believe that the rookie officers may be the least liable, particularly since they are probationary employees. Further, several sources at the Los Angeles Police Protective League, the police union, said some of the rookie officers were genuinely troubled by what they saw that night.

"One of the kids said he asked one of officers, 'Did you have to hit him that many times? Was it really necessary?' " a league official said. "Another one of them made the statement, 'It was horrible.' "

"It was a shocking experience for them," the union official added. "If you interviewed those rookie officers and asked them if they still would have joined the Police Department if they thought anything like this was going to happen, the answer would be 'No.' "

The LAPD Files

New police documents obtained by The Times show that after the beating, investigators used a search warrant to look through the lockers of the four officers charged with assault. The lockers are at the Foothill Division police station, and sources said investigators were checking for signs of blood on the officers' batons and boots.

It was unclear from the records what was found in the lockers.

In another document, Rodney King told investigators that he believed he was handcuffed and hogtied before he was beaten, a scenario that contradicts what is seen on a videotape of the incident shot by an amateur cameraman.

In describing the beating, police investigators wrote:

"Victim [King] felt a slight shock to his right shoulder and was struck on the right side of his face with a billy club. Victim felt a second shock on his left shoulder blade. Victim stated he could not see who was hitting him. Victim was struck numerous times about the head and body area.

"Victim stated from the time he exited the vehicle he did not resist or attempt to flee from officers."

The Police Commission

Moving to fill the last vacancy on the civilian Police Commission, Mayor Bradley appointed Los Angeles criminal defense attorney Michael Yamaki. Calling himself a "supporter of the Police Department," Yamaki said one of his primary objectives is to increase police recruiting of Asian-American.

The commission met Tuesday, but before the session could get started, about 100 people in the audience jumped to their feet and booed when two men tried to replace a brown cloth covering the commissioners' table with a blue one.

As the crowd screamed "Gates must go! Gates must go!" Danny Bakewell, president of the Brotherhood Crusade, a Los Angeles community group, rushed onto the stage of the Parker Center auditorium and tried to roll up the cloth.

Bakewell was instantly surrounded by six police officers who briefly scuffled with him over the cloth. The audience shouted "No blue! No blue!" and threw wadded paper at the stage.

"It's a symbol and we do not accept it!" Bakewell yelled as television news crews thrust their microphones in front of him. "An ego feed, that's all it is!" Bakewell said, referring to the Police Department.

Bakewell then turned and pleaded with the crowd to calm down.

"There will be no meeting today as long as that blue stays up there," he said in a deliberately staccato voice as the crowd broke into a wild cheer.

Seconds later, a police officer removed the blue covering from the 25-foot table and returned the brown covering.

The commissioners' meeting was delayed 15 minutes. "The problem is that this crowd is so incensed in the aftermath of the King beating and the court's decision to temporarily reinstate Gates that little things are being blown out of proportion," said commission Vice President Melanie Lomax.

Probing the LAPD

An independent commission chaired by former U.S. Deputy Secretary of State Warren Christopher intends to bring about changes in the way the Police Department and the city do business, Christopher said. "We don't want to have just a sterile report, one that goes on the shelf," he said.

The 10-member panel—armed with subpoena power and formed after the merger of two separate commissions appointed by Bradley and Gates—met privately for more than five hours, appointing a staff of 13 local lawyers and hearing testimony from its first witnesses, former Assistant Police Chief Jesse A. Brewer and former Deputy Dist. Atty. Curt Livesay.

Brewer was the highest-ranking black officer in the history of the LAPD until he retired two months ago. Livesay, who stepped down within the past month, was the county's chief prosecutor on cases involving the use of excessive force by police officers.

While the details of their testimony were not made public, Christopher said Brewer, who was asked by Bradley to advise the commission, briefed the panel on Police Department hierarchy and is likely to return to talk about a wide range of issues, including racial discrimination and police brutality.

"We have a good distance to go with Chief Brewer," Christopher said.

Times staff writers Louis Sahagun and James Rainey contributed to this story.

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Bradley, Gates call truce

2 agree feud hurts city; neither budges on whether chief should quit

By Rick Orlov
and Patrick McGreevy
Daily News Staff Writers

Mayor Tom Bradley and Police Chief Daryl F. Gates declared a truce Tuesday in their battle over the city's Police Department, yet neither man gave ground — Bradley said he still wants Gates to resign, and the chief said he won't do so.

At a meeting arranged by City Council president John Ferraro, Gates and Bradley agreed to suspend a war of words that grew out of the police beating of Rodney King — acknowledging that it was splitting the city apart.

But sources said both men rejected a compromise offered by Ferraro that called on Bradley to ask the Police Commission to rescind the chief's suspension in return for Gates' promise to retire when he turns 65 in August.

At a press conference after the meeting, Gates and Bradley promised only to suspend their public battling over the issue.

"I think the meeting this afternoon is a clear recognition of the damage that has been done to our city and the Police Department, and we concluded we would take this step to heal the differences that have developed already," Bradley said.

Gates said he had the same concerns as Bradley.

"We do agree that we need to get this city back in shape, get it back in order, get it back to the level of support from the community we had before the Rodney King incident," Gates said.

On April 2, Bradley met briefly with Gates and later issued a public statement calling on Gates to resign for the good of the city.

Two days later, the Police Commission placed Gates on a 60-day paid administrative leave. But on Friday, the City Council sided with Gates and agreed to a court settlement that would allow Gates to return to work.

A judge temporarily agreed Monday to let Gates resume command until an April 25 court hearing.

On Tuesday, Bradley said he has not changed his view that Gates should resign, and said he would not ask the Police Commission to change its action.

"I made that statement then and I stand by that statement," Bradley said.

Gates said that he and Bradley "did not agree on everything," but do agree that their feud has harmed the city and investigations into the King beating.

"We are anxious for these investigations to probe the department in every way," Gates said. "We want to get on with that. It's very difficult for all of us to answer your questions each and every day."

In other developments Tuesday:

■ The Police Commission met in closed session, and afterward Commissioner Sam Williams said the panel will continue to seek to uphold its decision to force Gates on paid leave.

■ The Police Commission meeting was delayed for 15 minutes as angry Gates critics demanded that blue bunting draped on the commission table be removed. Gates supporters are using blue ribbons to symbolize support for the chief.

■ Bradley appointed attorney Michael Yamaki to fill a fifth and final vacancy on the Police Commission. Yamaki represented one of the defendants, Fong Winn,

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who was accused of being the getaway driver in the killing of two Los Angeles police officers in Chinatown. Winn was acquitted.

■ Gates was greeted by scores of supporters as he returned to Parker Center on Tuesday morning, following his court-ordered reinstatement.

■ The Christopher Commission, set up by Bradley to examine Police Department operations, held its first meeting since it was expanded to include members of the Arguelles Commission, which had been appointed by Chief Gates to review the department.

■ City records filed as part of Monday's court hearing indicate the commission may have been considering naming recently retired Assistant Chief Jesse Brewer as temporary chief if Gates had resigned. The records show that the commission asked last month whether it could hire a retired assistant chief to temporarily replace Gates if he resigned. The city attorney's opinion said it could not.

Brewer was frequently mentioned as a possible temporary successor to Gates.

At their joint appearance Tuesday, Bradley and Gates said they would not request the differing groups staging rallies for and against the police chief to halt their activities.

"All we can do is deal with our own comments," Bradley said. "All we control are our personal utterances. We don't control anyone else."

Gates added: "There is not much we can do about that. The three of us are saying what we are saying and we are hoping they will listen to what we are saying."

Ferraro read a joint statement where the three said "the events surrounding the beating of Rodney King have presented the city with a crisis that is unparalleled in the history of our city.

"It threatens both the structure of municipal government in Los Angeles as well as the cohesiveness of the people of our culturally diverse city. It is time to end the divisiveness, to stop the rancorous debate," the statement said. "It is time to think about what is best for this city and its people."

Neither Bradley nor Gates appeared comfortable at the news conference, however, particularly at its end when Ferraro held up their arms as if they were a unified team.

Bradley also said the Police Commission will continue its inquiry into whether Gates has contributed to any problems in the department and the use of excessive force.

Yamaki, Bradley's nominee for a fifth vacancy on the Police Commission, has been the mayor's appointee to an Asian task force working with the LAPD to increase the recruitment of Asian-American officers. If confirmed by the City Council, he would become the first Asian-American to serve on the Police Commission.

"When I first talked about this, I wanted to deal with Asian issues, Asian recruitment, to find out how much, if any, there is any Asian racist hate crimes," Yamaki said. "It's unfortunate this controversy came up."

George Aliano, president of the Los Angeles Police Protective League, said Yamaki's defense of a suspected accomplice in the officer shooting could raise concerns among rank-and-file LAPD officers.

"My members aren't going to like it," Aliano said.

Yamaki said it should not be an issue.

Daily News Staff Writers John Polich and Jaxon Van Derbeken contributed to this story.

Glenn Asakawa/Daily News

Daryl F. Gates is greeted at Parker Center on Tuesday, his first day back after his suspension.

FD-350 (Rev. 5-8-81)

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Police Answer to Public Amid Furor Over Beating

By JOCELYN Y. STEWART
TIMES STAFF WRITER

The team of officers was explaining Los Angeles police procedures to a meeting of about 80 residents in the Lake View Terrace Recreation Center on Wednesday evening when the discussion moved to the subject of probable cause.

"Why is a person made to lie on the ground when they are stopped?" asked Melanie Bernard, a teacher's assistant from Lake View Terrace.

An officer on the panel explained that ordering a person to the ground had to be justified by probable cause. The answer clearly did not please Bernard.

"I have seen and heard of cases, especially black and Hispanic youths, just stopped for a traffic violation and being made to lie on the ground," she said. "I just think it's a form of harassment. It's very degrading."

The meeting, called a Police-Community Awareness Seminar, included Deputy Police Chief Mark Kroeker, chief of Valley operations, and Foothill Division Capt. John Mutz. It was the second of several planned as a result of the Rodney G. King incident, said Sgt. Dennis Zine.

Kroeker has decided, the sergeant said, "that the communication between the Police Department and the community needs enhancement, and questions have to be answered."

The racially mixed audience came from block clubs, neighborhood watch groups and other community organizations. Some said they had been attending police-community meetings for years.

"In my 26 years of police service, I've never seen a time that has called more for the need for eyeball-to-eyeball interaction," Kroeker told the group. "It's more important than ever that we talk to you."

The 10 officers on the panel talked about using 911, anti-gang units and programs for dealing with at-risk youngsters. The queries from the audience became sharper when the question of police discipline was raised.

"There are people who are stopped and roughed up all the time, like [former NBA player] Jamal Wilkes and [baseball Hall of Famer] Joe Morgan," said Richard Lewis of Lake View Terrace. "Was that probable cause?"

Mutz attempted to meet the question head-on and acknowledged that there are "failures."

Lewis pressed, wanting to know if "officers have a responsibility to stop another officer when they see him using excessive force."

Answered Mutz: "What do you do to a supervisor who doesn't act? You punish him."

The captain then said he could not further discuss the March 3 beating of King in Lake View Terrace because the case is in the courts. He added that "the department has admitted its failure."

"It's easy to say it's a failure of the department," Lewis said after the meeting, "but why is the system failing?"

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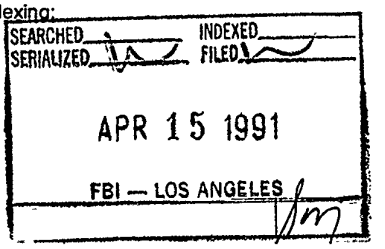

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The seminar, Lewis said, is "just a PR campaign" in the wake of the King incident.

Bernard, also dissatisfied, said she felt she was just "getting rule-book answers about how the police are supposed to act."

The discussion of discipline brought wide-eyed disbelief from William Thomas, an insurance salesman from Pacoima, who asked Mutz: "Are you telling us that if you stop me for anything, I can demand to talk to your supervisor?"

"Yes," answered Mutz.

However skeptical some in the audience might have been, others said they had come with open minds to learn how the Police Department operates.

"I came out to find out if the quality of police service has gone down," Phil Tabbi of Sun Valley said before the meeting. "We're interested in what's going on."

Despite his skepticism, Thomas said the seminar enabled many people to get "stuff off their chests. There have been more beatings than just the one of Rodney King."

Kroeker, transferred to the San Fernando Valley after the King beating, told the meeting that "a lot of goodwill in the city has been wiped out" by the incident, which has resulted in four officers being charged with assault. The community seminars, he said, are "good things arising from something very destructive."

The first session attracted only 40 people to the Foothill Division station March 26. As a result, Wednesday's meeting was moved to the recreation center on Foothill Boulevard to reach people who might be reluctant to come to the station, Zine said.

"There is a lot of misunderstanding about what the police can and cannot do," Officer Ken Roth said after the meeting. "We don't have carte blanche. We have to go by the rules. A lot of the public doesn't realize that. The forum tonight was positive because it informed the public about police procedures."

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Gates Gets Hero's Welcome on His Return to Work

By ERIC MALNIC
TIMES STAFF WRITER

In a scene reminiscent of Gen. Douglas MacArthur's triumphant return to the Philippines during World War II, embattled Los Angeles Police Chief Daryl F. Gates returned to his office at Parker Center on Tuesday.

Eschewing the back door he usually uses to reach his office, Gates made a far grander entrance, pulling up to the front of police headquarters to be greeted by about 150 cheering supporters, about 50 scrambling members of the news media and a handful of jeering critics.

Ironically, it was the critics who got in the first word, shouting "Gates must go!" as the chief stepped out of his big, red sedan.

But those shouts were quickly drowned out by the chanting of his supporters, who clapped and yelled, "Gates must stay!"

Smiling broadly as he shook the hands and hugged the shoulders of dozens of the police officers and department employees who lined the walk in front of Parker Center, the chief took almost five minutes to make his way into the building.

"It's nice to be back," he said. "I appreciate this very much. These are wonderful people. We're a family."

Gates' return was made possible when Superior Court Judge Ronald M. Sohigian issued a temporary restraining order on Monday that blocked the Police Commission's decision last week to place the chief on a 60-day leave.

The restraining order had been sought by the City Council and attorneys representing the chief. It had been opposed by the commission, which was appointed by Mayor Tom Bradley.

The issue of Gates' future has divided the city—and its officials—since the videotaped police beating of Altadena resident Rodney G. King on March 3. Gates called the beating an isolated incident and an "aberration," but critics said it was symptomatic of continuing police brutality and demanded Gates' resignation.

Tuesday's event was choreographed almost as carefully as MacArthur's meticulously chronicled return to the island nation he had been driven from 2½ years earlier by invading Japanese forces.

By 8 a.m. Tuesday, news crews began gathering near the San Pedro Street gate at the back of police headquarters. The chief usually drives quickly through the gate and up to a back door that is off-limits to the news media, and there was concern among reporters and photographers that they might miss their opportunity.

Not to worry.

About 8:15, one of the chief's aides sidled up to a cameraman to announce, in a stage whisper, that Gates would be coming in the front way.

The news crews dashed around to the front of the building, but there was plenty of time.

Workers were still putting up four huge bows made of blue ribbon that were said to show support for police officers—"our men and women in blue." Three of the bows were tied around columns at the main entrance and one dangled from the roof on a long rope.

By 9:15, a sizable crowd of supporters, many of them sporting "blue ribbon" lapel pins, had gathered to form two lines—one down each side of the 100-foot walk leading from the entrance to the sidewalk. Virtually all of them were police officers or department employees who had gotten the word that the chief was on his way.

"I'm here to welcome him home," said Cheryl Henderson, one of the employees. "I respect and admire him, and I don't think he's done anything wrong."

"Let's talk about 13 years of the best administrator any police department has ever had," said Police Officer Wayne Zippi. "Gates is coming back where he belongs."

At 9:30, with everyone in place, Gates' car arrived.

His remarks were largely drowned out by the competing chants, but through the din, the chief said he was surprised by the turnout and didn't know until then why aides had told him to delay his arrival for a few minutes.

Asked if he felt vindicated by the judge's restraining order, Gates said: "I don't know if there was any vindication necessary. . . . I just think [the judge's ruling] was the right one. I don't have any hard feelings toward anyone."

Gates said he would like the opportunity to "sit down" with the mayor to resolve their differences.

Interrupted by the jeers of the protesters, the chief said: "I think a lot of people have forgotten about Rodney King. I don't think these people really care about Rodney King at all."

As he headed up the walk between the lines of cheering supporters, the crowd closed in around him and the beaming chief paused repeatedly to shake proffered hands, return eager hugs and acknowledge the people who were welcoming him.

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
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"You're No. 1, boss," a man told him.

"It's great to have you back," a woman said.

"Thank you," the chief said. "Thank you all."

Mentioning that he had "a stack of paperwork" that needed his attention, the chief finally made his way into an elevator that took him to his sixth-floor office.

A few reporters and photographers followed him up there, but aides said the chief was too busy to be interviewed at his desk.

The photo opportunity was over.

JOE KENNEDY / Los Angeles Times

Police Chief Daryl F. Gates greets well-wishers outside Parker Center on Tuesday.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Bradley Names Defense Lawyer to Police Board

By GLENN F. BUNTING
TIMES STAFF WRITER

Moving quickly in an attempt to restore public confidence in his beleaguered Police Commission, Mayor Tom Bradley named criminal defense attorney Michael R. Yamaki on Tuesday to fill the fifth and final seat on the citizen panel.

The appointment of Yamaki, a past president of the Japanese-American Bar Assn., came one day after a Superior Court judge temporarily set aside last week's Police Commission order to put Police Chief Daryl F. Gates on a 60-day leave of absence.

City Council members have called on the mayor this week to overhaul the commission. They said in interviews Tuesday that changes are necessary to bring some balance and integrity to the civilian commission that oversees the Police Department.

"I believe that, as presently constituted, the Police Commission wants to make Daryl Gates a scapegoat," said Councilwoman Joy Picus, a supporter of the chief.

In a prepared statement, Bradley alluded to the importance of Yamaki's appointment as the Police Commission begins its investigation of Gates in the wake of the police beating of black motorist Rodney G. King on March 3.

"It is an extraordinary time for the city, our Police Department and our Police Commission," the mayor said. "I am confident Michael Yamaki has the personal fortitude to consider objectively and fairly the decisions that face the commission in the coming months."

At the forefront of those decisions will be the commission's investigation of Gates. Several City Council members have accused Bradley and his aides of using their political influence with the mayor's appointees on the Police Commission to oust Gates. Bradley has denied any political meddling with the commission decision to put Gates on leave.

Yamaki said he had no opinion on whether Gates should resign.

"I don't see this as just a battle between the mayor and the chief," Yamaki said. "The central issue is whether the beatings are institutionalized. Everyone agrees that is the problem."

If confirmed by the City Council, Yamaki would be the first Asian-American to serve on the city panel. He is chairman of the Asian advisory committee to the Police Commission.

As a criminal defense attorney, Yamaki successfully defended one of three people who were tried in connection with a 1984 Chinatown jewelry store shootout that left a Los Angeles police officer and two holdup suspects dead. Yamaki's client was acquitted on charges of having served as an accessory to murder for allegedly harboring one of the gunmen. During the case, Yamaki got a confession made by his client, Thong Huynh, thrown out of court by arguing that he had not properly received his Miranda rights against self-incrimination because a police officer recited them in a dialect of Chinese different than the one Huynh speaks.

Asked about police reaction to Yamaki's appointment, Los Angeles Police Protective League President George Aliano said his members are "not going to like it."

Aliano complained that the Police Commission is supposed to be a citizen panel, but only friends, fund-raisers and those with political ties to Bradley seem to get appointed. "You don't see the kinds of citizens I'm talking about . . . like citizen volunteers. There's always a connection [to Bradley]," he said. "There should be a couple of moderates . . . rather than everyone out of the same mold and philosophy.

"It concerns me we are not given an opportunity to have a say in it. You'd think they would care about what's important to us."

Yamaki, 43, said he has no concerns about being accepted by officers because he is a "strong supporter" of the Police Department.

To avoid any potential conflict of interest, Yamaki said in an interview, he will not represent any clients who are arrested by the Los Angeles Police Department.

Yamaki said he had been pushing the mayor's office to appoint an Asian-American to the Police Commission.

"One of the things they were concerned about was getting someone acceptable to the Police Department who wouldn't be looked upon as someone who was a police-hater," Yamaki said.

He said one of his primary objectives will be to recruit more Asian-American officers.

Yamaki joins three other lawyers on the Police Commission—President Dan Garcia, Vice President Melanie Lomax and Sam Williams—and civil libertarian Stanley Sheinbaum.

Yamaki and Sheinbaum were

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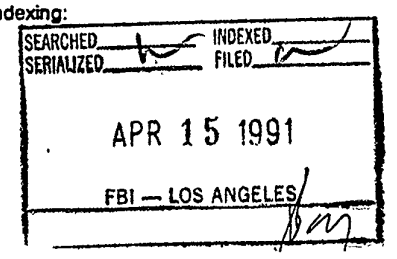

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appointed to fill vacancies created by two commissioners who quit recently. Sheinbaum, whose nomination was approved by the City Council last week, is vacationing in Europe and played no role in the commission's decision on Thursday to place Gates on a paid leave.

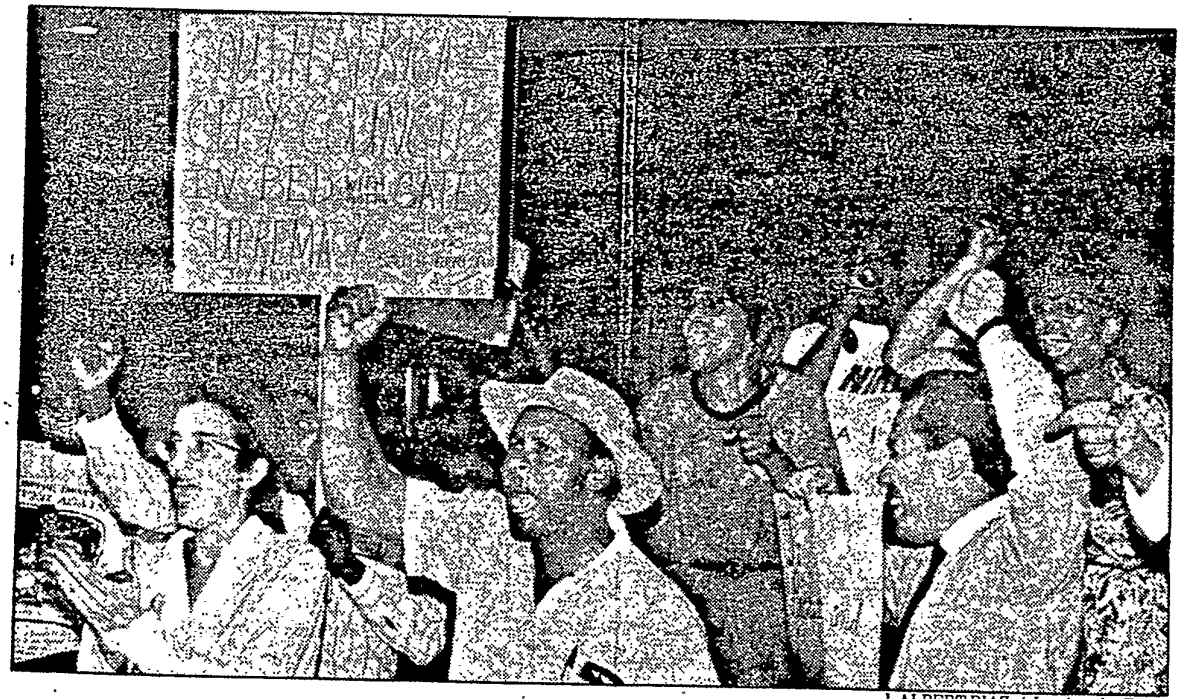
The decision to remove Gates has led several council members to suggest that the mayor shake up the commission.

"I'm bothered by the whole appearance of unfairness and the hasty rush to make a decision. . . ." Councilman Zev Yaroslavsky said.

Yaroslavsky said "a surgical change or two" in the current makeup of the commission would be welcomed by the council.

Councilman Hal Bernson said: "If the mayor really means what he says about establishing credibility and bringing the community together, he ought to appoint a new Police Commission and . . . get some people who are unbiased and are interested in healing this community."

Times staff writer Rich Connell contributed to this story.



J. ALBERT DIAZ / Los Angeles Times

Opponents of Chief Daryl F. Gates demonstrate at the Police Commission hearing Tuesday.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

The Ineptitude of L.A. Government

Bumbling and bureaucrats: a city struggling for control

Los Angeles is not covering itself with glory these days. The ugly LAPD furor triggered by the videotaped beating case threatens to disgrace the city. The competent and measured performance of a political system is a prerequisite to stability—and a necessary bedrock of prosperity. But in recent weeks, Los Angeles' system has failed the test. Under mounting pressure, it has performed with neither grace nor effectiveness.

The latest contretemps over the Police Commission's involuntary suspension order illustrates the decline. Last week the Police Commission, by a unanimous vote of the Mayor Bradley-appointed commissioners present, ordered Chief Daryl Gates to be suspended with pay for 60 days, pending its investigation of the abhorrent police beating of a speeding motorist. The merits of that decision are certainly debatable. Supporters of the chief believe that the suspension was a kind of summary judgment. Critics of the chief believe that the commission's 60-day cooling-off period would have been well-advised.

But what cannot be denied is the right of the Police Commission to make that decision. That is precisely what it was set up to do. It is the civilian controller of the LAPD and has not only the right but the responsibility to exercise its judgment.

Today, the Police Commission stands rebuffed by the machinations of the City Council and the city attorney's office. They outmaneuvered the commission in court and blocked its move. The net result is that the chief is back on the job, the Police Commission has been told to take a back seat and the governmental process has been undermined by political factionalism.

It is the very process of governing that is at risk in this crisis. The city's elaborate civil service system offers department heads, such as the chief of police, enormous protections from political overlordship. But what the system does not do is protect the city from the potential arrogance of top civil servants and from the debilitating effects of bureaucrats accountable to no one. The system needs to be reformed; it has been flawed for a long time but the cracks have now become painfully obvious.

The current impasse puts a special responsibility on three major players in this civic drama to rise above any propensity for posturing and politics and, for the good of the city, look for a wise way out. The first player, of course, is the mayor, who found himself in the unaccustomed, and uncomfortable, position of having to take a high-profile stand on a high-profile issue; he finally said that the chief must resign. The second player, of course, is the chief of police, who has said that he won't. And the third is the City Council, which must understand that the stakes in this crisis are greater than almost any it has ever dealt with. At risk is nothing less than the bond of trust people in this city feel toward each other, and toward the men and women sworn to protect them from crime. So the usual jostling for political advantage, the playing to constituencies, the backroom deals—all the traditional tools used at City Hall—must be put on the shelf now for the good of Los Angeles. To this end, the peace-making press conference Tuesday between the mayor, the council president and the police chief is all to the good.

Here's the story: Daryl Gates looks to be the chief of police until the Police Commission, having completed its investigation, reaches the irreversible conclusion that there are overwhelming grounds for his removal. Or Gates remains chief until he realizes that he has become an impediment to progress and steps down—as The Times has already urged. But until either one of those determinations is made, Los Angeles needs to try going about its business without becoming the laughingstock of the country. The situation is almost out of control. It is the job of the political Establishment to get its act together.

(Indicate page, name of newspaper, city and state.)

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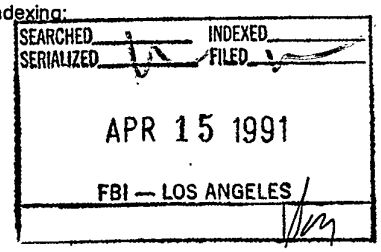

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Black, Hispanic trust in police declines

By Beth Laski
Daily News Staff Writer

Confidence in Los Angeles police dropped sharply among blacks and Hispanics following the videotaped beating of an unarmed black motorist by officers in the Foothill Division, according to a UCLA survey released Tuesday.

However, the March 4 beating of Rodney King did not change the attitudes of white Southern Californians toward police, according to the 1991 UCLA Southern California Social Survey.

"The study suggests that Los Angeles isn't the same home for everyone," said Marilynn Brewer, director of the UCLA Institute for Social Science Research.

Telephone interviews of Los Angeles County residents showed that those who had expressed "a lot" of confidence in local police dropped from 44 percent before the beating to 39 percent afterward, Brewer said.

The number of black and Hispanic respondents expressing "a lot" of confidence in local police fell from 38.1 percent before the beating to 28.2 percent afterward.

The number of whites who said they had "a lot" of confidence in police stayed at a constant 47.6 percent before and after the incident.

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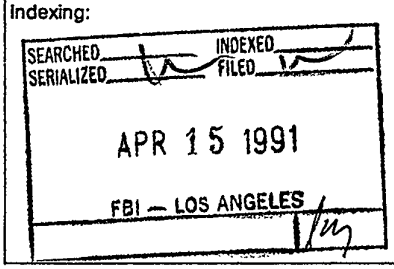

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Police Commission has kept a loose leash on Gates

Joe Scott

The videotaped beating of a black motorist last month by the Los Angeles Police Department — memorialized on national television — has transformed America's second largest city into a volatile Beirut-By-The-Sea, politically.

That Los Angeles Mayor Tom Bradley and Police Chief Daryl Gates called a dramatic truce this week to cool down the rhetoric in their public battle over an incident that has divided the city indicates the seriousness of the problem.

What began as a focus on police brutality, following the indictment of four LAPD officers in the beating of Rodney G. King, has now mushroomed into a politicized incident shattering alliances between ethnic subgroups, the business community and civil rights activists.

The King probe, already tense and full of racial and legal overtones, has now been reframed by some Bradley allies as to whether the controversial Gates is the real culprit in the scandal.

Before the cease-fire orchestrated by City Council President John Ferraro, politics took over when Bradley, who is black — and after seven conflicting statements over several weeks —told Gates, who is white, to resign in order to "heal" a divided city.

The chief, insisting he was putting the LAPD back on track, refused.

Bradley's hand-picked Police Commission, following a strategy developed weeks ago by his office, in concert with the American Civil Liberties Union and black community activists, to get rid of the chief, then voted to relieve Gates of his duties pending the outcome of a probe.

By making Gates the scapegoat before any systemic pattern of brutality could be traced to him, the commission ignored a prophetic warning from its newest appointee, Stanley K. Sheinbaum.

The astute ACLU activist and former University of California regent opposed a rush to judgment.

Sheinbaum, absent from the now-famous meeting, said putting Gates on leave "in the present circumstances would be very difficult" because it would have the taint of a political maneuver.

What disturbed many liberal Westside Gates-haters about the commission's lynch-mob gesture was the lack of any due process afforded the chief, accused of no wrongdoing.

Despite Bradley's lobbying, the weathervane Los Angeles City Council, sensing an injustice and an opportunity to flex its long-dormant political muscle, ordered Gates reinstated — at least until another court hearing April 25.

The council's action stunned Bradley, whose broad-based support within the powerful business community has been damaged by a serious miscalculation.

Gates had enjoyed a superior job rating from the commission for years.

He even got a merit raise in January from the panel that voted, for political reasons, to bench him.

A case can be made that the Police Commission is the real culprit in the King-become-Gates furor by abdicating its responsibility.

The liberal panel — one of its members was now-federal Judge

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Stephen Reinhardt — a longtime, behind-the-scenes, Bradley confidant — inexplicably tapped Republican Gates in 1978, although he was second on the list.

Despite numerous controversial statements offensive to blacks, Jews, Latinos and women, the passive commission has kept a loose leash on Gates, rarely disciplining him and establishing no paper trail for ouster.

The commission has soft-peddled brutality complaints by citizens for years.

Its lack of action ranges from charges of excessive LAPD restraints against right-to-life activists to baton beatings of union janitors in Century City last June.

The city charter gives the Police Commission head-of-department status.

As such, Gates' immediate superior is the panel which serves at the pleasure of Bradley, whose attention has centered on the harbor and airport commissions.

But the mayor and his allies insist that the current powers granted the commission by the charter are too weak, an argument voters have rejected.

The charter makes clear that the commission has the power to supervise, control, regulate and manage the LAPD, and make and enforce all necessary rules and regulations.

Bradley's only adroit move was naming an independent commission to investigate the LAPD's structure and operation.

Heading it is influential Los Angeles lawyer Warren M. Christopher, vice chairman of the McCone Commission which probed the 1965 Watts Riots.

The first of the Christopher panel's seven charges is to investigate the "proper role, staffing and resources" of the Police Commission.

A report by mid-summer may offer some clues about whether the mayor's commission has been derelict during Gates' watch.

Could the present problem have been averted by more vigilance at the top?

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*Joe Scott is editor of **The Political Animal** and **The California Eye** newsletters, and political commentator for KCBS-TV. He lives in Redondo Beach.*

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Mayor's Truce With Gates Seen as Effort to Cut Losses

■ **Police:** Bradley and his deputy initiated talks because the campaign to oust chief was in trouble, sources say.

By GLENN F. BUNTING
TIMES STAFF WRITER

Faced with criticism from business leaders and a decline in his public approval ratings, Mayor Tom Bradley is attempting to extricate himself from the volatile political struggle generated by the police beating of Rodney G. King.

The mayor's desire to pull back from what had been shaping up as a titanic—and highly public—struggle with the City Council and Police Chief Daryl F. Gates prompted a summit meeting Tuesday afternoon between Bradley, Gates and council President John Ferraro.

At a news conference after the hourlong meeting, Ferraro was hailed by Gates for his role as a "peacemaker" in arranging the session, which produced a promise from the three to quiet the battle over whether Gates should be replaced.

But City Hall sources, some of whom spoke on the condition of anonymity, said Bradley and his chief of staff, Deputy Mayor Mark

NEWS ANALYSIS

Fabiani, actually initiated the session after it became clear that Fabiani's behind-the-scenes campaign to orchestrate Gate's removal was in serious trouble.

While the mayor said at the news conference that he still believes Gates should be removed, aides said he has no plans to pursue the chief's ouster, at least publicly. Bradley has denied that there was an underground attempt to oust Gates, although mayoral sources consistently have said otherwise. It is not known if the private anti-Gates campaign will continue, but some sources doubt it.

"Everyone in the mayor's office is running for cover" said one source familiar with the Bradley Administration's strategy.

Another source said the mayor has been left little choice but to alter his strategy regarding Gates, and added that Bradley's willingness to allow Ferraro to don the mantle of meditator was telling: "That Bradley would have agreed to let Ferraro bring them together when he knew that Ferraro was a Gates loyalist was an incredible admission on his part."

Bradley spokesman Bill Chandler denied that Tuesday's joint statement with Gates signaled a retreat by the mayor: "The mayor's position regarding the chief and the Police Commission remains firm and unchanged."

Some sources close to the mayor suggested that one motive behind Bradley's withdrawal was a pending two-week tour of Taiwan, Korea, Japan and Hong Kong. The trip begins Friday and before then, a source said, Bradley needed "to clear the air."

"If everybody is still screaming, how does [Bradley] get out of town and not look like he's walking away from a disaster?" asked one Bradley Administration official.

Tuesday's meeting was only the latest in a series of developments that drastically altered what had seemed a smooth-running attempt to force Gates to resign as head of the 8,300-officer department.

First, Bradley last week publicly demanded Gates' resignation. Two days later, Bradley's appointees on the Police Commission placed the chief on a 60-day leave of absence. On Friday, the council surprised Bradley by ordering the city attorney to settle any lawsuit filed by Gates as a result of the Police Commission action. And a Superior Court judge on Monday temporarily reinstated the chief, but delayed a decision on the legal challenge to

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the chief's disciplining.

Against that backdrop, some of Bradley's strongest supporters in the business community began last week to publicly—and, sources said, in private conversations with the mayor—question the mayor's political strategy regarding Gates.

For instance, Richard Riordan, a prominent Los Angeles attorney and longtime Bradley stalwart, said in an interview that the mayor has "got to back off. . . . I think he cannot go ahead [with a plan to seek the chief's removal]. I think he would be just [putting] himself deeper and deeper into a hole."

Such comments sent Bradley a strong signal.

"It became dangerous," said one source. ". . . He was hearing from people who disagreed with the manner in which he was dividing the city."

Also, a Times Poll late last week found that 6 out of 10 Los Angeles residents believed that in calling for Gates to resign, the mayor had sought to further his political aspirations. The poll also found that Bradley's approval rating had slipped somewhat.

Ferraro, who had voted with a council majority to effectively override Gates' removal, said the first suggestion of a conciliatory meeting between the mayor and the police chief came Monday after he bumped into Deputy Mayor Fabiani in a hallway.

Ferraro and Fabiani had "detailed conversations" about a possible summit and compromises, a knowledgeable source said.

Later Monday, Bradley phoned Ferraro at home.

"John, I hear you'd like to be in a meeting," the mayor said, according to Ferraro. "Well, can you set one up?"

Ferraro said he called Gates at home and the mayor and both sides agreed to a 4 p.m. meeting the next day.

Bradley and Gates sat on separate tan couches in Ferraro's office. The council president said he pulled up a chair in the middle with Gates on his left and Bradley on his right. No one else was present. Ferraro began with an appeal to both men.

"Let's see what we can do to be positive about this," he recalled saying. "As long as we keep attacking each other, the media loves that and that doesn't solve any problems."

Bradley suggested that Gates set a firm retirement date, perhaps as soon as his 65th birthday in August. The chief wanted Bradley to agree to drop the Police Commission's action to put him on leave.

It quickly became clear that neither side would budge.

As the discussion wore on, Ferraro told the mayor that he should tell the city: "Daryl Gates is the chief of police. We got some problems in the Police Department. Nobody knows the department better. I'm for him 100% and I know he can correct them."

Bradley never went along, Ferraro said.

Instead, the three officials settled on a few paragraphs scrawled on scratch paper by Ferraro, basically agreeing to tone down their divisive remarks. Then they appeared on television at 6 p.m.

Bradley was seen by some as the clear loser. The image of the mayor appearing at a news conference with Gates and Ferraro suggested a "total capitulation," said one council member who has assumed a low profile in the Gates controversy but who voted with the majority to settle the lawsuit. The council member spoke on condition of anonymity.

Added Councilman Zev Yaroslavsky: "The mayor looked like someone who wanted to put this behind him."

The announcement stunned community leaders who had been in contact with Bradley's office and had applauded his public call for Gates to resign—and it made clear that removing himself from the fray might not be a simple task.

"It was shocking to me," said Ramona Ripston, executive director of the American Civil Liberties Union of Southern California. "I don't understand why he did it. . . . It signals he is not feeling as certain about the course of this struggle as he did a couple of weeks ago. So, he is hedging his bets."

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Officers in Trouble on Job Often Get Stress Pensions

■ Police: Many accused of misconduct win disability retirement when they say they can't handle the pressure.

By RICHARD A. SERRANO
TIMES STAFF WRITER

In 17 years as a Los Angeles police officer, Norman Nelson took part in seven shootings. He was tried three times on charges of raping a woman while on duty. When he recently strode into a hearing of the city's pension board, wearing black boots and a big Bronco belt buckle, he looked every bit the renegade, cowboy cop.

Then he sat down, and he cried.

"I had all this rage in me," he said.

Nelson, who was never convicted, today lives alone in remote Arizona mountains. He refuses to take medicine for his nerves "because I don't like the way it makes me feel." Asked why he once mistakenly shot and paralyzed a South-Central Los Angeles gas station attendant, he blurted out: "I shot him; that's the way it is."

Then the pension board, as it does with most police stress disability retirement petitions, granted Nelson a tax-free pension of 50% of his salary, or about $20,000 a year.

Throughout Southern California, many police officers accused of misconduct are being awarded pensions for stress-related injuries they say are caused by job suspensions and threatened terminations, criminal charges filed against them, and negative media publicity.

Already, four Los Angeles Police Department officers at the scene of the Rodney G. King police beating last month are claiming medical illnesses—a precursor for a stress pension application.

In the "39th and Dalton" case, where three department officers are on trial and dozens of others are being disciplined, city pension board officials expect a number of stress disability claims to follow.

In Long Beach, two former police officers now being tried for assaulting black activist Don Jackson were granted stress pensions late last year. And Jackson, then a Hawthorne police officer, was awarded a stress retirement after he claimed emotional problems stemming from the assault.

With a public outcry that many police officers appear to be benefiting from their own misconduct, a state Assembly committee held hearings last week in Long Beach to plan reform legislation.

"We're rewarding people who do these kinds of things," said committee Chairman Dave Elder (D-San Pedro). "It's like we're telling police officers that if you really want to get out of here, screw up real big and you're gone. But that is not the message we want to give our employees."

The assemblyman suggested that along with pension reform, local police agencies need to improve their hiring procedures to "find out what's going on with these people's lives" before they're sworn in as police officers.

"You hand somebody a gun, and give him a uniform and a badge, and they are supposed to keep the peace," Elder said. "But who are these people? What do we really know about them?"

Others defend the system. They say police work by its very nature is strenuous, and they argue that many officers get into trouble only when they believe there is no other way to relieve the stress and strain inherent in such a dangerous job.

Michael Mantell, a San Diego psychologist who built a sizable practice treating officers with emotional problems in Southern California, said officers claiming a stress disability undergo a rigorous investigative process lasting an average of two years. Seldom, he said, are troubled cops trying to cheat the system.

"I don't think there's a lot of people going to the bank laughing," Mantell said. "There's not a lot of money involved for them, considering how long it takes and what they have to go through to get it."

Michael T. Roberts, an attorney who specializes in representing police officers on disability claims

FBI/DOJ

before the Los Angeles Board of Pension Commissioners, agreed.

"You can't really profit from your own wrongdoing," he said. "The staff here is very good at investigating claims. And this board is very good at weeding out those who are just trying to salvage something out of being fired."

The Los Angeles pension board hearings, held each Thursday, are unique in that there is perhaps no other public setting where police officers accused of brutality, racism, neglect of duty and other misconduct speak openly and candidly of the dark side of enforcing the law.

They describe incidents where they perhaps shot an innocent person, or froze at the trigger when they should have killed an armed suspect. They describe grand jury investigations, interrogations by the police Internal Affairs Division, job suspensions and terminations, intense media pressure, the break-up of friendships at work and, for many of them, divorce and long hours spent contemplating suicide.

They describe frayed nerves, hypertension, headaches and depression. One officer told how the hair on his head and hands fell out. Another described purple splotches that broke out on his face. Several suddenly gained weight—30 and 40 pounds—and still couldn't stop pulling into fast-food restaurants.

Few if any of them make it through the pension hearing without reaching for the box of Kleenex at the witness table.

"If there's a strong discipline case against an officer, then there's a strong chance the guy's going to come over here for a disability pension," said Gary Mattingly, general manager of the Los Angeles pension board.

"He knows he's not going to get another promotion or a better assignment. He might feel his career is ruined and he's embarrassed. He might realize the only alternative is to get out."

Police agencies throughout Southern California have different approaches to handling stress claims.

In San Diego, the City Council voted in 1982 to no longer offer stress retirements to new police officers. At that time, San Diego was experiencing a high number of police officers being shot in the line of duty, and a growing number of stress pension claims was threatening an already-tight city budget.

Lawrence Grissom, the city's retirement director, said that since 1982, San Diego has seen a 50% to 75% reduction in stress claims. He said police recruits hired since that time are advised of the change from the outset.

"We tell them that at orientation, right out there at the training academy," he said. "I run through their benefits and I emphasize the fact that there is no stress disability for San Diego police officers."

Grissom also noted that many officers who win stress pensions go on to find work elsewhere.

"One guy is a chief of security for a private firm," he said. "Another is a contractor. Another's a truck driver."

Other police officers blame their stress problems on feelings of betrayal by their colleagues and superiors.

Sgt. Charles Mattingly was awarded a stress pension after he was disciplined for shooting a San Diego drug suspect with an electric stun gun in 1987. The suspect later died, and the San Diego Police Department, under a barrage of negative media coverage, blamed Mattingly.

In the end, the sergeant took his stress retirement money, quit the police force and returned home to Colorado.

His San Diego attorney, James Gattey, said Mattingly suffered depression, anxiety and insomnia, not out of guilt for using the stun gun, but because he felt rejected by his "police family."

"It became a case where the family caved in on him," Gattey said.

In Orange County, former Stanton Officer Anthony Sperl formed a California Police Stress Institute and traveled the country holding training seminars for police recruits. Sperl brought to the counseling group a bit of firsthand expertise—he retired on a stress pension himself after mistaking a toy gun for a real weapon and fatally shooting a 5-year-old boy in 1983.

"I've seen cases where one guy, who was living with me, was so stressed out he woke up in the morning drinking and he was drunk by 8 a.m.," Sperl recalled. "He worked a high-crime area for 20 years and couldn't take it any longer. He's out in Iowa now playing Joe Farmer.

"But I've seen other cases of guys who are marginal, guys who are having problems with the LAPD, say, and they want to take the heat off them. There's a real fine line here. Oftentimes, it's just the notoriety that ruins you as a police officer."

Stacy Picascia was chief of police in Seal Beach when he took a stress retirement in 1987 after developing high-blood pressure. Although his desk job never called on him to chase criminals through city streets, he found the work of appeasing the City Council and various community factions—and his own police officers—stressful nonetheless.

"My fingers were numb," he said. "I'd get headaches across the forehead. I was eating and drinking bottles of Maalox I kept in my desk. I had rolls of Rolaids in my car.

"Sometimes I had numbness in my arm. I felt pains across my chest. It's scary. You don't really know what is happening to you."

Similar stories are heard by the Los Angeles pension board, which by far handles the most stress pension applications for police officers in this region. In fiscal year 1990, the board granted 56 disability pensions, 14 of which were stress-related. The 1990 figures reflect an increase in stress pensions since the mid-1980s, when a large number of psychiatric-related petitions prompted city officials to tighten the rules.

Lt. Ken Staggs, who serves as the LAPD's representative on the board, said the panel seldom has any choice but to grant a pension when the Police Department states it no longer has a position available for an officer.

If a state worker's compensation judge has already ruled in favor of an applicant, the pension board almost always follows suit and grants a pension for the work-related injury, Staggs said. And, he pointed out, an applicant can always find one or more psychiatrists to conclude that he is no longer capable of being a police officer.

Should the board be tougher?

"That's a difficult question," Staggs said. "That's really difficult to answer. But if an L.A. police officer in a blue uniform comes before this board and tells me he's been out in that patrol car and has never had a break for 20 years, and tells me he's stressed out, I wouldn't even question him."

When a police officer receives a stress pension, any pending administrative discipline is immediately dropped because he retires. At the same time, many officers seek stress pensions after being disciplined or demoted because they are concerned that their careers are in jeopardy.

Each time they appear before the board, they tell their stories in hopes of winning a tax-free pension.

• Officer Jon Pearce shot and seriously wounded an elderly man he spotted waving a shotgun on his front porch in Southwest Los Angeles. But it turned out the man was actually trying to scare drug dealers away.

In 1989, a jury ordered the city to pay $2.2 million in what was hailed by attorneys as the largest police brutality and false arrest judgment in Los Angeles history.

"I just feel very hostile," Pearce told the pension board in November, ending his seven-year police career. "I don't feel interested in having any kind of social intercourse with anybody. Just the problems I have around the house seem to be enough without adding to them."

Pearce was awarded 70% of his salary, or $2,553.12 a month.

• Unlike Pearce, Sgt. Antonio Garcia broke down after he was unable to pull the trigger. He froze at the very moment he drew a bead on a suspect running through the streets armed with a machine gun.

"I endangered everybody," Garcia said, weeping uncontrollably during a board hearing in December.

Asked to explain why he crumbled emotionally after 18 years of duty, Garcia groped for words.

"Sir, I don't know," he said. "I really don't know because that's when I had my . . . I had a serious nervous disorder. I had a complete breakdown. And I don't know what happened."

Garcia was awarded 50% of his salary, or $2,381.42 a month.

Sgt. Spencer Lynn, an LAPD internal affairs investigator, received a stress pension.

In his 18-year police career, he was convicted of theft, participated in several police shootings, was pinned down by 90 minutes of gunfire during the Symbionese Liberation Army shoot-out in the 1970s, and once held a fellow police officer as he died in his arms.

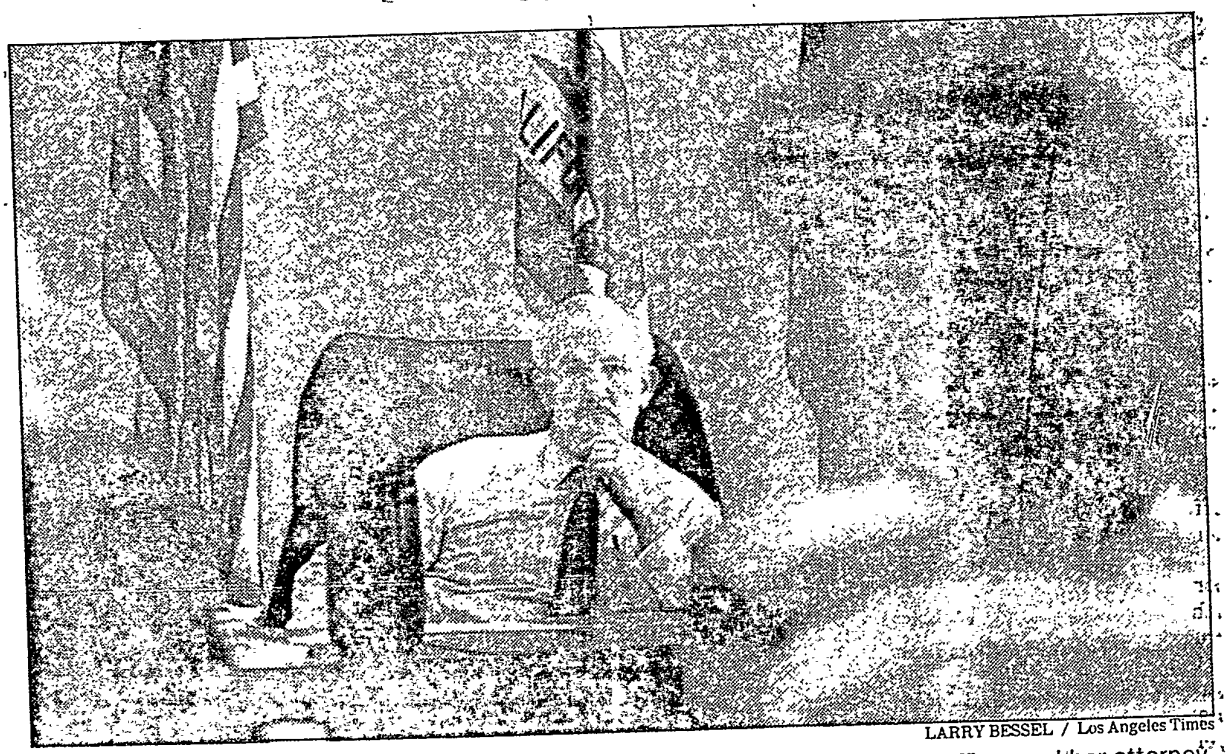
"I had nightmares for years," he told the pension board in November, "particularly over observing the murders of at least three officers during my career and the constant thought of being involved in another one any day."

Lynn received 60% of his salary, or $2,781.22 a month.

• Sgt. David D. Wiltrout, another LAPD internal affairs investigator, became distraught and admitted to his supervisors that he had lied on the witness stand during the police misconduct trial of a fellow officer. He said he was also stressed out after handling a number of high-profile police misconduct cases as an internal affairs investigator, and feared he was going to be fired or transferred to a light-duty position after 22 years on the force.

He turned to the pension board for help in 1989 and received 50% of his salary, or $2,262 a month.

"They're going to put me in a rubber-gun assignment and stick me in some room doing nothing," he told the pension commissioners. "That's just as bad as anything, if not worse."



LARRY BESSEL / Los Angeles Times

Lt. Ken Staggs, the LAPD's representative on city pension board, listens to an officer and her attorney.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Leader Wants Police Union to Join Bradley Recall Move

By LOUIS SAHAGUN
TIMES STAFF WRITER

The president of the Los Angeles Police Protective League, which represents the city's 8,100 police officers, said Thursday he wants the union to throw its political clout and $1.5 million war chest behind a proposed effort to recall Mayor Tom Bradley.

Lt. George Aliano said that Bradley is "a hindrance to the city and to the Police Department" and that Los Angeles Police Department officers have lost confidence in the mayor.

Aliano argues that too much political interference has followed the Rodney G. King beating and threatens to contaminate the department. In particular, Aliano said, officers are outraged at the mayor's call for Chief Daryl F. Gates to resign, and over Bradley's appointments to the five-member Police Commission, which last week placed the chief on an involuntary 60-day leave of absence.

Aliano and the league hierarchy traditionally have been at odds with Gates over such issues as discipline and mandatory drug testing of officers. But in this case, Aliano said, the struggle is over the future of the Los Angeles Police Department.

"This is bigger than Gates," Aliano said. "This is over the future of LAPD and how it serves people."

Gates was reinstated Monday by a Superior Court judge pending a hearing set for April 25 on legal issues raised by his furlough. But the Police Commission on Thursday went to the state Court of Appeals to challenge the lower court order.

"The paramount issue is whether or not the Police Commission supervises and manages the Police Department," said commission Vice President Melanie Lomax. "Chief Gates has become a secondary issue."

But the filing irked City Council President John Ferraro, who Tuesday helped arrange a political cease-fire between the mayor and Gates.

"I'm very disappointed at this action," Ferraro said. "Apparently, they didn't hear about this love fest that Tom Bradley and Daryl Gates and I had the other day."

Aliano's remarks followed the first of five scheduled private meetings with rank-and-file officers to determine what actions they want to take in response to the political turmoil created by the police beating of King.

There is some question, however, over whether Aliano has the full support of his own board. Two league officials, who asked not to be identified, said there is dissension on the union's board over the proposed recall effort.

Aliano acknowledged that some of his associates are displeased by the recall effort, but added that he expects to find that most officers support the drive.

He acknowledged that he had difficulty getting some league officials to help him organize this week's membership meetings and attributed their reluctance to the fact that they have fought Gates for years and do not like coming out so forcefully in his defense.

Aliano said his organization, which represents officers below the rank of captain on salary and other work issues, intends to contribute its "name . . . for endorsements, thousands of volunteers, money and the ability to hire experts" for a recall drive.

The police union expects to join forces with Marvin Feldman, a La Canada activist who helped lead the ultimately successful campaign to oust State Supreme Court Chief Justice Rose Elizabeth Bird in 1986.

"We're ready to roll," said Feldman, 50, who on Thursday said he was writing a legal notice of intent to recall Bradley, which he said would be published next week. Filing the notice would be the first step in the months-long process of launching a recall campaign.

The next step would be to gather enough signatures of registered voters to place the issue on the ballot.

"We only need 210,000 signatures to get it on the ballot—and they give us 120 days to do it," Aliano said.

(Indicate page, name of newspaper, city and state.)

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Feldman said the recall campaign "will focus on the failure of the mayor to exercise professional leadership and statesman-like conduct in the aftermath of the Rodney King incident. It will also focus on his obviously biased appointments to the Los Angeles Police Commission."

Aliano and others have said Bradley's recent appointments to the Police Commission make it clear that the mayor wants a commission that will be tougher on Gates. They are also critical of Bradley's eventual public call for Gates to resign at a time of crisis.

While the police union will be "a very important aspect of the recall effort," Feldman said he was trying to line up other groups to lend support including "homeowners groups, police booster clubs, women's groups, chambers of commerce."

Aliano's remarks come only two days after Bradley and Gates declared a public truce.

"I'm not part of the truce, and I don't work for the chief," Aliano said. "My members explained to me what it is they wanted and that's what we'll do."

Bradley spokesman Bill Chandler said the mayor had no comment on the police recall effort. "The vast majority of the people of this city support the mayor's position that the chief of police should resign, and the vast majority support the position of the Police Commission," Chandler said.

Some interpreted talk of recalling Bradley as an attempt to deflect attention from the videotaped beating of King on March 3.

Joseph Duff, president of the Los Angeles Chapter of the NAACP, called the recall threat an effort to "twist the democratic process."

He added: "Police officers should not be involved in politics, from the chief on down—that's exactly what the problem is right now."

Sgt. O'Neil Carter, spokesman for an African-American police officers' organization representing about 500 of the 1,100 black officers on the force, agreed saying: "Our position stands. We are staying away from the politics involved in this issue."

Los Angeles Police Detective Bill Whittaker expressed a different sentiment when he left the first of two union meetings held last Thursday at the Los Angeles Convention Center. "The mood here is that we are very concerned about moves on the part of the mayor and the Police Commission," Whittaker said.

Three additional meetings are scheduled to be held today at the Sportsmen's Lodge in Studio City and at Parker Center.

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(Mount Clipping in Space Below)

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BILL BOYARSKY

The Question That Joined the Battle

If Jerry Dunphy didn't ignite the *mano a mano* struggle between Mayor Tom Bradley and Police Chief Daryl F. Gates, he certainly helped it along.

March 19 was the date. Bradley was in Hawaii helping persuade the National Football League to play a Super Bowl in the Rose Bowl. Dunphy, KCAL Channel 9's veteran anchor, was interviewing the mayor via satellite for the 10 p.m. broadcast, live from Kona.

The Rodney G. King case had taken a dramatic turn. Newly released police computer tapes revealed cops engaged in racist chatter. Bradley was under increasing pressure from L.A.'s liberal leadership, including blacks and Latinos, to demand Gates' resignation. But the mayor so far had declined to do so, saying the decision was Gates' and Gates' alone.

Much of journalism is how you ask the question. Everyone had been asking Bradley whether Gates should go. Dunphy put a different spin on it.

If the Police Department's policy on force is modified, he asked, if King is compensated and the guilty officers punished, "then why should Chief Gates leave?"

Much to Dunphy's surprise, this time Bradley responded. "We have suffered a grievous harm and I think it will be years before that image is corrected," he said. "In order for us to start that healing process, it is necessary to have some drastic changes and I think . . . it would help in that healing process if the chief retired."

"We led him down the path," Dunphy recalled for me this week, "and led him right into it."

□

Down the path and directly into battle.

Knowing they had something, the KCAL news crew worked the story hard. KABC, picking up the KCAL quotes, did the same on its 11 p.m. news show. Seeing the way the story was developing, Bradley's press secretary, Bill Chandler, called television stations and newspapers assuring them the mayor was not calling for Gates' resignation.

"They tried to deny it," said Dunphy. "But we played the tape back."

The mayor's words spoke for themselves, and the Bradley position was now clear: It was time for Gates to go. And now, if Gates did not go, it would represent a loss for Bradley. He could take cover no longer behind his limited mayoral powers: His political hide was on the line. The game had changed.

It was a complete reversal of form. A secret of the mayor's long success had been his ability to avoid the fray. As Ira Reiner once put it, Tom Bradley never steps on the battlefield until it's time to count the wounded.

In fact, the Bradley assault on Gates had been following the traditional pattern, with the mayor standing far above the bloodshed. No wonder the interview caused consternation for his aides.

□

Why did he do it?

One reason was the question. Politicians grow accustomed to hearing the same old questions. They give the same old answers, as if their minds were on automatic pilot. The reporter who phrases the question a bit differently sometimes gets the honest answer.

That's what happened to Dunphy. It's easy to make fun of Dunphy, who many believe was the inspiration for Ted Baxter, the not-so-smart and all-too-pompous anchor on the Mary Tyler Moore Show. He's had lots of career setbacks, but Dunphy's Irish face and thick white hair have been trademarks of L.A. TV news through the medium's many transformations, and he's still an anchor. In short, Dunphy is a survivor, and on this night he scored a coup.

But I think there was another reason why Bradley spoke out.

The text of the computer messages must have infuriated him. "Right out of 'Gorillas in the Mist,' " said one officer, describing the scene at a black family's home.

I can only guess at the impassive mayor's personal reaction to the messages, just as I could only guess at his reaction to racist personnel reports written about him years ago when he was a black officer in a Los Angeles Police Department full of racism. I'd seen those reports and especially remember one written by a half-literate superior who clumsily invoked racial stereotypes in giving Bradley a bad rating.

Those memories inside the mayor are dynamite, just ready to be exploded. Dunphy struck the match.

In the background was the fact that Bradley was already prepared to escalate the attack, although not in that particular manner. "The reaction to the computer messages convinced the mayor to take another step," said Deputy Mayor Mark Fabiani, a key strategist in the campaign against Gates.

But the game was supposed to proceed carefully, according to the mayor's timetable. It did, until Bradley heard the familiar voice of Jerry Dunphy, a man who'd interviewed him for more than a quarter-century. A familiar voice, asking the question in an unfamiliar way. The answer sent the mayor down an uncharted road, leading to a political destination as yet unknown.

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(Mount Clipping in Space Below)

King Fights Emotional and Physical Scars

■ Recovery: He is depressed and suffering headaches and numbness from the beating by police, his ex-wife, doctors say.

By LESLIE BERGER
TIMES STAFF WRITER

Nearly six weeks after his beating by Los Angeles police—and seemingly forgotten in the political turmoil that has followed—Rodney G. King fears retribution, spends most of his time seeing doctors, and thinks a lot about the headaches, scars and facial numbness that he worries might become permanent.

A man who was always concerned about his looks, and particularly fussy about his teeth, King is depressed about his appearance and will likely need more surgery to minimize scars on the right side of his face, his plastic surgeon and ex-wife said last week.

King, who never enjoyed sitting at home, now leads a sedentary, largely secluded life, venturing out mainly for medical treatment with a wheelchair and cane. Never much of a bookworm, the 25-year-old manual laborer and high-school dropout does not even enjoy television these days because "every time he turns on the TV he sees something on it [the beating]," ex-wife Dennetta King said.

"He's depressed, he's scared," said Dennetta King, adding that she speaks with King about twice a week, mainly about their daughters. "That's about all he talks about.

"He's depressed because they beat him like that and he feels that his manhood has been taken, and he's scared because he don't know if they're going to try to beat him up again or kill him or what," she said.

Dennetta King said her ex-husband has been staying at a series of undisclosed, private homes with family members because of threats.

King's attorney, Steven Lerman of Beverly Hills said he has hired security guards to "watch [out] for him."

Lerman has filed an $83-million claim against the city on King's behalf. Lerman said he plans to file a civil suit seeking at least $56 million, or $1 million for every blow King allegedly suffered at the hands of police.

Three Los Angeles police officers and a sergeant have been indicted on charges of excessive force, while investigations continue into the culpability of 17 other officers present.

Although the March 3 videotaped beating in Lake View Terrace has been replayed across the country and overseas, igniting an unprecedented political war within city government and a series of investigations, King has avoided publicity.

Lerman said he has declined all requests for interviews with King from reporters because "I don't feel he's in any kind of shape to be seen."

"He's really a very, very, sweet, sweet man and surprisingly lacking in hatred," his lawyer said. "He just wants to get well and he's afraid the [police] will still come for him."

King's neat, blue home in Altadena has the curtains drawn, its phone number and those of other family members long ago changed. Neighbors say they do not hear from King, and only occasionally catch word that "he's doing OK" or "getting by."

King suffers from painful headaches and numbness on the right side of his face where the bones of his cheek and eye were fractured "like an eggshell," his plastic surgeon, Dr. Alvin Reiter said.

King's bones appear to be healing well after five hours of reconstructive surgery

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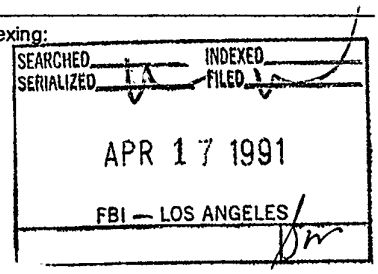

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March 14, Reiter said. The natural tightening of the skin during the healing process has created "significant bumps and depressions" on King's face that probably will require more surgery, Reiter said.

"He's very concerned about what he's going to look like," said Reiter, who said that King's was not the worst case he's had, "but it's pretty bad."

Dennetta King said Rodney was always proud of his good looks and used to take longer than her to wash and dress. "He loves his teeth and face," she said. "He brushed quite a bit, and used to get on the girls all the time about brushing their teeth. He believed in pretty teeth."

King is also upset about the numbness on the right side of his face that makes eating awkward, even while on a diet of soft foods because he cannot chew normally. He is very self-conscious, Reiter said, because "psychologically you don't know whether you have something on your lip or not. It's exactly like having Novocain at the dentist."

Reiter said the probability is "good" that the numbness will be permanent, based on other cases, but it remains to be seen.

King's speech is slurred, in part because he is unable to fully purse his lips, Reiter said. King is also being treated by a neurologist, eye surgeon and psychiatrist. He is undergoing physical therapy to regain the use of his leg broken during the beating, Reiter said.

Dennetta King said Rodney's memory "still messes up."

Lerman said that King's doctors suspect that he may have brain damage but they do not know the full extent of those injuries. He said that memory loss is "one of the biggest problems he has," adding that King often loses his train of thought during conversations.

"Sometimes, he'll just sit and stare and you feel that he's really not with you," Lerman said.

King has been interviewed by Los Angeles police officers investigating his beating. Cmdr. Rick Dinse, who is overseeing that investigation, declined to discuss King's condition.

King remains under investigation for the Feb. 21 armed robbery of a San Fernando Valley video store. Los Angeles police have acknowledged that he became a suspect in the case, in which a store clerk was shot in the shoulder, after his beating and his photograph was widely broadcast on television. He is on parole for a 1989 robbery of a Monterey Park grocer.

The Feb. 21 case was referred to the state attorney general's office for investigation, to avoid a conflict of interest by police.

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MAYOR BRADLEY ON FIRING GATES
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Letters to The Times

Mayor Bradley on Firing Gates

■ In response to Glenn Bunting's news analysis, "Mayor's Truce With Gates Seen as Effort to Cut Losses" (Part A, April 11):

The purpose of this letter is to outline, in clear terms, my reaction to the Rodney King beating and the controversy over the Police Department.

As mayor, my job is to protect this city. We have been thrust into the midst of a storm of controversy that is unlike anything our city has ever seen. The horrors of the Rodney King beating, and the racist comments contained in computer transcripts of conversations between officers that evening, proved to me that the problems of police brutality and racism in our Police Department cannot be denied.

After giving Police Chief Daryl Gates ample time to reach what I hoped would be the best decision for the city of Los Angeles, I called for his resignation. Since our City Charter gives civil service protection to general managers, I used moral persuasion and added my voice to the chorus of calls—from The Times, Daily News and thousands from the community—for the chief to resign.

Meanwhile, the Police Commission took its separate and independent action of placing the chief on a paid administrative leave while the investigation was under way. That's when the City Council attempted to substitute its political will for the good-faith decision of our Police Commission. Under our City Charter, the City Council does not have authority to overrule a decision by a commission. The courts will now decide the legality of this blatant grab for power on the part of the council.

The media turned the debate from the very real issues of police brutality to simply a personality dispute between the chief and myself. Public opinion clearly demonstrates the overwhelming support for both the chief to step aside and for the Police Commission's action.

My joint statement with the police chief and City Council President John Ferraro was simply an agreement to give a rest to the rhetoric that had filled the airwaves (Part A, April 10). My opinions remain unchanged. My feeling that the chief of police should step aside remains firm. The Police Commission's investigation of the chief will continue undaunted. And the independent Christopher Commission will make long-term recommendations about the future of the department.

The Times speculated that my office was engaging in an orchestrated campaign to remove Gates; the truth is that the outpouring of public sentiment clearly demonstrated the residents of this city want Police Department practices to change.

The Times speculated that public opinion polls or pressure from business leaders influenced my decisions in this matter; nothing could be farther from the truth.

My responsibility is to follow my personal conscience, to serve fairly, honestly and well. No matter the clamor from abroad, no matter what will be said, I know that if I can live with my conscience and feel comfortable with my decision, I will have done the right thing.

TOM BRADLEY
Mayor of Los Angeles

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(Mount Clipping in Space Below)

Has Police Beating of King Taken the Luster Off L.A.?

■ **City:** Videotaped brutality raises questions of how far 'the new Ellis Island' has come from racism of the past.

By FRANK CLIFFORD
TIMES URBAN AFFAIRS WRITER

Like Selma, Ala., during the civil rights movement of the 1960s or Boston during the school busing crisis a decade later, Los Angeles finds itself in the aftermath of the Rodney G. King beating the principal player in a national morality play.

The specter of institutional racism has been raised in a city that prides itself in its ethnic diversity. People from all over the world are asking whether the nation's new melting pot has become a caldron of racial hostility. As official efforts to resolve the crisis seemingly go nowhere, concerns are being voiced about whether the city's century-old form of government is up to solving the problems of a modern multicultural society.

Ironically, the crisis comes at a heady time in the city's history and challenges the city's modern sense

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of itself as the "Capital of the Pacific Rim" or "the new Ellis Island."

"Los Angeles is enacting the drama of the '90s," said author Kevin Starr, who is writing a multivolume history of Southern California. "People are looking at L.A. and asking if local government, if traditional institutions can handle the pressure—the crime and poverty, the cultural and environmental tensions—that accompany the kind of social change Southern California is experiencing."

The images of white Los Angeles police officers beating a black motorist raises a vexing question. Is Los Angeles really all that changed? Or did George Holliday's now infamous home movie capture the ghosts of the Zoot-Suit riots, the Sleepy Lagoon frame-up and other horrors from a racially troubled past the city would prefer to forget?

There have been videotaped police beatings in at least a half-dozen other cities. But none caught the eye of the world like the King incident.

"People tend to look to Los Angeles," said the black mayor of another city who asked to remain anonymous. "L.A., or Southern California, has always been seen as the laboratory for the nation, as the the place where ideas and trends are tried out first.

"So, if you have an experiment go awry, it's bound to make a big impression."

Los Angeles City Councilman Robert Farrell, who is black, said the King videotape stood out in the minds of people because it represented something frighteningly American.

"It fit an American stereotype, a legacy of slavery—a gang of white men brutalizing a helpless black," Farrell said.

Halford Fairchild, a black psychologist practicing in Los Angeles, agreed. "What was unmasked by this incident was the dark side of America."

For Los Angeles, the fallout from the King beating is acutely embarrassing because the city has worked so hard in recent years to promote itself as a haven for people of all colors and creeds.

"The incident is painful because it forces us to look at the difference between what we are as a society and what we would like to be," said Richard Weinstein, dean of UCLA's School of Architecture and Urban Affairs.

Added Sharp James, the mayor of Newark, N.J.: "I think it has hurt Los Angeles because it contradicts the city's image of a melting pot. You think of Los Angeles as this advanced, open society and all of a sudden it's behaving like some Southern backwater.

"I saw people watching that videotape who cried. You can't have a reaction like that without changing your view of the city."

People were shocked to see it happen in Los Angeles because "they have such a benign view of the city," said Xavier Hermosillo, a

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FBI/DOJ

public relations firm executive and the founder of a Mexican-American business association.

"I heard people asking: 'How could it happen in L.A.? It's such a laid-back place, not violent like New York.' "

Protests have poured in from everywhere—the mayor's office received phone calls from as far away as Hong Kong, Japan and Australia. One East Coast mayor compared Los Angeles to Montgomery and Birmingham in the days of civil rights violence in the South. In Seattle, a city councilwoman concerned about police brutality proclaimed "we are committed to seeing to it that Seattle does not become another Los Angeles."

"I'm not sure I can remember a local issue that has provoked so much discussion from so many quarters," said talk show host Michael Jackson, whose Los Angeles-based program has been on KABC radio for 23 years.

In fact, Los Angeles has not received so much attention since the 1984 Olympics, heralded then as the dawn of the city's golden age.

In opinion polls and on talk shows such as Jackson's, people are asking hard questions about "the system." Is the Police Department racist? Should the mayor of Los Angeles be granted the authority to fire the chief and other city department heads—a prerogative enjoyed by most mayors? Can a City Charter drawn by a group of wealthy, white, middle-class businessmen nearly a century ago be responsive to a modern society where minorities are in the majority?

Some critics suggest the beating revealed a character flaw in the city.

"An incident like this exposes a darker side of the city which I think many people experience in Los Angeles," said Larry Josephson, a commentator on National Public Radio who broadcasts part of the year from Los Angeles and part from New York. "Underneath the city's have-a-nice-day facade, there is a meanness or a coldness. It's just not as friendly as it seems."

Others see the beating as evidence that the city still has enmity against nonwhites. The officers who stood by while comrades worked over King have been likened to the policemen who did not nothing to stop a mob of several thousand Anglo servicemen from clubbing scores of young Mexican-Americans in an infamous rampage, known as the Zoot-Suit Riots, in downtown Los Angeles 50 years ago. The riots followed another ugly episode—"The Sleepy Lagoon" murder case in which anti-Mexican feeling led to the wrongful convictions of 17 Mexican-Americans on a variety of charges. They were later exonerated.

One person who saw connections between the King beating and Los Angeles of old is Robert Towne, who wrote the screenplay for the movie "Chinatown"—a blend of history and fiction that paints a hauntingly sinister view of the city's early power structure.

Towne said the beating reminded him of events that preceded the 1965 Watts riot.

"It's not like anything in this city since Watts, where the Police Department failed to see what they were dealing with was not a bunch of hoodlums but a social revolution," Towne said.

The screenwriter stressed he was not predicting that the King beating would lead to another riot, but just noting that "the same fundamental insensitivity we hoped was dead and buried has raised its ugly head once again."

When cities become victims of their own bad publicity, the results can be devastating. Officials in Phoenix estimate the city is losing more than $140 million from boycotts by groups protesting Arizona's refusal to adopt a holiday in honor of the Rev. Martin Luther King Jr. Boston and Philadelphia lost substantial convention business, according to surveys, after the cities became known as hotbeds of police-community hostility during the 1970s.

■ **SLOW RECOVERY FOR KING**
Victim is suffering headaches, scars and facial numbness, his ex-wife and doctors say. B1

In Dallas, it took 20 years, a popular TV show and a national political convention to erase the image of the town that killed President John F. Kennedy. With the 1963 assassination, the city's reputation for social intolerance was etched deeply on the national consciousness. For years, conspiracy theorists chewed on the notion that the President's assassin was the agent of right-wing Dallas billionaires.

A city that falters in front of the whole world may have to spend years proving it is not a loser.

In Los Angeles, the process is off to a slow start.

The debate over Police Chief Daryl F. Gates has deteriorated into a paralyzing struggle between the mayor and City Council, and doubts about the Police Department have mushroomed into skepticism about local government in general.

"The whole issue of who is in charge and how do we govern a city of this complexity is now on the table," said Jane Pisano, president of the 2,000 Partnership, a coalition of academic, civic and business leaders.

As Towne put it, there is a disturbing "appearance of a moral vacuum at the top of city government. It lets you know that this city is not working as well as it once did."

This line of discussion inevitably leads back to the City Charter—a document drawn up in the early 1900s by reform-minded Anglo entrepreneurs who wanted an antidote to the widespread governmental corruption of the day. The charter brought about a Civil Service system that was meant to ensure basic city services were run by professionals beyond the reach of political hacks.

Today, that mechanism is under attack because, critics argue, it protects Gates from being held accountable for his occasional racially tinged comments. Minority leaders in particular have argued that such comments encourage

acism in the Police Department.

"The [governmental] system wound up causing more problems than it solved," said UCLA's Weinstein.

Weinstein said the insulation of high-ranking public officials from political accountability can be blamed in part for a variety of Los Angeles problems related to public safety, planning, transportation and the environment.

"The system fails to provide where the buck stops," he said. "And when the public can't focus the blame where it belongs, they are inclined to throw everybody out of office."

Not everyone would junk the system. Starr, the writer, and others contend that it would be a serious mistake to scuttle something that has gotten the city this far.

"Los Angeles is the most complex city in the country," Starr said. "It requires the skills of expertly trained professional managers, and you can't get those people to work for a highly politicized city."

He noted that Civil Service protection, by requiring a quasi-judicial review before someone can be fired, provides a degree of fairness that might be sorely missed if the system is revamped.

Starr asked: "Who is to say the next department head [under fire] isn't a black or a Hispanic or an Asian? How will we protect that person's rights?"

There are also those people who do not believe the King beating put the city's soul in peril. Among those people are several black mayors who visited Los Angeles last week.

"I think people separate the incident from their overall view of the city," said Mayor W. Wilson Goode of Philadelphia. "I don't think the city need suffer that much over it."

Not so sanguine is Los Angeles Mayor Tom Bradley.

"Clearly, our city's reputation is on the line," said Bradley late last week, as he prepared for a trip to Taiwan, Korean and Japan. His aides said the mayor's hosts have made clear they want some explanations about the entire King episode.

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Gates wants respite from critics

By Dollie F. Ryan
UPI METROWIRE

Embattled Los Angeles Police Chief Daryl Gates called Sunday for politicians, the media and his critics to move beyond the police beating of a black motorist and allow his department to "get on with it."

But Jesse Jackson and other civil rights activists continued their vigil on behalf of Rodney King, who family members say still uses a cane and wheelchair as a result of his March 3 beating. The incident was filmed by an amateur cameraman and sparked a national outcry.

"The most powerful weapon against darkness is not a light," Jackson said in a speech to Sunday services at the First AME Church in South Central Los Angeles. "Put down your guns and pick up your cameras and expose the madness."

But Jesse Jackson keeps up pressure

He also called for a nationwide boycott of Los Angeles, suggesting that groups planning on holding conventions in the city be encouraged to choose another city.

"Use your mind, your marching feet and your dollars intelligently," Jackson told worshipers. "Don't give up. Stand up."

At a rally held earlier Sunday by Gates supporters on the steps of City Hall, the police cheif reiterated his belief that the police pummeling of King during a routine traffic stop was an aberration.

"We had one incident. Let's isolate it and deal with it," Gates said. "It seems like we keep dragging on with the pain. I want to get on with it."

The rally, organized by Citizens In Support of the Chief of Police, was attended by about 500 people flashing placards, bumper stickers and T-shirts bearing pro-Gates slogans. Most of those attending appeared to be family and friends of police officers.

A half-dozen people spoke on Gates' behalf, including Councilwoman Joy Picus, who praised her colleagues for having the "guts and strength" to reverse the Police Commission's suspension of Gates pending an investigation of the King beating.

"You can't send (Gates) to his room like a 5-year-old child," Picus said. "That's not the way we do things in this city."

Picus conceded that changes were necessary within the city's police department. But she said Gates was the appropriate person to institute those changes.

"I believe he is the best person to make those changes," she said. "He knows what needs to be done and the troops will support him."

Meanwhile, nearly six weeks after his highly publicized beating, King is worried about retribution, suffers headaches and routinely moves from one relative's home to another out of fear.

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COLUMN ONE

Black Cops Caught in the Middle

■ In the aftermath of the King beating, many must suffer taunts of fellow African-Americans. The LAPD officers struggle to sort through conflicting emotions.

By CHARISSE JONES
TIMES STAFF WRITER

There were complaints of loud music at a Crenshaw apartment. Officer Garland Hardeman, an eight-year veteran of the Los Angeles Police Department and a black man, went to the apartment and told the tenants to turn it down. They did—but the volume went back up as soon as he was out of sight.

Hardeman returned, and the insults began.

"What are you going to do, beat me like Rodney King?" the woman yelled. "You black cops are just Uncle Toms. You're no better than the white boys!"

That was in mid-March, two weeks after white Los Angeles police officers had been captured on videotape beating a black motorist—an episode that has proven to be an especially difficult passage for some of the Police Department's 1,150 black officers.

Beyond the disappointment and anger felt by many of the department's 8,300 officers over the incident, some black officers say they must now endure taunts from fellow African-Americans, as well as deal with their anguish over wearing the uniform of a department being accused of institutional racism. As the taped beating is run again and again, and kept alive by the ensuing political drama, African-Americans on the force have struggled to sort through sometimes conflicting reactions as police officers, as citizens, as black men and women.

There is no uniform response. Lengthy interviews with about 20 black officers yielded expressions of love for the department and anger over how the actions of a few have tarnished their badges. Some said they were torn, not wanting to believe that the beating was racially motivated, but saying that they can find no other explanation. A few talked of quitting.

Several said that it has never been easy being a black police officer in Los Angeles. Some described how they attempt to tread a thin line between the department they serve and the community they swore to protect. Some spoke of a continual battle to defend their occupation against widespread perceptions in the black community that officers are often brutal and the department permeated with racism.

Still others told stories of internal department racism, depicting the King incident as an inevitable byproduct of pervasive racist attitudes.

"I know that police officers have not been the best friends of the black community," said one officer. "I knew that when I stepped over the line and held my hand up. I had no illusions that I was going to change things.

"But recently, with this latest caper, I am ashamed."

Hardeman said taunts now follow him up and down the streets, muttered by the loiterers who do not want to move on, yelled out by gang members who dare the police to bother them.

"Yeah, come on in," they tease from the doorway of a hangout. "I want to get my $66 million like Rodney King."

"I can understand how people feel," said Hardeman, 34, who also serves on the Inglewood City Council. "I just ask that they not see all cops in the same light because a lot of us feel for them." As black officers, he said, "We're exposed to the same kind of discriminatory treatment they are."

It is on the street, in encounters with African-American civilians, that many black officers come face to face with the extra tensions.

Don Williams, a 10-year department veteran who as a detective trainee investigates drive-by shootings, recalled how a year ago he could go to a crime scene, look into a crowd and find witnesses who, with the slightest motion, would signal they knew something and talk to him later. He said such cooperation has become harder to come by in the days since King's March 3 beating.

FBI/DOJ

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"They look at us like we're the enemy now," said Williams. "We have to make peace with them before they'll talk to us."

He often must confront the animosity before he can do his job. "There's obviously something on your mind," Williams will say to wary witnesses. "Is there something you want to talk about?"

It hurts him to now go to a witness's home for an interview and see children run away from him, said Williams. Their parents often want to get answers before they give them.

"Before we can get down to what they saw, they want to know my feelings about the King incident," said Williams. "They want to know: 'Had you been there, would you have allowed that to happen?' "

One Tuesday afternoon, Williams spotted gang members playing music outside a park at 35th Place and Denker Avenue. He turned down the street and the young men scattered. Williams believed he saw one stash a gun in a car. He and his partner pulled over, jumped out of their car and drew their guns.

The six men were told to put their hands behind their heads and face the fence. Two black men, one on a bicycle, the other on foot, watched it all from across the street.

"Keep your hands behind your head," Williams' partner yelled at the young men.

The man across the street shook his head. "That's what you go through being black," he said.

"Keep your hands up," Williams' partner repeated. The two detectives began to search the men.

"They're getting ridiculous now," the bystander said, disgusted. "Look at that—a black policeman."

No weapons were found and the men were allowed to go. One of the young men paused to show the detectives his arms, scarred from what he said was a police dog attack. The attack had occurred in another division, he said. But it did not matter.

"You're all in the same gang," one of the young man's friends angrily told Williams.

Later, back in his car, Williams seemed exasperated.

"Every day," he said, "I get dressed and go to work and I have to get ready for 8 hours and 45 minutes of hate."

Sometimes, he asks himself, why does he work the streets so hard: "Why can't I just drive by, like I didn't see it?"

Williams said he misses the days when a wide-eyed child would ask him for baseball cards, or when a stranger would look at him with trust instead of anger. Still, the officer said, he has made a decision to stay on the force and work in south Los Angeles "because I feel I can keep a Rodney King [beating] from happening."

Williams said he has seen officers who are insensitive toward African-Americans, who would just as soon lock up a troubled youth as try to talk to him and help turn his life around.

"I've developed trust here," he said. "None of the people who know me fear me and if I was to leave, who would I be replaced with? Someone they don't know, or trust."

Officer Floyd A. Henry grew up in south Los Angeles and he too has chosen to stay and work there. He runs the Southwest Division's Law Enforcement Explorer's program, which teaches young people skills needed to become officers.

He has no desire, he said, to go back to patrolling the streets.

The King beating, Henry said, has further strained an already taut relationship between the department and the people of Los Angeles. He said he recently experienced some of the increased tensions firsthand at a diet center where a woman, discovering that he was a Los Angeles officer, began cursing at him.

"This lady called me every name in the book, some I hadn't even heard of," Henry said. "That's one of the reasons I don't want to work the streets because I don't want to be labeled. . . . I don't want to deal with the public."

In addition to dealing with angry community members, some African-American officers said they also must contend with racism within the Police Department.

■ **GATES: PRO AND CON**
Jesse Jackson calls again for Daryl Gates' ouster while the chief blasts The Times at a rally outside City Hall. B1

Officer Janine Bouey said it is a tiresome battle, fighting for the trust of her community as she fights against discrimination within her department.

She recalled how, as a new recruit at the Los Angeles Police Academy, she was taken aside by a Latino officer who offered some advice.

"Who do you think are the people most discriminated against in this department?" he asked Bouey, a fair-skinned black woman.

"Blacks?" she responded.

"Black females," he replied. "It would help you to change your ethnicity." She could pass for Polynesian maybe, he said, or American Indian.

Angered and insulted, Bouey ignored him. Since then, Bouey said she has found his description of the department to be all too accurate.

In her nearly five years with the force, Bouey said, she has witnessed several racist acts. She said she once discovered a Knights of the Ku Klux Klan business card on the windshield of her car parked in the officers' secured lot. Bouey said she has heard racist comments uttered by a white training officer and broadcast over the police radio. She said she also has seen derogatory remarks flash across the computer screen of her patrol car—similar to ones exchanged by officers on the night of the King incident.

"Being black is a liability in society and being black is a liability in the LAPD," said Bouey. "The King incident didn't surprise me at all."

African-Americans represent 13.8% of the 8,345 officers, and their experiences within the department have been varied. While some speak of being denied promotions because they are black and having witnessed racist misconduct that goes unpunished, others talk of an institution that is committed to promoting minorities and discouraging discrimination.

Former Assistant Police Chief Jesse Brewer, who retired earlier this year as the highest-ranking black officer in the history of the department, said he watched the force transform itself from one in which black and white officers were not permitted to ride in the same patrol cars to one where "anything that hinted at racism would be singled out, investigated and dealt with immediately."

Brewer said he personally made sure, as head of personnel and training, that minorities and women received fair treatment in terms of promotions and assignments. Other African-American officers have said that merit, not color, is the department's criteria for moving up the ladder.

"They give you a road map to success," said Detective Kevin H. Williams, who said he has been promoted rapidly. "It wouldn't make a difference if you were a Martian, you could be successful in the LAPD."

There comes a time each day when officers are off duty. Some black officers who live or socialize in the neighborhoods they patrol said the King incident follows them home.

One recent Sunday, a black police officer sat in a church's front row as a member of the congregation stood in the pulpit and derided the men and women in blue.

"Big Daddy Blue was finally caught beating a brother," the man preached. "Is Big Daddy Blue out of control? A little child cries: 'Big Daddy Blue is coming. Black man, run for your life.' "

After the videotape of King's beating was first broadcast, some black officers said they had to defend the department to old friends, relatives, even spouses.

Bouey said even her children have not escaped fallout from the King incident. Her 10-year-old daughter was told by a schoolmate that Bouey was probably one of the officers involved in King's beating. Bouey said acquaintances of her 17-year-old daughter now call Bouey "Sgt. Kickass."

Even before King, Bouey said, several of her friends questioned how she could rise each morning and put on an LAPD uniform.

"In the beginning, they were embarrassed to be seen with me," said Bouey. They told her, " 'I don't want my friends to know I associate with a cop.' It takes a while to be accepted, to be trusted."

Some black officers said they can understand the distrust, the outrage, and offered their own experiences that produced the same emotions.

Hardeman recalled the 1967 riots in his hometown of Detroit, when he watched parts of his town go up in flames on the family's television set.

"They'd interview people and it would be, 'Pig this and pig that,' " he said of the riots. "And you'd see police officers chase people who'd been looting and beat them down to the ground. It was brutal."

Still, the police officers he saw in his neighborhood and on his favorite television shows were his childhood heroes. At 11 years old, in the wake of the Detroit riots, Hardeman said he made a decision.

"My thing was, when I'm an officer, I'm going to be different."

Williams, too, is not without empathy for those who distrust police.

"I know what it feels like to be a Rodney King," said the tall, muscular plainclothesman.

Williams said that he was beaten by two white Long Beach police officers in 1984 after being stopped before dawn one morning. It was a random stop, Williams said, and he was never charged with any wrongdoing.

"You had a couple racist young officers who felt they were going to have some fun," he said. When he told them he was an officer, they refused to believe it.

The Long Beach officers accused Williams of provoking the beating, but Williams said he was later exonerated during an internal investigation by the Los Angeles Police Department. He sued the city of Long Beach, but let the matter drop.

"I felt betrayed," Williams said of the incident. "It's like, no matter what you attain in life, the fact that you're black is always going to make a difference."

Los Angeles Times

'Every day, I get dressed and go to work and I have to get ready for 8 hours and 45 minutes of hate.'

DON WILLIAMS
Ten-year LAPD veteran

FBI agents will join in LAPD social event

By Jaxon Van Derbeken
Daily News Staff Writer

Despite a continuing investigation over the Rodney King beating, FBI agents will participate in an athletic and social event with LAPD and other law enforcement officers this weekend.

The event is the LAPD's annual desert footrace from Baker to Las Vegas. Officers in the department's Foothill Division — where the King investigation is focused — have invited the FBI and other law enforcement officers to drop by the hospitality room they are sponsoring at the Sahara Hotel in Las Vegas.

A member of the Los Angeles Police Commission questioned the appearance of the FBI and LAPD officers socializing together while the investigation is still open.

But FBI officials said there's nothing improper about socializing with officers they have ques-

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PARTY TIME!

Propriety of FBI, LAPD socializing questioned

FBI / From Page 1

tioned as part of their civil rights investigation at the LAPD.

"Heavens no, there's no conflict," said Lawrence Lawler, the agent in charge of the FBI's Los Angeles office. "We have a professional relationship, and a social relationship."

But Melanie Lomax, vice-chairwoman of the Police Commission, questioned the timing of the event and said it could send the wrong message.

"I don't want to read anything sinister into this," Lomax said. "But it's probably going to raise some eyebrows, especially with people concerned with the investigation in the aftermath of the Rodney King incident. It might create an appearance of impropriety."

Ramona Ripston, head of the Southern California chapter of the American Civil Liberties Union, called the Foothill Division's post-race gathering "a novel approach to law enforcement."

"What other agency under investigation by the FBI can invite them to a party, and have them attend? I just think it's a novel approach," Ripston said. "I'm going to advise all my clients under investigation by the FBI to have a party and invite them."

Ripston said the situation "gives the appearance of a lack of impartiality, even though you couldn't point to anything specific that makes it wrong."

More than 2,500 runners, most of them law enforcement personnel, will participate in the relay race in teams of 20 that will start running near Baker, about 120 miles west of Las Vegas.

The race, which started as an intersquad challenge within the LAPD's Metro Division, has expanded to include teams from throughout the LAPD and other U.S. law enforcement agencies, as well as some from abroad, police officials said.

Police Chief Daryl F. Gates will participate on a team representing the LAPD's Drug Abuse Resistance Education Program, and later will join Los Angeles County Sheriff Sherman Block in presiding over the awards ceremony at the Sahara Hotel's Convention Hall.

Known as the Baker to Las Vegas Challenge Cup Relay, the competition started in 1977 as a Los Angeles Police Department run through Death Valley National Monument.

This year's race will include 129 teams, including at least 25 LAPD squads as well as teams from the Los Angeles County Sheriff's Department; the FBI; the U.S. Secret Service; the USC Campus Police; the U.S. Postal Service; two police teams from Canada, and one representing the media.

Foothill Capt. Tim McBride said his division's hospitality room — paid for out of private funds from participating officers — will offer fruit, rolls and juice. He said he extended a special invitation to runners from the FBI, to help maintain their working relationship in solving bank robberies and other crimes in the northeast Valley.

"I'm specifically inviting them," McBride said. "We still have a law enforcement job to do, we want to make sure that law enforcement still gets done."

McBride said the FBI's investigation of the King beating is wholly unrelated to the social event.

"One issue is different from the other in my mind. I doubt the subject would ever come up," McBride said, adding that both law enforcement agencies have standards of professionalism that are not affected by social relationships.

Besides, McBride said, "Those (agents) actively involved in the investigation probably will not show up."

Lawler said that off-duty socializing amounts to a gesture of good will between the two agencies.

"The Foothill Division is inviting us to a hospitality room. That was very nice of them to do so," he said.

"They have a hospitality room, we have a hospitality room — the captain invited me and the agents to come over there, which I'd probably do anyway," said Lawler.

He said the FBI investigation of the King beating focuses on officers who were at the scene, and not the entire division.

"We are talking to a lot of people — they are not (all) under investigation," Lawler said. "We have a professional relationship with the Los Angeles Police Department, I don't see that as changing at all."

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Jesse Jackson Again Raps Gates

■ Police: He renews call for him to resign. At a support rally outside City Hall, the chief blasts negative media coverage of the Rodney King incident.

By HENRY WEINSTEIN
and RONALD L. SOBLE
TIMES STAFF WRITERS

Supporters hold placards at rally.

The Rev. Jesse Jackson renewed his call Sunday for Los Angeles Police Chief Daryl F. Gates to resign and urged the city to change its Charter so that "the civilian arm of government will have control over the military arm."

"Los Angeles is out of touch with the rest of the country and with democratic principles" by having a Charter provision that makes it impossible for the mayor to fire the police chief, the civil rights leader told the congregation of First African Methodist Episcopal Church, Los Angeles' oldest black church.

At about the same time, Gates excoriated The Times for printing what he said were excessively negative stories that contribute to the city's racial tensions rather than articles that could heal ethnic divisions in the wake of the vicious, March 3 beating of motorist Rodney G. King by a group of Los Angeles officers.

"They're tearing down this city," Gates told several hundred placard-carrying supporters at an afternoon rally outside City Hall.

Gates was sharply critical of a front-page story in Sunday's Times which, he said, compared the damaged image of Los Angeles after the King beating to the tarnished reputation of Selma, Ala., after civil rights demonstrators were attacked there in 1965.

"For goodness sakes," Gates said.

The Times, he said, "should be telling the world what a great city this is and what a great Police Department this is."

At a meeting of Los Angeles County Young Republicans on Sunday evening, Gates extended his media criticism to Time magazine, saying a recent article on the King incident was full of errors, such as stating that the Altadena motorist was handcuffed while he was beaten.

"I have a hard time understanding how editorial writers can write editorials and not have the facts," he told the gathering of about 120 at Lawry's California Center near Dodger Stadium.

Gates defended his Civil Service protection under the City Charter, saying that such protection allows him to speak freely and stand above politics.

"You will not find another chief speak out," he said. "Me. I'm the only one. People want to know what the chief thinks."

Gates also took issue with another Times story that pointed out that the city paid more than $11 million last year to settle lawsuits against police.

"Excessive force complaints have been coming down, civil suits have been coming down. The awards are going up," Gates said. "Those are facts you don't have."

Jackson earlier presented an entirely different picture of the department to the hundreds of enthusiastic churchgoers in central Los Angeles. He said the King beating was a symptom of a deeply-rooted problem within law enforcement here and around the country.

"The beating was not the aberration. The videotaping was the aberration," Jackson said, referring to the videotape of the incident, taken by an amateur, which has been shown around the world.

The clergyman noted that in 1979, the city had paid out $11,000 in settlements to those who had sued the Police Department for mistreatment and that this figure had risen to $11 million last year.

Jackson said that "most police are not guilty" of the kind of brutality inflicted upon King. However, he said that many officers had been "intimidated into silence" and that this was a sign of a lack of moral leadership at the top of the Police Department.

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
Date: MON., APRIL 15, 1991
Edition: METRO SECTION, PAGE 1

Title: JESSE JACKSON AGAIN RAPS GATES

Character: CIVIL RIGHTS
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Submitting Office: 80-33B
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APR 17 1991

FBI — LOS ANGELES

FBI/DOJ

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"What about the 17 officers who stood by and did nothing?" he asked. "They didn't try to stop it. They didn't report about it. Then they lied about it."

The onetime Democratic presidential candidate also accused the Los Angeles City Council of turning the issues raised by the King case on their head when they voted earlier this month to restore Gates to his position after the Police Commission placed him on a paid leave of absence.

"They have made Gates the victim, Rodney King the provocateur and [Mayor] Tom Bradley the expedient politician," Jackson said. "That's not true."

As he did at a rally in Los Angeles last weekend, Jackson urged the congregation to keep up the pressure for change in the Police Department, including the ouster of Gates. He recalled remarks made by the Rev. Martin Luther King Jr. just before he was assassinated in 1968:

"Don't say 'peace, peace, when there is no peace.' "

Jackson also blasted President Bush for praising Gates just three days after the King beating. He asserted that the praise, in combination with Bush's recent nomination of a controversial Miami judge to a federal appeals judgeship, showed that he, too, was failing to provide moral leadership.

Last week, the Senate Judiciary Committee rejected Bush's nomination of U.S. District Judge Kenneth L. Ryskamp to the U.S. 11th Circuit Court of Appeals after it came to light that he had made negative comments about blacks and Latinos. Jackson compared Ryskamp's remarks to statements Gates has made.

Jackson said that a Los Angeles City Charter amendment giving a mayor the power to remove a police chief was needed because otherwise the police chief has too much power.

"When you have the power to investigate, to spy, to compile dossiers, to arrest, you can rule by intimidation," he said.

Gates, in his rally remarks, asserted that the Police Department's reputation has been above reproach for decades.

"Name me another Police Department that has been uncorrupted for 40 years," he said.

Sporadic calls of "Gates for Mayor" emanated from the estimated 300 people at the rally sponsored by Citizens in Support of the Chief of Police.

Asked afterward if he was considering a mayoral bid, Gates responded: "I'm chief of police and I like being chief."

Among those speaking in support of Gates were San Fernando Valley City Councilwoman Joy Picus and Deputy Dist. Atty. Lea P. D'Agostino, who said: "Those of us who support Chief Gates are indeed a force to be reckoned with."

Times staff writer James M. Gomez contributed to this story.

CRISIS IN THE LAPD: THE RODNEY KING BEATING

DOUGLAS R. BURROWS / For The Times

Police Chief Daryl F. Gates conducts the police band at rally held in his behalf outside City Hall.

LOS ANGELES BUSINESS JOURNAL

NUMBER 18 WEEK OF MAY 6 - 12, 1991

LETTERS

Gates must go

Los Angeles business and professional communities should actively demand the resignation of Police Chief Daryl Gates. For two years (1988-90) respected civic leaders of South Central Los Angeles Southern California Christian Conference informed Gates of repeated police brutalities, beatings of black minority citizens. For two years Gates did nothing. Atlanta Mayor Maynard Jackson claims that firm policies to prevent police brutality meant 75 percent drop in complaints in first 17 months, to none later.

Had Gates enacted firm policies preventing police brutality against minorities at end of year 1988, after hearing of these police abuses for 12 months, by end of year 1989 (following Atlanta's experience) 75 percent of these needless police assaults would have been prevented. By the end of 1990 few, if any, complaints would have been made, and four police officers would not have kicked and beat the face and head of Altadena motorist Rodney King, helpless before them, nor would police have joked later of the beating.

Gates continued meeting with Southern Conference leaders and was informed of police brutalities. Gates' lack of effort to limit police brutality was a clear insult to Southern Conference and minority community. Gates' refusal to act was clearly inciting officers under him to continue brutalities, laugh off assaults. Gates does not claim he acted decisively to prevent police brutality.

In business, accountability would be asked. A person in Gates' position, as chief, would be asked to resign, in rank failure of community responsibility and corporate position: blind to human justice, decency, civil rights of minorities and eventual civil liabilities of $60 million, added to $12 million annual taxpayer costs by Rodney King's lawsuits and others.

JOAN TAYLOR, Ed.D.,
Beverly Hills

My letter was published in Los Angeles Business Journal, May 6, 1991.

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SERIALIZED FILED
MAY 15 1991
FBI — LOS ANGELES

Supervisor [redacted] AP-1

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April 19, 1991

TO: SAC, LOS ANGELES (80-33B)

FROM: SA [redacted], MEDIA OFFICE

SUBJECT: NEWS CLIPPINGS

Re Bureau to LA teletype 4/18/91.

Referenced teletype (Bufile 44A-119954) advised that all Los Angeles employees assigned to the RODNEY KING Civil Rights investigation should refrain from reading any published articles re the KING incident.

Ergo, attached clippings from the Los Angeles Times dated 4/17/91 and all subsequent clippings regarding the KING incident will be forwarded to the Bureau with copies to LA 80-33B. There will be no other dissemination within the Division.

For information.

1 - SAC LAWLER
1 - SR. ASAC [redacted]
1 - ASAC [redacted]
1 - SUPERVISOR [redacted]
1 - SUPERVISOR
1 - SA [redacted]
1 - SA [redacted]
1 - SA
1 - 80-33B

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FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state)

Date: 12/5/91
Edition: LOS ANGELES SENTINEL

Title: NAACP HOLDS POLICE HEARINGS

Character: or
Classification: CIVIL RIGHTS
Submitting Office: LOS ANGELES

Indexing:

NAACP
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SERIALIZED — FILED
JAN 14 1992
FBI — LOS ANGELES

NAACP Holds Police Hearings

An NAACP panel looking into alleged police brutality across the country heard a state senator charge Tuesday that officers in Los Angeles routinely use excessive force against "people of color."

The comments from Sen. Diane Watson, D-Los Angeles, came as the five member panel, including four members from the organization's Baltimore headquarters and one local official, opened a two-day hearing at Patriotic Hall.

The NAACP team held similar hearings last month in Norfolk, Miami and Houston.

Watson, who is running for lame-duck county Supervisor Kenneth Hahn's seat, said necessary changes within the Los Angeles Police Department will not take place until a new chief is hired.

"I feel that Daryl Gates has been an enemy to the people," she said. "Most of the problems in the LAPD have been a tone of indifference that starts from the top of the grievances of people of color ... If the city of Los Angeles is to heal, Daryl Gates must leave on schedule.

"Law enforcement uses excessive force on people of color," she said.

"The department can always claim that there is no proof of discriminatory police behavior as long as it refuses to collect and report data on discrimination," Watson said.

She also called for a civilian review board to look into complaints

See NAACP on page A-18

NAACP...

(Continued from page A-1)

of police brutality and misconduct.

"What we need is a citizen's review commission that will not have to relate to a chief, a city council or anyone," she said.

The videotaped, March 3 beating of King by three LAPD officers, who kicked and struck the motorist with impunity as a

SEN. DIANE WATSON

supervising sergeant stood nearby and 21 other officers watched, focused international attention on law enforcement in Los Angeles. It also prompted the NAACP's series of hearings.

"The NAACP has become increasingly concerned over the apparent perception that a wall of mistrust exists between African-American communities and law enforcement personnel, and more importantly the perception that a culture of violence is being directed by the police against African-Americans," NAACP General Counsel Dennis Hayes said.

William Elkins, special assistant to Mayor Tom Bradley, told the panel that city officials have done everything in their power to investigate alleged police brutality.

"The focus of the city has been, is and will be, not just to look at this (King) incident, but to use it as a catalyst to come to grips with whatever residuals of racism there may be," Elkins said, citing the Christopher Commission's recommendations.

LAPD Deputy Chief Matthew Hunt told the panel that, in the wake of the King beating, the department has revamped its training regimen and is monitoring its officers more closely, but still is plagued by inadequate field supervision.

"We're keeping better records and statistics on what officers are doing," Hunt said.

The NAACP wants to verify whether alleged police brutality extends beyond Los Angeles.

FBI DOJ

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FD-350 (Rev. 5-8-81)

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(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES
LOS ANGELES, CA

Date: THURS., 4/30/92
Edition: FRONT SECTION, PAGE 22

Title: RODNEY KING:
THE VERDICTS

Character:
or
Classification:
Submitting Office:
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Indexing: 44A-LA-119954-D-

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RODNEY G. KING TRIAL: THE VERDICTS

Snapshots of Key Players in the King Trial

The Defendants

The four officers on trial and the charges filed against them:

SGT. STACEY CORNELL KOON

Age 41, the ranking supervisor at the scene, a 14-year veteran at the time of the beating. His job history shows that he was suspended for five days but did not appeal to the department's Board of Rights, so no public record of the case is available.

■ Koon was indicted on four charges:

	Guilty	Not Guilty
■ Assault with a deadly weapon		✓
■ Assault under color of authority		✓
■ Filing a false police report		✓
■ Accessory after the fact		✓

OFFICER LAURENCE MICHAEL POWELL

Age 29, a 3½-year veteran, accused of striking the most baton blows on King and of mocking him afterward. No history of using excessive force.

■ Powell was indicted on three charges:

	Guilty	Not Guilty
■ Assault with a deadly weapon and enhancement*	✓	
■ Assault under color of authority and enhancement*	Mistrial	
■ Filing false police report		✓

OFFICER THEODORE JOSEPH BRISENO

Age 39, a 10-year veteran, accused of a single kick to King, pitted himself against his three colleagues by testifying they were "out of control." In 1987, he was suspended without pay for 66 days after a police Board of Rights found him guilty on four counts of using excessive force.

■ Briseno was indicted on two charges:

	Guilty	Not Guilty
■ Assault with a deadly weapon		✓
■ Assault under color of authority		✓

PROBATIONARY OFFICER TIMOTHY EDWARD WIND

Age 32, he had one year with the department and was the only officer who chose not to take the witness stand. No history of using excessive force.

■ Wind was indicted on two charges:

	Guilty	Not Guilty
■ Assault with a deadly weapon and enhancement*		✓
■ Assault under color of authority and enhancement*		✓

44A-LA-119954-D-265

FBI/DOJ

The Reaction

Among the comments made after the verdicts:

"I was stunned. I was shocked. I was outraged. I was speechless when I heard that verdict. Today this jury told the world that what we all saw with our own eyes was not a crime. Today that jury asked us to accept the senseless and brutal beating of a helpless man."

—Los Angeles Mayor Tom Bradley

"Whatever the emotions are, whether angry or happy, they ought to be channeled correctly in a positive way, not into a destructive or violent fashion."

—Los Angeles Police Chief Daryl F. Gates

"There are obviously two camps alive and well—one that believes the officers are guilty and one believes they are innocent. However, we have to accept and rely on our judicial process. It's a fair process. Regardless of how we feel about it, we have to move on and make sure an incident like this doesn't happen again."

—Los Angeles Police Chief-designate Willie L. Williams

"He's delighted he's not going to jail. And he's delighted he's not a convicted felon. And he's delighted this is finally behind him because this has been a tremendously traumatic experience for him. He told the truth from his perspective, and I hope they [the other three defendants] understand that."

—John D. Barnett, lawyer for Theodore J. Briseno

"I tried to put the jury in the shoes of the police officers, and I think I was able to do that. We got the jurors to look at the case not from the eye of the camera or the eye of a video cameraman, but from the eyes of the officers who were out there that night."

—Michael Stone, attorney for defendant Laurence M. Powell

"I've won a thousand dollars in debts because I predicted this. Who in the world would expect a bunch of Klu Klux Klanners in Simi Valley to find police guilty who had beaten up an African-American. Answer? No one."

—Stephen Yagman, attorney who specializes in civil rights violation suits against police

"I think it's a throwback directly to the Jim Crow era when black folks would be brutalized in many cases by sheriffs and law enforcement officials throughout the South and could do nothing about it. . . . I think the jury racially identified with those four police officers."

—Joe Hicks, executive director of local chapter of Southern Christian Leadership Conference

"I think what we're looking at here is one of the biggest setbacks for the cause of justice since the Scottsboro boys were judicially lynched. . . . I think the only way that I can answer it is to say we've gotten the shaft again."

—Joe Duff, president of the Los Angeles Branch of the NAACP

"We've always known it's difficult to get convictions against police officers. Juries believe police officers. It was probably truer in Simi Valley. We're very disappointed."

—Ramona Ripston, executive director of the ACLU of Southern California

THE JUDGE

- **Who:** Stanley M. Weisberg, age 48
- **Position:** Los Angeles Superior Court judge
- **Background:** The son of a sheet metal worker; born in East Los Angeles and graduated from UCLA and the UCLA School of Law. Served for 18 years as a deputy district attorney for Los Angeles County. He was made a Municipal Court judge in 1986 and elevated to the Superior Court bench two years later.

THE DEFENSE ATTORNEYS

- **Who:** Michael Stone, age 45
- **Position:** Represents Officer Laurence M. Powell
- **Background:** Police sergeant for the city of Orange from 1972 to 1979; graduated from Western State University law school in Fullerton in 1978; police attorney for the city of Orange and general counsel for the Los Angeles Police Protective League before going into private practice in Los Angeles.

- **Who:** John D. Barnett, age 44
- **Position:** Represents Officer Theodore J. Briseno
- **Background:** Graduated from the San Francisco University School of Law in 1973; served a five-year stint in the Orange County public defender's office before going into private practice with a reputation as an expert trial attorney.

- **Who:** Paul DePasquale, age 46
- **Position:** Represents Timothy E. Wind
- **Background:** Graduated from Boalt Hall school of law at UC Berkeley. Specializes in police law, civil rights litigation and criminal defense law.

- **Who:** Darryl Mounger, age 46
- **Position:** Represents Sgt. Stacey C. Koon
- **Background:** Former LAPD sergeant with almost 10 years experience as a defense representative for police officers in Board of Rights hearings. Graduated from Southwestern University School of Law in Los Angeles in 1989 and immediately began private practice, specializing in criminal, labor and administrative law.

THE PROSECUTORS

- **Who:** Terry White, 35
- **Position:** Deputy district attorney and lead prosecutor
- **Background:** Graduated from UCLA School of Law in 1984 and immediately joined the the district attorney's office. In 1991, joined the office's Special Investigation Division, which is responsible for investigating public officials, sheriff's deputies and police officers.

- **Who:** Alan S. Yochelson, 37
- **Position:** Deputy district attorney and co-prosecutor
- **Background:** Graduated from Southwestern University School of Law in 1980; joined the Los Angeles County district attorney's office in 1981, and was assigned as co-prosecutor in the Night Stalker case from 1987 to 1990.

FD-[redacted] (Rev. 5-8-81)

(Mount Clipping in Space Below)

Officers Revel in Their Day of Vindication

■ **Police:** After 14 grueling months they are exuberant. One attorney says defense team was able to get the jurors to look at the case through the eyes of the defendants.

By DEAN E. MURPHY
TIMES STAFF WRITER

SIMI VALLEY—It was the moment they had all been dreaming of for nearly 14 anguished months.

It was 3:15 p.m. Wednesday, April 29, 1992. Not guilty. Ten glorious times.

"A lot of my emotions had to go over my heartbeat that was pounding in anticipation," a beaming Officer Laurence M. Powell gushed to reporters. "I am very happy. Very happy."

For Powell and the three other Los Angeles police officers acquitted in the beating trial of motorist Rodney G. King, it was their long-awaited day of vindication.

Forget the 81-second amateur videotape of the officers striking King, and the worldwide outrage it provoked. A jury of six men and six women decided that what happened that March night in Lake View Terrace was not criminal. There was just one hang-up, but no one seemed too concerned: On one count of excessive force against Powell, the jury could not reach consensus and a mistrial was declared.

"I think we were able to do what we set out to do, which was to get the jurors to look at this case not through the eye of a camera, not through the eye of an amateur video, but through the eyes of the police officers confronting this situation on March 3, 1991," said attorney Michael Stone, who represents Powell.

The jury and officers were called into Courtroom No. 3 at 3 p.m., but it took 15 tense minutes before the outcome was known. Judge Stanley M. Weisberg questioned the forewoman, and then methodically paged through the written verdicts. The quiet of the courtroom was interrupted only by the sound of Weisberg turning pages.

Seconds dragged into minutes, which hung like hours. The four police officers and their families could do nothing but wait—and hope.

Weisberg then instructed the clerk to read the verdicts. Not guilty. Not guilty. Not guilty. Ten times in all.

Powell's sisters and mother wept softly in the front row, relieved, exhausted, finally able to let go. Officer Theodore J. Briseno jumped to his feet, embraced his attorney and shook his brother's hand. The four defendants, not always on friendly terms during the trial, slapped each other on the back and offered words of congratulations.

"Everyone has been acquitted so there is no reason for bitterness," said attorney John D. Barnett, who represents Briseno, the only defendant to testify against his fellow officers, accusing them of being "out of control" during the beating.

(Indicate page, name of newspaper, city and state.)
LOS ANGELES TIMES
LOS ANGELES, CA
Date: THURS., 4/30/92
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"It is a time of tremendous relief," said Paul DePasquale, a lawyer representing Timothy E. Wind, the probationary officer who was fired last May for his role in the incident.

Outside the courtroom, Powell's sister, Leanne, 22, was weeping. "I am ecstatic, so relieved," she said, wiping her eyes.

Other relatives took sanctuary in a private waiting room off limits to scores of reporters and camera crews, but Leanne Powell chose not to hide. It was her brother's day of reckoning, and she wanted the world to hear the good news.

"It hurts to see what they have done to my brother, to hear people telling lies about him," said the unemployed paralegal, who lives with her brother and attended most of the trial. "He did nothing wrong. And today I saw his first real smile since March 3, 1991."

Of the four defendants, only Powell agreed to withstand the media frenzy and talk to reporters in a second-floor briefing room set up by court officials. Asked if he had anything to say to King, he replied: "Nothing." In hindsight, would he have handled the arrest differently? "I don't think I can answer that," he said. "That would be a hard one to answer."

Attorneys for the other defendants said the emotional toll of the trial had been great on their clients, and they simply did not want to confront the media.

"He was . . . psychologically [battered] in substantial measure [and] his life was placed on hold for almost 14 months by this incident," DePasquale said of Wind, who was accompanied by his wife in the courtroom. "Only at 3:15 this afternoon was he able to even begin to reconstruct his life in a practical meaningful way. . . . The emotional element, I think, it will be critical probably for several hours."

Barnett said his client, Briseno, went directly home to be with his wife and children, who avoided the courthouse because of the publicity.

"He is delighted that he is not going to prison, that he is not a convicted felon," Barnett said. "He can get on with his life. This has been a terribly traumatic experience for him. It is unbelievable the pressure that has been on him since Day One."

Sgt. Stacey C. Koon and his attorney tried to slip out a side door of the courthouse, but a near melee ensued when he was spotted by a throng of reporters, well-wishers and protesters.

A stern-faced Koon refused to respond to questions as he and his attorney were whisked by sheriff's deputies to a waiting car in the parking lot. The two men ignored protesters, some of whom shouted: "You're guilty! You're guilty!" Once in the car, attorney Darryl Mounger shifted into reverse, and high-tailed out of the parking lot.

A stream of angry protesters ran after the car, followed by camera crews and reporters.

Inside the courtroom, an upbeat Powell was taking about his plans for an evening celebration. "I am not going to tell you where it is," he said smiling.

(Rev. 5-8-81)

(Mount Clipping in Space Below)

Outcome Rekindles Political Hostilities

By FRANK CLIFFORD
and LOUIS SAHAGUN
TIMES STAFF WRITER

In the deafening silence of a South-Central Los Angeles campaign office Wednesday afternoon, a young African-American political consultant found herself struggling with a painful reaction to what had just occurred.

Like others involved in the campaign to change the way the Los Angeles Police Department is run, she was grappling with the fear that a yearlong struggle to reform the department had expired in the few minutes it took to announce the acquittal of four officers in the Rodney G. King beating case.

"I'm still dumbstruck," said Marcella Howell. "I don't think I have much to say."

By the time darkness set in, and with it reports of fires and beatings, the threat of political fallout was extending well beyond the campaign for charter change. Some of the hostilities that virtually paralyzed city government immediately after the King beating were rekindled, as police and politicians blamed each other for the verdict and its violent aftermath.

As an angry crowd at police headquarters downtown called for Police Chief Daryl F. Gates to resign now, City Councilman Mark Ridley-Thomas said, "The chief of police unfortunately is a liability. He symbolizes something that is very offensive.

"Part of that is the result of irresponsible and unrestrained remarks the chief has made over the years he has been in office and over the past few days."

Los Angeles County Dist. Atty. Ira Reiner, who directed the prosecution in the King case, also came under fire, and critics promised that his handling of the case would be a major issue in his campaign for reelection in November.

The verdict amounts to a "kiss of death for Ira Reiner," said Eric Rose, a City Hall lobbyist and political consultant.

"Let's face it, when it comes to prosecuting high-profile cases, Ira doesn't have the Midas touch—he can't win the big one," Rose said.

At the red brick headquarters of the Los Angeles Police Protective League, police union leaders pointed angry fingers at Mayor Tom Bradley and the City Council, many of whose members are up for reelection next year. League officials said the politicians had stripped the police of their ability to restrain suspects with upper body holds, leaving officers with few tools to subdue suspects beyond the billy clubs used in the King arrest.

At a press conference Wednesday night, Peggy Estrada, a leader in the campaign against Charter Amendment F, blamed Bradley for contributing to the violence. Shortly after the acquittals, Bradley held a press conference deploring the verdict.

(Indicate page, name of newspaper, city and state.)
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LOS ANGELES, CA

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POLITICAL HOSTILITIES

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FBI/DOJ

"How dare he make a press conference saying the system is wrong, justice is not served," Estrada said. "He gave permission for this [the disturbances] to occur."

It was a particularly difficult night for the mayor. As Bradley urged a gathering at First African Methodist Episcopal Church to funnel their emotions into a "yes" vote for charter change, he was greeted with a mixture of applause and boos. Several in the audience shouted, "What are you going to do? What are you going to do?"

"We can make the difference. We can create change," Bradley said in urging citizens to vote in favor of the charter amendment.

While the verdict may mobilize some voters, it could well have a different effect on others, said pollster Richard Maullin, who has conducted surveys for proponents of charter change. "This beating, and all it invokes, no longer imparts a clear message. It is only going to add to people's confusion," he said.

Political observers also were warning that rioting could spark a voter backlash.

"If an innocent verdict severely arouses the black community and there is trouble in the streets, in the long run it could be quite damaging to the reform campaign," said Raphael Sonenshein, a UCLA political scientist and a supporter of the police reform measures.

Meanwhile, a spokesman for the campaign against amending the charter expressed confidence that Wednesday's verdict would help their cause.

"I feel this will be a big plus for the vote 'no' on the Charter Amendment F campaign," said Don Clinton, chairman of Citizens for Integrity and Viability in the City Charter. "It will instill in people the belief that maybe Chief Gates was right all along. Maybe our Police Department is better than we realized."

The proposed amendment, which will be on the June 2 ballot, would give City Hall new powers over the police chief, limit the chief's tenure to two five-year terms and expand the role of citizens on the city's Board of Police Commissioners.

Until Wednesday, the King beating and the trial had been potent ammunition for the campaign for charter change. It was, after all, the beating that set in motion the entire chain of events—from the Christopher Commission's report on racism and excessive force to the selection of a new police chief.

As the campaign for charter change worked to raise money during the past two months, it could rely on the daily newscasts of the trial, along with repeated airings of the videotape to bring home the central point of the campaign—that this was a department in need of top-down repairs.

But when a Ventura County jury returned a verdict that few people in the campaign anticipated, the vote took on a different significance. Now, it gives the voters of Los Angeles a chance to re-examine the King case, as well as the Christopher Commission findings, and decide whether the evidence warrants an overhaul of the department.

"We will have our chance to distinguish between what the jury said is not criminal behavior and what we as human beings saw with our own eyes," said Ira Yellin, president of the American Jewish Committee and a key supporter of the charter amendment.

"In the turbulent times ahead," said campaign consultant Steve Glazer, "people will want a legal and moral standard for police behavior. The Christopher Commission's recommendations for the ballot provide that standard."

But in the campaign's San Fernando Valley office, supporters were quick to admit they faced an uphill battle.

"Obviously, it would be a lot easier battle if there not acquittals," said lawyer Janice Reznik, who is coordinating the campaign in the valley.

More than ever, said Reznik, the campaign's challenge will be to remind people that the verdict does not contradict the Christopher Commission findings that racism and excessive force are widely condoned in the Police Department, and that changing those attitudes requires making the department more accountable.

As the violence increased throughout Wednesday night, people on both sides of the campaign were wishing the King beating had never happened.

"If I had a magic wand, I would erase March 3 of last year off the calendar," said Estrada of the campaign against charter change.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Real-Life Chaos Plays Big on Small Screen

By RICK DU BROW, TIMES TELEVISION WRITER

"Not guilty. . . . Not guilty. . . . Not guilty. . . ." Nearly 14 months after the Rodney G. King beating by police became perhaps the most famous videotape in the world, the verdicts in the Simi Valley courtroom unfolded in stunning repetition on TV Wednesday.

Thus began a wrenching day of soul-searching and fear on TV—pleas for calm amid shots of anger and growing, frightening nighttime violence and fires; memories of the Watts riots; an emotional black church service near downtown Los Angeles; TV reporters and anchors treading dangerously near sensationalism while forced to cover the story, and sometimes stepping over the line.

As the destruction and flames in South Los Angeles and downtown filled the screen, the picture became a nightmare. Protesters also moved onto the freeways downtown.

The quiet unfolding of the verdicts, without a single conviction—and only one count undecided—sent shock waves through Los Angeles. And TV picked them up in a mixed display of competence and outrageousness that will be remembered for years by viewers.

There were the highly charged TV statements from public officials and principals in the case, even amid the calls from all sides to refrain from violence:

Councilman Michael Woo: "This is one of the saddest days in the history of the city."

Councilman Mark Ridley-Thomas: "A crushing blow to the dignity of every citizen of Los Angeles."

Mayor Tom Bradley: "This senseless jury verdict."

King's attorney, Steve Lerman: "It's got to stop. It's got to stop. . . . Get a plane ticket and get the heck out of Dodge [City]."

The overwhelming reaction reported by the stations condemned the jury decision, with few voices heard in support of the verdicts.

"The only thing missing from the '60s was [police] dogs," an angry black man told KCBS Channel 2. "Not guilty on all counts. Get real."

In a searing, dramatic moment, a black minister said the tragedy of the verdicts was not that it was unbelievable, but that it was believable to those who have lived the black experience. Like others, he noted that whitethere were no blacks on the jury.

A black police officer, meanwhile, told KABC Channel 7: "The whole reaction [on the force] was one of relief."

But KNBC Channel 4 political reporter Linda Douglass said that there was "disappointment and anger and shock" at City Hall, adding that officials there expected at least some convictions.

Time and again, the fascinating question arose as to whether repeated showings of the King videotape had desensitized people to the incident.

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LOS ANGELES, CA

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While calling for calm, TV naturally went to the whip when, during the evening, violence broke out at the intersection of Florence and Normandie in South Los Angeles, resulting in looting, several beatings and a loss of control. Other violence and fires soon followed in a horrifying sight.

In TV terms, the shots were riveting, and helicopter crews showed them in detail.

KNBC gave prominent coverage to what was simply a thrilling gathering at the First African Methodist Episcopal Church near downtown, which was taking place—with a choir singing and prayers being rendered—even as the violence was occurring at Florence and Normandie.

At least one TV station dramatically played the music from the church while showing footage of the violence. While some may have found the juxtaposition hard to swallow, it captured much of the contrast of the day and the feelings that abounded.

There were other tense TV moments as well. When one of the accused officers, Stacey C. Koon, left the Simi Valley courthouse, he was besieged by an angry, shouting crowd that surged around him yelling "Guilty!" and "Racist!"

And there was also tension as a crowd gathered at the Parker Center police headquarters downtown.

Hopes that the constant TV exposure to angry voices would be a form of release gave way to fears that it would further fan the flames. And no one will forget the shots of disbelief in a barbershop in a black neighborhood as the verdicts were being read.

It was such an emotional day that even KCBS' fair-minded anchor Tritia Toyota editorialized at one point that "one of the positive" outcomes of the King case was that Los Angeles now had a new police chief.

Despite the blanket coverage, it was rather startling to see a news-oriented station such as KTLA Channel 5—which first showed the King videotape—cut away from the story for entertainment programs such as "Magnum, P.I."

And then there was the Fox TV reporter who approached the jurors as they left, saying: "Why are you covering your eyes? Why are you hiding your eyes in shame?"

In another shot, viewers saw a white woman in an angry exchange with two black women. "There's no goddamn justice," one of the black women yelled. "LAPD, keep doing your jobs," shouted the white woman. "Protect our rights!"

And a Simi Valley woman told KABC: "They're acting like Simi Valley is full of racist people, and I don't think that's true, and it's not fair."

On and on the drama raged, and nearby Hollywood couldn't begin to match the real story as a city tried to come to grips with itself.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Verdict Greeted With Relief and Elation Among LAPD Officers

■ **Reaction:** Many hope their ordeal under a microscope will now end. A minority say the videotape persuaded them excessive force was used.

By HECTOR TOBAR
and LESLIE BERGER
TIMES STAFF WRITERS

At Parker Center, the downtown police headquarters, detectives applauded and cheered. They shouted "Yes!" and "Go get 'em!" as the verdicts were read. And at the Foothill station, where the whole ugly affair began last year, Officer Corina Smith raised her fist in the air and smiled.

"I'm elated, absolutely elated," said Smith, 27, a friend of defendant Laurence M. Powell. "I'm proud to be a Foothill officer, and I'm proud to be an LAPD officer. It's like this sick feeling is finally going to go away."

Throughout the city, most Los Angeles police officers greeted with quiet satisfaction the news that the four defendants in the Rodney G. King beating trial had been acquitted. Although a minority of officers said they were upset by the verdict, most said they felt vindicated after enduring more than a year of political turmoil and community outrage against police.

"I was happy for [the defendants], but I was also happy for me," said Kevin Jotz, a patrol officer at the Southeast Division in Watts. "I felt like, whew, now I can breathe. Now people won't say we're all bad. Now we won't get cursed out all the time."

For the 14 months since the videotaped incident first hit the airwaves, the officers of the Los Angeles Police Department have endured life under a microscope. A blue-ribbon panel was appointed to examine their conduct. Their chief has come under fire, and there have been dozens of demonstrations by people railing against police brutality.

On Wednesday, many officers said, it seemed their ordeal was finally over.

"There's no massive jubilation," said Sgt. Peter Vanson, a 12-year police veteran. "Mostly we're all in shock. The whole department has been through a lot in the last year. But, hopefully, it's all behind us now and we can all get on with our jobs."

For some, it was a time to reflect on the damage done to the department's reputation over the past year. Officer Rick Corpel, who patrols South-Central Los Angeles, doubted that the images of white police officers pummeling a black motorist will ever be erased from the public consciousness.

"We're all guilty, guilty by association," Corpel said. "The public reached its verdict a year ago. And that verdict is guilty. I know, I hear it out here everyday."

Many expressed anger that they would soon be under the command of a new chief, saying Chief Daryl F. Gates would never have been forced out if had not been for the King beating.

"There wouldn't have been pressure on Gates or so much pressure for an outsider to have been brought in" without the videotape, Detective Carlos Ramirez said at Parker Center.

In the hours and minutes before the verdict was read, tension was palpable at police facilities across the city. Sentries were posted outside many stations, a move not taken since the Gulf War. Desk officers were under instructions from police headquarters to keep reporters out of the stations.

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Inside the stations, officers huddled quietly in roll-call conference rooms and watched as the proceedings unfolded on television.

At the Harbor Division in San Pedro, some officers seemed shocked by the verdicts—until the last minute, a guilty verdict had seemed inevitable. But Sgt. Danny Contreras said he was not surprised.

"I felt they were innocent," Contreras said. "Watching the video, listening to the testimony . . . and hearing what the defendants said in court," Contreras said, persuaded him that the beating was a violent, but unavoidable, incident.

"If you are not there" in the streets, Contreras said, "it's very hard to visualize what happens."

Not everyone, however, was pleased with the verdicts. Harbor Division Chief Timothy King seemed visibly upset after hearing the court clerk read the last "not guilty."

"I hate second-guessing people, but doggone it, I do not like what I saw on that video," said King, who before taking over the Harbor Division was charged with launching the Internal Affairs investigation of the King beating. "And I haven't heard any police officer say that what they saw was good and proper."

At the Foothill Division, the scene was as it was more than a year ago, when the chaotic, black-and-white images of the King beating were first broadcast around the world. Once again, officers watched as video cameras caught their colleagues in the spotlight of history.

Laurence M. Powell, Stacey C. Koon, Timothy E. Wind and Theodore J. Briseno—they are familiar names at the station. The officers worked there until a steady-handed amateur cameraman landed all four in police purgatory.

A host of other Foothill officers who stood by and watched the beating that fateful evening are still under investigation. "The only thing I can say is I'm breathless," said one of the officers who still faces possible disciplinary action, his voice trembling with emotion. He declined to be identified because he is about to face an internal police hearing for his role in the King incident.

One Foothill officer already disciplined was Smith, who was on the receiving end of Powell's infamous "Gorillas in the Mist" computer message. She received a five-day suspension. "I don't know if vindication is a good word," she said. "I feel the truth came out and that the verdicts are a reflection of the truth."

Much has changed at Foothill since the beating, which transpired just two miles from the station. A used sofa, some magazines and a fish tank now adorn the front lobby, an attempt to make the otherwise grim building more friendly. Faces of color are more common around the office, once a bastion of white officers.

On Wednesday, as a crowd of protesters gathered outside the station to protest the verdict, a Latino and a black officer became involved in an impromptu debate. Sgt. Joe Najera supported the jury's decision, but Sgt. Mike Brox, who is black, did not. After some finger-pointing and raised voices, they agreed to disagree.

"There's no question in my mind that that [the beating] was excessive," Brox said. "It hurt me to know that our justice system could not see there was excessive force."

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(Mount Clipping in Space Below)

Location of Trial Played Major Role, Legal Experts Say

■ **Court:** 'This was a jury of people who ran away from Los Angeles to get away from Rodney King,' one said.

By HENRY WEINSTEIN and PAUL LIEBERMAN
TIMES STAFF WRITERS

The acquittal of four police officers accused of beating Rodney G. King was determined not so much by intricate courtroom strategy or any piece of evidence, but by geography and preconceived notions, legal experts said Wednesday.

The case may have been decided the day Superior Court Judge Stanley M. Weisberg ordered the trial moved from Los Angeles to Simi Valley, an overwhelmingly white, conservative community long known as a popular home for law enforcement officers.

In another locale, jurors might have understood "the implications of being a black man in a car being chased by police," former Manhattan prosecutor Ruth Jones said. In a black community, she said, "the thought that police officers would use excessive force is not a leap of faith."

But in Simi Valley, "the thought that these guys were just doing their job was not a leap of faith for them," said Jones, who monitored the trial for the Courtroom Television Network.

Several experts similarly said the verdicts clearly reflected pre-existing attitudes—support of police, fear of street crime, perhaps racism—held by the jury rather than their reaction to evidence presented in the courtroom.

Most of those interviewed were stunned by the outcome. They had expected convictions of at least three officers because of the graphic videotape of King's beating and the fact that one of the defendants, Theodore J. Briseno broke ranks by saying that his colleagues' actions were "out of control."

"I'm shocked because in this case you had the most compelling form of evidence in support of the charges—a videotape of the beating," said Loyola University law professor Laurie Levenson.

But the verdicts also were "a very strong statement by the jury" in support of street police officers, said Ed Hayes, a former Bronx prosecutor.

Indeed, the only juror who discussed the verdict issued a ringing defense of the officers, saying, "They're policemen, they're not angels. They're out there to do a low-down dirty job."

She saw King, on the other hand, as "obviously a dangerous person."

Some questioned two prosecution decisions: the choice not to call King as a witness and the prosecution's failure to vigorously oppose the introduction of "expert testimony" on whether the use of force was excessive.

"When you have experts testifying on both sides of a case, you create reasonable doubt," said New York attorney Harvey Weitz, who also monitored the case for the Courtroom Television Network. "The jurors say, 'Who am I to second guess?' "

However, many legal observers said Wednesday, that those decisions didn't really matter in the end.

"Given this jury, they might have still acquitted the defendants and ordered King to jail," said New York University law professor Burt Neuborne. "This was a jury of people who ran away from Los Angeles to get away from Rodney King. And they are the ones who sit in judgment."

Neuborne, former national legal director of the American Civil Liberties Union, said it was startling to him that eight of the jury members had served in the military. "The jury certainly was not a cross-section of Los Angeles."

"To this jury . . . these defendants didn't look like what defendants are supposed to look like," agreed Jones, who currently works for the NOW Legal Defense Fund.

Last year, a state appeals court ordered the trial out of Los Angeles County because of "extensive and pervasive" media coverage and "intense" political fallout that showed no sign of abating. In the past, attempts to move numerous sensational cases—including those of Charles Manson and the Hillside Strangler—failed.

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Weisberg chose Simi Valley over Alameda County or Orange County as the site for the trial.

Neuborne deplored the transfer of the King case, noting that it failed to find a jury out of the reach of the publicity—all the members of the panel had seen the infamous videotape. And the result was a jury with no blacks, a factor that will have lingering negative effects, he said.

"The integrity of the verdict will simply not be accepted because of the absence of blacks on the jury," Neuborne said. "If the same verdicts had been returned with a fair representation of blacks, it would have been accepted as the way the [criminal justice] system works."

The legal experts groped for explanations of why the jury did not find the videotape the conclusive evidence that the prosecution—and much of the world—had thought it was.

"In this case, seeing was not believing," Southwestern University law professor Myrna Raeder said.

Throughout the case, lawyers for the four officers had urged jurors to consider what had happened before the videotape—King's speeding, his aberrant behavior, his refusal to obey police commands after he was stopped following a high-speed chase.

In addition, Hayes said, the defense was wise to assert that there was more than one way to look at the tape and that King was shown trying to rise and charge the officers.

"The tape in slow motion told them something different than what they were told by the prosecution," he said.

Los Angeles criminal defense attorney Howard Weitzman stressed that the videotape did not explain the officers' intentions—a critical element of proving the crime. "The key to this case is their state of mind," said Weitzman, who successfully defended auto executive John DeLorean on narcotics charges in another trial in which it appeared that an incriminating videotape made for an open-and-shut case.

Most of the experts said they thought the prosecution's striking decision not to call King as a witness had been wise despite the outcome. Whatever might have been gained by King's description of his suffering, they said, could have been outweighed by the opportunity it would have given the defense to highlight King's criminal record, in effect putting him on trial.

But Weitzman and Raeder said the prosecution might have benefited by having King tell the jury what he had experienced.

"The videotape is incredibly strong stuff but when you see that videotape over and over and over and you don't have any feeling for the individual, I have to surmise that the jurors got desensitized to the video," Raeder said.

Weitzman said that if he had been a juror, "I would have liked to have heard from Rodney King, what he felt, why he continued to move and what was going through his mind."

The decision not to call King was made by Dist. Atty. Ira Reiner after lengthy discussions with the two prosecutors and other members of his staff.

While prosecutors drew some second guessing, experts praised defense attorneys for their seemingly risky "all or nothing at all strategy"—their decision not to offer the jury an alternative of lesser misdemeanor charges such as battery.

"That was saying to the jury: 'Who is the criminal—Rodney King or the police officers?' " Levenson said.

To many of the observers, it was clear that these jurors had little trouble answering that question.

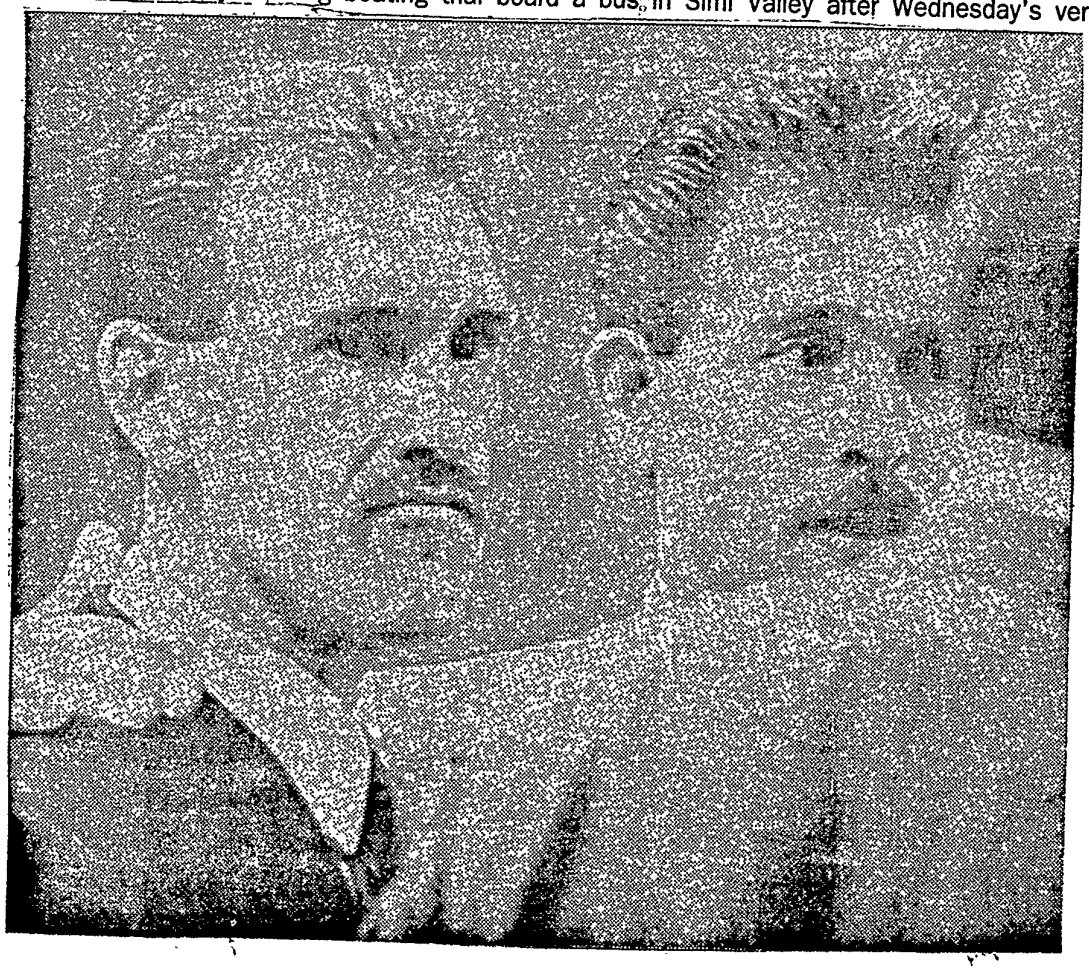
"The decision . . . reminds me of the classic case in Texas where [noted attorney] Racehorse Haynes got an acquittal for three police officers accused of beating a Latino man," said Los Angeles lawyer Barry Tarlow. "The case was moved from Houston to a rural county. After the verdict, Haynes was asked when he thought he had won the case. He replied: 'When I got the last redneck seated on the jury.' "

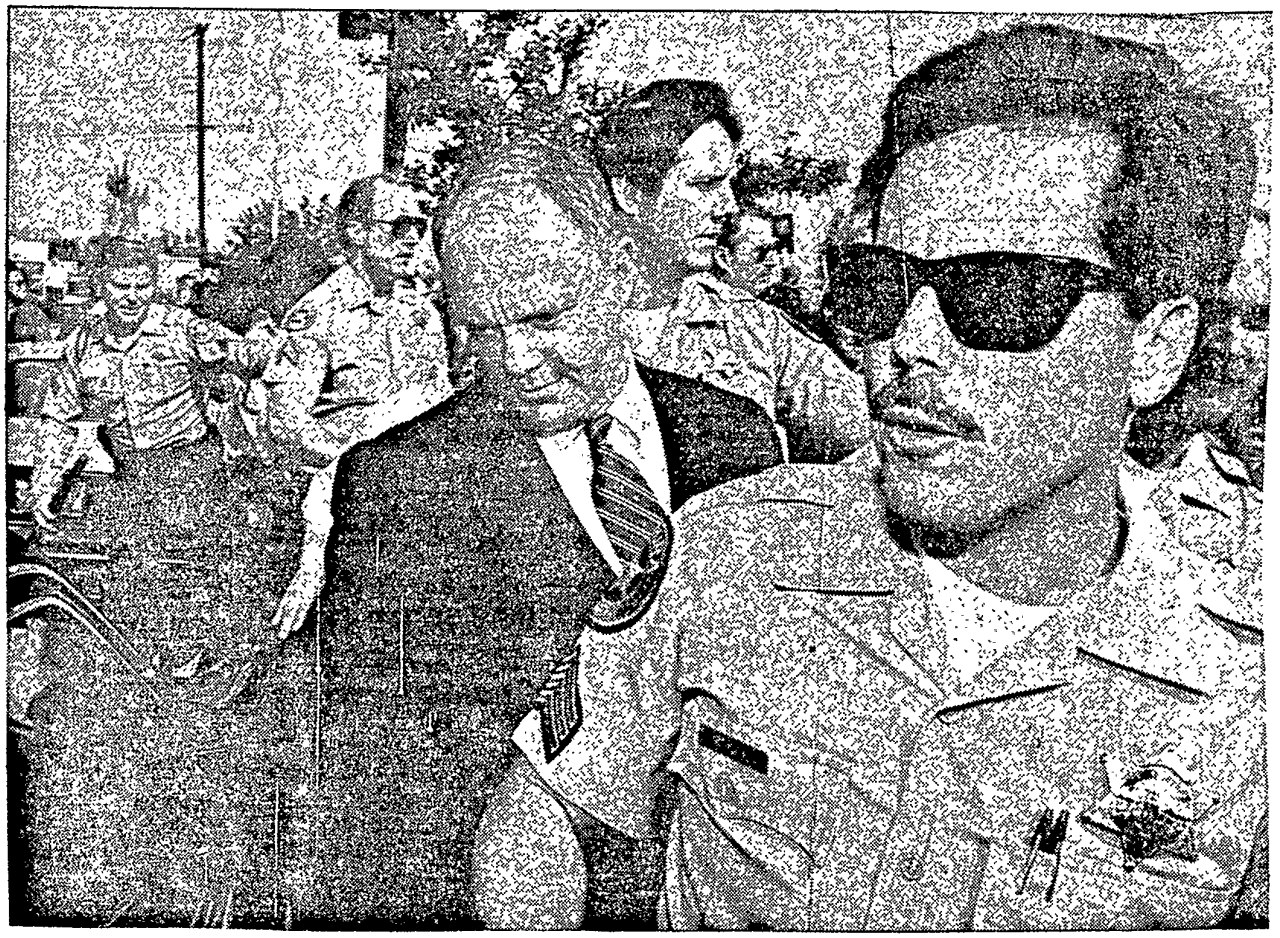
Neuborne, too, said he feared a "worst side" to the verdict: "that it simply means white suburban America is so frightened of black people that they'll tolerate any behavior by police."

But, he cautioned that there could be another interpretation: "That it was just 12 people who had a reasonable doubt."

JOE KENNEDY / Los Angeles Times

Jurors in the Rodney G. King beating trial board a bus in Simi Valley after Wednesday's verdict.





JOE KENNEDY / Los Angeles Times

Jurors in the Rodney G. King beating trial board a bus in Simi Valley after Wednesday's verdict.

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All 4 in King Beating Acquitted

Violence Follows Verdicts; Guard Called Out

■ Trial: Governor deploys troops at mayor's request after arson, looting erupt. Ventura County jury apparently was not convinced that videotape told the whole story.

By RICHARD A. SERRANO and TRACY WILKINSON
TIMES STAFF WRITERS

SIMI VALLEY—Four Los Angeles police officers won acquittals Wednesday in their trial for the beating of black motorist Rodney G. King, igniting renewed outrage over a racially charged case that had triggered a national debate on police brutality.

Hours after the verdicts were announced, angry demonstrators torched buildings, looted stores and assaulted passersby as civic leaders pleaded for calm. Gov. Pete Wilson deployed the National Guard at the request of Mayor Tom Bradley, who warned residents to "stay off the streets."

Bradley, in a late-night televised address to the city, said a curfew may be imposed tonight if the violence continues.

Wilson's decision to send in the National Guard came after rioters touched off more than 150 fires, stormed police headquarters and trashed numerous downtown buildings. Sporadic gunfire flared in the streets, and heavy smoke rising from the fires forced the authorities to reroute landing patterns for aircraft at Los Angeles International Airport.

By late Wednesday night, authorities had linked four deaths and 106 injuries to the violence. Some people were pulled from their cars and beaten.

It was the largest rioting to erupt in Los Angeles since the Watts riots of 1965.

Acquitted were Sgt. Stacey C. Koon and Officers Laurence M. Powell, Theodore J. Briseno and Timothy E. Wind. Jurors apparently were not convinced that a videotape of the March 3, 1991, beating of King represented the entire story. One juror said that King, by being combative and ignoring the officers' orders, brought the beating upon himself.

The 81-second video, filmed by an amateur, showed officers delivering repeated baton blows and kicks as King rolled on the ground. Its images have been seared into the minds of viewers the world over who have watched the tape broadcast repeatedly.

A visibly angry Bradley said he was left "speechless" by the "senseless" verdicts and urged the city to refrain from violence.

"The jury's verdict will never blind the world to what we saw on the videotape," Bradley said.

The not guilty verdicts by a Ventura County Superior Court jury—which included no blacks—were reached after seven days of deliberations. For three days, the jury forewoman said, the panel focused exclusively on a single count of assault against one of the officers. With the jury unable to reach a consensus, a mistrial was declared on that count by Judge Stanley M. Weisberg.

Except for the single deadlocked count, all four defendants, who are white, were acquitted on all counts. The unresolved count is an assault charge against Powell; prosecutors will announce May 15 whether they will retry the officer.

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Upon hearing the verdicts, Briseno—who had testified that he believed his fellow officers were "out of control" when they beat and stomped King—leaped to his feet and hugged his attorney. Powell and his attorney, Michael Stone, hugged each other.

"I'm very happy," Powell told reporters. "But it's hard to be surprised. I felt all along that I was innocent. Now I know I'm innocent."

Attorney Darryl Mounger, who defended Koon, said he believed the verdict turned on "truth."

"He [Koon] wasn't doing anything but making an arrest."

Mounger added that the trial represented a "no-win" situation for all concerned. "Nobody wins," he said. "These officers have been punished enough. Rodney King got out of jail, where he should be, and instead he's going to win a million dollars [in a civil lawsuit]."

As Koon left the courthouse, angry bystanders shouted "Guilty!" and scuffled briefly with sheriff's deputies flanking the sergeant. Powell was greeted by a similar crowd that hurled rocks at him as he left.

The prosecutors, who had stared silently at their table during the reading of the verdicts, hung their heads and marched out of the courtroom.

"My reaction is shock first, then disappointment," said Deputy Dist. Atty. Terry White, the lead prosecutor in the case. "Obviously we feel the evidence warranted a conviction of the defendants and the jury disagreed with us."

The defense strategy turned on persuading the jury that King was a combative suspect who did not comply with officers' orders. Evidently, it worked.

"He refused to get out of the car," said one juror who was interviewed by The Times. "His two companions got out of the car and complied with all the orders and he just continued to fight. So the Police Department had no alternative. He was obviously a dangerous person. . . . Mr. King was controlling the whole show with his actions."

Extraordinary secrecy measures surrounded the jury, which was sequestered throughout its deliberations. Members refused to talk to reporters after the verdicts were read in a packed, silent courtroom at the East County Courthouse.

"This experience has been an extremely difficult and stressful one, one that we have all agonized over a great deal," said a statement prepared by the jury forewoman, a 64-year-old military contracts manager. "We feel we have done the best job we could have done."

The statement was read by a court official after the jurors were whisked away in a Ventura County Sheriff's Department bus to a nearby Travelodge where they had been sequestered during their deliberations. There, they were escorted to pick up their bags, some of which had masking tape placed on tags to conceal their names and addresses.

The four defendants were acquitted on one count of assault with a deadly weapon. All except Powell were acquitted of assault under the color of authority; the jury deadlocked 8 to 4 favoring acquittal on this count for Powell. He may face a new trial on that count.

Powell and Koon were acquitted of filing a false police report. Koon also was found not guilty of acting as an accessory after the fact.

King's attorney, Steve Lerman, was furious with the verdicts.

"It says it's OK to beat somebody on the ground and beat the crap out of him," Lerman said. "They [the jurors] chose to ignore and disregard the fundamental issue: The issue of brutal, vicious felonious assault against this man. There is nothing Rodney King did to deserve this fate, and [the defendants] are walking out as heroes.

"The fact that maybe 12 white jurors are not going to convict four white cops, it may be as basic as that."

The officers' legal troubles are not over, however. A federal civil rights investigation, which had been put on hold pending the trial's outcome, will be reactivated, U.S. Atty. Lourdes G. Baird said.

Elsewhere in the country, there was a similar outpouring of anger.

"I am shocked, outraged and frightened for our nation," said Joseph Lowery, president of the Southern Christian Leadership Conference. "We all cried and prayed for our nation. . . . Even in Johannesburg, South Africa, they have begun to punish white officers who assault black people."

Lowery planned to hold a prayer vigil at Martin Luther King Jr.'s tomb in Atlanta today.

The King beating quickly became a watershed event in Los Angeles history, spawning an unprecedented move to reform the Police Department, hastening the retirement of one chief and the hiring of another—and forcing this ethnically diverse city into profound introspection on the state of race relations.

With tensions running high after the beating, a blue-ribbon panel was formed to investigate the Police Department. Named the Christopher Commission for its chairman, former U.S. Assistant Secretary of State Warren Christopher, the panel found a police force plagued by tacitly condoned racism and abuse at the hands of rogue cops. The commission called on Chief Daryl F. Gates to step down.

After Wednesday's verdicts, Gates met with reporters at Parker Center but declined to express his opinion about the jury's verdict.

"An awful lot of people will voice their opinion," Gates said. "I don't intend to."

Gates directed much of his news conference to urge calm in the city. But even as he spoke, a crowd gathered in front of Parker Center. As Gates left the room, demonstrators were shouting "LAPD are rednecks! LAPD are racists!"

"This may be a test," Gates said. "I believe people will meet that test."

Later, as violence spread through parts of the city, Gates activated the LAPD Emergency Command Center, canceled police leaves and declared a permanent alert.

Gates' designated successor, Philadelphia Police Commissioner Willie L. Williams, who is black, was monitoring the riots on television at his Philadelphia home.

"The outbursts by these people are certainly in no way helping the healing process. It's making it very difficult for those people who were trying to take this court decision and make changes.

"It's a no-win situation, everything that occurred in the last few hours, the rioting, the fires, the shooting death.

"They are going to solidify the views of those people who are not wanting to see things smoothed over, but want them further divided."

He declined to comment on the LAPD's tactics of holding back during the early stages of the rioting, but said he will review it when he takes office in several weeks.

He also said he will consult with Los Angeles officials today to see if he could play any role in calming the situation.

"Tactically," Williams told The Times, "it's probably one of the most crucial times in the history of the Police Department—one of the most crucial, precarious times in Chief Gates' career and mine."

Legal experts said the jurors may have reached the verdicts based on their fears of crime and pre-existing attitudes favoring police officers. The key factor, they agreed, was the change of venue granted to the defense. Moving the trial out of Los Angeles County to more conservative and less racially diverse Simi Valley produced a jury disposed to siding with police, the experts said.

The six-man, six-woman jury included one Latina and one Asian-American. Only a handful of blacks were present in the original jury pool.

The four officers' defense attorneys had sought to portray King as a hard-to-handle suspect who made the officers fear for their lives. A convicted felon on parole, King was drunk the night he led police on a high-speed chase through the streets of Los Angeles County until stopping in Lake View Terrace. There, he was ordered out of his car, and the beating followed.

"I tried to put them in the shoes of the police officers," said Stone, "and I think I was able to do that. We got the jurors to look at the case not from the eye of the camera or the eye of a video cameraman, but from the eyes of the officers who were out there that night."

Powell is the officer seen leveling most of the blows at King, who was swung at more than 50 times and stung by an electrical Taser gun.

In speaking to reporters, Powell directed some of his wrath at Gates. "He should have backed us up," Powell said. "He should have backed up his policies," but the verdicts "show that he was wrong."

The jury heard 29 days of testimony from 55 witnesses and was shown the videotape on numerous occasions.

King did not testify at the trial. In an interview with the district attorney's office four months after the beating, he said he "saw death in [Powell's] eyes" and was certain he would be killed by officers who beat him furiously and repeatedly called him "nigger."

Throughout Los Angeles on Wednesday, residents who sat glued to their television sets to watch the delivering of the verdicts expressed astonishment.

"The jury apparently didn't see

and hear the same trial I heard," said Inglewood resident Terry Coleman, 49, a former police officer who estimates that he saw 95% of the trial on television. "The verdict's just as racist as what happened that night. I'm ashamed to be from Los Angeles. I'm happy I don't have a uniform anymore.

"I feel like I did when I heard that Martin Luther King died," added Coleman, who is black. "I felt each of those not guiltys—each one of them."

A white bus driver in the San Fernando Valley, who asked that his name not be used, had a similar reaction.

"It's the worst thing that has happened in this nation since Kennedy was shot in '63," he said. "Those guys are as guilty as guilty can be. There ain't a one of them that ain't guilty."

At the Lake View Terrace spot where the beating took place, about 100 people gathered to vent their rage, peacefully but forcefully.

"The verdict is very wrong," said Russell Baldwin, who is black. "They had it on tape. It showed the cops were wrong. . . . The verdict makes us open targets for police. . . . Who are we supposed to call for protection now?"

"This shows you can't trust the justice system," said Anthony Ellis, another protester. "What is justice? What kind of example do we have to show our kids?"

Although some police officers were surprised by the trial's outcome, many expressed satisfaction.

William Frio, spokesman for the LAPD, said he was shocked but saw a positive side.

"We're a very professional department," he said, "and I think this verdict somewhat vindicates the department."

"I didn't hear any whoops of cheering, there wasn't anyone jumping for joy," said James S. Ellis, a detective in the department's Pacific Division.

"We've definitely been slimed. We've been slimed," Ellis said. "There's a lot of open disrespect for law enforcement. It's police-bashing to its extreme. It's the vogue thing to do."

Bill Violante, president of the Police Protective League, said that although the acquittals were "a victory for these four LAPD officers . . . this verdict should not be interpreted as approval of the manner in which the arrest of Rodney King occurred."

Now, he said, the union intends to call on the mayor and the City Council to reinstate the use of the controversial carotid hold, which was stricken from police policy, leaving officers in the field with few basic tools beyond "the side-handled baton."

"It is incumbent upon city officials to come up with another tool so that we do not have other similar incidents with the use of a side-handled baton," Violante said.

Throughout the three-month trial, defense attorneys had maneuvered to keep the issue of race out of the trial. But when Powell was on the stand, his attorney, Stone, inadvertently asked him about police computer messages he had sent before the beating, opening the door for prosecutor White to quiz the officer about computer messages he sent 20 minutes before the beating.

In one of those messages, Powell told a fellow officer about an earlier incident involving a dispute among a black family that Powell described as "right out of 'Gorillas in the Mist.'"

White grilled Powell about the message. But on the stand, he sought to maintain that he did not consider the message to be racist. Nevertheless, White told the jury in his closing summation that the message was "clearly racially motivated."

Another trial strategy involved Briseno, who, to the surprise of many, mounted a separate defense and said he tried to stop the beating.

On the stand, Briseno testified that he tried to push Powell's baton away. He said he only "placed his foot" on King in an attempt to make the motorist lie still so Powell and Wind would put away their batons. He said he later tried to report to police supervisors that the other three officers had used excessive force on King.

Briseno did not speak to reporters Wednesday, but Powell was asked if his assertions had caused a permanent rift.

Powell said: "I congratulated him after this. I have no animosity."

Wind, who was on probation at the time of the beating, was fired soon thereafter. The other officers, suspended without pay since the incident, now face internal Police Department hearings. Koon's is scheduled for next week before an LAPD administrative tribunal.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Verdicts Greeted With Outrage and Disbelief

■ Reaction: Many cite videotape of beating and ask how jury could acquit officers. A few voice satisfaction.

By AMY WALLACE
and DAVID FERRELL
TIMES STAFF WRITERS

Outrage and indignation swept the city Wednesday as citizens rich and poor, black and white, struggled to reconcile the acquittals of four Los Angeles Police Department officers with the alarming, violent images captured on a late-night videotape.

"If something in you can die, that something died," said the Rev. Cecil L. Murray, who, like countless others, sat spellbound before a television screen as verdicts were read that cleared the officers of criminal wrongdoing in last year's beating of black motorist Rodney G. King.

Surrounded by a small group of other clergymen in a basement meeting room of his First African Methodist Episcopal Church in South-Central Los Angeles, Murray could only close his eyes, fighting back tears, and label the verdicts a tragedy.

"Not because it's unbelievable," he added, echoing the cynicism and bitterness that sprang from homes, streets and meeting halls throughout Los Angeles, "but because it *is* believable. . . . You think rational people will be at least semi-rational. You think civil people will be at least semi-civil. But to come back and see them completely whitewashing something that the whole world witnessed—this is a brutalization of truth."

The verdicts drew fervent reaction virtually everywhere. A widely outnumbered minority voiced satisfaction with the acquittals. Among them was Barbara Williams, who stood with friends outside the courthouse after the verdict, expressing her support for the four LAPD officers.

"I'm glad they got off," she said. "They did what they were trained to do."

But overwhelming sentiment against the acquittals poured forth almost immediately—both in the inner city and in outlying, largely white suburbs. Rose Brown, 43, of Los Angeles, who drove to the Simi Valley courthouse to hear the verdicts, said: "I'm not only shocked, but I'm hurt for Americans as a people. . . . I don't think Rodney King was on trial, but I think America was on trial."

Brown then presaged the violence that would break out later in parts of the city, saying: "I am not given to riot, but you just watch. Something's going to break."

Linda Johnson Phillips, another Los Angeles resident who attended the trial's final day, rushed from the courtroom in tears. "The color of your skin determines the degree of justice you get," she said bitterly. "It's a shame that America has gotten to the point where people believe what they hear and not what they see."

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Later, community leaders and activist groups met to urge calm, while neighborhoods around them simmered near a boil. At 55th Street and Normandie Avenue in the inner city, 31-year-old Tonia Smith, a mother of two, stood screaming about the verdicts. "It was wrong! Suspended without pay, that's no justice!" she hollered. "They beat that black man! It's time for us black folks . . . to reunite. It's our turn now. We're tired of being slaves!"

At the same intersection, someone had placed a cardboard sign in the middle of the street, alluding to the white officers: "Black men and women are fair game for shooting and beating at the hands of [Police Chief Daryl F.] Gates' gang, known as LAPD."

Elsewhere, a crowd that grew to 200 gathered at the Lake View Terrace location where King's beating was videotaped by a bystander more than a year ago. Chanting "We Want Justice!" they held signs with slogans—"Honk Your Horns for Guilty," and, "No Justice for a Brother."

Twice, passing police cars were pelted with rocks, but the mostly black crowd limited its displays of emotion to verbal blasts.

"This shows you can't trust the justice system," said Anthony Ellis, a black man who talked bitterly about the message the verdicts have sent. "They just got a new license—any niggers you see you can beat."

At the LAPD's main building downtown, several hundred demonstrators gathered, demanding Gates' resignation and smashing the glass doors with rocks. "There was no justice for Rodney King. Without justice, there will be no peace," said one protester, Allen Wesley of South-Central Los Angeles. "No one in this community will abide by anything LAPD says anymore."

At one point, protesters stormed the building. But police were able to hold off the crowd, arresting one man as he shouted, "You're choking me, man!"

A number of major activist groups joined in the outcry over the verdicts, including the National Assn. for the Advancement of Colored People, the American Civil Liberties Union, the American Jewish Congress, Los Angeles Gay and Lesbian Community Services Center and the Gay & Lesbian Alliance Against Defamation/Los Angeles.

"The [acquittals] . . . are outrageous, a mockery of justice," the NAACP's executive director, Benjamin L. Hooks, said in a statement, comparing the outcome to that of the Scottsboro, Ala., "Boys Case" of 1931, in which an all-white jury convicted nine innocent black youths of raping two white women.

"Given the evidence," Hooks said of the King verdicts, "it is difficult to see how the jurors will ever live with their consciences."

Among many activists who expected convictions, there was the same stunned reaction: How could the videotape lie? How could those graphic, painful images—of police officers repeatedly wielding their batons on a suspect lying before them—have been wrong, or so badly skewed?

Many concluded that they could not.

"I couldn't believe it—I just couldn't believe what I was hearing," said Myrtle City, a longtime Neighborhood Watch block captain in the LAPD's crime-plagued 77th Division. "To arrest a man is one thing, but to beat him with four or five people, with their guns drawn? I was just shocked."

Highland Park resident Marianne Hooper, 30, who is white, watched the verdicts at home and voiced the same consternation. "If a picture is worth a thousand words, then justice is blind," Hooper said. "I can't believe it."

At the same time, she said, she understands the pressures on police in a city where gang violence and drugs are out of control. "They're being hit with assault rifles out there," she said. "It really is a war. What kind of a normal person would not go crazy facing that?"

One white bus driver from the San Fernando Valley branded the jury's decision "the worst thing that has happened in this nation since Kennedy was shot in '63." He spoke of the officers by saying: "Those guys are as guilty as guilty can be."

Attorney William R. Moore, who watched the announcement of verdicts in a downtown high-rise, lost a $5 bet that at least two of the officers would be convicted on felony counts. Cynically, Moore said the case "only confirmed my view of policing in L.A. I'm sure it happens all the time. . . . Cops kick the . . . out of people and cover it up with phony reports."

The real victims, he added, are the taxpayers who had to foot the bill for the officers' conduct.

Another attorney, Nick Gedo, said he cannot comprehend how jurors failed to convict, saying, "I don't see how you could overcome what I saw on the videotape. The videotape is worth more than 10,000 words."

The existence of the tape, which made the King case singular among all brutality cases in Los Angeles, carried its message to every corner of the metropolis. Eric Davis and Darryl Strawberry, two outfielders with the Los Angeles Dodgers who grew up in South-Central Los Angeles, expressed their own shock and disbelief.

"When I saw [the video] I thought, 'Hey, this guy's got a real good case,'" Davis said at Dodger Stadium. "Then you turn around and he doesn't have a case at all? That's heavy."

"It's kind of hard to believe," Strawberry said.

Film director John Singleton said: "This shows we are going backward. . . . There is still no justice in this country."

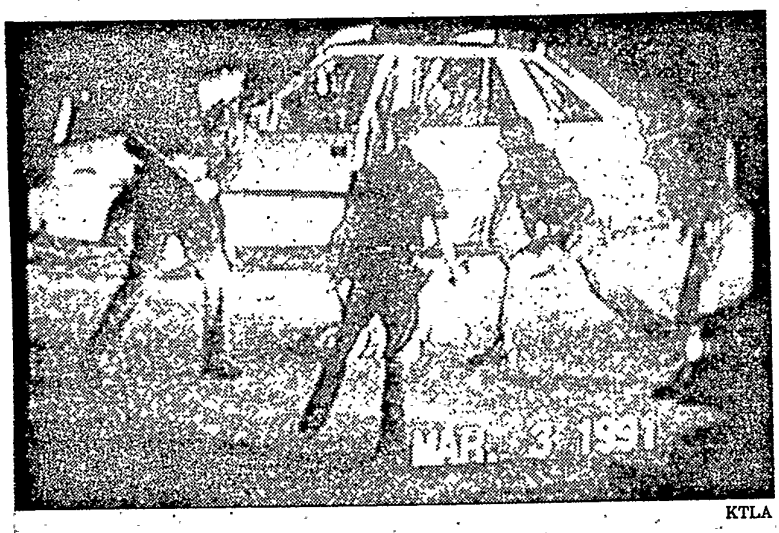
Andy Cisneros, a teen-ager awaiting a bus in East Los Angeles, said: "A beating is a beating. I thought that then when I first saw the tape, and I think that right now."

At Cal State Los Angeles, about 40 students watched the verdict announcements at the Student Union. For most, including black student Kim Williams, the acquittals provoked outrage. "How can you look at that video and not convict?" she demanded.

In Westwood, Alison Porter, 24, a high school teaching assistant, called the verdicts ridiculous. "Everybody has a right to a fair trial," she said, "but it was obvious from the tape, they beat Rodney King and I don't think there was any excuse for it.

In Long Beach, however, a woman who declined to give her name said she was "tickled as hell" at the verdicts. "I think Rodney King deserved all he got, and I am so glad the police did not get taken up," she said. "It's one thing when you're not breaking the law and that happens to you . . . but when the police have to chase you because you are breaking the law, it's quite another."

As darkness fell over Los Angeles, about 2,000 people gathered at Murray's inner-city church, celebrating their unity against what they considered a bad jury decision. King's mother, Angela, appeared before the cheering crowd, saying: "I'm not one for speeches, but I want to thank you . . . for being so supportive. And we love you all."



KTLA

LAPD officers are shown beating Rodney G. King as he lies on the ground in videotape filmed by amateur cameraman George Holliday.

Pool Photo

Laurence M. Powell, center, and Timothy E. Wind hug after they and Stacey C. Koon, right, were acquitted.

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(Mount Clipping in Space Below)

Juror Says Panel Felt King Actions Were to Blame

By SHERYL STOLBERG
TIMES STAFF WRITER

In the end, the now-famous videotape—81 seconds of footage that shocked the world with its grainy images of a prone, seemingly defenseless Rodney G. King being clubbed by Los Angeles police officers—didn't matter.

Instead, it was what King did before the camera started rolling that prompted a jury of six men and six women to return verdicts of not guilty in the celebrated trial of Officers Laurence M. Powell, Theodore J. Briseno, Timothy E. Wind and their sergeant, Stacey C. Koon.

"I know the film was horrible, but there's a lot more to it than the film, and a lot more to it than the small pieces of film that were shown on TV," said one juror interviewed by The Times. "The film does not show all of the things that went on before."

The jury's verdict proved to be a resounding endorsement of the police officers' conduct. The juror—who spoke despite a pact reached by the 12 that they would not talk to the media—said the panel made the only decision it could have, based on the evidence presented. There was no wavering; it was not a close call.

The jury believed that if King had complied with orders from the police as they tried to arrest him, the beating would never have occurred.

"He refused to get out of the car," said the juror, who asked not to be named. "His two companions got out of the car and complied with all the orders and he just continued to fight. So the Police Department had no alternative. He was obviously a dangerous person, massive size and threatening actions. . . . Mr. King was controlling the whole show with his actions."

The prosecution's decision not to put King on the witness stand may have hurt its case, the juror said, because King was not able to explain his actions:

"I wonder, could he have been a help to the case? Maybe he could have offered us some insight as to what his thinking was."

The juror said that the panel found the officers' testimony credible. Jurors did not believe race was a factor in the beating—if it had been, the juror said, King's

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From the Jurors

We, the jury in the case of the People vs. Powell et al., would like to make three things known. First, we would like to thank everyone involved for trying to make this whole experience for us as easy as possible. Second, we would like to ask all members of the media or anyone else who would want to contact us about this case, please do not. If we want to speak about it we will do so in our own time and in our own way. Finally, we would like to say that this experience has been an extremely difficult and stressful one, one which we have all agonized over a great deal. We feel we have done the best job we possibly could have done.

companions would have been beaten. Jurors also felt that the officers acted within the scope of LAPD regulations, and that the injuries to King's head occurred as he fell to the ground, not—as the prosecution asserted—from the beating he received.

As for the officers, the juror said, they were justifiably in fear as they attempted to arrest King.

"They're policemen, they're not angels," the juror said. "They're out there to do a low-down dirty job. Would you want your husband doing it, or your son or your father?"

For the jurors, the deliberations were exhausting. The panel—none of them black—had been thrown together in their task after a painstaking, monthlong process of jury selection in which 248 other Ventura County residents were eliminated.

They represented all corners of society—a cable splicer, a bank clerk, a retired real estate broker. A phone company technician, a computer analyst, a housekeeper. A retired naval aviator, a park ranger, a college groundskeeper. A program manager, a retired mental health worker, a nurse. Throughout the trial, their identities had been a closely guarded secret, and upon its dramatic conclusion, they fought hard to keep it that way.

Although it had been reported that the jury concluded its deliberations Friday on all counts except the one that resulted in a mistrial, this juror said that was not the case. In fact, the final straw votes on all the counts were taken Wednesday. The jury spent "long and tedious hours" going over evidence in the case, looking at the videotape over and over, sometimes slowing it down so that it could be viewed frame by frame.

Count by count, the jurors examined the testimony and tried to reach conclusions. The discussion was emotional, but not volatile. The first straw vote came at the end of the second day of deliberations, and there were countless straw votes after that.

After all the facts had been reviewed, the only bitter debate revolved around a charge of assault under color of authority against Powell. On that count, the jury split 8 to 4 and the judge declared a mistrial. The four who voted for conviction believed that Powell should have stopped striking King sooner, according to the juror.

But on all the other counts, the jurors unanimously agreed that the officers did what they had to do to control King.

"Based upon the testimony, the evidence, the information that was provided to us, [the officers' actions were] well within the scope of the Los Angeles Police Academy training," the juror said. "They used everything that they had at their availability."

While the jurors found the police officers' testimony to be by and large credible, this juror said that the panel did not believe the comments of Briseno—who tried to distance himself from the other officers by saying the beating was wrong. Instead, Briseno was viewed as having turned against the other officers in an attempt to get himself acquitted.

"In the main, in the most part," the juror said, "I feel that the officers were quite credible. When they were talking about the incident, and talking to us about what actually happened that night, you could see fear and you could see the stress of the whole situation. It had to be a very painful situation, very painful."

As the juror spoke, rioters were tearing up the streets of Los Angeles in response to the verdict the panel had issued hours earlier. But the possibility that there might be a violent response to their decision did not—and could not—enter into the discussions, the juror said.

"That was not something that we would allow to go through our minds, simply because it could not be part of our equation. It was not part of the testimony, it was not part of the trial. Had we been thinking about that, we could have thought of the officers' careers, and we couldn't think of that either."

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Justice in Court Doesn't Mean Social Justice

■ The LAPD acquittals don't change the brutal facts. We, the people, must change.

The verdict in the Rodney King beating case leaves us with one question: Is there justice? The 17-minute tape of a swarm of white Los Angeles police officers beating the African-American motorist left few viewers in doubt that the officers were guilty of criminal assault. Yet, after a week of deliberation, a jury—one without a single African-American—disagreed.

How can this happen? It happened because the criminal-justice system is neither designed to be nor functions as a forum for expressing community will. We have seen John Delorean kiss cocaine and be acquitted, John Hinckley shoot President Reagan and be found not guilty by reason of insanity, Los Angeles grocer Soon Ja Du commit voluntary manslaughter and receive probation. In all of these cases, public sentiment was far different from the verdict.

The criminal-justice system is not a vehicle for social or political change. It is a slow, antiseptic process by which 12 members of society determine whether an individual is guilty of a crime. Every precaution is taken to ensure that the trial environment does not become a street debate on justice. High-profile cases, such as the Rodney King beating, are moved out of the very community they most directly impact. The trial process carefully screens for jurors who will be able to serve the system of justice. The trial is a battle of wits between attorneys, not a public forum for debate. Rules of evidence govern. Assumptions are challenged. "Reasonable force" becomes a term of art, not a matter of common sense. In this environment, a jury can find, as the jury in the King beating case did, that the victim was the perpetrator and the perpetrator the victim.

Given the verdict, community leaders will call for restraint and tolerance—a call that undoubtedly is easier to make from Simi Valley than inner-city Los Angeles. And it is the right call. No reaction, no matter how forceful, will change the verdicts that acquitted the four officers.

But the call for restraint should not be a call that silences us. The most important changes, those in the operation and structure of our city's police force, still must be made. If anything, the verdict should spark a faster, more deliberate pace. Historic changes have already begun in our city. The Christopher Commission issued its report on police practices, Chief Daryl Gates is on his way out, his successor has been chosen and Charter Amendment F is before the voters. It was the event—the merciless beating of Rodney King—not the verdict, that will change Los Angeles.

'Did a jury drawn from Ventura County accurately reflect what people in Los Angeles consider "reasonable" and just?'

The criminal-justice system will also not escape unscathed. A trial is a test of the people among whom it takes place. If, in the eyes of the community, the verdict is colossally wrong, if the criminal-justice system cannot protect those it is often in the position of prosecuting, there will be a call to re-examine the process.

What is this examination likely to show? All who watched the trial would compliment Judge Stanley Weisberg for the job he did as jurist. The prosecution and defense also were proficient.

The outcome turned on three key circumstances. First, the people being charged with criminal conduct were police officers. They are extremely sympathetic defendants. We cloak them in a special aura of respectability. They are our "protectors," doing tasks that others cannot or will not do. It is scary to think that those who protect us can also hurt us.

Second, the trial was moved out of Los Angeles to Simi Valley, in Ventura County. We pretend that our system of justice is colorblind. It is not. The composition of a jury can make a vast difference in the outcome of a case. In making decisions of "reasonableness," our criminal-justice system does rely on a community standard. Did a jury drawn from Ventura County accurately reflect what people in Los Angeles consider "reasonable" and just?

Finally, the jury was given an all-or-nothing decision. The lawyers decided not to ask for jury instructions on the lesser included crimes. The jurors were asked to decide who was the criminal—Rodney King or the police officers.

In general, these procedures, as used in this trial, are not bad procedures. But they can lead to skewed results—results based on skewed attitudes and perceptions.

As this verdict shows, the greatest blame does not lie with an institution. It is with us. If we judge people of color differently than we judge people in blue, we "the people" are at fault. If we allow brutal force to be "reasonable" because of the violence our officers face daily, we the people are at fault.

The criminal-justice system will not change those ills in our society that led to the verdict in the Rodney King beating case. We the people must change.

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The Jury Saw All of the Evidence

■ System overcame political hysteria and media hype.

On Wednesday, the city of Los Angeles stood silent as the jury in the Rodney King trial handed down not-guilty verdicts. These verdicts, which are sure to inflame the passions of the city, raise many important questions. Was this decision by a jury without a single black juror in Simi Valley simply another sign of deep-seated racial animosity, a darkening of the cloud that has hung over the city for more than a year? Or is there a reason to commend the judicial process?

Beyond the deafening clamor that is certain to come from virtually every political corner, the verdicts tell a story of a criminal justice system that is functioning adequately in the face of a changing society, a society in which television is increasingly becoming the ultimate and exclusive focus. These verdicts show how, when pushed, the criminal justice system can successfully perform a critical task: It can seal the courtroom from the pervasive effects of political hysteria and media hype so that justice can be administered.

On March 5, 1991, two days after Rodney King was beaten by members of the Los Angeles Police Department, the unofficial trial of the department began, the trial by media. It was on that day that George Holliday's startling video was first aired, depicting a seemingly helpless man being beaten by several of L.A.'s finest, while a larger crowd of officers looked on. From that day forward, the grainy video would be etched into the collective mind of the public.

Within a day and a half of Holliday's video hitting the airwaves, the first verdict was in: The armchair jurors in virtually every American home equipped with a television had found the officers guilty. A few days later the second verdict was handed down: the man on top, Police Chief Daryl Gates, was also found guilty in the media trial, guilty of creating the environment that would permit and foster such atrocities.

But it would take a year before the second trial would begin, the real trial, the trial by jury. The trial that took place in a Superior Court in Simi Valley was not limited to a single piece of evidence as captured by an amateur cameraman. Rather, in this trial, no fewer than 56 witnesses were called to the stand. Reams of evidence were presented by both sides.

Experts and fellow police officers testified, and three of the four defendants told their account of the events for the first time. And when the video was introduced as evidence, it was analyzed frame-by-frame, with a focus on the actions and participation of each defendant.

'The verdicts tell a story of a criminal justice system that is functioning adequately in the face of a changing society.'

Then, on Wednesday afternoon, the verdict was in: with the exception of a single charge against Officer Lawrence Powell upon which a mistrial was declared, the jury of six men and six women found all four officers not guilty on every count. Why did the jury not see what we the public saw so clearly night after night on the evening news?

The answer is that the jury was not subject to the same disadvantages that colored the perspective of the public. For the jury, the videotape was one of many pieces of evidence to evaluate and weigh in a complex case. For the public, the videotape was the sole piece of evidence.

But the videotape alone could not resolve all of the legal issues in the case, the critical issues of authority, participation, training, procedure, perception and credibility. And the media was unable to communicate these issues from the courtroom to the living room, especially where the viewers clearly had preconceived notions of the facts of the case.

The disparity between the verdict in the media trial and the verdict in the jury trial should not be a surprise. This is not the first time we have witnessed the media's inability to adequately cover the legal issues. The difference between the public's reaction and the jury's verdict in the McMartin child molestation trial is a case in point.

In the King case, the disparity between what the public saw on television and what the jury saw in the courtroom will undoubtedly further inflame the political and social tensions that are smoldering just below the city's surface.

But the jury's verdict might also give us some confidence in our criminal justice system. It shows a criminal justice system that is capable of sifting through complex facts and issues and insulating itself from the deafening roar of the masses, so as to deliver the due process guaranteed in the Constitution, a task for which the media is ill-equipped.

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(Rev. 5-8-81)

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Dashing the Possibility of Trust

Until there are great changes in the LAPD, people of color can hardly tell their children that police are friends.

By KAREN GRIGSBY BATES

Growing up in the 1950s, most elementary school children of all races were taught to respect authority, to salute the flag when it was presented to us, and to always know that if we found ourselves in trouble, if there was an emergency, "the policeman is your friend."

Policemen, in the '50s, at least in my Connecticut hometown, were presented as benign, avuncular figures; they were guys who shepherded lost dogs home, patted little kids on the head and cheerfully told you which way to go to get to the public library.

I don't know many black people who stop policemen and ask for directions anymore. Mostly they give a wide berth, and, after yesterday's verdict in the Rodney King trial, that berth will get wider still.

I watched the verdict come in as I bounced my 8-month-old son on my knee. My mouth tightened in grim disbelief as verdict after "not guilty" verdict from a jury with no African-Americans came back. My mind's eye flashed back to tales of trials in the segregated Deep South, trials where—when they occurred at all—smirking white defendants who had assaulted or killed black people walked away, acquitted by a jury of what was indeed their peers.

Listening to the television's drone, one part of me grunted in resignation—same ol' same ol'—and the other part just couldn't grasp it. The verdicts defied logic. Had not the jury seen the same tape I did, the one that showed the officers in question pounding away at Rodney King? Had they read—and dismissed—the computer transcripts describing we black people as animals (specifically gorillas)? Could they ignore the testimony of emergency room personnel about one officer's menacing jocularity as King lay bleeding from the injuries administered by the same officer? Obviously, they could and did. So I learned some things from the King trial:

—Southern California needn't be so smug about how far it's come in race relations. Simi Valley is thousands of physical miles away from Johannesburg. But some similarities are disturbingly familiar, and the suburban hostility directed toward Los Angeles, with its multiracial population and its urban challenges, would look right at home on "World News Tonight."

'There's a considerable distance between collaring criminals and the practice of harassing citizens because they happen to be black and male and thus automatically suspect.'

—The policeman, at least for the moment, is *not* my friend. Many people feel the Simi Valley jury's verdict has handed the LAPD an open season, a license to hunt its minority citizenry. African-Americans and Latinos felt beleaguered enough by the police before Rodney King. It doesn't take a rocket scientist to envision a worst-case scenario: angry young men of color who will do anything to keep from being stopped because they don't want to turn into another notch on some cop's baton.

As I write this, elected officials, civic leaders and, yes, the police department

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are preparing for what they fear may be massive urban unrest. Isolated incidents of violent anger were already occurring. But I hope that, for the most part, the anger from the King trial can be channeled into specific actions. Instead of trashing our own neighborhoods from a feeling of hopeless impotence, we should take stock of our numbers, coalesce with other minority groups and work for a little home improvement.

—Vote for Charter Amendment F, which provides specific recommendations for police reform, on June 2.

—Lobby to further change the city charter so that residence in the city is mandatory for LAPD officers. It's easy to wreak havoc in one neighborhood and drive several miles away to live in another. Perhaps if they were truly local residents, LAPD officers who aren't now living in the city would understand it in a different, better way.

I'm well aware that the job of policing a city as huge and as diverse as Los Angeles is gigantic, that the advent of drug-related violence and crime has increased exponentially and that the police are the first vanguard against it. Often their lives are on the line.

But there's a considerable distance between collaring criminals and the practice of harassing citizens because they happen to be black and male and thus automatically suspect. I hope, when he's sworn in, that Willie L. Williams will get the support and cooperation he needs, so that the tension between much of the LAPD and Los Angeles' minority communities will lessen. I hope he makes enough progress that, by the time my 8-month-old is ready to go to school, I can tell him what my parents told me: If something happens, if there's an emergency, find a policeman. That policeman (or, today, woman) is your friend. Till that day comes, especially considering Wednesday's verdict, I can't say a thing.

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One picture is worth zero

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LOS ANGELES, CA

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Vandals Smash Glass, Ransack Some Offices in Times Building

The Los Angeles Times building was among several downtown structures damaged by rampaging vandals Wednesday night, several hours after verdicts in the King case.

Most employees on the ground level of the historic structure at 1st and Spring streets had gone home by the time of the 9 p.m. attack. Two employees were evacuated from the first floor, but dozens of reporters and editors continued to work in the third-floor newsroom.

No one was injured.

Executive Editor Shelby Coffey III estimated that damage to the building would run into the tens of thousands of dollars.

The vandals were part of a crowd of about 200 that had first formed in front of Parker Center, the police headquarters, two blocks away. After being repelled by police there, the crowd surged through downtown, smashing windows, setting trees afire and uprooting newsstands.

In front of the Times, several young men threw newsstands into plate-glass windows, shattering 17 in all. The missiles left broken glass and equipment around the offices of the Los Angeles Times Magazine, which occupies much of the first floor.

The mob then ransacked the offices of Times Special Events, which organizes promotional and charitable events for the newspaper.

The crowd left the Times building within 10 minutes and went on to vandalize other downtown buildings. But marauders returned an hour later and pelted windows with more debris.

—JAMES RAINEY

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Angry Callers Flood Times Switchboard

Shortly after verdicts were read in the Rodney G. King beating trial, callers from across the country flooded the Los Angeles Times switchboard—most with angry comments on the outcome. The calls came from as far away as Michigan, Idaho and Texas, and from local residents in Compton, the San Fernando Valley and Orange County.

Most asked that their names not be used. Here is a sampling:

■ **A caller from Hayden Lake, Ida., said:** "I am a white, middle-class Mormon woman and I am totally outraged at the verdict on the Rodney King beating."

■ **Irene Shandell, a federal worker from Compton, said that her 23-year-old daughter cried when she heard the verdict and that her two other teen-agers were angry.** "I think it was an outrage. What they are doing is inciting a riot. In your wildest dreams, you never would have thought they would come back with this verdict. Now I fear for my children and for my community."

■ **A caller who agreed with the verdict congratulated the officers.** "I believe they were absolutely right. I saw the tape and I felt they were wrong. But I watched the trial from Day 1 and certainly learned a lot of things that were not presented in the tape."

■ **Vivian Pennington of Albuquerque, N.M., said she and her husband were stunned.** "We are totally outraged that those officers could be found not guilty in the face of all of that evidence. What does it take in Los Angeles to get a guilty verdict? I'm just outraged and angry."

■ **A realty agent from San Jose said:** "I think it's shocking. I'm concerned for my fellow Californians who live in the Los Angeles area who are subject to this kind of behavior by the police."

■ **A teacher from Flint, Mich., warned that the verdict could lead to racial friction.** "It is obvious that these policemen brutally beat this man and there is no reason to brutally beat a citizen anywhere. . . . I think we have set ourselves up for civil war all over again."

■ **A caller who lauded the verdict blamed the prosecution of the officers on Mayor Tom Bradley.** "He was using these policemen for his own political gain to take over the Police Department himself. . . . I am completely outraged."

■ **A Petaluma woman said that** "as a white person, I am extremely upset. I am outraged, disgusted, saddened about the fact that this is happening in America. It's unspeakable."

■ **A woman caller said the verdict vindicated the officers:** "I think these policeman already served a lot of punishment and time, so I prayed and prayed and lit candles at Mass all the way to the end, and I'm grateful it ended that way."

■ **A caller from Maine said:** "I don't know how anybody can look at this and not have something to say about this. The whole country is up in arms about this [verdict]."

■ **Harley Spoon of Waco, Tex. said he was embarrassed and shocked:** "I think it's going to make [police] think they have a license to bump people upside the head with billy clubs. I've lived through that kind of stuff in my part of the country. We're ahead of that now. I'm kind of disappointed in Los Angeles justice."

44A-LA-119954-D-279

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(Mount Clipping in Space Below)

Los Angeles Policemen Acquitted in Taped Beating

By SETH MYDANS
Special to The New York Times

SIMI VALLEY, Calif., April 29 — Four Los Angeles police officers were acquitted of assault today in the videotaped beating of a black motorist that stunned the nation. The verdict immediately touched off a storm of anger in the city.

After hearing seven weeks of detailed testimony and studying the 81-second amateur videotape of the beating, the jury concluded that the policemen, all of whom are white, had not broken any laws when they clubbed and kicked the mostly prone motorist, Rodney G. King.

It was deadlocked on one of the 11 charges, and the prosecution said it might seek a new trial on that charge, which affected only one defendant.

The beating last spring, with its kicks and its 56 baton swings, was shown over and over on television. It immediately became one of the most visible use of force by police in this country's history and put the issue of police brutality on the national agenda.

Immediately after the verdict, an unusually impassioned Mayor Tom Bradley of Los Angeles appeared on television to appeal for calm in a city where the videotape has come to symbolize complaints about police brutality, racism and street violence.

Community leaders expressed outrage that what had seemed on the videotape to be a clear-cut instance of police brutality had gone unpunished. The absence of blacks on the jury, picked from mostly white Ventura Country near Los Angeles after a change of venue to avoid pre-trial publicity, was used to enforce their allegations of racism.

The prosecutor, Deputy District Attorney Terry White, said the verdict "sends out a message that whatever you saw on that tape was reasonable conduct."

Blacks Raising Charge of Racism as Storm of Anger Results

A Quick Decision

Jurors said it had taken only a day to reach their acquittals on the main charges against Sgt. Stacey C. Koon, 41 years old; Officers Laurence M. Powell, 29, and Theodore J. Briseno, 39; and former Officer Timothy E. Wind, 31. The three officers have been suspended without pay since the beating; Mr. Wind, a rookie without tenure, was dismissed from the Police Department.

The four men were among two dozen officers who were present shortly after midnight on March 3, 1991, when Mr. King was stopped after a 15-minute high-speed chase, beaten, hogtied, thrown into an ambulance and sent to a hospital with multiple cuts and fractures. Mr. King was never charged in connection with the traffic stop.

The charges against the policemen included assault with a deadly weapon, excessive use of force as a police officer, filing a false report and acting as an accessory after the fact.

Jurors said they were deadlocked on a charge against Officer Powell of use of excessive force. Mr. White said his office would seek a new trial on that charge, but prosecutors said later that they would reassess their plans. A hearing was set for May 15.

Jurors refused to be interviewed by reporters, issuing a brief statement that gave no indication of the basis on which they reached their verdicts.

As a court officer read out 10 separate verdicts of not guilty, the defendants sat motionless and expressionless, as they have throughout most of the trial. Then they rose and embraced their lawyers.

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'What Race Are You?'

Loud arguments broke out between whites and blacks outside the courthouse.

"What race are you?" a black man shouted.

A white man yelled back, "I'm an American!"

The black man then shouted, "We're not judged as Americans!"

Stones were thrown at Officer Powell as he left the courthouse, said Sgt. Dick Southwick of the Ventura County Sherrif's Department. Angry groups of shouting spectators also confronted Mr. Wind and Sergeant Koon as they left the building.

In south-central Los Angeles a crowd gathered, blocking traffic at an intersection, pulling a driver out of his truck and beating him. Part of the crowd then looted a liquor store. There were isolated incidents of stone- and bottle-throwing.

The jury's verdicts flew in the face of the verdict of public opinion, which over the past year has condemned the videotaped beating as police brutality in its rawest form. President Bush said the videotape sickened him, and police departments in other cities played it for their officers as a cautionary lesson.

But many civil rights groups and black community leaders said Mr. King's beating was unusual only in that it had been captured on videotape.

The tape became a symbol of what many critics see as a chasm between police officers and the communities they protect, of racial bias in law enforcement and of the bunker mentality of some police departments.

Review Is Ordered

As a result of the publicity, United States Attorney General Dick Thornburgh ordered a review of police-brutality complaints around the nation. An independent commission headed by Warren M. Christopher, a Deputy Secretary of State in the Carter Administration, recommended broad changes in the Los Angeles Police Department.

Under intense pressure, Chief Daryl F. Gates announced he would resign his tenured position, and although he has continued to hold onto office, his replacement, Willie L. Williams, the Philadelphia Police Commissioner, was announced this month.

The videotape was the central piece of evidence at the trial. As defense lawyers sought explanations for this or that baton swing or kick, the prosecutor urged jurors simply to watch the tape and to believe their eyes.

Arguing that Mr. King was making potentially threatening movements as he rolled on the ground under the blows, the defense brought experts in police procedures to testify about the propriety of the actions on the tape.

"If reasonable police minds could differ over the propriety of the use of force on March 3, 1991, then I suggest to you there is no proof beyond a reasonable doubt" that the beating was a criminal assault, argued Michael P. Stone, the lawyer for Officer Powell.

Mr. White, who presented his own expert to testify that the beating was

unjustified, countered that at some point each juror would find himself saying, "Enough is enough."

"Once you decide reasonable force ends, you have assault," Mr. White said. "You have a violation and assault with a deadly weapon."

In their closing arguments, the lawyers focused on an issue at the heart of the controversy over the Los Angeles Police Department, what Mr. Christopher described as its "siege mentality."

'Thin Blue Line'

Addressing the jury, 10 of whose members were white, 1 Asian and 1 Hispanic, defense lawyers referred repeatedly to the "thin blue line," to the role of a police force in protecting society from "the likes of Rodney King."

"This unpleasant incident is what we have police for," said Paul dePasquale, the lawyer for Mr. Wind. "The circumstances here were consistent with the job the man was hired to do. He was part of the line between society and cha[illegible]."

The videotape was shown repeatedly during the trial at slow, super-slow and normal speeds, with the roar of a police helicopter, the muffled shouts of the police and the occasional crack of a baton blow filling the courtroom.

In what seemed an effort to desensitize the jury to the violence, defense lawyers sometimes paced back and forth swinging a heavy metal police baton. They displayed large color photographs of the battered and swollen face of Mr. King and pointed to the locations of his fractures on a lighted model of a skull.

Mr. King did not appear as a witness. His lawyer, Steven Lerman, said Mr. King has been confused and frightened since the beating and has problems with short-term memory.

The defendants sat quietly throughout the trial, wearing well-tailored suits and with neat haircuts.

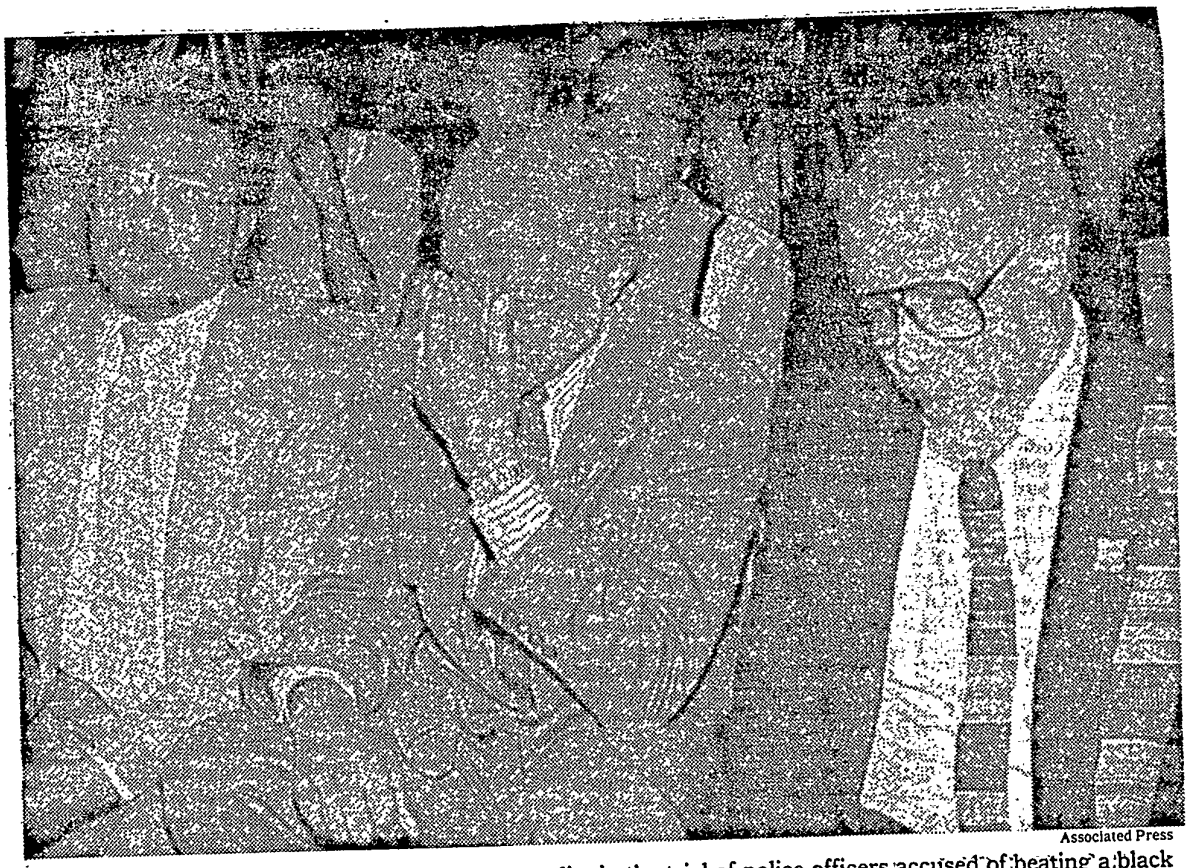
Sergeant Koon, a 14-year veteran, is not shown on the tape hitting Mr. King but was being held responsible for the actions of the men under his command. He faced a maximum sentence of four years, eight months on charges of assault with a deadly weapon, using excessive force as a police officer, filing a false report and being an accessory after the fact.

He testified that Mr. King's erratic and uncooperative behavior after the traffic stop made it necessary to use force. "Sometimes police work is brutal. That's just a fact of life," he said on the witness stand.

Officer Powell is shown on the tape delivering most of the baton blows and was described by prosecutors as making racial slurs and laughing about the beating. He faced seven years and eight months on charges of assault, using excessive force as a police officer and filing a false report. He was also the subject of two special allegations of causing great bodily injury.

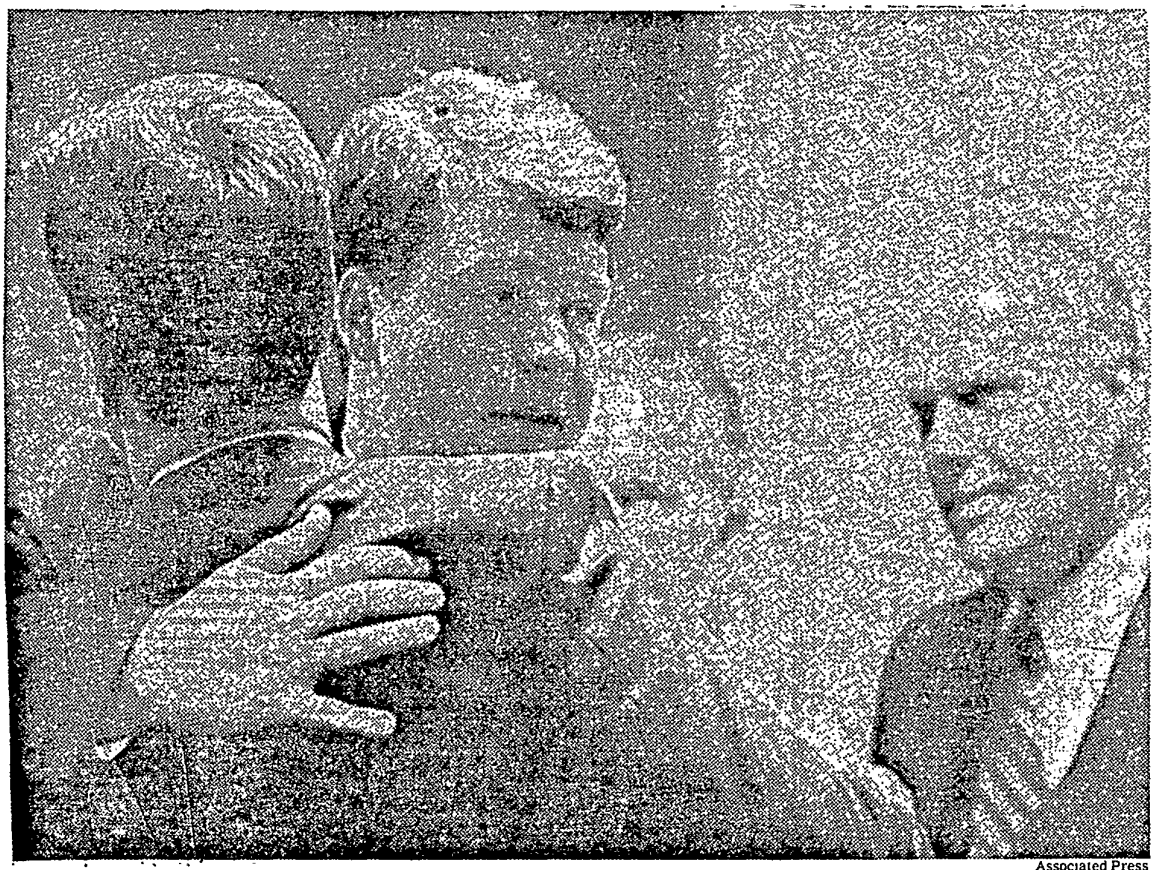
"You don't see an example of uncontrolled police brutality," said Mr. Stone, Officer Powell's lawyer. "It's not there. You see a controlled application of baton strikes for the very obvious reason of getting this man into custody."

Mr. Wind, the rookie who was in training with Officer Powell, is shown delivering about 15 baton blows and several kicks. He faced a possible total of seven years on the same charges as Officer Powell, except for the charge of filing a false report.



Associated Press

Black leaders in Los Angeles reacting to the verdict in the trial of police officers accused of beating a black motorist. From left were the Rev. Leonard Jackson, the Rev. Cecil Murray and Julius Butler.



Associated Press

Three defendants in the Rodney King beating trial celebrating in court in Simi Valley, Calif., yesterday after their acquittals. From the left were Timothy E. Wind, Laurence M. Powell and Stacey C. Koon.

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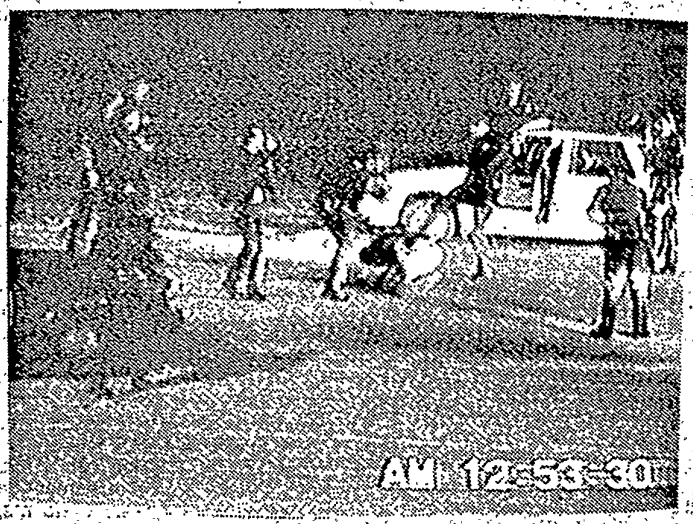
The Charges and the Verdicts

Indicates which officers were charged

	Sgt. Stacey C. Koon	Laurence M. Powell	Timothy E. Wind	Theodore J. Briseno	Maximum sentence
Assault with a deadly weapon	Not guilty	Not guilty	Not guilty	Not guilty	4 years, $10,000 fine
Excessive use of force as a police officer	Not guilty	Mis-trial	Not guilty	Not guilty	1 year, $10,000 fine
Filing a false police report	Not guilty	Not guilty			3 years
Accessory after the fact to a felony	Not guilty				3 years, $5,000 fine



The four white police officers on trial, captured on videotape, beating Rodney King, on March 3, 1991.

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The Rodney King Case

MARCH 1991

3 Rodney G. King, a black motorist, is beaten and kicked by white Los Angeles police officers, while a resident of a nearby apartment building videotapes the incident.

14 A Los Angeles County grand jury indicts Sgt. Stacey C. Koon and Officers Laurence M. Powell, Theodore J. Briseno and Timothy E. Wind. They plead not guilty 12 days later.

United States Attorney General Dick Thornburgh orders a review of brutality complaints against the Los Angeles Police Department over the past six years. The study is later expanded to cover the nation. Thirteen months later, the findings have yet to be released.

APRIL

1 In response to the beating, Mayor Tom Bradley appoints a commission, headed by former Deputy Secretary of State Warren Christopher, to investigate the police department.

2 Mayor Bradley calls on Chief Gates to step down.

4 The Police Commission, whose members are appointed by the Mayor, suspends Chief Gates with pay for 60 days. Five days later, a judge reinstates Chief Gates, while the case is heard in court.

MAY

7 Chief Gates dismisses Officer Wind, a rookie who did not have tenure. He suspends Sergeant Koon and Officers Powell and Briseno without pay.

8 Mr. King and his wife, Crystal, file a Federal civil rights lawsuit against the city.

10 The grand jury announces that it will not indict any of the 19 police officers who were bystanders at the beating. The police department later punishes 10 of them.

13 Judge Ronald Sohigian of Los Angeles County Superior Court voids the suspension of Chief Gates. The four police commissioners who voted to place him on leave resign.

28 Mr. King, found in a parked car with a transvestite prostitute, tries to flee a plainclothes officer and is accused of trying to run him over. Two months later, prosecutors decide not to file charges.

JULY

9 The Christopher Commission releases its report, including a recommendation that Chief Gates retire and a range of proposals for changes in the police department. The panel concludes that the department suffers from a "siege mentality" and that a relatively small number of officers account for an inordinate number of uses of force but go unpunished.

22 Chief Gates announces he will retire in April 1992. He later hints that he might stay on through June or July 1992.

23 The State Second District Court of Appeal grants a change of venue.

AUGUST

21 The Second District Court of Appeal removes Judge Bernard Kamins from the beating case, citing improper private communication between the judge and prosecutors.

SEPTEMBER

3 The Los Angeles City Council approves a ballot measure containing many of the Christopher Commission recommendations, including greater civilian control of the police department. The initiative is to go before voters on June 2.

18 In his official response to the commission's report, Chief Gates asserts that most of the proposed changes are already department policies, while others are unnecessary.

NOVEMBER

26 Judge Stanley M. Weisberg, who replaced Judge Kamins, chooses neighboring Ventura County as the new venue for the beating case.

MARCH

4 Opening arguments are given before the jury. Ten jurors are white, one is Hispanic and one is Asian. John D. Barnett, lawyer for Officer Briseno, reveals that his client will implicate the other three defendants.

APRIL

16 Mayor Bradley announces the choice of Willie L. Williams, a black man who is chief of police in Philadelphia, to succeed Chief Gates.

23 The case goes to the jury.

30 The jury is hung on one count against Mr. Powell and announces not-guilty verdicts on all other charges.

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(Mount Clipping in Space Below)

Police Chief Gates: 'No winners' in King case

By Maria Puente
USA TODAY

Los Angeles Police Chief Daryl Gates almost never is at a loss for words. Wednesday, he didn't have much to say.

Not about the verdict in the Rodney King taped-beating trial. Not about King, not about the four officers involved, not about the consequences of their stunning acquittal.

He neither rejoiced nor complained about the outcome in a case that tarnished his department, sullied his reputation and forced his resignation.

"I don't think there are any winners at all. I don't think anyone was vindicated," Gates told reporters after the verdict.

He once dismissed the videotape of the King beating as an "aberration," and defiantly defended his department and his leadership. Wednesday, he said he hoped the affair was over for good.

By Lee Celano, Reuters

WILLIAMS: Takes over as police chief this summer

"I hope this department can go forward, and wherever we have erred, whatever needs to be corrected, will be corrected in the future," he said.

The future, however, belongs to Philadelphia Police Chief Willie Williams, who takes over from Gates when he retires this summer.

"Regardless of how we feel, we have to accept the judicial process," Williams said Wednesday. "It's a fair process. We have to accept it and move on and do what we can do to prevent an incident like this from occurring again."

The acquittal could hinder the campaign to reform the Los Angeles Police Department, which has more than 7,000 officers and tense relations with sections of the sprawling community.

"We have to channel our anger and outrage to generate more support" for reform, said City Councilman Michael Woo, a leading critic of Gates' leadership. After the acquittal, Woo said it was "one of the saddest days in the history of the city."

Chief for 14 years, Gates enjoyed job protections under the City Charter that made it all but impossible to fire him.

But a special commission appointed by Gates and Mayor Tom Bradley chronicled widespread problems in the department, including racism and the use of excessive force by police officers.

The panel proposed reforms — to be voted on in June — to curb police misconduct and adopt "community based" policing that encourages citizen participation.

Bradley said the four acquitted officers should be fired.

"This verdict will never blind the world to what we saw on that videotape," he said. They "don't deserve to wear the uniform of the LAPD."

But Gates said the four acquitted officers — one was fired and three were suspended — will now go through administrative hearings to determine whether they will get their jobs back.

At his press conference, Gates was roused only when it was suggested the verdict would send a message that excessive force by police officers would be tolerated.

"That's just total, complete nonsense," Gates snapped. "Our officers are highly trained. Reasonable and necessary force are ingrained in their brains."

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Next for injured King: Book, movie, lawsuit

By Steve Marshall
USA TODAY

Rodney King, 26, sustained nearly a dozen head fractures when he was beaten on March 3, 1991, by Los Angeles Police Department officers.

In describing his beating to district attorney's investigators, the ex-convict turned construction worker said the first blow "was a real hard kick from the boot. It was enough to make me feel my jawbone move. My face got rearranged."

An eye socket and cheekbone were shattered; he had a concussion, knee injuries and nerve damage that left his face partly paralyzed.

Married with two young children, King moved to a secluded Los Angeles apartment after the incident and almost never went out. He left his brother's wedding early last year because of headaches.

King has signed a book and movie contract about his ordeal.

Pending: a lawsuit against the city.

In his only public statement — three days after the videotaped beating — King said, "I was scared for my life. So I laid down real calmly and took it like a man."

He was described by friends and relatives as quiet and gentle.

King had run-ins with authorities before and after his famous beating.

He pleaded guilty in November, 1989, to robbing a grocery store of $200 while armed with a tire iron.

King was paroled Dec. 27, 1990, and got a construction job. "You could set your watch by his timeliness," said Scott Dalgleish, his boss. "I told him when he gets well to call us. I'd take him back in a minute."

In May 1991, after the beating, sheriff's deputies pulled him over because of expired car registration and later that month, undercover vice officers arrested him with a male prostitute dressed as a woman.

AP

KING: Suffered nearly a dozen skull fractures in March 1991 beating by Los Angeles police officers

(Indicate page, name of newspaper, city and state.)

USA TODAY
ARLINGTON, VA

Date: THURS., 4/30/92
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Title: NEXT FOR INJURED KING: BOOK, MOVIE, LAWSUIT

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FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

In fear of 'AmeriKKKan justice'

Disdain, a sense of disbelief

By Haya El Nasser
and Sally Ann Stewart
USA TODAY

SIMI VALLEY, Calif. — A city already jarred by a videotaped beating of a motorist was shaken again Wednesday by a verdict acquitting the police officers shown beating him.

"This is a modern-day lynching," said Compton City Councilwoman Patricia Moore, who came to hear the verdict.

The courtroom was silent as the words "not guilty" rang out for the four defendants.

Leanne and Lynne Powell, sisters of defendant Laurence Powell, held hands and cried. Niles Alvino, a union contract negotiator, walked out after he heard the first verdict. Others in the courtroom stared at each in obvious disbelief.

Across the nation, black leaders likened the verdict to days of slavery. And some said it proved equal justice under the law is just a fancy phrase when it comes to black people.

"I'm reminded of the Dred Scott decision of 1857 which said that black people had no rights which white people were bound to respect," said Joseph Lowery, president of the Southern Christian Leadership Conference in Atlanta. "And that's what this jury said."

Outside the courthouse, 35 miles from Los Angeles, emotional, mostly young and mostly white crowds hurled insults at some of the defendants as they filed out through a gauntlet of police guards.

"How can you look at that video and justify that verdict," screamed Sandy Martinez, 28, an accountant from Chino.

"There were five use-of-force experts and even they couldn't agree what to do," Kahlil Williams, 19, responded.

Don Jones, 54, a retired Alaskan oil field construction worker, drove from Gettysburg, Pa., to sit in the courtroom daily.

"I would have gone with the video because I have good eyesight," said Jones, who slept in his truck since the trial began more two months ago. "Ray Charles could see that video."

Others, including Randy Christensen, watched the verdict at home and came rushing here with signs reading: "AmeriKKKan Justice."

"The American government is with the Klan," he said.

Word of the stunning verdicts spread through Los Angeles — a city that has been rocked by charges of racism and bitter political infighting since the March 3, 1991, beating of Rodney King.

In Altadena, where King lives, people were not just angry but afraid.

"There's no justice for the black community," said Curtis Felton, 41. "Now that they got the license to do it, everybody is scared for their lives."

Ollie Jones, who is black, said, "I'm a marked man and I have been since Day One."

(Indicate page, name of newspaper, city and state.)
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Linda Johnson Phillips burst into tears as she heard the verdicts and worried how to tell her 12-year-old son.

"I can't tell my son. I don't know the words. I want him to believe everyone will treat you equally," she said.

"I'm trying to stop crying but I can't," said Harriett Mack, the wife of John Mack, president of the Los Angeles Urban League, who watched the verdict alone at home. "I'm just disgusted. . . . It's sick."

"They should have no right to beat anyone like that — black or white," said Sharlene Gayles, 21, a restaurant manager. "There's no way you can explain to me . . . they had a right to do what they did."

But the almost-all-white, six-man, six-woman jury has spoken and "this city just became in an instant far more polarized than any of us could ever have dreamed about," says trial commentator Cynthia McClain-Hill.

Local leaders moved quickly to try to soothe raw emotions and suppress violent rioting.

More than 2,000 people jammed the First African Methodist Episcopal Church — the city's oldest black church — for a rally planned days ago in anticipation of the verdict.

Church and civil rights leaders urged parishioners to stay calm and channel their energies into pushing for police reform and to show their anger at the voting booth.

A reform proposal, which would give the mayor-appointed Police Commission more control over the LAPD and limit the term of the police chief, is on the June 2 ballot.

The verdicts reverberated throughout the country.

▶ "We will not roll over this time," declared Mary Collins, president of the Rialto/Fontana, Calif., branch of the NAACP. "Not any more."

▶ "I'm deeply disappointed," said Rep. John Conyers, Jr., D-Mich. "This decision will cause so many people to lose faith in the judicial system. It says (to blacks), 'Your rights can be trampled on.'"

▶ In Chicago, black activist Lu Palmer said he feared the worst. "This may blow over, but you can only take so much and then you explode. This may be the point."

▶ And in New York, Mayor David Dinkins said, "Notwithstanding today's verdict, what happened on a California highway late one night to Rodney King ought not to happen to anyone, anywhere, anytime."

Contributing: Jonathan T. Lovitt, Melanie Neff, Mimi Hall, Carol J. Castaneda, Gary Fields, Bruce Frankel, Kevin Johnson, John Larrabee, Deborah Sharp, Tom Watson.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

As verdict stirs rage, King beating must spur reform

The Los Angeles police-brutality case verdict will challenge the whole city — including the police.

The terse verdict a California jury slapped down Wednesday is incomprehensible to many:

Four white Los Angeles police officers were acquitted of all but one assault charge, which the jury couldn't decide. Acquitted — even though they'd been videotaped clubbing and kicking black motorist Rodney King for 81 seconds.

It's almost the exact scenario that led to Miami's searing Liberty City riots a decade ago. The challenge now is to assure there is no repeat of that nightmare.

No one who saw the King tape could avoid outrage. But the case is finished. A jury weighed the evidence and found the police officers not guilty. The challenge now is to set aside the anger that verdict evokes and fix the underlying problem that no jury verdict can erase.

L.A.'s independent Christopher Commission, impaneled after the King beating, found the city's police department was stained throughout by widespread brutality and bigotry. Officers cited in many brutality complaints were "often rewarded" with promotions.

The way to curb such outrages: Live by the rule of law, not the streets. Accepting the jury's verdict is part of that process — but it is only the beginning.

Los Angeles has a new black police chief. He's pledged reforms. Residents should hold him to those promises.

And every community must ask, "Could this happen here?"

Too often, it could. A Gannett News Service study of 100 police-brutality lawsuits found only five of 185 officers involved were fired; 19 were promoted — despite their communities' being stuck with $92 million in payments to brutality victims.

Too often, brutality is seen as an unfortunate but necessary adjunct of crime fighting. This will stop only when thoughtful citizens demand that no one, not even the police, be above the law.

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FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

'Verdict will never blind what we saw'

▶ Defendants go free, **2A**

▶ Black leaders irate; scene at court, **3A**

▶ Editorial, **12A**

By Sally Ann Stewart and Debbie Howlett
USA TODAY

SIMI VALLEY, Calif. — An entire nation saw the videotape of four white cops savagely beating a black motorist in the dark of night on a wide Los Angeles boulevard.

But a jury acquitted the four Wednesday, deciding that seeing is not always believing.

"The jury's verdict will never blind what the world saw, what we saw," said Los Angeles Mayor Tom Bradley.

The verdict was nearly as incredible as the now familiar videotaped beating, which shocked the nation with a brutality so raw it was almost unbearable to watch.

Many saw racism as the key factor in the verdict.

"It's not fair. It's not right," said an angry Steve Lerman, lawyer for Rodney King, the man beaten by police 14 months ago. "It may well be that 12 white jurors aren't go

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ing to convict four white cops for beating a black man. It may be as simple as that."

The jury — chosen from an almost entirely white community — included one Hispanic and one Asian.

Others saw not racism, but a deferrence to police:

Jim Fyfe, a criminologist at American University in Washington, D.C., noted that "It's a very rare event when police get prosecuted. . . . Most often, they are acquitted."

Only one juror, who asked not to be identified, offered a partial explanation of the verdict on ABC's *Nightline*. The juror said the panel was swayed by the total package of evidence, including King's behavior and the officers' perception that he was on drugs. The juror denied race was a factor, noting King's two black companions were unharmed. The juror said there 'were no regrets. I'll sleep well tonight."

Clearly, several subtle, but important factors were at work:

▶ Jurors tend to empathize with the police officers.

"Those officers were out there protecting life, limb and property," said Dewey Stokes of the Fraternal Order of Police.

And the tools they have been given — clubs, guns and Taser darts — sometimes produce violent results.

Still, the verdict will stun even police, said Darrel Stephens of the Police Executive Research Forum, an association of big-city police chiefs. It won't be seen as a green light to use force.

"Everybody's come to the conclusion that it was excessive force," Stephens said. "They feel like those officers went well beyond the bounds of proper police behavior."

In Los Angeles, some police cheered and offered high-fives to fellow officers. But many were more reserved. "Bittersweet, sweet and sour. It's a little bit of both," said Officer Bill Frio.

"Nobody's going to rejoice about this," said Sgt. Harry Ryon.

▶ Jurors might reflect a societal fear of the violence linked to King, a black man with a criminal record.

"The whole episode reminds us there is something to be feared from the police . . . but the public still fears the criminal more, and is willing to give police latitude," said Georgetown University law professor Paul Rothstein.

▶ Jurors were given reason to doubt the videotape.

"The tape we've seen briefly on the news is one thing," said Matt Young, publisher of *Videomaker* magazine, "but the jury saw it with analysis and oral presentation. . . . They scrutinized it and who knows what larger social issues they considered."

Phil Gutis, a spokesman for the American Civil Liberties Union, argues the tape clearly shows inexcusable brutality: "We think the tape and the prosecution met the standard of proof beyond a reasonable doubt," he said.

The standard is more stringent than that, said Gerald Beaver, a Fayetteville, N.C., lawyer with the National Association of Criminal Defense Lawyers civil justice committee.

"In police brutality cases it's 'beyond all doubt,'" he said.

▶ Jurors were inundated with technical evidence.

They considered the videotape over and over, even in ultra-slow motion. They became intimately familiar with the 56 blows delivered over 81 seconds.

They heard 54 witnesses, all but six of them police officers, testify over the course of six-week trial.

"It's a classic example of the abuse of expert testimony," said Gerald Beaver, a defense lawyer. "The case was decided on junk science by supposed experts, rather than the facts."

▶ Jurors also seemed swayed by a solid defense.

"One of the things that was very important was to try to put the jurors in the shoes of the police officers at the scene," said defense lawyer Michael Stone, who represented Officer Laurence Powell. "Get the jurors to look at this case not through the eyes of a camera but through the eyes of these officers."

Powell, accused of striking the most blows, said he thought King was under the influence of PCP. No sign of the drug was found in King's body, but tests showed he was drunk. "I was completely in fear for my life, scared to death," he said.

Lawyers also stressed that King, a tall and strong 27-year-old, was in violation of parole on a robbery conviction and led police on a chase that reached speeds of 110 mph.

Sgt. Stacey Koon, officer in charge that night, testified the beating was "a managed and controlled use of force."

"Sometimes police work is brutal. It's a fact of life," he said.

▶ Jurors never got to see King.

He never even appeared in court, let alone testified.

"That was a mistake," said Jeffrey Galen, a civil rights lawyer who has handled several police brutality cases. "The jury wanted to see him. By not letting them see him, who King was, that was a mistake. Rodney King is a human being."

Even defense lawyers cited King's absence: "He could have offered a lot of testimony about the blows delivered to the head, which was a big part of the peoples' case," said Stone.

It's probable the verdict will be challenged.

At the very least, the Justice Department will likely convene a grand jury to examine the case, said former Justice Department official Bruce Fein. The acquittals, "clearly appear to be a miscarriage of justice," the conservative legal scholar said.

Some say there was never a chance to find justice from a jury that took only a day to reach a verdict (it spent the next six days arguing about the single excessive force charge against Powell, on which it dead-locked 8-to-4).

"The idea . . . is inconceivable," said Los Angeles lawyer Cynthia McClain-Hill. "It is pretty clear that their minds were made up prior to beginning of trial."

Contributing: Haya el Nasser, Sam Meddis, Dennis Cauchon

Verdict: NOT GUILTY

POWELL: 'Happy. . . . I know I'm innocent'

KOON: 'You can read about it in the book'

BRISENO: No comment after verdict

AP file photos

WIND: 'Many feelings'

'It's not fair. It's not right.'

By Haywood Galbreath, AP

LONG WAIT ENDS: The Rev. Cecil Murray wipes his eyes as he and Julius Butler, right, hear the Rodney King verdicts Wednesday at the First A.M.E. Church in south-central Los Angeles.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

A look at 4 officers acquitted

The defendants in the Rodney King beating case are slated for departmental administrative hearings to determine what if any disciplinary action should be taken.

The defendants:

Sgt. Stacey Koon, 41, was the officer in charge when King was beaten. He was the one who shot King with a Taser stun gun — which shoots two electronically charged barbs — and later said, "I was in charge of my officers."

He was acquitted of assault with a deadly weapon, excessive force by an officer under color of authority, filing a false police report and being an accessory to assault.

He served in the Air Force and joined the police department in 1976.

He shot and wounded a suspect who had fired on police after a drive-by shooting in 1989. The Police Commission commended him for his handling of the incident.

He lives in Castaic with his wife and five children.

Officer Theodore Briseno, 39, broke ranks with his fellow officers during the trial and blamed the other defendants for the beating. "I just thought the whole thing was out of control," he testified.

Briseno, who lives in Sepulveda, was acquitted of assault with a deadly weapon; excessive force by an officer under color of authority. He has two children.

Officer Laurence Powell, 29, who was accused of delivering the most blows to King, said in testimony that he acted as he did only after being attacked by a man he thought was on drugs.

"I was completely in fear of my life, scared to death," said Powell, son of a Los Angeles County marshal.

He was acquitted of assault with a deadly weapon, excessive force by an officer under color of authority and filing a false police report.

The jury deadlocked on one count of excessive force against Powell. A hearing is scheduled for May 15 to decide whether to prosecute Powell on the undecided count.

In a previous case, Powell was accused of striking Salvador Castaneda, 36, one to five times with his baton with such force it broke Castaneda's elbow. Powell contended Castaneda came toward him in a threatening manner.

Castaneda claimed he didn't resist, and last year he was awarded $70,000 in an out-of-court settlement of an excessive force suit.

Powell entered the Police Academy in 1987.

Ex-officer Timothy Wind, 32, was a probationary officer under Powell's direction at the time. Accused of aggressively beating and kicking King, he was acquitted of assault with a deadly weapon and excessive force by an officer under color of authority charges.

The married father of a child, he became a police officer at age 22 in Shawnee, Kan. He lives in Santa Clarita Valley. He's been fired by Police Chief Daryl Gates.

(Indicate page, name of newspaper, city and state.)

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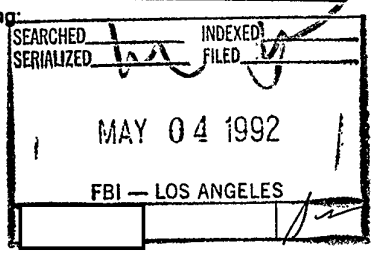

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By Reed Saxon, AP

AFTER THE VERDICT: Los Angeles police Officer Laurence Powell, center, is hugged by Timothy Wind, who was fired after the beating. At right, Sgt. Stacey Koon looks on.

FD-35 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Justice Dept. Resumes Its Review of King Beating

■ Investigation: Federal probe, which was on hold during trial of four officers, will focus on possible civil rights violations.

By HENRY WEINSTEIN
and RONALD J. OSTROW
TIMES STAFF WRITERS

WASHINGTON—U.S. Atty. Gen. William P. Barr said Thursday that the Justice Department is resuming its review of the Rodney G. King incident to determine whether there has been a criminal violation of federal civil rights laws.

"It's important for people to remember," Barr said, "that the verdicts [Wednesday] on state charges are not the end of the process. The Department of Justice is responsible for enforcing the civil rights laws of the United States and it will do so vigorously."

Barr said the department and the FBI have closely monitored the King case since a videotape of the beating brought the incident to worldwide attention 14 months ago. Federal agencies deferred action while the state completed its criminal proceedings, he said.

Now, Barr said, the department is moving forward to complete its investigation. Another federal law enforcement source said that a major portion of the federal probe is completed.

Wayne Budd, the Justice Department's third-ranking official and its highest-ranking black, and two other department lawyers were sent to Los Angeles on Thursday, Barr said.

Federal sources said that the Washington lawyers met with U.S. Atty. Lourdes G. Baird and Charlie Parsons, the FBI agent in charge in Los Angeles, to plan strategy soon after they arrived. No details about the meeting were available.

Barr said he had instructed federal officials to complete their review of the case "as soon as possible."

A former federal prosecutor familiar with such cases said it is conceivable that there could be an indictment within a month, perhaps sooner.

Asked if the investigation was limited to the four acquitted officers, a high federal law enforcement official, speaking on condition of anonymity, said: "We are looking at the entire incident of the beating of Rodney King."

Last June, the Times reported that Justice Department attorneys were doubtful that any of the 17 Los Angeles Police Department officers who stood by and watched as King was beaten could be prosecuted on federal charges, but federal prosecutors in Los Angeles said charges against the bystanders had not been ruled out.

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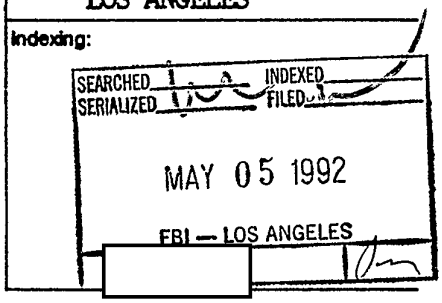

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FBI/DOJ

Barr stressed that a separate federal prosecution could be filed against the acquitted officers without violating the Constitution's normal double-jeopardy prohibition. The U.S. Supreme Court has ruled that it is constitutional to have dual state and federal prosecutions stemming from the same incident.

Though the Justice Department has strict criteria for bringing such cases, it has done so on numerous occasions, primarily in the South where local officials were often reluctant to bring charges against officers or where it was difficult to obtain convictions from all-white juries.

For example, after a state court jury in Alabama acquitted three Ku Klux Klansmen of murdering civil rights worker Viola Liuzzo in 1965, the Klansmen were successfully prosecuted under an 1870 statute for conspiring to violate Liuzzo's civil rights. Former Atty. Gen. Nicholas Katzenbach said Thursday: "It sounds silly to talk about depriving someone of their civil rights when they've been killed, but that's all we had." The three men were sentenced to the maximum term at the time—10 years.

Since then, there have been several successful federal prosecutions under that law and a companion statute also enacted during the Reconstruction era. The second statute is specifically aimed at police officers committing unlawful acts "under color of state authority." The laws were designed, in part, to curb activity of the Ku Klux Klan in the aftermath of the Civil War.

For example, in 1982, the U.S. attorney and the FBI in Los Angeles successfully prosecuted California Highway Patrolman George M. Gwaltney for a civil rights violation stemming from the murder of a woman in the Barstow area after two unsuccessful state murder prosecutions in San Bernardino County courts. He received a 90-year prison term.

The standard on whether to bring a second federal prosecution, after local authorities have acted, said Barr, is "whether or not we believe the federal interest has been vindicated by the state proceeding."

There are several factors in making that determination, said Yale University Law Professor Drew Days, who headed the Justice Department's Civil Rights Division during President Carter's Administration: Whether there has been a bona fide prosecution by local officials, whether the outcome of a case is clearly at odds with the evidence, and the nature of the offense.

Duke University law professor William Van Alstyne, an expert on civil rights law, said it is clear that there was a bona fide prosecution in the King case. But he said the other two criteria, particularly the nature of the alleged crime, could be invoked by Justice Department officials making the decision on whether to file federal charges.

"These statutes are centered in the history of the abolition of slavery . . . and the efforts to establish equal justice under law in the United States," Van Alstyne said.

"I identify with the predicament of line duty officers when they are the object of a lot of hatred," the professor added. "Even so, in the whole setting of this thing . . . a black motorist and four white police officers . . . this is an area where it's highly appropriate for the Justice Department and the U.S. attorney to take a close look at the whole transaction again because it's very much involved with the credibility of the country's justice system. And that's at the core of these statutes."

Burke Marshall, who headed the Justice Department's Civil Rights Division under Presidents Kennedy and Johnson, said the videotape of the beating "lays a very firm foundation for a prosecutable case."

However, another former federal prosecutor said: "It seems to me if the district attorney couldn't prove in state court that the officers assaulted King without just cause, it will be very difficult to prove that the officers had the specific intent of depriving King of his civil rights."

Barr acknowledged that these cases are more difficult to win than most filed by the Justice Department. They have a conviction rate of about 75%, compared to "90% plus" on all other cases, he said.

Since October, 1988, the Justice Department has brought charges against 123 law enforcement officers for brutality in 23 jurisdictions. But there have been only six dual prosecutions filed by the department since John R. Dunne became the assistant attorney general for civil rights two years ago.

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Jurors give reasons for voting to acquit 4 LAPD officers

By Dawn Webber
Daily News Staff Writer

Jurors who acquitted four LAPD officers in the March 1991 beating of Rodney King — verdicts that triggered violence in Los Angeles — explained their decisions anonymously and in divergent ways in television interviews broadcast Thursday.

"I had to go by what evidence was given me," one juror said in an interview. "And there was a reasonable doubt" about the guilt of the officers charged in the videotaped beating of King in Lake View Terrace.

Another juror in an interview broadcast on "The Today Show" said: "The video was helpful and it also was detrimental. Without it, it clearly showed what was going on there, the fact that Rodney King was not being abused.

"Rodney King was directing the action," the juror said.

But Los Angeles Deputy District Attorney Terry White, who prosecuted the case with Deputy District Attorney Alan Yochelson, on Thursday condemned what he called juror "alibis" for an inexplicable decision.

"They know their reasons are not reasonable when they look at that videotape," White said in an interview. "It's kind of like they are swallowing the defense position but they realize how silly they are sounding so they are trying to come up with other reasons."

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Yochelson said he believed jurors were "looking for an excuse to acquit these officers," by finding that King was not cooperating and that it was all his fault.

After deliberating 32 hours over seven days, the jury acquitted LAPD Sgt. Stacey Koon and officers Laurence Powell, Theodore Briseno and Timothy Wind on 11 of 12 charges of assault and excessive force against them.

The jury deadlocked 8-4 for acquittal on an excessive force count against Powell, who wielded most of the 56 baton blows against King during the arrest. A mistrial was declared as to that count.

Los Angeles District Attorney Ira Reiner said his office is considering whether to pursue a retrial on the charge against Powell.

Jurors contacted by the Daily News declined to comment Thursday.

John Barnett, attorney for Briseno, declined to speculate on the jury's reasons for the acquittals.

"I am grateful that the jury acquitted Mr. Briseno, and the reasons are unimportant to me," Barnett said.

Responding to concerns raised by some that the verdicts were the inevitable outcome of a jury from mostly white, pro-police Ventura County, he said: "I don't think it's appropriate to say that we won the case when it was sent to Simi Valley.

"It's more appropriate to say we would have lost the case had it been (tried in) Los Angeles County," Barnett said, noting that the riots underscored the defense position that an unbiased jury could not be found in Los Angeles County.

After the acquittals, a number of attorneys and legal experts suggested the prosecution's critical mistake was made in not calling King to testify. But Yochelson defended the tactic.

"The presentation of Mr. King would have allowed the defense to make an issue of him," Yochelson said. "They could have kept him on the stand for days and made an issue of his criminal background.

"The focus of this case was properly on the four defendants," Yochelson said.

"This jury came to an incredibly fast decision," White added. "Do you think the testimony of Mr. King would have made any difference? It's only another excuse."

White said he was shocked by reports that jurors strongly believed the testimony of Powell, Koon and Briseno.

"It just shows you that aura of credibility that (police officers) have when they walk into the courtroom," he said.

After reading the written questionnaires prepared by potential jurors in the case, White said, prosecutors anticipated an uphill battle for conviction.

"It was clear ... these individuals were very pro-law enforcement," White said.

FBI/DOJ (Rev. 5-8-81)

(Mount Clipping in Space Below)

Koon Says He Has No Regrets on Way King Was Arrested

■ **Police:** The officer blames the beating on the failure of officials to acknowledge that police sometimes must use force. He also says a tool to replace the prohibited chokehold is needed.

By LESLIE BERGER
TIMES STAFF WRITER

Los Angeles Police Sgt. Stacey C. Koon said that he has no regrets about the way he and three colleagues took Rodney G. King into custody and that he would change nothing if he had the night to relive.

Koon blamed the beating on the failure of city leaders to acknowledge that police must sometimes use force, and said that the prohibited chokehold must be replaced with other means of subduing suspects who resist arrest.

"The same thing can happen tonight," Koon said in a phone interview. "Community policing is a nice thing if it's workable. A new chief is nice. But nothing has been done to address the use of force. The policeman has no more tools today than he had a year ago."

Koon also said that while he was elated by the acquittals Wednesday, the Superior Court trial in Simi Valley was just the first of many hurdles. Like Officers Theodore J. Briseno and Laurence M. Powell, Koon still faces departmental hearings on misconduct charges, civil lawsuits and possible federal prosecution.

JOE KENNEDY / Los Angeles Times

Sgt. Stacey C. Koon

(Indicate page, name of newspaper, city and state.)
LOS ANGELES TIMES
LOS ANGELES, CA
Date: FRI., 5/1/92
Edition: METRO SECTION, PAGE 3

Title: KOON SAYS HE HAS NO REGRETS ON WAY KING WAS ARRESTED

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The Police Department was able to fire Timothy E. Wind, the fourth defendant, because he was still on probation at the time of the beating and did not have the same rights as the other three. But Wind still faces civil lawsuits and possible federal prosecution.

"This is going to last. Everybody wants to extract their pound of flesh from us," Koon said.

Koon, Powell and Briseno were suspended without pay after the March 3, 1991, beating pending the outcome of their administrative cases. The departmental hearings were postponed until after the criminal trial because if the officers had been convicted of felony charges, they would have been automatically ineligible to remain as law enforcement officers.

Koon said his departmental hearing before a board of rights—a panel of police commanders that reviews misconduct charges—is scheduled to begin Monday. But police officials expressed doubt that hearings for any of the officers would take place as scheduled, especially if the department's resources must continue to be concentrated on the rioting.

Koon said he has been seeing a therapist regularly over the last year because of stress. He said he will not return to police work even if his departmental hearing is successful and he wins back his job.

"I don't think I could function as a police officer ever again," said Koon, a 15-year LAPD veteran who has portrayed himself and the other three defendants as political scapegoats. "Psychologically, I could not function. It would be maybe something like a Vietnam syndrome."

Koon is seeking a publisher for a book he has written about the last year. Its working title is "Ides of March" because he and the other officers were indicted on the anniversary of Caesar's fall.

Briseno, Wind and Powell could not be reached for comment by The Times. But in an interview with NBC's "Today" show Thursday morning, Briseno said he was surprised by the verdict and felt the King beating is a clear example of excessive force.

Briseno, who broke ranks with the other defendants during the trial and maintained that he had tried to stop the beating, also told NBC he stood by his testimony that the other officers were "out of control" that night.

Kathy Briseno told The Times later that her husband was greatly troubled by the rioting that the acquittals have prompted.

"He feels responsible for it and he didn't do anything," she said, adding that although his family is relieved at the verdict, they were not celebrating.

"You saw what went on in the city. This is not a joyous occasion," she said.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

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LOS ANGELES TIMES
LOS ANGELES, CA

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COLUMN RIGHT/
EDWIN M. YODER JR.

The Jury Did the Job, Itself a Lot to Ask

■ A conviction just to avoid social turmoil would have been a greater wrong.

As is often the case when Americans pitch a fit over a misfire in the courtroom, most of the conclusions we are angrily jumping to over the Los Angeles police verdict are wrong. Some are dangerously so.

I say this as one who also was nauseated by the infamous videotape of Rodney King being battered with police batons. Nor do I doubt that the Christopher Commission was right in finding that the Los Angeles Police Department is too much permeated by racist attitudes.

If juries decided cases wholly or even mainly from videotaped evidence, there can be little doubt that the four defendant police officers would be convicts today. But juries don't.

In any sensational criminal proceeding there is always a noisy faction, flushed with self-righteousness, who would toss aside cumbersome procedural safeguards, even jury trial itself, to promote a socially exemplary outcome. The Rodney King case is no exception. The same misguided impulse that drives the continuing complaints about the Warren Court's rulings on criminal procedure, including the Miranda warnings, explains much of the "rage" over the Los Angeles verdict.

Many fans of due process who would bleed and die for any procedural technicality that springs a thief or stays the execution of a murderer will in the next breath howl "miscarriage of justice" when the same system permits a jury to develop reasonable doubts that four Los Angeles policemen used excessive force.

Yes, for most of us the "evidence of our own eyes" (by which we naively mean a homemade videotape of about a minute's duration) shows excessive use of force. But juries have more before them than unanalyzed videotapes.

As for "justice," it is a term of homage that wise judges and lawyers distrust. The outcry over the Los Angeles acquittal suggests a serious misconception. Was it the task of the trial to do "justice" to Rodney King? King may have been denied justice, maybe even his civil rights, and if so he should recover civil damages. But the trial was not about justice to Rodney King. If it was about justice to anyone, it was about justice to those accused of beating him up. And they were entitled to all the usual presumptions, including the presumption of innocence.

Appalling as the verdict was, more appalling alternatives are easily imagined.

'As for "justice," it is a term of homage that wise judges and lawyers distrust.'

A sly prosecutor might stampede a jury into fancying that since rioting threatened, its task was not to reach a verdict according to the law and the evidence, but to cool public anger and thereby serve a larger conception of social justice.

Jurors might be led to deem their role so important, in a social sense, that they need not be bothered with the doctrine of reasonable doubt or the presumption of innocence. They might be led to decide that their job was to teach someone—an overzealous policeman, a police department, an entire city or country or race—a lesson.

Perhaps this is all obvious. But as all the recent parading and picketing over abortion at the Supreme Court suggests, too many of us entertain inappropriate wants and expectations of the "justice" system. We want our "justice," we want it wholesale, and we want it painted in broad, vivid strokes, politically correct from the standpoint of our racial or ethnic self-interest. When such proceedings occurred elsewhere in the bad old days, we usually called them show trials and we didn't like them very much.

Black Americans may well feel that as a group they get—as historically they indisputably have gotten—a raw deal from many of the institutions of American life. But from the courts? A courtroom where prejudice is as strictly excluded as due process can exclude it, where rules of evidence may override even the most righteous indignation and the largest social interest, is not the place to look for racial slights.

That is true even when 12 Ventura County jurors, who appear from a distance to lead sheltered lives, take the bit in their teeth and acquit four men we may wish they had convicted.

Juries often do. That is exactly why we have them.

Edwin M. Yoder Jr. writes a syndicated column in Washington.

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FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Tale of 2 Riots: Downtown, Southside Erupt Simultaneously

Southside Crowd Explodes Minutes Following Verdict

By NAOMI BRADLEY
Staff Writer

LOS ANGELES — Firing assault rifles and pistols into the air, ransacking and looting small stores before setting them on fire, hundreds of people darted across glass-strewn streets, past abandoned cars.

They ran down alleys carrying televisions, food and bottles of beer, shouting obscenities and words of extreme hatred.

I had left the newsroom at about 6:30 p.m. April 29, assigned to cover the rally at First AME Church. I never made it. I decided to stop by first at Florence and Normandie where a group of angry, mostly young, black men, had chased over a dozen police cars away, throwing bottles and chunks of asphalt at the fleeing patrol cars.

A bit scared

I was a bit scared, a bit unsure of my role. I, too, am black, and I, too, was hurting over the acquittal of the four LAPD officers

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accused of beating Rodney G. King.

But I am also a reporter, sworn to objectivity and fairness in covering the news.

Be cautious, I told myself. Be extremely cautious. Be alert. Listen for gunfire and watch for uncontrolled mobs. Still, what I saw was more than I could ever have anticipated.

Badly beaten

Arriving at the scene about 7 p.m., I saw that a white man who had been pulled from his trailer truck, robbed and badly beaten, had already been carted away to a hospital, by a black man who saw the incident on television.

The man's truck was gone, and the mostly young black men — many of them gang members — now filled the dirty sidewalks and street where the truck driver had lain bleeding.

"Are you a reporter?" someone in the crowd asked me.

Take off badge

"Yes," I said.

"Better take off your badge," he said. "They already beat up one man with a camera, but I think he was Asian. Maybe they won't hurt you."

"Thank you," I said, removing the tag reading "Wave Newspaper" from my collar.

High heels

I regretted that I hadn't changed from my slacks and high-heeled shoes, — too conspicuous among the 200 or so riotous people who were clad in T-shirts, tennis shoes, or some other kind of casual wear.

Men were walking or running past carrying cases of Olde English 800 and other liquor. Some were already drinking from stolen 40-ounce bottles. Several people carried car batteries and tires taken from an auto repair shop, video recorders and radios, taken from a television repair shop.

One young man used spray paint to write the words, "F— Police" on a wall.

"They're upset but they don't know how to stop it," said a 37-year-old woman I met a block away.

Both of us watched as a man loaded a 19-inch television set into his white Nissan pickup truck.

Nearby, several people stood and watched as others trashed Korean and white-owned stores. They said their anger toward Koreans was fueled by the suspended sentence of grocer Soon Ja Du who shot and killed a 15-year-old black girl, Latasha Harlins, and by what they called "rudeness" of local Korean merchants.

They said they were angry at whites because a majority white jury had acquitted the four policemen who beat Rodney King.

People mad

"They started this shit and girl, we gone finish it," a young woman said. "People are mad, baby."

"White people don't do nothing but down black people," an older woman told me.

"These are gang bangers," a thirty-ish man who was standing with the woman added. "Me, I work. One of them gave me this here beer."

Eye of riot

After parking my car three blocks away from the eye of the riot, I made my way down Halldale Avenue past mostly black women and children sitting on porches, or standing in front of their neatly-trimmed homes, past pockets of men standing on Florence.

Some stood with folded arms, some were laughing, some talked angrily or somberly. All of them watched people running past, looting, torching.

I first stood on the south side of Florence, on the corner of Brighton Avenue, a block from Normandie, in front of an abandoned, graffiti-ridden storefront.

Two men hurried past me down Florence blatantly carrying car batteries still sealed in their boxes. A man laughed and yelled, "Right on, brother."

Everywhere people were throwing "black power" signs, their fists raised. Drivers honked their horns, speeding and maneuvering their cars through the street to avoid the glass and the people running by.

A teen-age girl in a speeding car driven by a teen-age boy sat on the car's hood with her feet dangling through a sunroof, flailing her arms, shouting "Yeah!"

Chased away police

A young man told me he was exuberant because he and his companions had chased away police who were pushing around a 15-year-old boy the police had claimed threw rocks at one police car after the King verdict was announced.

The altercation drew crowds of people who started pelting over a dozen police cars with rocks. More people came running onto Florence. The police cars had disappeared.

"Whatcha got, man?" I heard a man ask his friend.

Disbelief and shame

But several residents expressed disbelief and utter shame.

"They're getting it mixed up. We're all together," a 30-year-old man said. "Everybody need to get in their cars and go to Simi Valley."

"This is a shame," a 15-year-old girl stated.

"I hate to see it happening," a woman said. "It's sad. They're jumping people just because of the color of their skin. I'm sick of this s—."

Later, that same woman and about

Volunteers grab brooms and bags to help clean-up effort at ABC Market at Western Avenue and Martin Luther King Boulevard in South Los Angeles, which was looted and gutted in the riots. *—Photo by Nareshimah Osei*

10 other people frantically waved down a Latino man who was driving towards the intersection. They steered him away from the scene, where a small group of black men had also beaten other Latinos, apparently not recognizing them as minorities. Or not caring.

"See, all of us ain't bad," the woman said.

I finally left the place around 8 p.m. It was just getting dark and thick smoke had filled the air and the dusky sky. The rioters had set fire to the corner gas station, a liquor store and the television repair shop.

"They got Florence burning, baby. It's burning," one woman said.

People started shooting guns, so I ran along with about a third of the crowd. I helped a mother drag her 2-year-old boy home, and soon drove away through residential streets and north on Western Avenue. I was shaken, but intent on making it to my original assignment — the rally at First AME Church.

I thought that it would be over soon and that the police would come and run everyone away from Florence and Normandie.

Then I realized that the riots had spread. People were ransacking stores on Western, taking food and liquor from a mini-market and arms full of shoe boxes from a Payless Shoe Store.

Groups of black men stood on the sidewalks, peering inside the windows of cars streaming like a train along the street.

One angry-looking man standing in the street began walking up to my Volkswagen as I sat at a red light near Slauson Avenue. He had a baseball bat. I threw a black power fist at him. He left me alone.

Downtown Protest Leader Provokes Crowd to Violence

By TOMAS J. LEWIS
Managing Editor

LOS ANGELES — Motivated by the still fresh jury verdict in the Rodney G. King beating trial, Alan Wesley, 31, beseeched the growing crowd of 250 angry protesters to vent their frustrations in the streets.

"F--- all the demonstrations! Let's get violent!" he yelled, his words aflame with the vehemence of a man bent on revenge.

"Let's burn this mother f----- down," he bellowed.

Wesley's exhortations came a little more than three hours after a jury acquitted the four Los Angeles police officers accused of multiple assault charges in the March 3, 1991, beating of King.

Vent their anger

In a hastily called protest, the demonstrators converged on Parker Center, administrative headquarters of the Los Angeles Police Department, to vent their anger over the verdicts.

Supporters and members of the Revolutionary Communist Party rallied among the myriad of protesters. Some passed out party literature, while their comrades held up large banners and posters attacking the credibility of the Police Department.

Initial hints that the protest might get dangerously out of control came at about 6:30 p.m., when Wesley again encouraged the crowd — now swelling close to 500 — to pick up the tempo.

'To the street'

"Let's take it to the street. Now!" he said. Wesley appeared appropriately dressed for the occasion, wearing a white T-shirt emblazoned with a photo of Malcolm X and a black Los Angeles X cap.

"Let's set this mother f----- on fire," added another man attired in a long-sleeved shirt also bearing Malcolm X's likeness.

Several dozen protesters then swarmed onto Los Angeles Street, blocking northbound traffic, chanting anti-police slogans and sneering at a half-dozen policemen taking photographs from the roof of Parker Center.

Toward downtown

Shortly after sundown, a smaller group split from the main crowd of demonstrators and headed toward the downtown business district. In the confusion few in the main demonstration appeared to notice the smaller group's departure.

Earlier, a counter-demonstrator, Brent Kingsford, 22, had waded into the eye of the Parker Center crowd, where someone recognized him as a Police Department supporter who had attended the Simi Valley trial.

A bearded protester in his mid-30s with a curly pony-tail hanging out the back of a blue Dallas Cowboys cap confronted the blond-headed Kingsford. The ensuing shouting match looked at several points like it would erupt into serious violence.

Heavily outnumbered

Kingsford stood heavily outnumbered and appeared in imminent danger of being beaten or stomped to death.

"You racist redneck, you're going to grow up to be a redneck, Gates pig," the protester snarled. "The verdict was you! Your just a racist redneck from the Valley."

Twice the man shoved at Kingsford's chest, but Kingsford, an employee of Forest Lawn mortuary, stood his ground, defiantly shouting back.

"The verdict was 90 percent of America," he retorted.

The crowd soon grew tired of the spectacle and concentrated on stopping traffic and chanting slogans linking the police to the Ku Klux Klan.

Kingsford, ever defiant, resolved to stay put and watched the crowd perform its ritual dance of protest.

The moment of reckoning finally came at about 7 p.m. when the crowd surged toward the entrance to Parker Center. Until then, most of the police in the multi-story building

had contented themselves with observing the protest from behind glass doors.

Policemen raced

But three policemen watching alone from a nearby parking lot suddenly raced to the building entrance ahead of the protesters, slammed the glass doors shut and braced them with metal bars.

The crowd responded by slinging trash cans, rocks, bottles and other projectiles at the retreating officers, and punched at least five baseball-sized holes in the thick glass.

One frustrated woman, groping for something to throw, tore out rows of small green plants and hurled them at the facility.

Outburst subsided

The brief outburst subsided when protest leaders prevailed on the angry crowd to move away from the glass doors. Within minutes, dozens of police mobilized and rushed the mob at the front doors, pushing people back 15 feet.

"Hold your line! Hold your ground! No one moves!" barked a sergeant.

Fifty riot-equipped officers, forming an irregular line around the exterior of the facility, brandished L-shaped batons, held them at a 90-degree angle and waited patiently for the order to rush the crowd.

But the order never came.

Some of the protesters spilled back into the street, stopping traffic and terrorizing motorists, while others flashed picket signs in the faces of the ever-growing number of riot officers protecting the entrance to Parker Center.

At one point, dozens of people raced toward a parking attendant's booth in an adjacent lot, smashed the window, pushed the structure on its side and set it on fire. All the while, protesters chanted, "No justice, no peace. No justice, no peace. No justice, no peace."

Officers fidgety

Many of the wide-eyed officers appeared fidgety, moving their night sticks from side to side. A few visibly trembled as they faced down the angry demonstrators.

Police Commission President Stanley Sheinbaum, a civil libertarian and millionaire industrialist, stood behind the phalanx of highly charged officers and commented on the department's strategy.

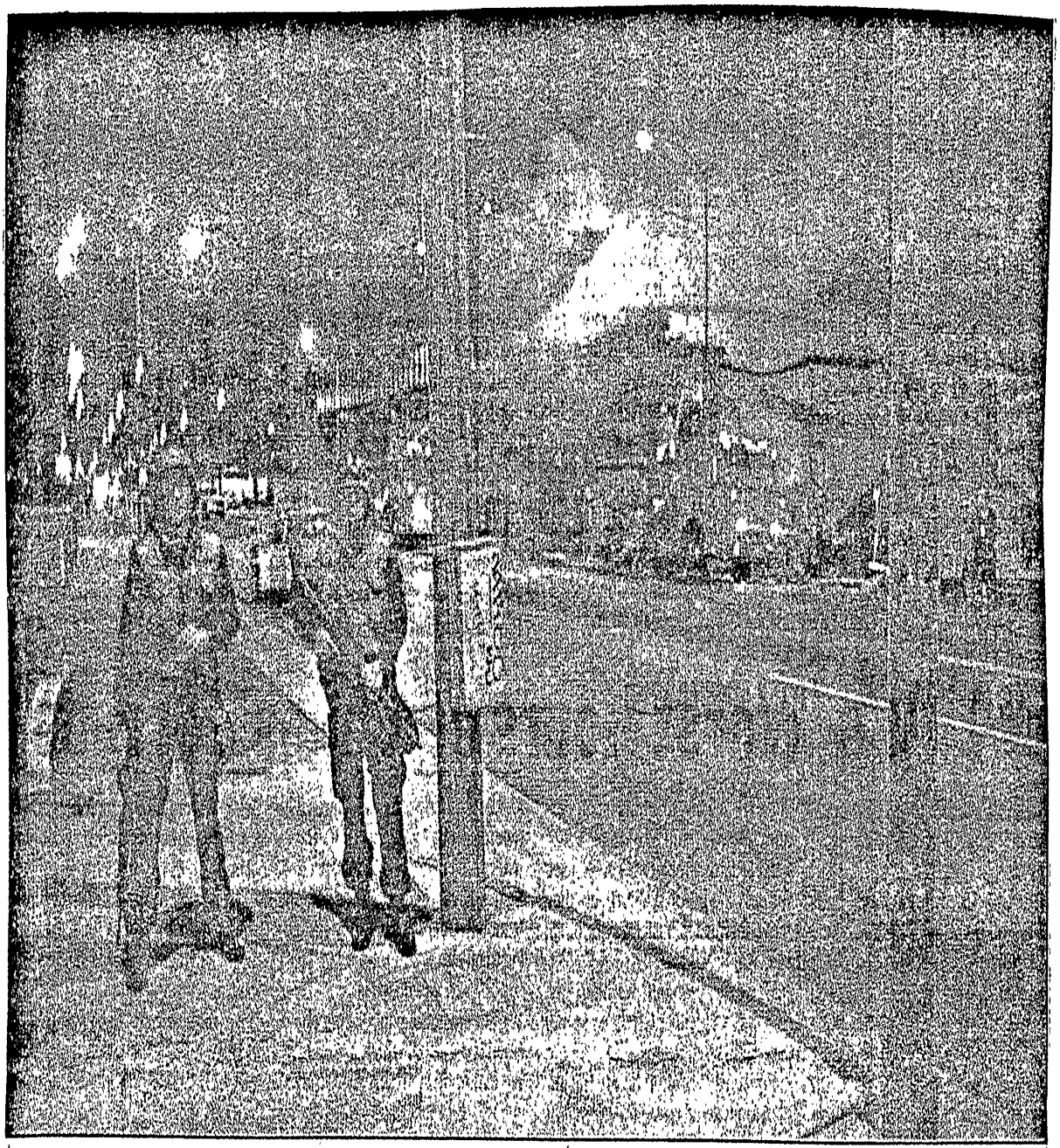
"They [demonstrators] aren't going to leave very readily, and the department isn't going to push them around that readily, either."

Dangerously overhead

As he spoke, the protective line of riot police dodged an occasional rock, stick or other projectile sailing dangerously overhead.

And the taunting continued.

Three unidentified men scurry out of City Hall South the first night of the riots after trashing chairs and tables and setting them on fire.



Los Angeles police officers dressed in military-style outfits stand guard as firefighters struggle with arson fire at 39th Street and Vermont Ave.

Man in foreground flees from City Hall South after protesters set a fire inside, while man in rear lingers by mailbox that later caught fire.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

L.A. Strongly Condemns King Verdicts, Riots

By FRANK CLIFFORD
and DAVID FERRELL
TIMES STAFF WRITERS

By wide majorities, white, black and Latino residents of the city of Los Angeles condemn last week's verdicts in the Rodney G. King beating case and the rioting that followed, according to a Los Angeles Times Poll.

The poll found that 71% of Los Angeles residents disagreed strongly with the verdicts rendered by the Simi Valley jury in the trial of four Los Angeles police officers. And it found that 75% believed that the violence sparked by the verdicts was "totally unjustified."

The poll, supervised by Times Poll director John Brennan, interviewed 888 city residents Sunday and Monday. It has a margin of error of plus or minus 4 percentage points.

A majority of African-Americans—58%—joined in the condemnation of the rioting. About one-third—32%—considered the violence partially justified, and virtually all blacks in the survey—97%—said their neighborhoods suffered some damage.

Almost half the blacks surveyed did not think that the violence was inevitable, a view shared by the majority of city residents. And blacks were more optimistic than other groups that something good will come of the tumult of last week.

"Everything that usually turns real, real bad flip-flops over and starts turning good," said Lonnie Carter, a 66-year-old retired auto mechanic who is black and was among those surveyed. "I think whole lots of good will come out of it. I think everybody will start living more closer together and stop having disagreements."

Results of The Times Poll show that members of the city's three largest ethnic groups held similar views on a number of issues relating to the King verdicts and the riots.

For instance, almost 80% said they sympathized with the anger of the black community over the verdicts, and there was a widely shared view that the local criminal justice system is biased against blacks and Latinos. But the poll also revealed marked differences, particularly in the attitudes of

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blacks and whites toward the causes of the unrest and about who bears responsibility for the violence.

City leaders got low marks for their handling of the crisis last week. Nearly three-fourths of all residents said the leaders reacted too slowly. Also, Police Chief Daryl F. Gates came in for stronger criticism than Mayor Tom Bradley.

A plurality of the people questioned—48%—said that Gates hurt rather than helped the situation after the verdicts, with only 12% saying he helped. Meanwhile, 13% cited Gates as among the causes of the rioting.

Regarding Bradley, 50% believed that the mayor had no effect on what happened after the verdicts, with 20% saying he made things worse. Only 5% said he was one of the causes of the riots.

"One thing that must happen is that Gates must go," said Henry Richardson, 50, a retired equipment inspector for the Los Angeles Unified School District. "He has no sympathy for minorities. He is one of the problems. No one is going to respond positively to him. He's still making idiotic statements. He needs to get on out of there."

Richardson, who is black, added: "I don't think Bradley has an effect on the city one way or another right now."

A majority of residents—53%—disapproved of the way the Police

THE TIMES
POLL

Department handled itself in the days after the verdicts, while 43% expressed their support of that effort.

An overwhelming number of residents—80%—thought that the police reacted too slowly when violence broke out last Wednesday evening. Asked why they thought the police response was slow, a plurality of blacks said they believed that the delay was deliberate, while a plurality of whites and Latinos said the police were not prepared for the massive outbreak.

Along with the 71% who disagreed strongly with the King verdicts, an additional 10% said they disagreed somewhat. Just over 70% felt that the videotape of the police beating was evidence enough to convict the four officers accused in the case. And almost 70% said they viewed the jury as biased in favor of the officers.

Two-thirds of city residents said that the local criminal justice system needs some measure of improvement, and 37% said it ought to be overhauled. Also, 61% said they viewed the legal system as unfair to blacks; 54% said it is unfair to Latinos.

Nearly 90% of those surveyed applauded the U.S. Justice Department's decision to begin an investigation that could lead to prosecution of the four officers for violating King's federal civil rights. And 58%, including a majority of blacks surveyed, said they are confident that justice will be done if the four policemen are tried on such charges.

The poll found that among all residents, 21% considered last week's rioting "partially justified."

Robert Knowles, 48, a white resident of Silver Lake, was among those who described the rioting as partially justified, except for the murders and beatings of people in the streets.

"But running through the streets and setting things on fire, I can understand that," Knowles said. "I can understand how the rage got out of hand."

As a press coordinator for Los Angeles County supervisorial campaign of state Sen. Diane Watson (D-Los Angeles), Knowles said he has come to know the black community. In discussing blame for the disturbances, he said: "You can blame [the rioters] in a legal sense, in a criminal sense, but I think a lot of people didn't intend to commit violent acts and got caught up. I didn't think it was [a response] so much to the King verdicts but to the economic, the lack of jobs . . . not knowing what else to do."

Anslom Beamon, 43, a black woman who lives on 103rd Street in Watts, decried the violence but said she understood the anger and frustration that prompted the ransacking of stores.

"It's wrong to take from anybody," she said. "But what do you do when you don't have?"

Although she did not take part in the looting, Beamon said she cannot blame those who did, especially the young people who grow up in

such underprivileged surroundings.

"We were just getting back what was rightfully ours," she said. "We don't get half the opportunity that they give anybody else."

Richardson, the retired school equipment inspector, was among the majority who could find no excuse for the rioting. The verdicts triggered anger stemming from many past injustices, he said, but for many of the rioters there was no social or political statement.

"Most of those people who joined . . . did it for fun," said Richardson, a Wilshire District resident. "They saw things out there to be taken, and they took things out of the stores. It didn't have anything to do with that Rodney King incident."

When people were asked by the poll who or what was responsible for the violence, 27% blamed it on thugs, gangs and agitators; 19% cited anger over the King verdicts as well as a general sense of rage and frustration, and 16% pointed to poverty, bad economic conditions and lack of jobs. Only 8% singled out racism as a cause of the violence.

Blacks and Anglos were not in accord on the subject of responsibility, with 37% of whites and only 10% of blacks blaming the violence on thugs and gangs. Conversely, 13% of whites cited rage over the King verdicts, compared to 22% of blacks and 24% of Latinos.

The three ethnic groups also tended to see things somewhat differently when asked if responsibility for the rioting lay more with society or with the residents of South-Central Los Angeles, where much of the violence occurred.

Overall, more than 60% blamed society, but 35% of whites and 30% of Latinos pointed to South-Central residents, as opposed to 9% of the blacks.

Almost 70% of those surveyed expressed optimism that the city could heal itself. Blacks were the most hopeful and whites the least.

Kate Templeton, a black resident of the Crenshaw District, said of the healing process: "I think it's starting now. A lot of people are just upset and really appalled at what's happened. They don't want this. They want to get along with everyone. They don't want this devastation in their neighborhoods. And they're going forward to help in their communities and other communities with the cleanup."

Although virtually all of the blacks surveyed said their neighborhoods suffered damage during the rioting, 67% of Latinos and 48% of whites said their neighborhoods were at least slightly damaged.

Yet, 37% of whites—a bit more than any other group—said they felt physically threatened during the violence last week. Among both blacks and Latinos, 33% said they felt threatened.

Asked what the healing process will require, 28% of all those surveyed said it will involve renewed efforts among groups to communicate, get together and understand one another. Just over 20% stressed the need to improve the economy; 12% said education must be improved; 11% called for a harder crackdown on gangs, drugs and lawlessness, and an equal number spoke of the need for more government financial aid.

Ben Baca, 46, a Latino who works as an auto painter for the city of Los Angeles, expressed long-range optimism about the city's prospects, saying: "After World War II in Europe, everything was so devastated, and people managed to put their lives together. It takes time. This is nothing compared to that. [But] it will leave a scar, let's put it that way."

THE TIMES POLL

Verdicts in Rodney King Case and Violence in the Streets

A broad consensus of Angelenos opposed the verdicts but felt that the resulting violence was unjustified.

THE VERDICT

Do you agree or disagree with the jury's verdict of not guilty in the Rodney King beating trial?

	ALL	WHITE	BLACK	LATINO
Agree strongly	8%	12%	4%	5%
Agree somewhat	5	8	--	2
Disagree somewhat	10	12	3	12
Disagree strongly	71	58	93	77
Don't know	6	10	--	4

THE VIOLENCE

Do you think the violence that has occurred on the streets of L.A. after the King beating trial verdict is totally or partly justified, or totally unjustified?

	ALL	WHITE	BLACK	LATINO
Totally justified	3%	3%	5%	3%
Partly justified	21	15	32	21
Totally unjustified	75	81	58	76
Don't know	1	1	5	--

THE ANGER

How angry would you say you are about the violence that has occurred in recent days on the streets of Los Angeles?

	ALL	WHITE	BLACK	LATINO
Very angry	63%	68%	50%	63%
Moderately angry	22	19	30	22
Not too angry	7	5	6	7
Not angry at all	6	7	10	6
Don't know	2	1	4	2

THE RESPONSE

Would you say the LAPD reacted too quickly to the violence that broke out in the hours after the King beating verdict was announced, or too slowly, or just about as they should have?

	ALL	WHITE	BLACK	LATINO
Too quickly	1%	1%	2%	1%
Too slowly	80	75	82	84
As they should	16	21	14	13
Don't know	3	3	2	2

The Times Poll interviewed 888 residents of the city of Los Angeles, with a margin of error of four percentage points in either direction.

How the Poll Was Conducted

■ The Times Poll interviewed 888 Los Angeles adults by telephone May 3 and 4. Telephone numbers were chosen from a list of all exchanges in the city. Random-digit dialing techniques were used to ensure that listed and unlisted numbers were contacted. Interviewing was conducted in English and Spanish. Results were weighted slightly to conform with census figures for sex, race, age and household size. The margin of sampling error for percentages based on the total sample is plus or minus four percentage points. For certain subgroups, the error margin is somewhat higher. Certain subgroups, such as Asians, are included in the citywide sample but are not of sufficient size for independent analysis.

FD-350 (Rev. 5-8-81)

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Grand Jury Set to Look Into King Beating

■ **Inquiry:** Federal investigation extends to all officers who witnessed the incident. Motorist's civil rights are at issue.

By RICHARD A. SERRANO and HENRY WEINSTEIN
TIMES STAFF WRITERS

A federal grand jury is expected to hear testimony today in the government's investigation into whether four Los Angeles police officers were guilty of civil rights violations against black motorist Rodney G. King.

Local and federal law enforcement sources said new subpoenas have been issued in the case, and a Los Angeles Police Department source said the federal government is reviewing the actions of the four officers tried in the beating of King and of almost two dozen other officers who were bystanders at the scene.

Last week, U.S. Atty. Lourdes G. Baird took the unusual step of announcing that a grand jury had been convened and subpoenas had been issued, but she would give no further details.

The LAPD source said officials of the department's Internal Affairs and Robbery-Homicide divisions have been asked to turn over "all tangible pieces of evidence" to the federal investigators, including the personnel records of all those involved, and "even uniforms and shoes worn that night."

Police Lt. Patrick Conmay and Sgt. Robert Ontiveros, two Foothill Division supervisors, have been asked to submit to FBI interrogations, the source said.

"A very broad and very comprehensive subpoena for LAPD records dealing with the criminal and administrative investigations of the entire Rodney King incident" has been issued, the source also said. "I can infer from all of this that not only is the focus on the four defendants, but [on] all of the bystanders. . . . So, that's going to scare a lot of cops."

A federal source said it should not be assumed that the bystander officers are targets of the investigation, however.

Prosecuting the bystanders would enlarge and complicate the case and make it more difficult to present to a jury, said Washington attorney Daniel Rinzel, who oversaw more than 200 brutality prosecutions during the eight years he headed the criminal section of the Justice Department's civil rights division.

A source close to King confirmed that the FBI has asked his attorneys for various documents. The source said the federal agency wants the witness lists for King's pending civil lawsuit, as well as the names of those who can account for King's actions between the time he stepped out of his car and when the videotaping of the incident began.

Other sources said Justice Department attorneys also have requested an interview with California Highway Patrol Officers Melanie and Timothy Singer, the married couple who saw the beating of King and testified at the Simi Valley trial.

The FBI said that it opened a federal civil rights investigation a few days after King was beaten the night of March 3, 1991. It said that even before the verdicts were announced last week, it had done considerable work on the case and had interviewed officers of the Foothill Division, which patrols Lake View Terrace, where the incident took place.

The FBI already has obtained numerous LAPD documents about the incident, some voluntarily provided by the LAPD and others obtained by subpoena, according to sources.

(Indicate page, name of newspaper, city and state.)
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In addition, the FBI has interviewed many other witnesses, including King, people who saw the beating and medical personnel who treated King afterward.

Assistant U.S. Atty. Michael W. Emmick, one of the attorneys involved in the King probe, would not comment. Neither would Assistant City Atty. Linda Lefkowitz, who defends police officers in civil liability cases.

She said she is under strict federal orders not to disclose any portion of a recently issued subpoena.

"I've been told the subpoena is not a matter of public record," she said. She also said it would be improper to say when any grand jury session would occur.

A Los Angeles Superior Court jury of six men and six women found Officers Stacey C. Koon, Timothy E. Wind and Theodore J. Briseno not guilty of all charges against them in the Simi Valley trial.

Officer Laurence M. Powell was acquitted of assault and of filing a false police report. The jury was hung as to whether Powell used excessive force, with eight members in favor of acquittal and four for conviction. Dist. Atty. Ira Reiner has not said whether his office will retry Powell on that charge.

U.S. Atty. Gen. William P. Barr has said on several occasions that a federal criminal indictment could be lodged against the four officers, even though all but Powell were acquitted.

The officers could be prosecuted under a federal statute that prohibits unlawful acts committed "under color of state authority," or under the federal law against conspiring to violate the civil rights of any person.

Koon's lawyer, Darryl Mounger, said he had not heard about the subpoenas, but he added: "It doesn't surprise me."

Mounger lambasted President Bush for announcing the federal probe on television in a nationwide address Friday night. He said it would be "a travesty of justice" if his client and the other officers were indicted on federal charges.

Mounger said there was no place where his client could get a fair trial because of all the publicity about the Simi Valley verdict.

Attorneys for Powell, Wind and Briseno could not be reached for comment.

Times staff writer Ronald J. Ostrow in Washington contributed to this story.

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Passenger in King's car, sergeant contacted by FBI for interviews

By Karen Nikos
Daily News Staff Writer

As a federal grand jury investigation into the Rodney King beating continued Thursday, a passenger in King's car and an Los Angeles police sergeant were contacted by the FBI for interviews, officials said.

In federal investigations, FBI agents customarily interview suspects prior to grand jurors issuing subpoenas and before they go before grand jurors for questioning.

Sgt. Robert Ontiveros, who worked at the Los Angeles Police Department's Foothill Division when King was beaten by police March 3, 1991, said Thursday that the FBI called him on Tuesday.

"He wants to interview me. I said I wasn't opposed, but I wanted to consult my attorney and have the attorney present," Ontiveros said. "We're duty bound anyway to freely cooperate with other law enforcement agencies."

The sergeant, who now works in the North Hollywood Division, identified officers accused in the King beating during their trial in Simi Valley that ended in in acquittals last week.

Attorney John Burton said Bryant Allen — a passenger in King's car — also was contacted Thursday by FBI agents for an interview. Burton is representing Allen in a civil rights lawsuit. The attorney said Allen had not yet received a grand jury subpoena.

"They (FBI agents) are trying to set up an interview with him as we speak," said Burton.

Ontiveros said the FBI agents also told him they were planning to interview a police lieutenant who was a watch commander in the Foothill Division on the night of the King beating.

"They contacted me and told me they were going to contact Lt. Pat Conmay," Ontiveros said.

Conmay testified in the trial of four officers accused in the King beating that Sgt. Stacey Koon reported that King suffered minor injuries.

Conmay also testified that Koon said he directed officers' baton blows at the scene because he felt they were ineffective, at first, in subduing King.

Last week, U.S. Attorney Lourdes Baird said that the Los Angeles federal grand jury seated to investigate King had issued subpoenas.

Under federal law, proceedings and investigations by a grand jury are secret. The disclosure of the investigation by both Baird and by President Bush was highly unusual.

Darryl Mounger, the attorney for Koon — the supervising officer charged in the beating — said that he had not heard of any officers receiving grand jury subpoenas.

Daily News Staff Writer Jaxon Van Derbeken contributed to this story.

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White Says Jury Was the Worst Possible

■ **King case:** Prosecutor contends he did not get one person that he wanted for the panel. But he does not think race played a role in the verdicts.

By HENRY WEINSTEIN
TIMES STAFF WRITER

The lead prosecutor in the trial over the beating of Rodney G. King said Thursday that he did not get one juror he wanted for the case that ended with the acquittals of three police officers and the partial acquittal of the fourth.

Deputy Dist. Atty. Terry L. White said in an interview that the six-man, six-woman panel would have been "a perfect jury" in a criminal case with a civilian defendant, but could not have been worse for a case in which law enforcement officers were defendants.

"These jurors were very pro-law enforcement," based on their responses to jury questionnaires, White said. "They were people who believe there is this 'thin blue line' separating law-abiding citizens from the jungle—the criminal element.

Los Angeles Times

Terry L. White

"They are people who put police officers on a pedestal. They have had very positive experiences with police officers, even when they get a traffic ticket."

In fact, one of the jurors who was mistakenly arrested about 20 years ago said on his questionnaire that he harbored no hard feelings toward police.

"They were going to side with the four officers before they ever sided with Rodney King," White said. The jurors—10 whites, one Latino and one Asian-American—spurned the key evidence in the case, including the videotape of King's beating, he said.

Nonetheless, he said, "I don't want anyone to believe we think the verdicts were racist decisions. I have no evidence they were based on the color of the prosecutor or the color of Mr. King."

The 35-year-old attorney, who is black, defended his key actions in the case, and those of co-counsel Alan Yochelson and Dist. Atty. Ira Reiner—including the decision not to call King to the witness stand.

White said he expected the jury to convict Officer Laurence M. Powell, who administered most of the blows to King, and Sgt. Stacey C. Koon, the supervisor at the beating scene in Lake View Terrace.

He said he considered it possible that Officers Timothy E. Wind and Theodore J. Briseno would be acquitted. He felt that because Wind was a young officer "the jurors might feel sorry for him." And Briseno, White noted, had criticized the conduct of the other officers and maintained that he had tried to stop the beating.

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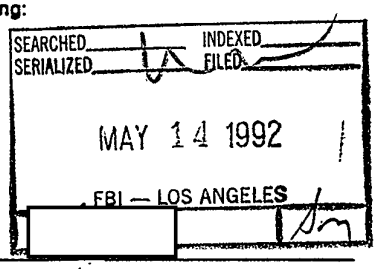

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White said he considered dropping out of the case in December when Los Angeles Superior Court Judge Stanley Weisberg moved the trial to Simi Valley. When the venue was changed, White said, he realized the jury pool would have a far greater percentage of whites than in Los Angeles.

"I knew Ventura County is only 2% black," White said. "I didn't know if just by the color of my skin, I'd be a hindrance.

"I thought about that for a week or so. Then I thought I was being a little paranoid. I decided to stay on the case. I never discussed it with anyone.

"My conclusion was that I'd been on this case for eight months and that I knew the case better than anyone else. I was the best one to try the case."

White acknowledged saying publicly that the prosecution could get a fair trial in Ventura County after Weisberg announced that the case would be moved there. But he said it would have been impolitic to say anything else and the statement belied private worries.

"We were concerned. We knew a lot of law enforcement officers lived in Simi Valley," he said. "But you don't stand up and say 'We can't get a fair trial there' just two months before the trial is supposed to start there."

White said he thought state law should be changed to give prosecutors a voice in where a trial is relocated after a judge grants a change of venue.

The original trial judge in the case, Bernard Kamins, rejected the defense's bid to move the trial, he noted. Then the state Court of Appeal reversed Kamins and said the case should be moved. The appeals court said the King case was different than other high-profile cases, such as the Charles Manson and Hillside Strangler cases, because it also had precipitated a political battle in Los Angeles.

In a separate interview, Dist. Atty. Reiner said his office had decided not to appeal the venue ruling to the state Supreme Court for two reasons. "Based on the decision by the court of appeals, the chances of getting a reversal were low, and appealing would have resulted in a substantial delay in the trial."

White said that he and six other members of the district attorney's staff agonized over which potential jurors they wanted. They reviewed responses submitted by 264 potential jurors and rated them on a "1-to-5 scale, with 1 being best and 5 being worst," he said.

"There were only 27 '1s' and '2s' on the entire list, and none of them got on the jury," White said. He said he never before tried a case where he did not get any of his preferred choices on the jury.

In fact, he said that there were so many "5s" on his list that he wound up elevating some of them to "4s" because he had to differentiate between potentially bad and truly undesirable jurors.

White said that there were only half a dozen blacks on the panel of 264 and that only a couple of them were formally considered because of the order in which their names came up. One black woman said she couldn't be fair to the officers because she had such strong feelings about the beating.

White said that he had no second thoughts about Reiner's decision not to have King testify. King had made several statements shortly after the beating that could have been used to impeach him on cross-examination, he said.

"King said he had not been drinking, not been speeding, had pulled over immediately when he saw officers following him, in no way resisted . . . and that it was not a racial incident," White said. In fact, King

had been driving well over the legal limit, was legally drunk, led police on a high-speed chase and did not immediately comply with their orders after he was apprehended.

The prosecutor said he also worried that defense lawyers would have been able to tell jurors that King had a criminal record.

White defended his decision not to make racial issues a key element of the prosecution. "None of the witnesses we talked to heard racial epithets" at the scene, he said.

Moreover, prosecutors could not hear racial epithets on the videotape of the beating, even after they had the sound enhanced. But White acknowledged that an enhancement expert hired by Steven Lerman, King's attorney in his federal lawsuit, has said he heard a racial epithet on the tape.

"We felt that if you introduce race as an issue and you don't prove race, that undermines your credibility with the jury," White said. "Believe me, if there had been statements [made at the scene indicating the beating was racially motivated] we would not have hesitated to raise that."

Race became an issue in the trial only after an inadvertent mistake by defense lawyer Michael P. Stone allowed prosecutors to question his client, Powell, about statements he had made over a police radio just before the King beating. Powell said that had intervened in a domestic disturbance involving a group of African-Americans that was "right out of 'Gorillas in the Mist,' " a reference to a movie about African wildlife.

He declined comment on whether the district attorney's office has decided whether to retry Powell on the charge of using excessive force. The jury stalemated 8 to 4 for acquittal on that count. Prosecutors are to disclose their decision at a May 15 court hearing.

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Jurors Tell of Angry, Bitter Deliberations

■ **Trial:** Heated debate centered on counts against Powell. 'I felt he was guilty,' a panel member says. 'But I couldn't prove it to myself.'

By SHERYL STOLBERG and MACK REED
TIMES STAFF WRITERS

It was Sunday, shortly before noon, the fourth agonizing day of deliberations in the case of four Los Angeles Police Department officers accused of beating Rodney G. King, and emotions were running high. The jurors were arguing heatedly over whether Officer Laurence M. Powell, who had been seen worldwide on a videotape striking a prone King, was guilty of assault with a deadly weapon.

When they finally cast their votes—a unanimous not guilty on that count—one male juror broke down and cried. As hard as he tried, he said, he could not persuade himself that the blows Powell inflicted were "likely to cause great bodily injury," as the law required.

"I felt he was guilty," he said. "But I couldn't prove it to myself, so I had a real tough time, a real tough time putting in a not guilty vote."

In an extensive interview with The Times, this juror—who asked not to be named—provided the most detailed account yet of what happened inside the small second-floor jury room in the Simi Valley courthouse. It was there that six men and six women met for seven days to pass judgment on Powell and fellow officers Timothy E. Wind and Theodore J. Briseno, and their sergeant, Stacey C. Koon.

His remarks, coupled with recent comments from the handful of jurors who have broken a pact not to talk, paint a portrait of a jury panel that at times fought bitterly over Powell, which resulted in the judge declaring a mistrial on one count, but had little trouble deciding to acquit the other three officers. A female juror, who also asked not to be identified, said: "Our biggest effort was put in on Powell. . . . It was very emotional."

Most of the jurors have repeatedly declined interviews, many of them frightened by the riots that erupted in Los Angeles after their verdicts and fearing that publicity will bring them harm. Some, such as the male juror who asked not to be named, have moved out of their homes. Others have switched their telephones to unlisted numbers. One woman was so rattled by the threats she received that, a relative said, she is under a doctor's care and has orders not to talk.

On Wednesday, the Simi Valley Police Department opened a criminal investigation into threats made to the jurors on the King panel, as well as threats against prospective jurors who were not selected and people whose names are similar to those of the jurors. Lt. Bob Klamser said police are working with the jurors to ensure their safety.

"It's a scary situation," said one male juror who declined to be identified and would not talk at length. "You need to keep a low profile."

The jury panel—10 whites, a Latina and an Asian-American—began its work on Thursday, April 23. Like everything else in the spanking new East Valley Courthouse, the jury room had never before been used. It was bare, save for a table that sat 12, a television set that had been used during the trial to view the videotape, and the evidence—including the batons that Powell and Wind used against King. The blinds were drawn, and they remained that way throughout the jury's discussions.

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FBI/DOJ

After selecting the forewoman—a 65-year-old Camarillo woman who manages government contracts for a living—the panel began by discussing the case against Briseno and Wind. According to the male juror, there was a consensus that those cases would be easier to resolve.

Briseno was charged with kicking King once. During his testimony, he argued that he tried to prevent the beating by pulling back Powell's baton and by attempting to subdue King by putting his foot on King's back—rather than kicking King, as the prosecution alleged. Watching the videotape in slow motion, the jury tried to determine where Briseno's foot met King's body. Was it on the head, as the prosecution asserted? On the neck? On the shoulder?

"It wasn't really clear enough on the video to see," the juror said. "So we were trying to rely on King's movement after the kick, to try to determine where it was."

He said the jury decided that there was a "reasonable explanation" for what Briseno did. And that meant reasonable doubt that he was guilty.

Of the four officers, Wind received the least attention from the jury. A rookie officer on probation who has been fired from the force, Wind was the only defendant not to testify in his own behalf. The jury believed Wind used "proper form," the juror said, adding: "He only seemed to go in there and deliver blows when King was trying to rise. It looked like he was pretty much in control."

Friday evening, the jury took straw votes on Briseno and Wind. The votes were cast by secret ballot. The decision was unanimous: not guilty for each officer. But in case anyone wanted to change his mind, the jury decided it would not take its final vote until deliberations were completed.

On Saturday morning, the jury embarked on its most difficult task: dissecting the evidence against Powell. The 29-year-old officer, a 3½-year veteran of the Police Department, was accused of inflicting the most baton strikes on King. On portions of the videotape, he is shown delivering a torrent of blows to the King as King lay on the ground.

The panel began by considering the first count: assault with a deadly weapon, with force likely to produce great bodily injury. Much of the discussion revolved around whether King's head injuries were sustained as a result of the baton strikes, as the prosecution alleged, or as a result of his fall to the ground, as the defense asserted.

Had King's facial fractures been caused by the officers' batons, the jury reasoned, they would have had proof that the force was likely to cause great bodily injury. But the jury accepted the defense argument instead.

After reviewing the tape repeatedly, the jurors could not tell whether Powell had struck King in the head—despite testimony from CHP officer Melanie Singer, who told the jury that she did see head blows. The juror said: "There are areas in the tape where you can't see. It's just too blurry and it jumps around a lot. I didn't see any direct shots to the head."

The debate continued all day Saturday and into Sunday, when the discussion grew volatile. One juror, said juror Virginia Loya, said that King deserved what he got. "That was a poor choice of words," Loya retorted. "No one deserves to be beaten." Others argued vociferously that the officers were reasonably in fear of King, a large man who they believed was under the influence of the dangerous drug PCP.

Near the end of the debate, Loya and another juror, both of whom had been arguing that Powell was guilty, changed their minds. The last holdout was the male juror, who said he cried as he cast his not guilty vote. With Powell acquitted of count one, the panel broke for lunch.

When they returned to the courthouse, the jurors were too drained to consider the second count against Powell: assault under color of authority. Instead they discussed count three—whether Powell had filed a false police report—and quickly determined that the errors on the report were "minor and insignificant."

Then the jury moved to Koon, the sergeant who had twice stung King with his Taser stun gun. Although he did not inflict any blows against King, Koon, the supervising officer, faced the same charges as Powell, with the prosecution theorizing that if a crime had occurred, he was guilty of aiding and abetting. By the end of the day Sunday, the jurors agreed that unless they convicted Powell, they could not convict Koon.

On Monday, they returned to Powell to consider the second count. By then, the battle lines had been drawn. It was apparent that on this count, the jury would be hung. Nonetheless, the panel calmly embarked on a painstaking review of the videotape.

Those who favored conviction identified three key areas on the tape that, they believed, provided proof of excessive force. The most damaging portion, according to the male juror, showed Powell hitting King's legs while King "appears to be rolling on the ground, just trying to avoid the blows."

All day long, they reviewed these portions and went around the table, with each juror offering his

views as to why Powell was or was not guilty. At the day's end, the vote was 9 to 3 in favor of acquittal. At one point, Loya said, the other jurors lambasted her for insisting on playing the tape so many times.

"They were tired of watching," she said. "To me, the video was the only thing I had to hang on to. I wanted to see it as much as I could."

Loya said the debate over Powell was so wrenching that she prayed and fasted for a day and a half, hoping that God would give her the strength to persuade the others that the officer was guilty.

"I saw the swings," she said Wednesday, referring to the baton blows Powell delivered to King. "He didn't even take time to look at what he was doing. To me, it was out of control."

The jury spent the next day, Tuesday, reviewing circumstantial evidence against Powell. Much of the discussion centered on his widely reported computer messages, including one issued after the beating in which he said: "Ooops, I haven't beaten anyone that bad in a long time." But at the end of the day, only one juror had switched his vote, and the jury was hung, 8 to 4.

On Wednesday, the final day of deliberations, "the sheriffs that were guarding us seemed edgier, and a lot more trying to keep us going on schedule," the juror said. "We all felt a little pressure, like maybe we were expected to have already given them something."

In fact, there was not much more to do. With no convictions against Powell, the jury—by this time "pretty emotionally wrung out," one source said—could not find Koon guilty. With the final votes tallied, there were not guilty verdicts on 10 counts and a hung jury on the 11th. At 12:30 p.m., the forewoman sent a note to Superior Court Judge Stanley M. Weisberg.

The jury in the matter of People vs. Powell—as the case is officially known—had reached a partial verdict. The panel, the note said, would await the judge's guidance.

Staff writers Tina Daunt and Stuart Silverstein contributed to this article.

DEBRA MYRENT / For The Times

'I saw the swings,' referring to the baton blows Laurence M. Powell delivered to Rodney G. King. 'He didn't even take time to look at what he was doing. To me, it was out of control.'

JUROR VIRGINIA LOYA

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

King-case prosecutor 'stunned' by acquittals

By Cheryl W. Thompson
and Dawn Webber
Daily News Staff Writers

Still reeling from a jury's decision to acquit four LAPD officers charged with beating Rodney King, the chief prosecutor in the case said Thursday that the verdicts marked a failure of the justice system.

"I believe quite fervently that these people were guilty, so I didn't ever consider the possibility that they would be found innocent," Deputy District Attorney Terry White said in an interview.

"My first reaction was that I couldn't believe it," White said. "I was stunned and sort of in shock. It still hasn't hit me yet. I don't know if it ever will."

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White said he understands the frustration and anger in the African-American community that helped spark riots that raged for days after the verdicts were announced last week.

"I don't condone it but I can understand the frustration because people feel like the government and the system let them down again," he said.

"I knew if they were found not guilty there would be some demonstrations," White said. "But I had no idea it would have led to riots."

A Ventura County jury last week acquitted Los Angeles police Sgt. Stacey Koon and officers Laurence Powell, Timothy Wind and Theodore Briseno on 10 of 11 charges stemming from the March 3, 1991, beating of King in Lake View Terrace.

The jury deadlocked on a single count of excessive force against Powell, and a mistrial was declared on that charge. A hearing is scheduled for May 15 to determine whether Powell should be re-tried.

Los Angeles District Attorney Ira Reiner said in a separate interview Thursday that although eight days had passed since the verdicts, he had not yet met with White to discuss whether to re-file charges against Powell.

Reiner said the District Attorney's Office also has not yet analyzed the King trial to determine what went wrong, but he declined to blame the jury for the not-guilty verdicts.

"You accept verdicts," he said. "You don't attack the jury. I am not going to make any suggestion that the jury was anything other than fair as they saw it. They brought their own judgments and values to the jury."

Trial analysts have suggested that a critical point in the trial was the decision by Judge Stanley Weisberg to shift it to predominantly-white Ventura County, rather than a jurisdiction with a racial makeup similar to that of Los Angeles County.

Critics have said that the District Attorney's Office should have vigorously opposed the selection of the Ventura County community of Simi Valley as the site for the trial. Reiner dismissed that criticism.

"The prosecution has no voice, none whatsoever — no standing — to even participate in the decision as to which venue a case is to be assigned," Reiner said.

"The law is very clear that the prosecution may not participate in the discussion," he said. "The trial judge selected the venue without any consultation with the prosecution."

One more turning point in the case was the prosecution's decision not to put King on the stand as a

witness. White said that decision was made by Reiner and "management" in the District Attorney's Office, rather than by the trial prosecutors.

"I'm just a deputy DA," White said. "I'm not trying to take the blame off me and put it on Ira Reiner, but he is the district attorney and he makes the decisions."

White said the decision to keep King off the stand was based on concern that defense attorneys would try to make an issue of his criminal history. King was on parole after serving a prison term for robbery when the beating occurred.

"The rationale was if you don't call King (to the stand) you keep the focus on the case and not on King's past," White said.

"We had the video and we didn't need Rodney King and the liability Rodney King was going to bring to that case," he said. "Looking back, that was still a sound decision. No question."

During the six weeks of testimony, White said he never sensed the case was in trouble.

"It was a relatively good trial as far as the evidence and witnesses we called," he said. "There is no decision during this trial that I would have changed."

Asked whether he would like to prosecute Powell a second time on the outstanding charge, White declined comment.

"That's the DA's job to talk about decisions," White said. "It's not my decision to make."

He also declined to say whether King might be called to testify if Reiner decides to go ahead with a new trial.

"I don't want to prejudge our strategy on the second trial," he said.

White, 35, is one of 12 attorneys in the District Attorney's Special Investigations Division, which prosecutes public officials accused of criminal wrongdoing.

The King trial was White's first prosecution case involving police officers since joining the District Attorney's Office in 1984. He said police officers are difficult to prosecute because they are respected by most citizens.

"Police officers come into a courtroom with enhanced credibility," he said. "They have a different status than your normal criminal defendant. Jurors are reluctant to second-guess police officers."

In an interview with the Daily News this week, one juror said she and other holdouts were pressured into going along with the not-guilty verdicts even though she felt the officers acted improperly.

"It was like we were on trial too," said Virginia Loya, one of four jurors who held their ground on the single count against Powell, forcing a hung jury.

"The rationale was if you don't call King (to the stand) you keep the focus on the case and not on King's past. We had the video and we didn't need Rodney King and the liability Rodney King was going to bring to that case."

— Terry White
Chief prosecutor in the trial of four LAPD officers accused of beating Rodney King

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

King, Denny beatings exhibit similarities, glaring differences

By Lisa Pope
Daily News Staff Writer

JUSTICE IN LOS ANGELES

First in an occasional series

There are some striking parallels between the beating of Reginald Denny during the Los Angeles riots this month and the beating of Rodney King during a traffic stop last year.

Both incidents were captured on videotape, broadcast repeatedly across the country and used by authorities to bring criminal charges against suspects.

And both incidents had a racial component that exposed the country's deep racial divisions. King, an African-American, was beaten by white police officers. Denny, who is white, was beaten by African-Americans.

But the similarities end there, according to officials and community leaders who say that distinctions between the two cases — and the way they are prosecuted — will be watched closely for signs of unequal treatment.

Prosecutors and legal experts say the two cases "are like apples and oranges" because, unlike the suspects in the Denny case, the defendants in the King case were officers empowered to use reasonable force to subdue suspects.

"There is no question that it's illegal to pull someone out of a truck and beat him," said Deputy District Attorney John Lynch, who is coordinating the prosecution of suspects arrested in connection with the riots.

"There's nothing to analyze. You just arrest them. The crime is there," Lynch said.

"It's much more complex when you have police officers who have the authority to stop people and arrest people and, in the gravest emergencies, to kill someone," Lynch said. "The analysis is very different."

Despite general agreement that Denny's attackers should be punished, African-American leaders say the case raises questions about unequal justice — particularly after the acquittals of the officers in the King case.

"It will be watched very carefully," said John Mance, a national board member of the National Association for the Advancement of Colored People.

"A lot of people probably will oversimplify it: 'You know they are going to convict those black people. You know they are going to continue to do it to us,' " Mance said.

Ramona Ripston, executive director of the American Civil Liberties Union of Southern California, said convictions in the Denny beating will resonate in the African-American community after the acquittals of the four officers charged in the King beating.

"The people who beat Reginald Denny should be punished, but the answer really is to punish everybody," Ripston said.

(Indicate page, name of newspaper, city and state.)

DAILY NEWS
SAN FERNANDO, CA

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"I feel that four black men probably will be convicted (in the Denny case), and the white men (in the King case) were not," she said. "There's no question that the criminal justice system suffers from a racial bias."

Four suspects in the Denny case were taken into custody Tuesday — 13 days after the beating of Denny, who was pulled from his tractor-trailer rig at the corner of Florence and Normandie avenues April 29 and was beaten and robbed.

Three of the four suspects were apprehended; the fourth turned himself in. Authorities said they were identified by a multi-agency task force that used enhanced videotapes and photographs taken at the scene.

In the King case, the four LAPD officers — identified from a videotape, radio calls and incident reports — surrendered with their attorneys after a Los Angeles County grand jury indicted them on assault and excessive force charges.

The officers were indicted nine days after the March 3, 1991, King beating.

After a lengthy trial, they were acquitted two weeks ago by a jury in Simi Valley that rejected the prosecution's claim that the conduct depicted on the amateur videotape was illegal.

The jury's verdict — widely criticized across the country — sparked three days of riots in Los Angeles that included the attack on Denny.

"(African-Americans) are going to say, 'Here we are looking at a videotape the whole world has seen and the jurors have said 'That's not what you see,' " said John Crump, executive director of the National Law Association, whose 15,000 members are primarily African-American.

"Now they have used the videotape of the truck driver being beaten up to arrest some individuals," Crump said. "That videotape is going to be introduced into court, and nobody's going to say anything

about it."

George Mallory, a former city attorney and past president of the predominantly African-American John M. Langston Bar Association, said there are distinct differences between the two cases.

"The big difference is that anytime you have police officers who are acting under color of authority, then under those circumstances, you probably need more evidence," Mallory said.

"Under no circumstances are citizens generally able to engage in street justice," he said.

Mallory, who condemned both beatings, said the cases would be more comparable if the differences were limited to race.

"If you told me there were four black police officers who took Denny out of the truck and they were indicted faster than the officers in the Rodney King case, that would raise some questions," he said.

In the King case, federal prosecution took a back seat to the state's case against the four officers. The U.S. Attorney's Office did not empanel a grand jury to investigate the King case until after the acquittals and ensuing riots.

In the Denny case, federal charges were brought at the same time the state filed its case, and federal agents accompanied police officers in making the arrests.

LAPD Chief Daryl F. Gates' reaction to the Denny assault also contrasts sharply with his response to the King beating — his distinctions focusing on the men accused in each case.

Gates pledged a full investigation of the police beating of King at the outset, but he cautioned against drawing premature conclusions.

Later, Gates defended the officers, saying they had "lost control" but were "not evil human beings. They do not have shady pasts (with) childhoods as delinquents. These are people with character."

In the Denny case, Gates made the extraordinary move of accompanying the arrest team on Tuesday's pre-dawn raid. He personally handcuffed one of the suspects and described all four as "very, very vicious criminals" and "hoodlums."

"This is an opportunity for them to do what they do all the time, assault people, rob people, and this I supposed they felt allowed them free rein," he said. "It's no different from what they have been doing in all the years they have been in gangs."

African-American leaders said the chief's words and actions reinforced the community's perception that the system is weighted against African-Americans.

"I resent it that (Gates) calls these people hoodlums and doesn't call the police who beat Rodney King hoodlums," said the Rev. Leonard Jackson of the First African Methodist Episcopal Church.

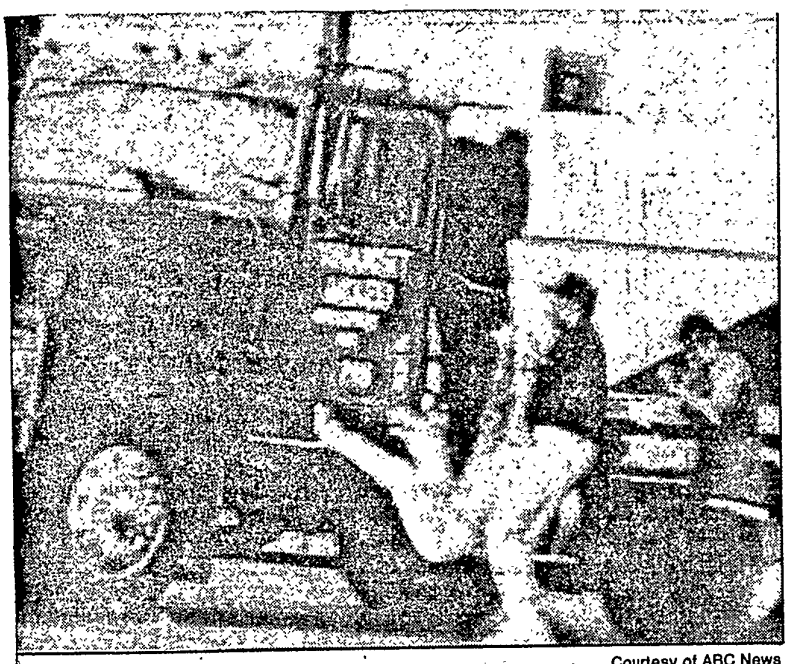
"It's absurd," Jackson said. "The wounds in the neighborhood are still open and you throw salt on the open wound and you can't help but react. Society's already lost faith in the judicial system."

Troy Smith, executive director of the Greater Watts Justice Center, said that African-Americans support the prosecution of people who broke the law during the riots.

But he said the chief's actions reinforce a belief in the community that justice is swift and sure when the suspects are African-American and the victim is white — but not guaranteed when the roles are reversed.

"He wanted to make a big point about law and order, about getting the bad guys. But in many people's minds, it was because the perpetrators are black and the victim was white," Smith said.

"He's reinforcing a double standard. Over 30 African-Americans were killed (in the riots), some violently and some looting," Smith said. "Why not arrest all the other people who killed violently? There's a perception problem here."



Courtesy of ABC News

Like the Rodney King beating, the assault on Reginald Denny during rioting in Los Angeles last month was captured on videotape.

)-350 (Rev. 3-8-81)

(Mount Clipping in Space Below)

DA to seek retrial of Powell

Prosecutors want case heard in racially mixed urban area

By Rene Lynch
Daily News Staff Writer

District Attorney Ira Reiner said Wednesday that prosecutors will seek a new trial against LAPD Officer Laurence Powell on an unresolved excessive-force charge stemming from the beating of Rodney King.

The decision on whether to grant a new trial will be made by Superior Court Judge Stanley Weisberg, who will hold a hearing Friday at the Criminal Courts Building in downtown Los Angeles.

If Weisberg orders a new trial but the defense requests a change of venue, Reiner said prosecutors will push for selection of an urban area with a racial mix that is similar to Los Angeles County.

"I understand there are many people that feel that to retry Laurence Powell on this one charge is to reopen wounds," Reiner said. "My feeling is that healing begins with justice, and justice was simply not done."

Powell — who could face a maximum sentence of six years in prison if convicted on the charge — could not be reached Wednesday. His attorney, Michael Stone, did not return phone calls.

After a six-week trial, a jury in Simi Valley returned not-guilty verdicts on 10 of 11 charges against Powell and three other Los Angeles Police Department officers charged in the King beating.

The jury was split 8-4 in favor of acquittal on the 11th count — excessive force by Powell — and Weisberg declared a mistrial on that charge.

The acquittals prompted outrage in the African-American community that turned into deadly rioting in Los Angeles. More than 50 people were killed and 2,300 hurt in three days of violence. Damage estimates come close to $800 million and thousands of homes and businesses burned down.

(Indicate page, name of newspaper, city and state.)
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Mayor Tom Bradley, who bitterly criticized the jury's decision in the first trial, praised Reiner's decision to seek a retrial of Powell.

"The decision made by the District Attorney, based on the evidence he has, is a sound decision," Bradley said. "It is now a matter of going through the court process again."

Bradley said police and National Guard troops are prepared to confront any new outbreak of violence that might be triggered by developments in the case.

John W. Mack, president of the Los Angeles Urban League, said, "There may very well be more violence, but we can't reach the point where an attempt at justice is not made because of fear of violence.

"Besides," Mack said, "If the people do the right thing, there won't be any violence."

Reiner said Weisberg has the power to strike down the request for a retrial and dismiss the count. The judge also has the final say on where the trial will take place.

Legal analysts have said a key turning point in the first trial was Weisberg's decision, after a defense motion for a change of venue was granted, to move the racially sensitive trial to predominantly white Ventura County.

The six-man, six-woman jury contained 10 whites, one Latino and one Asian-American.

Reiner has been criticized for not emphasizing his opposition to the choice of Ventura County — which Weisberg said was more convenient and less expensive than a move to another option, Alameda County, whose racial makeup is similar to that of Los Angeles.

If a change of venue is considered again, Reiner said, "we will once again argue as strenuously as we possibly can that the case be sent to an urban county."

Reiner said that if a new trial is granted, he will go with the same prosecutors who handled the first trail — Terry White and Alan Yochelson.

But White, the chief prosecutor in the first trial, said Wednesday that he hasn't been asked to handle the retrial — and is not sure he wants to.

"No one's asked me if I want to do this again," he said. "If there's going to be a change of venue, I don't know if I want to spend three months away from my family. That's quite a burden on them."

Reiner said it has not been decided whether King would be called to testify during a retrial. The beating victim was not called during the first trial — a prosecution strategy that was criticized after the verdicts were returned.

Robert Neubauer, co-counsel in King's civil suit against the LAPD, praised the decision to retry Powell but expressed concern that a new trial would delay the civil case, especially if the officers face another criminal trial in federal court.

"Obviously we feel (Powell) is guilty and should be retried but Mr. King wants this put behind him," Neubauer said. "We believe justice will not be done until all four officers are convicted."

The U.S. Attorney's Office is conducting a federal investigation that could lead to criminal charges of violating King's civil rights against all four officers.

After the officers were acquitted in Simi Valley and rioting broke out in Los Angeles, President Bush ordered a federal grand jury empaneled to consider evidence against the four officers.

Los Angeles U.S. Attorney Lourdes Baird said that FBI agents began investigating the King beating the day after it occurred on March 3, 1991, but put the case on hold after a county grand jury announced indictments.

Baird said 67 federal attorneys are now working on the case and are "moving as quickly as possible."

Daily News Staff Writers Karen Nikos, Rick Orlov and Cheryl W. Thompson contributed to this story.

FD-350 (Rev. 5-8-81)

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Prosecutor Will Ask Retrial of an Officer In Los Angeles Case

By SETH MYDANS
Special to The New York Times

LOS ANGELES, May 13 — District Attorney Ira Reiner said today that he would seek a retrial of one of the four police officers acquitted in the videotaped beating of Rodney G. King. Mr. Reiner said he would press for a trial in an urban setting, instead of the mostly white suburban county where the first trial was held.

The district attorney said he would ask a judge on Friday to approve a new trial for the officer, Laurence M. Powell, on the charge of using excessive force as a police officer. It was that charge that deadlocked the jury that acquitted Officer Powell and three codefendants on April 29 of assault and related charges.

Second Trial Likely

"Generally, the vast majority of the time, when we go into court to seek a retrial, the judge grants it," said Sandi Gibbons, a spokeswoman for Mr. Reiner.

The acquittals touched off two days of rioting in which 58 people were killed. No charges have yet been filed in the deaths, but on Monday the police arrested four people who they said had been involved in an assault on a truck driver, Reginald Denny, that was videotaped by news crews on the first day of rioting.

If Mr. Powell is tried again, it would likely result in parallel trials involving the two videotaped beatings, which have become focal points for racial tensions. The officers who beat Mr. King, a black motorist, are white; the men who beat Mr. Denny, a white truck driver, are black.

In the first case, city officials expressed concern today that another acquittal could result in more violence, and they expressed hope that an urban jury would convict Mr. Powell.

In the second case, Mr. Reiner said today that he would file multiple charges against the men who were seen in news broadcasts beating Mr. Denny.

Three of the men, arrested in predawn raids, will be charged Thursday with attempted murder, aggravated mayhem, torture and second-degree robbery, with a "special allegation" that the crimes were committed with intent to promote criminal gang activity, he said. Under California laws, a special allegation allows increased penalties for felony convictions.

All three men, Damian Williams, 19 years old, Henry Watson, 27, and Antoine Miller, 20, face life in prison.

Mr. Reiner said the fourth man, Gary Williams, 34, would be charged with second-degree robbery and would face a maximum of seven years in prison.

Federal Charges Filed

In addition, United States Attorney Lourdes Baird said a Federal complaint was filed today against the first three men for willful interference with interstate commerce, which could bring a maximum sentence of 20 years in prison and a $250,000 fine. She said other Federal charges might be added later, most likely involving violations of civil rights and riot-related charges.

A Federal grand jury is also reviewing evidence against the four police officers to determine whether they will face civil-rights charges in the beating of Mr. King.

Ms. Baird said that hearing could take some time because it includes a review of about 15,000 pages of transcript from the original trial.

She acknowledged that the Federal case could have moved forward more quickly if investigations had begun immediately after the incident, as they have in the Denny beating case. But she said it is standard procedure for Federal prosecutors to let local agencies proceed first.

In cases involving the riots, she said, a joint Federal-local task force of about 100 investigators had been formed to pursue charges.

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NEW YORK, NY
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Some critics, particularly in the poor neighborhoods of South-Central Los Angeles where most of the rioting took place, raised questions of a class or racial double standard.

At a news conference with Ms. Baird, Mr. Reiner spoke with contempt of the four black defendants. Pointing to a picture of the beating and referring to Damian Williams, Mr. Reiner said, "Here he is doing his little Crip dance after he has thrown a brick in the face of Reginald Denny."

The police have linked Mr. Williams and his companions to the 8-Trey Crip street gang.

In an interview at her home today, Mr. Williams' mother, Georgina Williams, a nurse, said her son was the victim of a double standard.

"He called my son a hoodlum and he called my son a robber," she said of Police Chief Daryl F. Gates, who told a news conference Tuesday he had personally arrested Mr. Williams. "But he didn't call the policemen any names when they beat up Rodney King. We're humans too."

She also said she was upset that her son was being held in custody today even though no charges had been filed.

"Did they arrest the police when they bet up Rodney King? Did they keep them locked up? Why are these kids locked up?" she said.

Addressing this issue at the news conference, Ms. Baird said, "I don't believe there was quite the flight risk in the King case, with the police officers, as there is in this case."

Ms. Baird said she did not believe there is a racial element in the parallel cases, noting that Mr. Denny was taken to a hospital by four black people after the beating.

The racial element, however, was very much on the minds of critics of the acquittals in the King beating, who said the verdict reflected the attitudes of the mostly white jury in the Ventura County suburb of Simi Valley.

If there is another trial for Mr. Powell, a court spokeswoman said, it would be held outside Los Angeles County, under the original trial's change-of-venue order. But the spokeswoman, Janice Luder, said the case would not necessarily be heard again in Ventura County.

Mr. Reiner said an effort would be made to find a jury whose ethnic make-up would more closely reflect the population of Los Angeles.

"We urged that it be sent to an urban county that, in some way at least, is similar to Los Angeles County," he said.

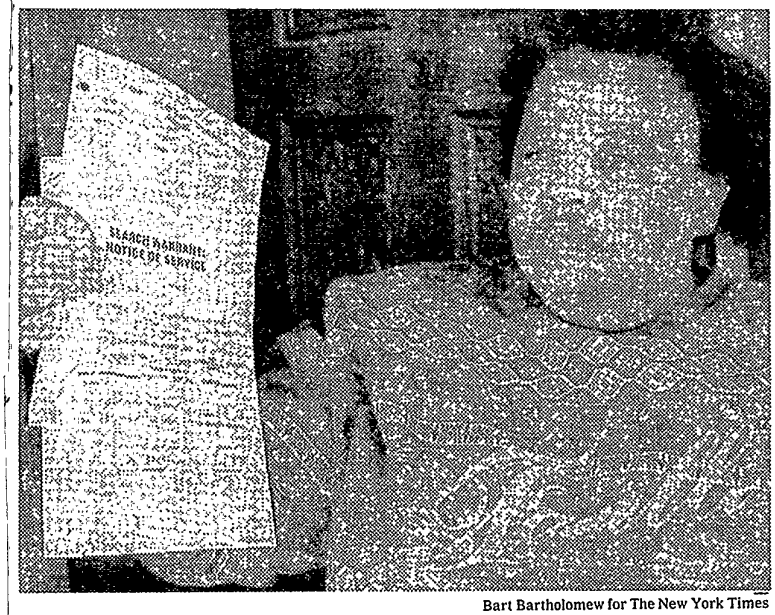
However, he said he believed it would be be possible for the four men arrested in the Reginald Denny beating case to receive a fair trial in Los Angeles County.

Three Others Sought

Investigators were also attempting to identify three other men who can be seen in the television news footage, Mr. Reiner said. They include a man who smashed a large white object over Mr. Denny's head, a man who hit him on the head with a hammer and a man carrying a shotgun who fired once but did not hit Mr. Denny, then drove off on a motorcycle.

Mr. Reiner said there were about 10 other victims of violence at the same intersection — Normandie and Florence Boulevards — in the first minutes of the rioting.

"In many cases we do not have evidence, we do not have suspects," he said. "I would certainly question the suggestion that there is videotape that shows a more violent, an uglier act of violence than this."



Bart Bartholomew for The New York Times

The search warrant used by the Los Angeles police in the arrest of one of four people in the beating of the truck driver at the start of the Los Angeles rioting was held yesterday by the suspect's mother, Georgia Williams. Her son, Damian, 19, will face attempted-murder charges.

D- (Rev. 5-8-81)

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Law, Not Unrest, Seen Guiding Weisberg on Powell Retrial Ruling

By SHERYL STOLBERG
TIMES STAFF WRITER

Now, the spotlight shifts to Stanley M. Weisberg.

From March to April, Weisberg served as the Superior Court judge in the Rodney G. King beating case. The balding, bespectacled jurist presided over the sometimes heated proceedings with a sense of cool detachment, like an owl peering out from the limbs of a distant tree.

Today, with the city still reeling from the riots sparked by the outright acquittal of three of the four Los Angeles police officers accused in the beating, Weisberg takes center stage.

It will be up to him to decide whether to grant a request from prosecutors to retry Laurence M. Powell, the 29-year-old officer who is shown on an amateur videotape delivering the most blows to the black motorist. The jury deadlocked on one count against Powell, voting 8 to 4 in favor of acquittal.

In ordinary times, Weisberg's task would be an easy one. A prosecutor asks for a retrial; the judge—unless he feels strongly that it is not in the interest of justice to go forward—says yes. But these are hardly ordinary times.

Instead, Weisberg must make his ruling against the backdrop of the riots. He will no doubt consider, as Los Angeles County Dist. Atty. Ira Reiner noted Wednesday, that to retry Powell in post-riot Los Angeles "would reopen some very painful wounds."

And he must also know that some consider him partly responsible for the outcome of the first case because of his decision to transfer the trial to largely white Ventura County. There, a jury of 10 whites, an Asian-American and a Latina rendered not guilty verdicts on 10 of 11 counts.

Yet if past performance is any guide, Weisberg will rule by the law and the law alone. He will act cautiously, conservatively and in a manner unlikely to get him wrapped up in the political fray.

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"He's not going to aggravate a delicate situation," said Bradley Brunon, a prominent Los Angeles defense attorney. "He is a very thoughtful man. He is very intelligent and he will follow the law, but he'll do it in such a way that it will be understood that it is the law that is compelling whatever actions he takes, and not any public outcry or political correctness."

Although there is no way to predict how—or when—the judge might rule, several lawyers interviewed said that it is likely he will permit the retrial based on the district attorney's argument that there is "compelling" evidence against Powell.

Powell's defense lawyer, Michael Stone, would not comment. And as he has throughout the trial, Weisberg declined to be interviewed.

During his four-year career on the Superior Court bench, Weisberg has handled a series of high-profile cases, including the sensational Laurel Canyon murders, the trial of an LAPD officer once dubbed "the most corrupt cop in L.A.," the retrial of the long-running McMartin Pre-School molestation case and the King case.

Lawyers and judges say he has distinguished himself as an independent, dignified jurist who can make difficult calls without offending anyone, and—perhaps more important—without putting himself at the center of attention.

"It's a real tough position to be in, and particularly tough with all the pressure that is exerted. And it's not over. But I can't think of any judge that I would have any more confidence in," said Superior Court Judge Gary Klausner, who as a supervising judge selected Weisberg to handle the King case.

With his serious, businesslike demeanor, Weisberg unexpectedly won many fans among the viewing public during the King case, which was televised gavel to gavel. One viewer phoned the network carrying the trial to say she thought Weisberg should serve on the Supreme Court. And on one day late in the trial, a gaggle of court watchers offered their favorable assessments.

"Oooh, he's lovely," cooed one fan, Mary from Encino, who would not give her last name. "He looks very quiet, but boy, he's thinking up there."

Whether the public opinion of Weisberg has diminished since the verdicts were issued April 29 is unclear. Weisberg's decision to move the case to Ventura County, over the objection of prosecutors who sought a more racially mixed, urban location, has since come under scrutiny.

Some critics say Weisberg must bear at least partial responsibility for the verdicts. As a result of the King case, legislators in two states—California and New Jersey—are proposing laws that would require demographics to be considered in cases involving a change of venue.

"Talk about looking for scapegoats!" Klausner said. "People now say maybe he's to blame. . . . But I can't see how you can say he bears any responsibility."

Lawyers such as Brunon and Cynthia McClain-Hill, an attorney who served as a television commentator during the King case, say Weisberg emerged from the trial with his reputation intact. McClain-Hill, who publishes a political newsletter geared to the black community, had glowing praise for the jurist.

"He was exemplary," she said. "It was a shining moment for the state judiciary. . . . I think he comes out of this pretty much unscathed, and rightly so. He is one part of this case that worked flawlessly."

The son of an East Los Angeles sheet-metal worker, Weisberg spent 18 years as a Los Angeles County prosecutor, handling such high-powered cases as the successful prosecution of Marvin Pancoast for murder in the slaying of Vicki Morgan, mistress of the late business tycoon Alfred Bloomingdale. The 48-year-old jurist was appointed to the Municipal Court in 1986, and was elevated to the Superior Court in 1988.

He has a reputation as a no-nonsense judge who runs an efficient court. That *is* one reason Klausner selected him to handle the King case.

When Weisberg took over, the case was in disarray. The previous trial judge, Bernard J. Kamins, had been thrown off the case by an appeals court, which criticized Kamins for giving the appearance of bias and for drawing too much attention to himself. Although a change of venue had been granted, nobody knew where—or when—the trial would be held.

Once in charge, Weisberg moved with dispatch. Within hours of his appointment, he met in closed chambers with prosecutors and defense lawyers, and announced in open court that the trial would either be held in Orange, Alameda or Ventura counties. That was on a Friday. By the next Tuesday, a trial date was set and Ventura was picked as the site.

Controlling the courtroom is a hallmark of Weisberg's judicial style. When he agreed that the trial could be televised, he insisted on a 15-second delay button so that he could bleep out anything he deemed inappropriate for the viewers, such as shots of the jurors. He did not use the button, however, when one of the defendants uttered a four-letter word during his testimony.

And when Weisberg noticed spectators nodding off in the back of the courtroom, he ordered that the temperature be turned down so that the jury would stay awake. It was so cold that spectators began wearing hats and gloves and some people—including the judge—got sick.

On the bench, Weisberg is somber and reserved. Although some lawyers complain that he is cold and humorless, he has a dry wit that emerges infrequently, more often outside the presence of juries.

But Weisberg shows little tolerance for flamboyant sideshows and less for attorneys whom he believes have stepped out of line. During the retrial of McMartin Pre-School teacher Ray Buckey, Weisberg issued an angry rebuke to Reiner, declaring in open court that Reiner had improperly attempted to talk privately with the judge. Reiner said later that the judge had misinterpreted his actions.

Weisberg's no-nonsense sensibility also emerged before the start of the McMartin retrial, when defense lawyer Danny Davis told the judge that he required back surgery that would delay the proceedings. In a move that many lawyers would have found insulting, Weisberg refused to take Davis' word and ordered the attorney to undergo an independent medical examination. The result: Davis began physical therapy, and the trial went on as scheduled.

And when the McMartin case—the largest, longest and costliest criminal trial in U.S. history—was finally over, Weisberg resisted the temptation to pontificate. "All right, that's it," he said. "That completes this case."

At the end of the King trial, Weisberg was equally—and characteristically—straight. He thanked the jurors for their time, asked prosecutors to make a decision on whether to retry Powell, and scheduled a hearing for today.

FD-350 (Rev. 5-8-81)

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Officer Powell's Retrial Ordered

■ Police: New jury will decide on assault charge in Rodney King beating case. Judge rejects argument that a fair trial is impossible. Venue is undecided.

By SHERYL STOLBERG, TIMES STAFF WRITER

Laurence M. Powell—the only one of four Los Angeles Police officers not fully exonerated by a Ventura County jury in the beating of Rodney G. King—was ordered Friday to stand trial a second time in the assault of the black motorist.

In granting the prosecution's request for a retrial, Superior Court Judge Stanley M. Weisberg rejected arguments by Powell's lawyer that in the wake of riots spawned by the acquittals in the first trial, his client could not get a fair trial anywhere in California.

"I find that the interests of justice require that there be a second trial in the case of People vs. Powell," the judge declared in unusually strong tones.

"A single criminal trial cannot cause or solve the major social and economic and other problems that exist in society," Weisberg added. "A trial in this case . . . is not addressing those issues and will not deal with those issues. The trial will deal solely with whether or not Mr. Powell is guilty of the charge that remains against him."

Weisberg's ruling left open one major question in the case: where the retrial will be held. During a half-hour hearing in a high-security courtroom, the judge hinted strongly that he believes the case could be transferred back to Los Angeles County. Prosecutors said they intend to argue in favor of that, as they did before the first trial.

But defense lawyer Michael Stone, who represented Powell during the first trial, said he would prefer "any other place on Earth" to Los Angeles as the site for a retrial.

"Getting a fair trial in the state of California is going to be problematic," Stone told reporters at an impromptu news conference in the courthouse hallway. "Getting a fair trial in the county of Los Angeles, I think, is going to be next to impossible."

Powell will be retried on a single

(Indicate page, name of newspaper, city and state.)
LA TIMES
LOS ANGELES, CA
Date: SATUR., 5/16/92
Edition: FRONT PAGE

Title: OFFICER POWELL's RETRIAL ORDERED

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Indexing:

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AUG 19 1992
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FBI/DOJ

count of assault under color of authority, with a special allegation that he used force likely to produce great bodily injury. If convicted, he faces a maximum of six years in prison.

Friday's decision was greeted with praise from Mayor Tom Bradley and relief from other black leaders, who say they hope it is the first step toward healing the city after the devastation from the riots and looting of 2½ weeks ago.

But for some, the relief was tempered with anger. They were quick to compare the videotaped beating of King to another, more recent videotaped beating with racial overtones: the assault on white truck driver Reginald O. Denny, which occurred as the riots broke out. This week, four young black men were charged in the Denny case.

"If that medium [videotape] is good enough to arrest four black men," said state Sen. Diane Watson (D-Los Angeles), "it is certainly good enough to get justice for Rodney King. We're waiting to see if justice is indeed blind, and not colorblind."

Others, among them Joe Hicks, executive director of the Southern Christian Leadership Conference, said the healing will not begin unless the U.S. Justice Department brings criminal charges in the case

The department is investigating whether Powell and the three other officers violated King's civil rights.

"We certainly applaud the attempt to bring Mr. Powell to justice," Hicks said, "but we think that it is only one part of the puzzle around this Rodney King situation. What needs to happen now is the Justice Department needs to step up to the plate. . . . There are still three other officers who the whole world saw beating Mr. King who are walking about on the streets, vindicated."

Powell's three co-defendants—Sgt. Stacey C. Koon and Officers Theodore J. Briseno and Timothy E. Wind—were acquitted April 29 of all counts against them, after a trial in Simi Valley that lasted 2½ months. Powell was acquitted of two counts, but the jury deadlocked 8 to 4 in favor of acquittal on a third count of assault under color of authority.

Friday's hearing marked the first public appearance by the 29-year-old officer since the verdicts were issued. The proceedings were held under tight security, with four sheriff's deputies standing guard and bulletproof glass separating Powell, the judge and the attorneys from spectators, who were required to walk through a metal detector before entering.

Camera crews and reporters packed the hallway outside the courtroom, waiting for a glimpse of Powell. But the accused officer—who is suspended from the force and remains free on $30,000 bail—skirted them by entering and leaving through a back door. Looking tired, Powell made no remarks in court except to agree to waive his right to a trial within 60 days.

During Friday's hearing, Deputy Dist. Atty. Alan Yochelson told Weisberg that the prosecution was ready to proceed with the case against Powell, who is shown on an 81-second amateur videotape delivering the most blows to King. Earlier in the week, Los Angeles County Dist. Atty. Ira Reiner had announced that his office would seek a retrial because of compelling evidence against Powell—in particular the videotape.

But defense lawyer Stone, who indicated that he might not represent Powell in the second trial, asked the judge to dismiss the case. He argued that there is no reason to believe a second jury would vote to convict Powell and that in any event, no jury could give the officer a fair trial in light of the riots and the threats that have been made against jurors in the first trial.

"Even if a new jury were persuaded that the prosecution had failed in its effort to prove the truth of the charge beyond a reasonable doubt," Stone told the judge, "it is probable that they would convict anyway in order to avoid risks to their own personal safety, a great deal of condemnation from the community, and the risk of sparking another series of riots in urban centers across the United States."

Yochelson replied: "We cannot simply throw up our hands and refrain from prosecuting this matter simply because there is widespread public interest."

Lawyers for both sides are due back in court Friday to discuss where the trial might be held. The first trial was moved out of Los Angeles County after an appeals court ruled that the officers could not get a fair trial because of pretrial publicity and the political fallout after the King beating.

Weisberg noted that with the extensive television coverage of the first trial, jurors in all parts of the state have been exposed to publicity about the case. And, he said, with the city about to get a new police chief and an election on police reforms two weeks away, the political climate in Los Angeles has changed considerably since the appeals court ruling.

If the judge decides to move the case back to Los Angeles, it is likely the defense would appeal. At a news conference after the hearing, Reiner said prosecutors will argue vigorously to keep the trial in Los Angeles, or in an urban setting if the venue is changed.

But Reiner declined to discuss specifics of the prosecution strategy for the second trial. During the first trial, prosecutors did not call King to the witness stand, a move that has drawn widespread criticism of Reiner, who made the decision. Nor was there any testimony from citizens who witnessed the beating from apartment balconies fronting the Lake View Terrace site.

Reiner on Friday refused to say whether he will tap new prosecution witnesses now available: the acquitted officers. Briseno, testifying in his own defense during the first trial, drew particular attention when he said he tried to stop Powell from beating King and that he "thought the whole thing was out of control."

Although the district attorney said prosecutors will consider calling additional witnesses, the underlying trial strategy will remain unchanged. "Essentially," Reiner said, "it will be the same trial, and the fundamental evidence in this case will be that videotape."

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JUN 18 1992
FBI — LOS ANGELES

BUDGET SUPPLEMENT FOR FRIDAY, JUNE 19
By City News Service

8:30 a.m. CIVIC CENTER - A pretrial hearing is set for Persian Gulf War veteran John Louis Rex, who is accused of murdering Channel 13 news engineer Jeffrey Webreck. Dept. 105, Criminal Courts Building, 210 W. Temple St. Contact: (213) 974-5723.

8:30 a.m. CIVIC CENTER - Sentencing is set for Makeitha Christon, who pleaded guilty to murdering a black Republican activist and mother of two and robbing and murdering a man. Dept. 105, Criminal Courts Building, 210 W. Temple St. Contact: (213) 974-5723.

8:30 a.m. VAN NUYS - A preliminary hearing is set for Steven Carl Leigh, a purported satanist accused of raping and murdering two women in Pacoima. Dept. 133, San Fernando Courthouse, 900 Third St. Contact: (818) 898-2418.

9 a.m. VAN NUYS - A pretrial hearing is set for Los Angeles police Officer Laurence Powell, who is accused of assault under color of authority in the beating of motorist Rodney King. Court officials say the hearing is expected to conclude discussion about whether the LAPD should hold in open session the disciplinary hearings scheduled for three officers acquitted in the first trial. Seating in the courtroom is on a first-come, first-serve basis. One TV camera and two still photographers will be allowed inside. Courtroom Television Network will provide pool coverage for all TV organizations; Reuters and the Los Angeles Times will provide pool photos for the print media. Dept. P, Van Nuys Superior Court, 6230 Sylmar Ave. Contact: (213) 974-5785.

9 a.m. WESTWOOD - The University of California Board of Regents will conclude a two-day meeting. James West Center, UCLA campus, 405 Hilgard Ave. Press room in second level of Hall of Fame in J.D. Morgan Center; parking available near James West Center. Contact: Michael J. Alva, UC, (510) 987-9200.

11 a.m. LOS ANGELES - The Los Angeles Society for the Prevention of Cruelty to Animals will hold a mobile adoption for dogs and cats. Broadway Plaza, Seventh and Flower streets. Contact: Julia Fishel, (213) 730-5317.

11 a.m. COMMERCE - Members of the Perot for President Petition Committee will deliver signed petitions from Los Angeles County voters to the Registrar-Recorder's Office. 5777 Ferguson Drive. Contact: Gene Waldman or Mike Ruppert, Perot campaign, (818) 784-7677.

Noon LOS ANGELES - The Fashion Institute of Design and Merchandising will hold its 12th annual luncheon and fashion show. Westin Bonaventure hotel, 401 S. Flower St. Contact: Katie Mace, FIDM, (213) 624-1200, ext. 2002.

Noon CENTURY CITY - South Korean Prime Minister Chung Won-Shik will be the keynote speaker at a meeting of the Los Angeles World Affairs Council. His topic will be ``The New Dynamism in Northeast Asia and the Prospects for Unification of the Korean Peninsula.'' J.W. Marriott hotel, 2151 Avenue of the Stars. Contact: (213) 628-2333.

3 p.m. LOS ANGELES - The Ministers Coalition for Peace will hold a meeting at Crenshaw High School. Group members will meet with honor students to discuss the aftermath of the riots and the gang truce. School, 5010 E. 11th Ave. Contact: Rev. Roderick Ewell, MCP, (310) 512-8675.

8 p.m. LOS ANGELES - The first of five shows scheduled for this weekend's fund-raiser, ``Save the Ebony Showcase Theater,'' will be held. Comdian Lester Barrie will emcee. 4720 W. Washington Blvd. Contact: Sonja Rice, PR, (213) 737-4429; theater, (213) 936-1107.

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^Laurence Powell, 1st Ld-Writethru
By MARY DUAN
City News Service

LOS ANGELES (CNS) - The lawyer for a policeman accused of beating Rodney King in Lake View Terrace in 1991 said today he will ask an appeals panel to move the trial out of Los Angeles County.

``I don't know how any juror in this case ... can say with a straight face that he can be fair ... knowing that his life may be threatened,'' said attorney Michael Stone, who represents Laurence Powell, 30.

An assault under color of authority count against Powell was the only charge a Simi Valley jury failed to agree upon April 29. Powell, as were his three co-defendants, was acquitted of the other counts.

Stone said a ``Santa Clara County jury is just not (going to be) as involved in this case as a Los Angeles County jury (would), because the case started here ... This is where most of the rioting occurred.''

He said he has been working on the appellate motion, but that it could be several weeks before it is filed.

Stone said his motion would either ask the appeals panel to order the trial moved out of this country, or to bar Los Angeles Superior Court Judge Stanley Weisberg from convening the trial in Los Angeles.

If Stone were to prevail with such a motion, the District Attorney's Office likely would appeal to the state Supreme Court.

The defendant's father, Edwin Powell, said this case possibly could wind up before the U.S. Supreme Court some day.

``Given statements made by the president, the mayor and other politicians, I don't see how it's possible that my son will get a fair trial anywhere in the country,'' he said. ``I want a fair defense for my son.''

The statements from the father and others came following a brief pretrial hearing this morning for Powell, who faces a single count of assault under color of authority for the March 3, 1991, assault on King.

During a session in Weisberg's chambers this morning, the parties -- including Deputy City Attorney Arthur Walsh -- agreed that police Board of Rights hearings would be open to the public, unless evidence involving Powell's so-called ``compelled statements'' was introduced.

Compelled statements are those in which an officer is forced to answer questioning by police internal affairs investigators, or face firing. Because the statements are forced, they technically are in violation of the U.S. Constitution's Fifth Amendment against self-incrimination and cannot be used in court.

Although Powell's Board of Rights hearing would not be held before his criminal trial, his statements could be raised during the Board of Rights hearings for two of his former co-defendants, Sgt. Stacey Koon and Officer Ted Briseno. Former co-defendant Timothy Wind was fired after the King beating, because he was a probationer and did not have the same employment protection accorded full-fledged officers.

Deputy District Attorney Terry White, who prosecuted the first case involving Powell, wanted to keep the Board of Rights hearings involving Powell's forced statements closed.

``His compelled statements could impair our ability to get a fair trial,'' White said.

``When an officer is brought in, the Police Department can force him to talk. Say, for example, (Powell) admitted guilt in this case -- which I doubt he did -- we can't use those statements. But if those statements are broadcast, they could reach potential jurors and jeopardize our chance at retrial,'' White said.

Stone agreed the hearings should be closed, if his client's statements are introduced.

``My interest is now in avoiding any more pretrial publicity concerning the interests of this case,'' he said. ``No matter what it is, good evidence or bad evidence ... any proceeding in this case is still a cause for intense public interest.''

The Board of Rights hearings for Koon and Briseno will be open.

Stone was unsure how potential federal indictments might affect today's agreement.

In the past, he said, when a federal indictment was handed down against a police officer, the Board of Rights hearings traditionally were postponed pending resolution of the federal case.

He said Powell has not been subpoenaed by the federal grand jury investigating the King beating, nor has the FBI interviewed him.

``I understand a lot of witness officers at the (King) incident have been subpoenaed, and before they testify they are interviewed intensely by a team of FBI agents and federal prosecutors,'' he said. ``Mr. Powell has not been interviewed by the FBI, nor will he be, because they have no way to compel him.''

Weisberg set a status conference for Aug. 7 in Van Nuys Superior Court.

City News Service 10:35 6/19/1992

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JUN 30 1992
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(Indicate page, name of newspaper, city and state.)
LA TIMES
LOS ANGELES, CA
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Edition: METRO
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Title: LAPD HEARINGS IN KING CASE TO BE OPEN

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LAPD Hearings in King Case to Be Open

■ Police: Public will be admitted to disciplinary proceedings for officers charged in beating. Some coerced statements may be kept private because of Powell's pending retrial.

By LESLIE BERGER
TIMES STAFF WRITER

Disciplinary hearings for the Los Angeles police officers involved in the Rodney G. King beating may be public, except for coerced statements that Officer Laurence M. Powell gave department investigators that might jeopardize his pending retrial, a judge ruled Friday.

The technical decision by Superior Court Judge Stanley M. Weisberg marks a compromise among prosecutors, a city attorney and Powell's defense lawyer and is designed to prevent any of Powell's statements—which were made under threat of being fired—from tainting his criminal case, attorneys said.

Powell, 29, still faces one count of excessive force under the color of authority for his role in the March 3, 1991, beating of King, a black motorist and convicted robber who had led police on a high-speed chase.

He and the other three officers who stood trial in the case—Sgt. Stacey C. Koon, Officer Theodore J. Briseno and probationary Officer Timothy E. Wind—were acquitted April 29 on 10 of 11 counts in the beating. But the jury of 10 whites, a Latina and an Asian-American deadlocked on the remaining count against Powell.

Powell's new trial has been set for Oct. 19, and Weisberg ruled Friday that his disciplinary hearing cannot take place until it is finished. But the disciplinary hearings of Briseno, Koon and six other officers who witnessed the beating may proceed, Weisberg ruled in Van Nuys Superior Court.

During the disciplinary proceedings, known as Board of Rights hearings, the officers will face a variety of misconduct charges and possible punishment ranging from reprimands to being fired. The hearings, similar to a military court-martial, operate separately and under different rules from civil and criminal court proceedings in alleged police misconduct cases. They were ordered closed to the media and the public by Superior Court Judge Bernard Kamins last year before the start of the first trial in Simi Valley.

Deputy City Atty. Arthur Walsh asked Weisberg to reverse the earlier ruling, saying that Board of Rights hearings are usually conducted in the open, that the accused officers prefer them that way and that the city does not want to be accused of doing business in secret.

"Obviously this is an issue of immense public concern and we don't want to be accused of sweeping anything under the rug," Walsh said.

But the Los Angeles County district attorney's office wanted Powell's coerced statements to remain confidential lest they taint prosecutors' evidence and result in a mistrial.

The statements made by Powell during the Los Angeles Police Department's internal investigation, which offer his earliest version of the King incident apart from police reports, cannot be introduced during his criminal trial because the U.S. Constitution protects defendants from coercion.

But the department's rules compel officers under investigation to cooperate or face charges of insubordination and possible termination. Their statements can later be used against them during disciplinary hearings.

Powell, Koon and Briseno remain suspended without pay pending the outcome of their misconduct cases. Wind, who was still on probation during the King beating, was fired. Many of the officers who witnessed the incident have been removed from field duty until their internal cases are resolved.

The agreement reached in Weisberg's chambers Friday morning still must be drafted and submitted to him in writing, but attorneys said that was a formality.

Deputy District Atty. Terry White said Friday it is possible that the other officers' coerced statements could still be closed to the public because the federal government may still file charges in the case.

Ten bystander officers have appeared before a federal grand jury so far and have already been interviewed by teams of federal investigators, said Diane Marchant, an attorney representing many of those officers.

Meanwhile, Powell's attorney, Michael Stone, said Friday that he plans to appeal Weisberg's May 22 ruling that Powell be retried in Los Angeles.

Powell has started a fund-raising campaign to cover legal costs. His father estimated Friday that $300,000 will be needed.

Edwin M. Powell, a lieutenant in the Los Angeles County marshal's office, would not disclose how much money has been raised but said donors include a 92-year-old woman who uses a wheelchair, a 9-year-old boy and "a couple of Russian immigrants who sent $10 along saying they were upset with what's happening with the judicial system."

The younger Powell has been spending most of his time answering mail, his father said. He sold his condominium to help cover his expenses, his father said.

But Powell has no plans to accept a plea bargain in the case, his attorney said, "because he's innocent."

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FD-350 (Rev. 3-6-81)

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Rodney King Arrested on Drunk Driving Charge in Orange County

By THUAN LE
TIMES STAFF WRITER

ORANGE—Rodney G. King, whose beating by Los Angeles police officers created a national uproar, was arrested early Thursday in a restaurant parking lot on suspicion of drunk driving, the California Highway Patrol reported.

Officers said they had followed another traffic violator into a restaurant parking lot about 1:40 a.m. when they noticed a vehicle back out of a parking space in an "erratic manner" before skidding to a stop and hitting a concrete block, said Officer Angel Johnson, a CHP spokeswoman.

The CHP officers stopped the vehicle, recognized the driver as King and smelled alcohol on his breath, she said. He apparently was leaving the restaurant at Chapman Avenue and State College Boulevard after meeting his wife and friends, according to officers.

King failed field sobriety tests and was booked into the Orange County Jail, where he was released on his own recognizance about 6:50 a.m., Johnson said. While detained, he refused to take breath, blood and urine tests. Until then, "he was very cooperative and quiet," Johnson said.

Escorted by his lawyer, King walked past waiting reporters and television crews after his release without answering any questions.

But his attorney, Steve A. Lerman, said during a sidewalk news conference that King is suffering from post-traumatic stress syndrome from his beating by Los Angeles officers, which might be manifesting itself through excessive drinking. On the night of the March, 1991, incident, King, who led authorities on a 100-m.p.h. chase, was determined to have been legally drunk.

Employees at the restaurant where King was arrested Thursday saw the police pull into the parking lot, but had no idea what had occurred.

"They all saw the arrest," said Michael Jones, a restaurant employee who had heard about the arrest from the night crew. "They saw the flashing lights and the police cars in the parking lot, but no one knew it was Rodney King until we saw it on the news."

The Orange County district attorney's office is studying the arrest report to decide if King will be charged on a misdemeanor count of driving under the influence of alcohol, Deputy Dist. Atty. Bruce Patterson said. King is scheduled to be arraigned Aug. 13 in Orange County Municipal Court in Santa Ana.

As required by new state drunk driving laws, King's driver's license was confiscated.

King can ask for a Department of Motor Vehicles hearing within 10 days of receiving a notice of suspension. DMV officials would then have 45 days to make a decision. If the decision went against him, King could file for a court review within 30 days, said Quin Liven, a spokesman for the DMV.

Thursday's arrest was King's fourth encounter with police since his beating.

On June 26, King was detained at his apartment after his wife reported that he had injured her during a dispute and that she feared for her life. Police released him on the same day, saying there was insufficient evidence to book him.

On May 28, 1991, police arrested King in Hollywood, saying he had tried to use his car to run down an undercover vice officer after picking up a transvestite prostitute. Bypassing normal regulations, authorities released him on his own recognizance. Later, authorities said that King apparently believed the undercover officer was a potential robber, and no charges were filed against him.

Three weeks earlier, on May 11, Los Angeles County sheriff's deputies stopped King in Santa Fe Springs because his car had illegally tinted windows. Officers found that his vehicle registration had expired and he was not carrying his driver's license, but he was not cited.

Times staff writer Bob Elston contributed to this report.

(Indicate page, name of newspaper, city and state.)
LA TIMES
LOS ANGELES, CA
Date: FRI., 7-17-92
Edition: METRO
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Title: RODNEY KING ARRESTED ON DRUNK DRIVING CHARGE IN ORANGE COUNTY
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LOS ANGELES (CNS) - Rodney King's lawyer said today that his client is being ``targeted'' by police, and will fight the drunken driving charges filed against him in Orange County last week.

Attorney Steve Lerman said he had talked to ``at least a dozen'' witnesses who said King seemed sober and appeared to pass field sobriety tests outside a restaurant in Orange early Friday.

King, who allegedly failed the sobriety test, refused to submit to blood, breath or urine tests and was booked for misdemeanor drunken driving at the Orange County jail.

A California Highway Patrol spokesman said two officers acted correctly in arresting King, who reportedly cooperated with them.

``These officers have training and experience in DUI enforcement -- and they used their training and experience in this case,'' said CHP spokesman Sterling Sechrist.

Lerman said King was not drunk and that a ``post-traumatic stress disorder'' from his March 3, 1991, police beating probably aggravated the incident.

``His condition can produce an anxiety reaction, especially in a situation when he's wrongfully confronted by police officers,'' Lerman said.

Lerman, who represents King in a brutality lawsuit against the city, said his client had ``moved to an undisclosed location'' to avoid future ``harassment'' by police.

``I think it's clear that law enforcement in Los Angeles has targeted him in order to destroy his credibility,'' Lerman said, ``especially at a time when City Hall is reviewing the damages to be awarded him.''

City News Service 12:01 7/20/1992

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LA TIMES
LOS ANGELES, CA
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Title: LAWYER DISPUTES POLICE VERSION OF KING ARREST

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Lawyer Disputes Police Version of King Arrest

By DAN WEIKEL
TIMES STAFF WRITER

An attorney for Rodney G. King on Monday denounced his client's recent drunk-driving arrest as harassment and said he has strong evidence contradicting police assertions that King was driving erratically and failed his sobriety tests.

Lawyer Steven A. Lerman said comments from at least a dozen witnesses indicate that King was not driving recklessly and had passed the sobriety tests during his arrest by the California Highway Patrol outside a Denny's restaurant in Orange on Thursday.

"I believe they targeted him once they knew who he was," said Lerman, whose client is black. "If it was a white man in a BMW, I don't think they would have given him a second look. I didn't realize that parking in a restaurant parking lot was illegal unless you are black and it's 2 a.m."

King was taken into custody Thursday shortly after he and his wife, Crystal Waters, went to the Denny's restaurant at Chapman Avenue and State College Boulevard.

According to the CHP, two officers followed a traffic violator into the restaurant's parking lot about 1:40 a.m. and saw a 1986 Chevrolet Blazer back out of a parking space in an "erratic manner" before skidding to a stop and hitting a concrete block.

When they stopped the Blazer, the officers said they recognized King and smelled alcohol on his breath. The CHP reported that he failed his field sobriety tests and was booked at the Orange County Jail, where he refused to take breath, blood and urine tests.

Lerman said Monday there was no evidence to confirm CHP allegations that King had skidded and hit a concrete block while backing out of the parking space. He said his investigators found no tire marks in the parking lot nor any damage or scapes on King's truck to suggest that he had hit anything.

"Over a dozen witnesses at the Denny's restaurant refute the CHP version of the incident," Lerman said. "King was not driving erratically. The Chevy Blazer did not hit anything. He performed everything as demonstrated, and he did not fail the test."

Lerman suspects that the CHP became suspicious of King because he is black and decided to confront him when they found out that the Blazer was registered to him.

If there was any resistance to the police, Lerman said, it was because King suffers from post-traumatic stress disorder—the result of the severe beating he received in March, 1991, at the hands of four Los Angeles police officers.

Not guilty verdicts in the trial of the officers charged with beating King sparked civil disturbances in Los Angeles and several other cities in April and May.

"There is nothing I've seen that indicates harassment or conduct . . . other than what was appropriate," said Orange County Deputy Dist. Atty. Guy Ormes, who has been assigned to King's drunk-driving case.

Although Ormes declined to comment on what Lerman's witnesses purportedly saw, he contended that they might not have seen all the events surrounding King's arrest. The CHP, he said, might have a more complete view of the incident.

King, who was released on his own recognizance from the Orange County Jail, is scheduled for arraignment in Orange County Central Municipal Court on Aug. 13 if a criminal case is filed. Ormes said a decision on whether to proceed with drunk-driving charges is at least a week away.

The CHP has maintained that the two officers who arrested King acted properly.

But Lerman said the arrest is part of an effort to discredit his client, who is trying to reach a $5-million to $8-million settlement in a police brutality case he brought against the Los Angeles Police Department. The Los Angeles City Council is considering the settlement.

"They jammed him. He did nothing wrong, nothing illegal," said Lerman, who also represents King in the civil lawsuit. "It is an attempt to embarrass this guy while his settlement is pending before the City Council."

44A-LA-119954-D-3099

REASON
August/September 1992

BETTER FED THAN DEAD

Why make police brutality a federal case?

BY DIRK ROGGEVEEN

The video images of Los Angeles police officers beating Rodney King shocked the nation. Americans rarely have an opportunity to view, much less contemplate, the excessive use of state power by the police. Reactions to the officers' acquittal ranged from surprise to visceral anger, from stunned disbelief to the pyrotechnic.

I personally experienced the anger. By chance, I drove through South-Central Los Angeles several hours after the verdict. My car was attacked and badly damaged. Even as I escaped unharmed, I appreciated the irony of my predicament: I had spent the past five years prosecuting police-brutality cases for the Department of Justice. I was as disappointed as any at the jury's verdict.

Despite the department's pending investigation of the Rodney King beating, only after the state acquittal did the press and public become aware that the officers still faced federal prosecution. Some wondered why the Department of Justice hadn't acted sooner. Others, including some libertarians, asked why a federal prosecution did not constitute double jeopardy.

Chicago Tribune columnist Stephen Chapman, for instance, calls the federal prosecution "a trial mounted for political ends." Is this second trial taking place only because, as Chapman argues, George Bush "wants to look responsive to the black community"? Are we retrying the four officers because the jury didn't get it right the first time?

The Constitution indeed protects the LAPD officers from double jeopardy. But the federal government can independently prosecute a police-brutality case, even after an acquittal in a state court, for good reason. Residents of the United States are expected to obey both federal laws and the laws of the state in which they reside: the laws themselves, and the level of punishment meted out for breaking them, can differ.

44A-LA-119954-D310

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PAGE 002

JUL 20 '92 13:15

State and local prosecutors also face pressures and incentives that can make it difficult to conduct a proper trial. And, most important, federal prosecution of criminal civil-rights violations helps ensure that everyone receives the equal protection of the law the Constitution guarantees—especially when that protection is denied by law-enforcement officers, who act as agents of the state.

FEDERAL PROSECUTION OF CIVIL-RIGHTS VIOLATIONS HELPS ENSURE THAT EVERYONE RECEIVES THE EQUAL PROTECTION OF THE LAW.

The Department of Justice had begun its own independent investigation of the Rodney King beating immediately after it occurred. The Federal Bureau of Investigation, the department's investigative arm, had been gathering evidence; prosecutors in the Criminal Section of the Civil Rights Division had been reviewing and evaluating that evidence. Had the state not prosecuted, federal action was inevitable.

Title 18 of the United States Code, Section 242, makes it a crime for any person who acts as an agent of the state intentionally to deprive an inhabitant of the United States of a right secured by the Constitution or any other federal statutory law. This law was enacted in 1866 to enforce the 14th Amendment. Its purpose was to safeguard from abuses of state authority individual rights, including freedom from arrest and detention by unconstitutional methods, prohibitions against extorted confessions, and the right to a fair trial. Since state authorities had widely abused these individual protections, the statute was necessary at the time. It is just as necessary today.

Federal authorities use Section 242 to prosecute law-enforcement officers who use excessive force during an arrest. Under this section, in any given year, police officers are convicted of everything from gratuitously striking to intentionally and wrongfully killing a suspect.

In the case of the LAPD officers, federal prosecutors properly remained on the sidelines until the jury in Simi Valley handed down its verdict. The Department of Justice seeks to preserve limited prosecutorial resources and defers to the principles of federalism whenever states decide to prosecute. Any time an officer is convicted and receives a sentence commensurate with the crime, no federal prosecution will follow. Thus the Criminal Section can direct its own resources at those crimes which might otherwise go unpunished.

Ideally, local criminal-justice authorities would prosecute all crimes at the state level, including those committed by local police. Yet such prosecutions are often politically risky for local prosecutors, who are, after all, elected officials. The public perceives the police as the "thin blue line" that protects law-abiding citizens from vicious criminals. Any time police officers are prosecuted, critics accuse the prosecutors of coddling criminals.

Additionally, by the very nature of their work, local prosecutors must depend on and work closely with the police. It is hardly surprising that local officials might wish to find any excuse to avoid prosecuting police-brutality cases. If the Department of Justice always prosecuted first, regardless of any state prosecution, it would provide an easy excuse for local authorities to do nothing about police brutality.

When local authorities try but fail to adequately prosecute and punish law-enforcement officers for civil-rights violations, the Department of Justice must then decide whether to pursue a federal case. The department has established guidelines that govern when a federal prosecution may follow a state trial. Before federal prosecutors may seek an indictment, the case must satisfy two conditions: Further prosecution must satisfy an unvindicated federal interest; and the federal prosecution must be likely to succeed.

The outcome of the local trial may determine if there is an unvindicated federal interest. For example, a local jury may vote to acquit on state charges despite overwhelming evidence that federal law was violated. The LAPD acquittals may satisfy this condition.

After an acquittal in state court, federal prosecutors must then determine how likely they are to succeed in a second trial. If the state prosecutors proceeded in good faith before an unbiased trial court that admitted the appropriate evidence, an acquittal may indicate that the jury honestly harbored reasonable doubt. In such instances, it's hard to see what difference it makes whether the case was tried in federal or state court. The guidelines sensibly prohibit a "let's try it and see" approach.

Often, however, peculiarities in a state trial may lead to an acquittal; subsequent federal prosecution would likely result in

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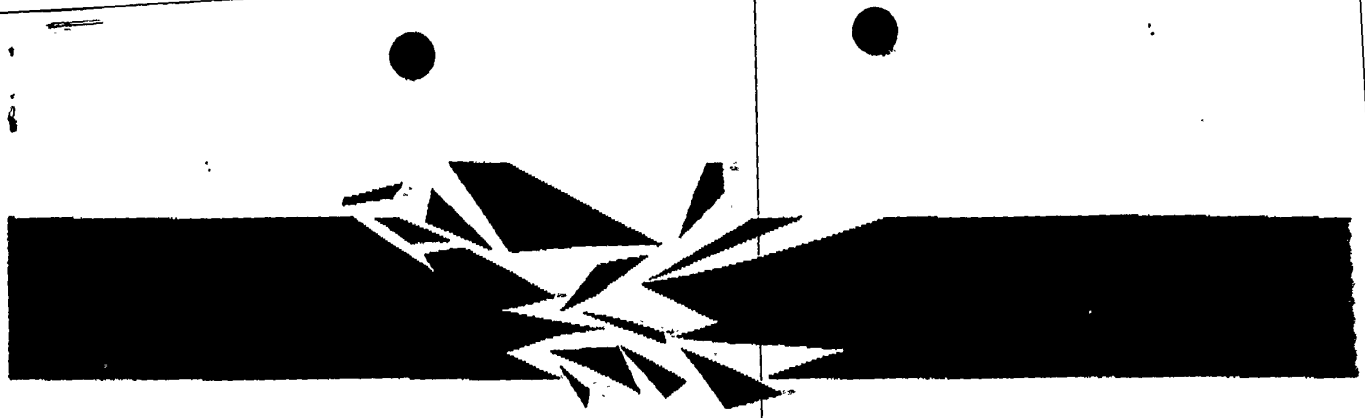

conviction. For example, federal jury pools are drawn from federal judicial districts, which are often more ethnically and demographically diverse than state pools. If in a state trial jurors were excluded solely because of their race, retrial by a federal court may be appropriate. Other considerations have included the different rules of evidence in federal trials, additional evidence available to federal prosecutors, and flawed trial tactics or weak prosecutions by local authorities. Any of these factors may enter the Department of Justice's analysis of the Simi Valley verdict.

It is also important to recognize that not all state prosecutions of police officers are conducted competently, legitimately, and in good faith. In 1990, for instance, an elected county prosecutor in Arkansas charged the county sheriff with assault only after it became apparent that, despite local efforts to thwart the investigation, the Department of Justice intended to prosecute him for beating a suspect in his custody. Upon reviewing the trial, federal prosecutors became suspicious of the local prosecution: The prosecutor had not subpoenaed essential witnesses, had ignored entire lines of evidence, and had presented unconvincing arguments for conviction. To no one's surprise, the jury voted to acquit.

In such a case, to argue that "double jeopardy" should prevent the federal government from conducting an independent prosecution is to argue for a system that allows local corruption to successfully thwart justice. It is to argue for a system where an American's constitutional right to be free from the abuse of state authority is secured only by that same authority. The federal jury convicted the Arkansas sheriff and he was sentenced to prison.

Even when the local jury convicts, unvindicated federal interests can remain. State judges often give convicted police officers light sentences. Some of these punishments are legitimate; others aren't. By contrast, federal convictions for civil-rights offenses can lead to prison sentences of many years and fines totaling thousands of dollars. When law officers violate civil rights, probation, suspended sentences, or even minimal jail time may not constitute a sufficient punishment or deterrent.

Not too long ago, a San Juan police officer was convicted of aggravated assault by the Commonwealth of Puerto Rico. He had intentionally beaten an innocent pedestrian who was out for an evening stroll. The pedestrian died from the beating. The presiding judge fined the officer $500, and he was subsequently reinstated. Such a sentence sends a message to other officers that civil-rights violations are not serious offenses, even when those violations lead to the death of an innocent person. The officer was prosecuted in federal court, convicted of a felony, and sentenced to prison.

This example underscores the need for independent federal enforcement of civil-rights laws. The federal government must be able to secure constitutional rights to life and liberty, especially when local authorities fail to do so. Constitutional protections apply equally, whether you're in Louisiana, Los Angeles, or Alaska; these protections certainly include the right to be fairly tried before being subjected to severe punishment by agents of the state. Civil libertarians need to recognize that federal prosecution of law-enforcement officers who use excessive force often provides the only check on such unrestrained state power.

Dirk G. Roggeveen is senior litigation attorney for the Institute for Justice in Washington, D.C.

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^King Case

LOS ANGELES (CNS) - A federal judge today put Rodney King's civil suit against the city of Los Angeles on hold pending completion of all state and federal criminal cases, but an out-of-court settlement is still possible.

Attorneys for King and the city met with U.S. District Judge John E. Davies for a status conference to discuss the federal civil case filed by King against the city following his beating by police officers on March 3, 1991.

Davies told the attorneys that he will ''put the civil case on hold'' until the state criminal case involving Officer Laurence Powell and the federal criminal case are resolved, said Thomas C. Hokinson, senior assistant city attorney.

But Hokinson said negotiations regarding the civil case are continuing and a settlement could be reached before the case goes to trial.

Today's meeting did not involve discussions about a settlement, participants said.

Earlier this month, the Los Angeles City Council refused to approve a proposed $6 million settlement, but directed the City Attorney's office to continue negotiations.

Steven Lerman, King's attorney, said the content of the negotiations is confidential. He would say only that settlements are usually based on a compromise between the parties involved.

But he later seemed to suggest that he expected the City Council to take the next step.

''It's not up to me,'' Lerman said, referring to a possible settlement. ''It's up to the City Council.''

Lerman said a settlement would ''greatly benefit the healing process'' in the city.

With regard to the federal civil rights case, Lerman would say only that the grand jury is still conducting an investigation, which could lead to an indictment.

City News Service 9:03 7/22/1992

4A-LA-119954-D-311

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JUL 23 1992
FBI — LOS ANGELES

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Report: U.S. will try King officers

By The Associated Press

Federal prosecutors plan to try officers accused in the videotaped beating of Rodney King on charges the officers violated his civil rights under color of authority, it was reported.

A U.S. Department of Justice official revealed that criminal charges would be filed against some of the officers, probably immediately after Labor Day on Sept. 7, according to KCBS-TV.

The information was given to retired Los Angeles police Capt. Bob Michael, who was interviewed on the air.

The former law enforcement officer said the Justice Department was "looking at the conspiracy on the part of the officers to, under the color of authority, deprive the individual of his civil rights."

A jury in the Ventura County city of Simi Valley acquitted Sgt. Stacey Koon and Officers Laurence Powell, Theodore Briseno and Timothy Wind of criminal charges in the March 3, 1991 beating. The beating was videotaped and later broadcast nationally.

The officers are white and King is black.

Set off riots

The April 29 acquittals set off three days of rioting in the Los Angeles area. Fifty-two people died during the civil unrest. Powell faces retrial in October on one assault charge that the jury could not resolve.

Unidentified sources close to the investigation told KCBS federal prosecutors will try to show that the four officers violated LAPD policy on the use of force.

But police brutality experts believe prosecutors can't prove their case on those grounds, KCBS reported.

"The focus of the case should be on the force used. Whether or not it was or was not within the policy of the LAPD is simply irrelevant and it distracts from the brutality itself," said attorney Steve Yagman, who specializes in law enforcement brutality cases.

KCBS reported that at least one expert who believed the four officers followed LAPD practices declined to testify for federal prosecutors.

Testimony sought

Federal authorities asked retired Capt. Michael for a list of experts who might aid prosecution, despite the fact Michael was a defense witness in the King trial.

Federal prosecutors have notified the four officers that they are targets of a criminal investigation. The officers have been invited to testify before the grand jury, the station reported.

Powell has declined and the other officers will also decline, according to KCBS.

(Indicate page, name of newspaper, city and state.)
THE OUTLOOK
SANTA MONICA, CA

Date: FRI., 7-24-92
Edition: AREA
PG. A3

Title: REPORT: U.S. WILL TRY KING OFFICERS

Character:
or
Classification:
Submitting Office:
LOS ANGELES

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JUL 27 1992
FBI — LOS ANGELES

44A-LA-119954-D-312

FBI/DOJ

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Evidence From King Case Loaned to U.S. Prosecutors

About 100 exhibits from the trial of four Los Angeles police officers accused of beating Rodney G. King were released Tuesday for use in a federal probe of possible civil rights charges against the officers.

Superior Court Judge Stanley Weisberg, who presided at the trial in Simi Valley, approved a one-month loan of the exhibits, to be returned Aug. 28.

The items, including videotapes and audiotapes, the boots worn by officers the night of March 3, 1991, and the batons used to beat the black motorist, were expected to be presented to a federal grand jury.

King's beating, recorded on an amateur's videotape, shocked the nation and led to last spring's trial of four white police officers. On April 29, jurors acquitted the officers on most charges, sparking three days of deadly rioting in Los Angeles.

(Indicate page, name of newspaper, city and state.)
LA TIMES
LOS ANGELES, CA

Date: WED., 7-29-92
Edition: METRO
PG. B2

Title: EVIDENCE FROM KING CASE
LOANED TO U.S. PROSECUTORS

Character:
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Classification:
Submitting Office:
LOS ANGELES

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FBI — LOS ANGELES

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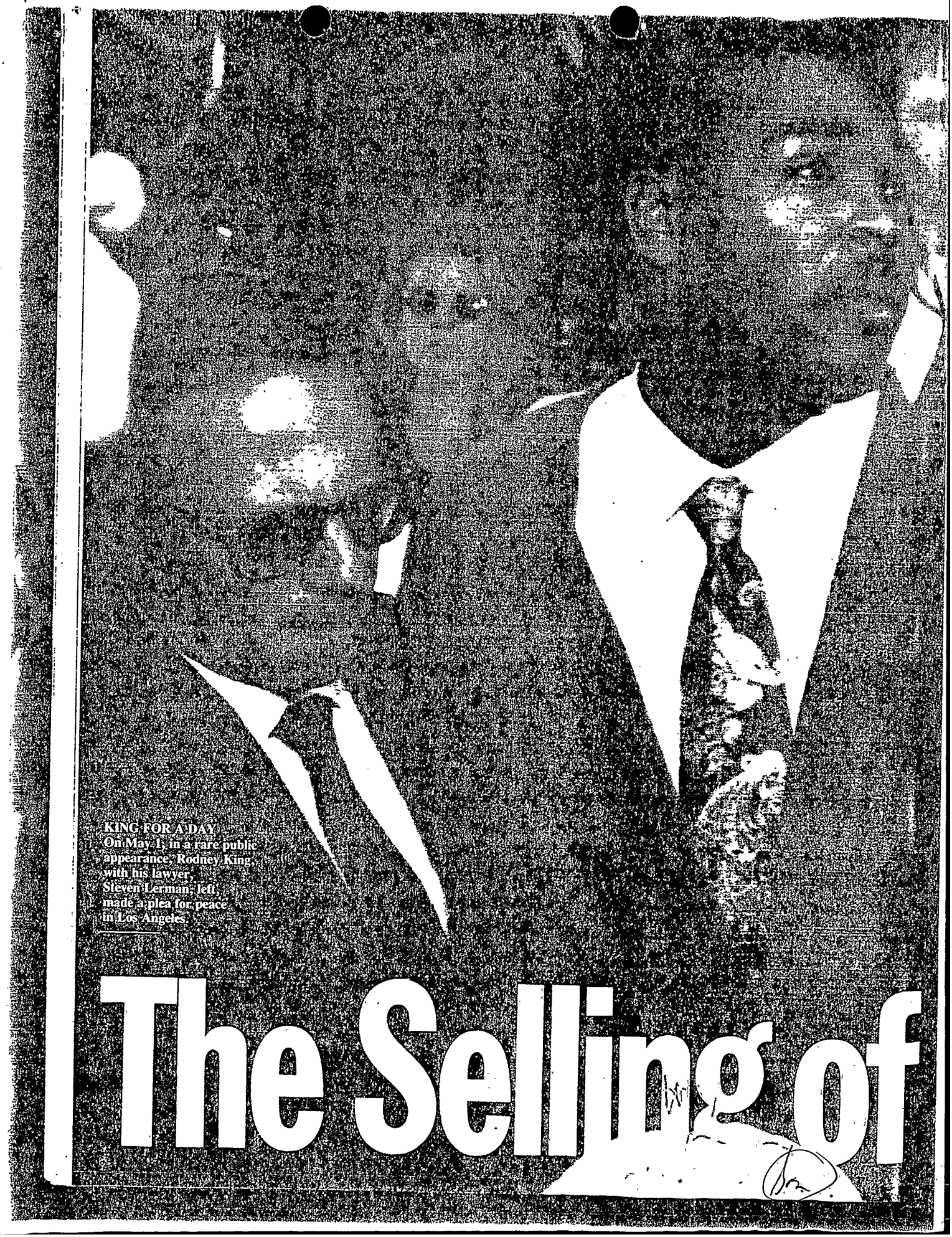
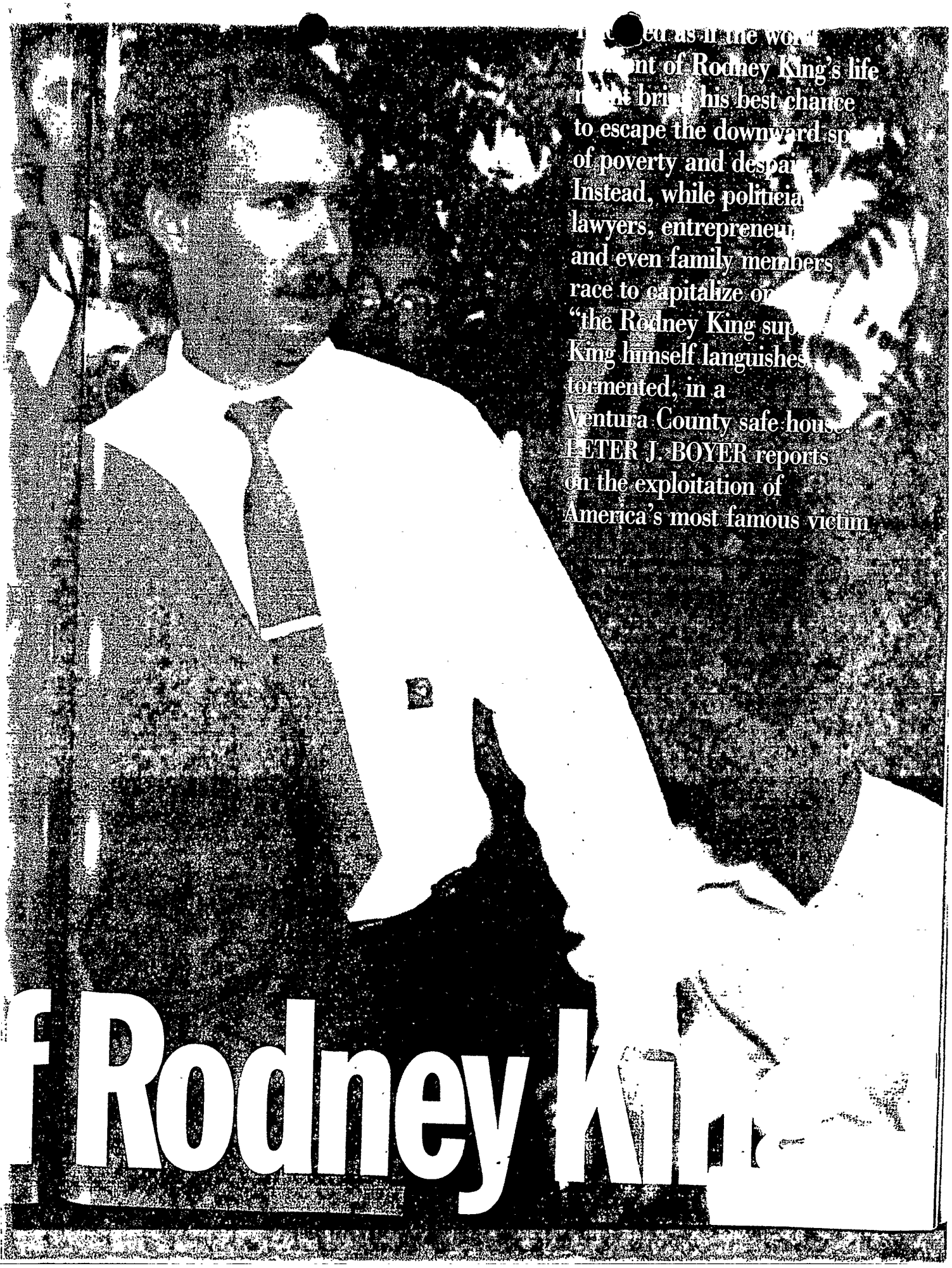
FBI — LOS ANGELES



KING FOR A DAY
On May 1, in a rare public appearance, Rodney King, with his lawyer, Steven Lerman, left, made a plea for peace in Los Angeles.

The Selling of



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to escape the downward sp
of poverty and despa
Instead, while politicia
lawyers, entrepreneu
and even family members
race to capitalize or
"the Rodney King sup
King himself languishes,
tormented, in a
Ventura County safe house.
ETER J. BOYER reports
on the exploitation of
America's most famous victim

King has told people he's miserable in his

It was a good day, a full and prosperous day, in the Rodney King trade. Across Los Angeles, the politicians, the preachers, the journalists, the Hollywood compassion-and-healing crowd, the lawyers, the agitators, the T-shirt peddlers, the con artists and charlatans, all rose early and stayed late. They worked the charred and empty corners of the town, and they worked the gleaming, moneyed, undisturbed corners too, seeking photo ops, easy money, production deals, a new angle, an audience, a sanctimony fix, and finding an abundant yield.

Angela King, Rodney's aunt, was up at four that morning, ten days after the explosive not-guilty verdict for the cops who'd beaten her dead brother's son. A local politician sent a car to Angela's home, behind a storefront in the starkly delineated black section of Pasadena, to chauffeur her through a busy schedule. She was in a TV studio at five A.M., then moved on to a Baptist church in South-Central, where she met George and Barbara Bush, and from there went to a drug rehab center for young women, where she gave a little talk—Aunt Angela is wanted for public appearances now.

The president and his wife had gotten up early, too, leaving the Bonaventure Hotel downtown for a tour of the devastation, along the way passing hawkers of bootleg Rodney King T-shirts, and swindlers working cons in the first flush of the rebuilding effort. Bush showed that his speechwriters, at least, had heart—"To truly help, we must understand the agony of the depressed," he told the South-Central church crowd, and "You can't solve the problem if you don't feel its heartbeat." For those law-and-order voters, his thirty-one-car motorcade stopped at an L.A.P.D. station, where he sympathized with the cops: "It's not easy times." Bush's newly rediscovered urban-policy man, Jack Kemp, was invited along for the ride.

Across town, in Studio City, Pat Buchanan told a prayer breakfast that the rioters were not motivated by deprivation or a sense of injustice but were the products of misguided liberal policy, including public education. "They came out of schools where God, the Ten Commandments, and moral instruction have been expelled," Buchanan said, "and sex education, 'values clarification,' and condoms have been put in." Hillary Clinton, meanwhile, was out in Orange County talking about the rioting with high-school students.

Over in his law office at the edge of Beverly Hills, Steven Lerman told a Spanish television network that he was much too busy to fly to Madrid for an appearance. Lerman, a longtime "P.I." (personal injury) specialist, was preparing Rodney King's civil-rights suit against the city of Los Angeles, seeking $56 million—$1 million for each blow—or $83 million, or maybe $94 million, depending on which estimate you took on which day. A receptionist told at least one prospective client that Lerman's office wasn't taking any new cases, because it was fully occupied with "the Rodney King supersuit."

In the San Fernando Valley, attorney James F. Jordan awaited a callback from a production company that had expressed interest in buying the movie rights to his client's story—his client being the thirty-two-year-old plumbing-company manager who had taped the King beating to try out his new Sony Handycam. "Not even the Zapruder film is as important as this," Jordan said by way of explaining why he had also asked for roughly $9 million from the television stations across the country that have already used the famous footage. Jordan said that his client deserves his share of the financial activity the tape has created. "You know, this is America. If you've got a gold thimble in a haystack and you find it, God bless you if you can take it and make a dollar with it. Because that's what this country is all about."

Down the 405 Freeway in Orange County, attorney James Banks was also awaiting a call that he hoped would open a movie negotiation. Banks represents a fledgling entertainment company—of which he is also a vice president—that quietly scored a coup when, two months after the beating, it bought the rights to Rodney King's name—"coffee mugs, T-shirts, you name it." Banks said his company is at work on a movie, books, and a mini-series, and is weighing its merchandising options. "*Big*," he said with a bit of a snort. "I don't know if that is a big enough word for the Rodney King thing."

The company, virtually unknown in Hollywood, a town that loves to know everything, is called Triple-7—as in hitting the jackpot.

By day's end, a glittery crowd had assembled in Century City for a solidarity march. Carrying placards calling for "justice," they were led by Anjelica Huston and her soon-to-be husband, Bob Graham, to Beverly Hills, where Huston, wearing cowboy boots and a denim jacket, gave a passionate speech, calling for the healing of the city's and society's wounds. Several marchers thought that Huston showed promise as a celebrity advocate, possibly another Vanessa Redgrave, or at least another Jane Fonda.

And Rodney King? He was everywhere that day—on the lips of the pols, on the backs of the T-shirts—and he was nowhere. He was not in Los Angeles, nor had he been there much lately. He was shut away in a safe house in (of all places) Ventura County, wrapped in the arms of psychopharmaceuticals, and under the twenty-four-hour watch of a private-security team led by (of all people) a former L.A.P.D. cop.

The guards work in shifts so that King is never alone, not even for an evening stroll around the block with his wife, Crystal. When he goes anywhere, even to the barbershop, he is driven by a member of the team—but then, there's really no place to go in the county where a mostly white jury acquitted the cops who beat him. And so, says Aunt Angela, "he watches TV."

This secret life has been constructed for King by Steven Lerman. Tormented by recurring nightmares of the beating, King is convinced, with the help of his attorney, that he'll come to harm—or worse—if he ventures outside the cocoon. Inside, with a cellular phone and an endless stream of rented

...is cholesterol. He's just kind of jittery.

videos Lerman has provided, Rodney King is living a strange, and completely American, paradox. The most hellish moment of his life has presented him, through no initiative of his own, with greater prospects than he'd ever imagined possible, and from which he is almost completely excluded.

His words make the cover of *Time* magazine, his name is attached to the rising—or crashing—careers of the sort of people he'd never be in the same room with, he gets private messages of sympathy from the president of the United States. Lawyers, agents, filmmakers have hustled to get a piece of him. The onslaught has provoked his family to bickering over merchandising and story rights. And now he couldn't help them if he wanted to, because someone else owns his name.

Rodney King has become a mythic symbol of denied justice, with much commerce and national debate and a riot being conducted in his name, but he can't sleep at night, or go home to the 'hood for some beers and a barbecue.

To say that Lerman has put a tight rein on Rodney King does not begin to describe the control he exerts over his famous client. "Svengali" is a word that arises more than once. Lerman hired Tom Owens, the former L.A.P.D. officer, to supervise a security force which ensures that his "operation" is not penetrated, as well as a psychiatrist to monitor King's psyche and administer antidepressants and other medications.

"I just want to be a normal family again, and peaceful, like we used to do," says Aunt Angela. "Where does he go in Ventura? Nowhere. Every time I call, he's at home. . . . They've increased his medicine because of this incident right now [the acquittal and the riots]. He was to where he was Rodney again—lively and just outgoing. . . . Now he's back on that medicine. And way out there. You gotta go across three freeways to get to him."

"The way Lerman's got Rodney," says one colleague of Lerman's, "is sort of like when Patty Hearst joined the Symbionese Liberation Army."

Rodney King spent more than a year sprawled on that L.A. street, hunched against the blows of the police batons, as that videotape replayed itself on an endless loop in American living rooms, searing that image deep into the American eye. In a way, the eighty-one-second tape erased King's life before and after the beating. It was all we knew, and, it seemed, all we needed to know: he was the national definition of victim. Then came the acquittal and the rioting and King's halting, affecting plea for peace. The image expanded: he became an emblematic figure. *Time* longed for national leaders who could be so eloquent; a New York columnist equated him with Rosa Parks, the brave mother of the modern civil-rights movement, who refused to sit in the back of an Alabama bus. Others have placed him on a par with Martin Luther King Jr.

But Rodney King is not Rosa Parks, he is not Martin Luther King Jr., and, for that matter, he is not even Rodney King. He's always been known as "Glen," his middle name, and the fact that he became "Rodney" after the event summarizes the transformation imposed upon him by that videotape. He had a life before those eighty-one seconds—a life at least as revealing of the nature of our separating society as the hollow debate over which failed policies should be blamed for "the rage of the urban underclass," as the handwringers like to call the burning down of cities. It is a life in some ways more difficult to confront than the brutality on that tape.

Rodney Glen King was born in Sacramento in 1965, the year that Los Angeles was last inflamed, to a family that fell somewhere in the middle of the black American spectrum—not quite middle-class, but a toehold above the hopeless poor. As Aunt Angela tells the family history, his father, Ronald King, was from Kentucky, the son of an air-force sergeant who was often absent and a mother who left Ronald and Angela when they were toddlers. When she eventually came back for them, she'd had two other children by another man, and Ronald and Angela were each assigned one of their infant sisters to help raise.

They landed in Sacramento, where Ronald went to high school. Then he married Angela's best friend, Odessa, and the three of them moved south to Pasadena. Ronald was a sometime construction worker, but there weren't many jobs, and he drank, and so he mostly settled for daywork as a maintenance man. Odessa and he had a baby, Ronald junior, and then Rodney Glen, and kept going until they had five children.

It was a rough life. "They didn't have enough food," says Angela. "I was a nurse's aide, and then I had this little lady—I was taking care of her kids, like a nanny—over in Glendale. And Ronnie, he didn't want me to know, but I'd go over there to visit, and they didn't have no food, and their kids were walking around with T-shirts for diapers." Angela moved in with her brother and sister-in-law, putting her rent money into the household, but the life-style remained borderline at best. As Glen and his brothers and sister grew, their father drank more heavily; their mother sought solace in the Jehovah's Witnesses church.

There was love in the family, but trouble too, enough to smother hope. Ronald King sank deeper into alcoholism, and died at forty-two. Angela says one of their sisters moved in with a man who beat her, requiring Glen's regular intervention. Another sister, Juanita, simply vanished one day and hasn't been heard from since; Angela thinks she may have died with Jim Jones at Jonestown. Glen's younger brother Juan got caught up in the beating of a policeman and spent

more than a year behind bars. "He never even went to court on it—he went to jail," says Angela. "I feel terrible. We couldn't afford a lawyer."

By the time Glen got to high school, he was a big, handsome boy, six feet three inches and nearly two hundred pounds, but his future would not be made in school. He was only marginally literate, and was held back a year and placed in special-education classes. He dropped out in 1984, just months before graduation. His prospects for advancing beyond the life his father had known were dim, and grew dimmer when he and his girlfriend, Dennetta, had a baby. Now there was pressure to bring in money, but most of the jobs open to him were low-paying and unsteady. He and Dennetta separated, he had a second child with another woman, and the pressures grew.

He worked when he could, and he hung out, drinking "eightballs"—forty-ounce bottles of Olde English 800, the beverage of choice in his neighborhood. He avoided trouble, or serious trouble, anyway—he was picked up on a vice bust in Pasadena but was later released. Then he got married to a neighborhood girl named Crystal Waters, who had two children of her own. He was not exactly prepared to head up a household, and shortly thereafter he slipped beyond the edge.

One day in late 1989, needing money, King stuffed a two-foot-long tire iron under his jacket and walked into the 99 Market in Monterey Park to get it. He bought a pack of gum, then pulled out the tire iron and ordered the Korean store owner, Tae Suck Baik, to "open the cash register."

Baik complied, and King stuffed the cash into his pockets. Then, looking in the cash register, he reached for some checks, and the grocer struck him. King dropped the tire iron and tried to flee. When Baik pursued him, he picked up a metal rod and struck the grocer with it before hopping into his white Hyundai and driving off with a take of about $200.

King was quickly caught, pleaded guilty to second-degree robbery, and was sentenced to a two-year term at the California Correctional Center in Susanville. After several months in jail, he wrote a letter to the court asking for early release:

"I have all good time work time. I have seriously been thinking about what happen and I think if it is possible that you can give me another chance, your honor. I have a good job and I have two fine kid who wish me home. Have so much at stake to lose if I don't get that chance. My job and family awaits me. So please reconsider your judgement, your honor. The sky my witness and God knows."

The judge did not release King, but he was paroled in December 1990, after serving one year. He went home, and, less employable than ever, was unable to find work in construction. He took a part-time job as a laborer at Dodger Stadium and spent a lot of time hanging out with his neighborhood friends, such as Bryant Allen, known as Pooh. They had been friends since they were teenagers, and in a way they were even related: Pooh's sister had had a child by King's older brother, Ronald. And they were together on that night, March 2, when everything changed.

They had just been hanging out with a friend of Pooh's, Freddie Helms ("Freddie G."), nothing much to do, when King suggested they take a ride in his car. Pooh didn't know where they were going, but he later recollected that Glen had said something about driving to Hansen Dam, up the 210 Freeway, where they could hang out and maybe meet some girls. It was a bit late for that, past midnight, but Pooh and Freddie G. were game, and off they went. They'd been drinking that night, and had an eightball in the car with them when King saw the flashing lights of a California Highway Patrol car in his rearview mirror.

King panicked and tried to get away, leading the CHiP car, driven by a husband-and-wife team, on a chase at speeds originally reported to have reached 115 m.p.h. but later revised downward. King got off the freeway in a community called Lake View Terrace, where he finally pulled over. "When police pull you over, man. ...you always kind of, your heart start jumping a little bit, you know, boom, boom," King later told investigators from the district attorney's office. He said he thought, "[I] hope they don't beat my ass with anything. That thought always go through everybody's mind."

Summoned by an A.P.B. at 12:47 A.M., the L.A.P.D. officers had arrived on the scene. They told the Highway Patrol team that they'd handle things from there.

George Holliday was awakened from a sound sleep by the loud *thwap-thwap-thwap-thwap* of a police helicopter churning right outside his apartment window. He got up, put on his pants, and went to the balcony of his second-floor apartment to see what the commotion was about. When he saw all the cops, and the scene bathed in light, he immediately realized he had the perfect occasion to try out his brand-new Sony Handycam. He started taping.

When it was over, Holliday put his camera away and went back to bed, not fully realizing what he had recorded. It wasn't until late the next afternoon, a Sunday, that he thought to view the tape he'd taken the night before. Stunned by what he saw, he called the local L.A.P.D. station and asked what had gone down. They wouldn't say. He then called CNN, but no one answered at the L.A. bureau. Finally, he called KTLA, Channel 5, where he was told they'd take a look at the tape. It was broadcast on the ten o'clock news that night.

By the next morning, outrage was felt throughout the city, and among those most determined to obtain justice for the motorist in the video were the lawyers of Los Angeles. It was the case of a lifetime.

It seemed likely to go to one of a group known informally as "the brutality bar"—lawyers who, because of the L.A.P.D.'s disproportionately large share of brutality claims, have made civil-rights-abuse cases the focus of their practices. Known as "the True Believers" by the city attorneys whose task it is to defend cops, these lawyers have their own referral service, Police Watch, which is well known in communities with frequent L.A.P.D. abuse complaints.

"All of a sudden, here's this *(Continued on page 158)*

(*Continued from page 82*) case . . . and it turns out where [King] was staying was right down the hill from where I live," says Pasadena attorney John Burton, a Police Watch co-chairperson. "I was flipping out. I was saying, 'Oh, please, I've got to get this case!' "

But the rush to represent King was by no means limited to members of the brutality bar. The jail where he was being held for resisting arrest suddenly looked like an American Bar Association convention. "It was just a circus," says Robert Rentzer, a criminal lawyer in Los Angeles. "Everybody was trying to get a piece of Rodney."

But they were too late. Someone had gotten there ahead of them.

The attorney who'd already landed King's signature on a retainer agreement was not a member of the brutality bar, nor was he known to have ever tried a civil-rights case. The legal community was stunned when it discovered that Steven Lerman, a P.I. specialist, had signed the client.

"We in the police-misconduct bar in Los Angeles just consider [King's] hooking up with Lerman to be one of the great tragedies of the twentieth century," said one disappointed lawyer, "sort of up there with the Moscow trials and the sinking of the *Titanic*."

How did Lerman get the case? He refuses to say, citing attorney-client privilege. Angela King, who was privy to the decisions being made in the early hours of her nephew's trouble, says that Lerman was suggested to the family by Warren Wilson, a reporter at Channel 5—the station that had the Holliday videotape first.

Wilson, one of the best-known black reporters in town, has been a fixture on local television for years. He also has a law degree, although he has not yet passed the California bar exam. Wilson says that he does know Lerman, and that Lerman's name was one of several he mentioned to the family while he was covering the story.

The question of propriety seems obvious, but attorney Stephen Yagman, a police-abuse specialist who practices in Los Angeles and New York, says that reporters routinely steer potential clients to lawyers in L.A. "A lot of lawyers in this community, including me, have tie-ins with people in the media, people I'm buddies with. And if people say to them, 'Do you know a lawyer?' the reputable reporters will say, 'I can't recommend a specific person, but here are the names of three or four people who do this.' The less reputable ones will say, 'This guy here is the best guy there is.' I've gotten maybe 30 percent of the cases we have from people I know in the media."

However Lerman got King, once he had him he held tight. Rentzer, who was hired by the family to handle Rodney's criminal charges, says he had an agreement that he would have a hand in the development of King's claim against the city. When the criminal charges were dropped, Rentzer says, "Lerman manipulated me out of the case." "I would deny that I chased him out," Lerman says.

But the elbowing to get close to Rodney was not limited to lawyers. Rodney's new fame caused a bitter rift within his family over such suddenly relevant matters as movie rights and merchandising—not to mention who would get to go on *Donahue*.

Rodney's mother, Odessa, is a deeply religious woman whose faith prevents her from getting involved in matters of this world—a category in which her son's legal case securely fits. She stayed in the background, and insisted that her four other children, also Witnesses, do so, too. That left a void, which Aunt Angela and Kandyce Barnes, the aunt of Rodney's wife, Crystal, struggled to fill.

Kandyce had two advantages—she was well spoken and, through Crystal, she had Rodney's ear. Angela says there have long been class tensions between the two families. "They had some money, they had a home, and [to them] we were just slums—you know, lower-class people. . . . They just pushed their way on in there."

A month after the beating, Kandyce and Steven Lerman went to New York to appear on the Phil Donahue show, and, speaking for the family, she told the national television audience that Rodney was "very paranoid." She said that he awoke in the middle of the night, screaming, "Don't beat me! Please leave me alone!"

Aunt Angela went ballistic over the *Donahue* show: "These little aunts and the in-laws, they get on there like they've been knowing Glen. They don't know him. No, no. No way. . . . These people are snakes." And her antipathy was not eased by the events that occurred next.

Kandyce, saying that she had experience in negotiations, persuaded Rodney to let her guide him as he chose among offers to buy the rights to his story. The company she selected was an unknown newcomer, Triple-7 Entertainment.

James Banks, the Triple-7 vice president and lawyer, describes it as "a motion-picture producing company, as well as a television production company and a book company." Actually, that is a hopeful assessment. So far, the company has produced only a how-to-make-your-child-a-star video, due out this summer. Banks says that Triple-7 "consists of people who have been in the entertainment business for many, many years," but "because of their involvement in other projects they do not want to be known at this time."

The company was officially formed on May 1, 1991, two weeks before it signed Rodney King. "As you can imagine, in the beginning, the bidding was horrible," Banks says. "Everybody and his little brother was coming out of the woodwork to buy these rights, from one coast to the other."

And how was Triple-7 chosen? Kandyce says that she merely acted as a "go-between" for King, sorting out and presenting him with the various offers, and that Triple-7 emerged as the best choice. Banks, however, says that Kandyce approached Triple-7 through a mutual friend, one of the silent partners. "It boiled down to the confidence in the friendship, in the relationship, that did it for [King], no doubt about it in my mind," Banks says. He adds that Kandyce may get a co-producer's credit on the movie and the mini-series Triple-7 plans to make. ("I'm flattered to hear that," says Kandyce.)

Apparently, King had no advice on the negotiation except for that of Kandyce. Steven Lerman says he did not participate. And Aunt Angela knew nothing of the deal until after Rodney had signed it. "He was not even well yet—that's what made me sick."

But, Banks notes, "the document involved is as good as any Philadelphia lawyer could put together. It's a bona fide contract." Banks declined to say how much Rodney was paid for signing the contract. Angela says she heard it was $20,000.

And what did Triple-7 get for its money? "Rights to Rodney King's story," says Banks, "lock, stock, and barrel."

For Banks, an entertainment lawyer, and his partners, the King signing represented a magic entry into the big leagues, and to say he is enthused does an injustice to his enthusiasm. "I mean, what else can you compare this to? I don't think there's anything else. Not since those boys [the Founding Fathers] signed that other document [the Constitution].

"Without sounding theatrical, it has such an impact that, to do the story, it ultimately has to be a feature film for the rest of the world. Domestically, probably a mini-series. A three-night mini-series on him." That is not all. There will be a book. "There are really two books, I should say. There's the *making* of the story, and the story. Because the making is almost as interesting as the story."

Banks has an idea in mind for a T-shirt: "I think Mr. King's statement...'Can't we work together?' Glen's statement was a beautiful statement. And I think that, with his picture, would be very apropos." Meanwhile, Banks is busy writing "cease and desist" letters to bootleggers using Rodney King's face or name without a license, and he has an investigator tracking the pirates down.

All of which leaves Aunt Angela—and, she says, the rest of the King family—out in the cold. "We're looking at millions and millions of dollars," she says. "And everyone's trying to find out who's doing what. Everyone except for his own immediate family. And he can't see this."

With books and movie projects and the multimillion-dollar civil suit all in the works, King became a valuable commodity. But his partners soon realized that he was also a risky investment. In May 1991, with the ink still not dry on his Triple-7 deal, King drove to Hollywood, where, in a dark alleyway, he engaged the services of a transvestite hooker. As luck would have it, two undercover L.A.P.D. vice cops were watching this particular prostitute, and they moved in for the pinch. King tore out of the alley, nearly running over one of the cops. He then stopped a patrol car, told the cops about the incident, and was arrested for assaulting a police officer with a deadly weapon.

Lerman maintains that the assault charge was a setup by the L.A.P.D., which was bent on discrediting King. For its part, the state attorney general's office decided against filing charges. "We felt that it was a defensible case, considering that they were undercover and there wasn't a reasonable conclusion that [King] knew they were police officers," says Deputy Attorney General Peggy S. Ruffra, who handled the case. "There was some reasonable doubt as to whether he was trying to run over the person or just get the hell out of the alley."

Still, nobody denies that Rodney King was in that alley with that hooker—"I'm his lawyer, not his conscience," Lerman says. And soliciting hookers in dark alleys was not the ideal way for a man with a multimillion-dollar civil suit pending against the local police to be spending his leisure hours. King's minders realized it was imperative to keep him from getting into any more awkward circumstances. But Lerman prefers a different emphasis. "Rodney King doesn't need a keeper," he says. "Rodney King needed protection from those that would do him harm. And the fact that he was set up [in Hollywood] underscored his vulnerability."

King has told people he's miserable in his cloistered life. "He's just kind of jittery," Angela said after a recent visit to Ventura County. "He asked me to come out there; he wanted me to sit and talk with him awhile. He gets lonesome, and I know how it is—you know, your family not around."

> "Rodney King is a victim," Lerman says, "and my intention is that Rodney King never become political fodder."

But Lerman has convinced King that he needs his lawyer's shroud to survive. "He's mindful, because I've told him that there are people out there that know their place in history could be assured if they took a shot at him," Lerman says. "I have to take Rodney King and...say, This is what's good for him. Not good for him because he likes it, or he agrees with this or that. I enjoy a dialogue with him that's unique."

Lerman says that he has made King "part of my life," and that he has spent "hundreds of thousands" of dollars of his own money on the case so far. Lerman's colleagues and competitors are in awe of the effort. "I mean, he's basically put King on a salary," says one. "He seems like he doesn't have any other cases. It's quite remarkable."

The tight rein has clearly accomplished several crucial goals. If King's life is really in danger, it has kept him safe so far. And it has kept away other lawyers. "There were many attorneys chasing him down, trying to solicit the case, trying to dissuade him from continuing to have Lerman represent him," says Rentzer. Lerman has also successfully kept at bay leaders of the black community who have sought to give King a more public role in confronting racism. "Rodney King is a victim," Lerman says, "and my intention is that Rodney King never become political fodder, never become ammunition for somebody's agenda."

It's safe to guess that Rodney King was a reluctant volunteer when he made his famous plea for peace outside Steven Lerman's office two days after the cops' acquittal. "He was terrified," says James Banks. Reporters and TV crews, two hundred strong, had assembled. An L.A.P.D. helicopter hovered overhead. Los Angeles and the nation were waiting to hear from the man in whose name the city was being burned. Dozens of people had already died, and although the National Guard and Mayor Bradley's dusk-to-dawn curfew had quieted the town, the wrong signal from Rodney King could easily ignite another explosion. In fact, someone from Bradley's office called Lerman just before King's appearance for assurances that King would do nothing to heighten tensions.

Wearing a blue jacket, blue slacks, and a blue shirt, King walked into the sunshine on Wilshire Boulevard and said:

"People, I just want to say...can we all get along? Can we get along? Can we stop making it horrible for the old people and the kids?... We've got enough smog here in Los Angeles, let alone to deal with the setting of these fires and things. It's just not right. It's not right, and it's not going to change anything.

"We'll get our justice. They've won the battle, but they haven't won the war. We will have our day in court, and that's all we want.... I'm neutral. I love everybody. I love people of color.... I'm not like they're...making me out to be.

"We've got to quit. We've got to quit.... I can understand the first upset for the first two hours after the verdict, but to go on, to keep going on like this, and to see this security guard shot on the ground, it's just not right. It's just not right, because those people will never go home to their families again. And I mean, please, we can get along here. We can all get along. We've just got to, just got to. We're all stuck here for a while.... Let's

try to work it out.... Let's try to work it out."

And then, taking no questions, he was escorted back inside. It was a remarkable performance, and none were more pleased with it than Steven Lerman and James Banks, who had advised King as to the tone, and even the phrasing, of his words.

"I told him that there are certain things that people will probably want to hear him say," notes Lerman, "but that what he said would ultimately be his decision."

"The telephone lines were really buzzing," says Banks. "Glen and I talked just like two guys sitting around just shooting the bull, as to what we wanted to come out of this. We talked about Dr. Martin Luther King. And I said, 'Glen, you know, I was there when he made that speech, "I have a dream." ' I wasn't physically there, but I was around then. And I never dreamed that one day I would be associated with a speech that is a thousand times more important, in all due respect to Dr. King....

"And we talked about the phrase—and I'm so glad that he said it—I said, you know, 'Glen, this is just a battle we lost, but we're gonna win the war.' And I was very pleased that he talked about that. It had a strong resonance. And the one that was all his own was when he said, 'Can't we work it out? Can't we work together on this?' That was right from the heart. That tore everybody apart."

While King's plea seemed to guarantee the peace, it brought a near-universal reaction: Why didn't this man testify at the trial?

"He would have been a fantastic witness," Lerman says, "a *fantastic* witness." King himself later criticized the decision not to call him to the witness stand.

Deputy District Attorney Terry L. White, who prosecuted the four cops, gets edgy when he hears statements like that. The case had been a political nightmare for the D.A.'s office—which ordinarily works with the police department, not against it—and it was White, still only in his thirties and far from the department's most experienced assistant D.A., whose career might be on the line.

White had to have heard the gossip that District Attorney Ira Reiner, a veteran L.A. politician, chose him, a black attorney, as an insurance policy. If they lost the case—unlikely as it seemed, with that videotape as evidence—"the black community would have to trash one of its own to get to Reiner," as one L.A. lawyer puts it.

Almost from the beginning, the question of whether to call Rodney King as a witness was a central dilemma for White and Reiner, and the subject of intense debate for weeks. All but Lerman agree that, on some obvious levels, King was a vulnerable witness. Not only was he an ex-con—and if he'd taken the stand, the defense would have tried to explore his conviction for a violent crime—but he'd also been drunk the night of the beating and had led police on a high-speed chase, running lights and driving erratically along the way.

Moreover, King had rendered his testimony "impeachable" by giving inconsistent statements on several key points. He made early statements that he hadn't been speeding and that he'd pulled over immediately—statements contradicted by one of the passengers in his car, Pooh Allen.

In his early interviews after the incident, King said he couldn't identify the officers who'd beaten him, but later he identified all four defendants in the criminal case. "You know, my memory is coming back," King explained to the D.A.'s investigators. "I've been able to, you know, think at times and my brain, you know, it would come back different parts, different little parts, little bits."

King's most glaring contradiction was on the matter of whether the officers uttered racial epithets while they were beating him. At his first press conference, on leaving jail, King said that there had been no racist remarks, a statement he repeated to the police investigators. Lerman said the same thing, as did Rentzer.

But as Lerman shaped his civil suit around civil-rights violations, race became a central point. King now told the D.A.'s investigators that the cops had stood over him, taunting, "Whatsup, how're you feeling now, nigger? Whatsup, nigger? Nigger, whatsup, nigger, killer? Killer, whatsup, killer? Whatsup?" He also said that when he got up and tried to run—a moment, according to the defense, that showed he was belligerently resisting arrest—it was because an officer had said, " 'I'm gonna kill you, nigger, run!'... And when I heard that, when I heard that, that's when I was gonna break for the fucking, for the hills." That would have been especially useful testimony in the trial, except for the fact that King hadn't mentioned it earlier.

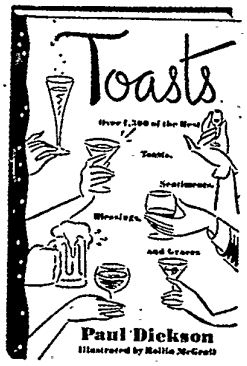
Lerman explains that Rodney was afraid at first to charge racism because he thought the police might railroad him into jail and never let him out. He also says that Rodney's mother requested that race not be made an issue in the case.

Then why did Lerman subsequently charge racism so loudly? Lerman's critics, including the district attorney's office, lay it off to inexperience in civil-rights cases, and the mistaken belief that racial animus has to be part of a violation of rights. (In fact, most excessive-force claims are based on a section of the U.S. Code that says nothing about race; rather, the civil right being violated is the individual's Fourth Amendment right to be free from unreasonable search and seizure.)

Lerman says he brought race into the case after hearing a sound-enhanced version of the Holliday videotape on which the racial epithets could be heard. The district attorney's office, which also hired a sound-enhancement expert, says that no racial taunts could be discerned. "I don't think this is malicious on Rodney's part," White says of King's changing story. "I think Rodney's been manipulated to believe these things. And I don't know if it's just Steve Lerman. I think he's been around so many people he actually believes what he is saying now."

White also faults Lerman and his associates for accompanying King to meetings with the D.A.'s office, where they would

"I used to know a clever toast,
But pshaw! I cannot think it—
So fill your glass to anything,
And, bless your souls, I'll drink it."



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"help" him answer questions. 'I'll ask Rodney a question, and Lerman would say, 'Well, you remember you told me, Rodney...' I didn't know where Rodney's memory started and Lerman's memory ended."

White finally got his time alone with King in late January, with the trial nearing, and he did not like what he saw. King was inarticulate, moody, inconsistent in his answers, and quick to anger at what White considered the easiest lobs. "You could see the anger and the frustration, I mean a lot of anger, coming out during these questions. And he was still on medication at the time...and he was getting very angry about these really not very hard questions."

White imagined the impact on the jurors if King were to lose his temper in court. And then, when the trial started, something happened that sealed his decision not to put King on the stand. Melanie and Tim Singer, the husband-and-wife Highway Patrol team, testified that they had not struck King. "Lerman calls me on a Saturday morning and says, 'Rodney wants to talk to you,' " White recalls. "And Rodney got on the phone and he was a very angry person. Profanity spewing out. He was angry, saying, 'Melanie Singer kicked me, Tim Singer kicked me, and they're lying!' It was 'Fuck this,' and 'Motherfucker that,' and right then I knew we had made the right decision."

The defense team later said it had earnestly wished for a chance to go at King on the witness stand. "We were very disappointed in the prosecution's decision not to call him," says a member of the team, John Barnett. "We really would have enjoyed cross-examining him." The irony is that, no matter what sort of witness King made, the violent aftermath might have been avoided if he had testified. If he'd been a convincing witness, he might have clinched it; if he'd been as bad as White feared and defense lawyers hoped, he'd have been discredited and the acquittal would have been less shocking.

King may yet tell his story on the stand, when Officer Laurence Powell, who was not acquitted by the Simi Valley jury, is retried. But many doubt that a federal case, revived by President Bush in the politically charged hours after the acquittal, will ever materialize.

Which leaves King's multimillion-dollar civil-rights suit. Scheduled for October, it may never reach court. Lerman wants a settlement for King, and the city seems eager to oblige.

City Attorney James Hahn is said to be more worried about winning the case in court than losing it. "That's a hell of a bad settlement posture to be in," observes one attorney associated with the case. " 'If you don't settle with me, there'll be a riot.' "

In early settlement talks, there was some distance between the two sides: a source reports that the city offered $2 million, with a hint of going to $3 million, while Lerman asked for $10 million plus an annuity, which would give King an income for life.

Even if the city does come much closer to Lerman's figure, say, $7.5 million, King will see only a portion of the settlement money. First he'll have to pay off his lawyer, and if Lerman has the usual one-third contingency agreement, that will make his fee about $2.5 million. If Lerman deducts cash advances made to King, the cost of the twenty-four-hour security force, living expenses, and so on, King's take will be shaved even further. He will also likely have to pay the considerable medical bills he has accumulated from private doctors—including the psychiatrist, a plastic surgeon (he's already had facial reconstruction), and a neurologist.

While the two sides haggle, Rodney King remains in his cocoon, safe from incident, and from rival lawyers. James Banks is keeping vigilant watch over Triple-7's investment, and Aunt Angela is still stewing over the family's being shut out in the Rodney King sweepstakes.

"Everybody else is out there making money with Rodney King and no one's saying nothing. And here I am, the main source of the family, and you gonna tell me I can't make a few T-shirts and sell them? I talked to Rodney about it. He told me...if I could make some money for the family, then go ahead, because it'll be a while before he'll have any."

In May, Angela finally decided to go ahead and get into the Rodney King business on her own. She cut out a picture of her nephew from the newspaper, traced it onto a white T-shirt, and painted on his hair and mustache. She planned to sell the shirts for six dollars—a bargain next to the bootleg Rodney shirts that sell in South-Central for ten dollars.

But then she got a message on her answering machine that caused her to reconsider her T-shirt project. The call was from James Banks at Triple-7.

"Apparently," said Banks's recorded voice, "some people are selling T-shirts of Glen.... As I'm sure you're aware, the rights for Mr. King are with my client..." □

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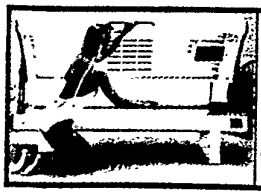
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THE LAST ANGRY WOMAN

Why King trial juror Lindy Miller no longer believes in truth, justice and the American way

By Sally Ogle Davis

"I looked into her eyes and saw a look I'd never seen before. It was disbelief, fear . . . bewilderment. I realized she was not the girl I'd sent out there eight weeks before."
—Paul Miller

There are no doors in the living areas of Lindy and Paul Miller's ranch-house in the foothills of Ventura; everything is open, spacious, unpretentious. There's a jukebox for the kids in the living room and a big pine table in the dining room, the kind that will live up to decades of family abuse. Outside the open window in the pleasant tree-shaded neighborhood, someone is raking leaves. The family mutt is barking for attention.

PHOTOGRAPHS BY SCOTT C. SCHULMAN

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The house is a lot like Lindy Miller herself, whose big, wide-jawed, freckled Irish face is an open book. Every emotion is written large in her dark eyes. And right now, what Miller feels is anger, rage and a sense of betrayal.

Several months ago, she says, she quit cigarettes, yet she sits chain-smoking. On her kitchen counter is a bottle of tranquilizers. A slender 5 foot 3 inches, she has recently lost seven pounds. She can't sleep, and she's seeing a psychologist. "I feel as if I've been raped," she says, her voice shaking. "It's worse than a death in the family—because this is the death of innocence, of a part of me."

For two months, Miller sat as an alternate juror in the Rodney King trial. And now her husband, her family and friends, her physician and her priest are trying hard to understand why she is a shadow of her former self.

Sure, she was sucked into the claustrophobic fish tank–like world in which all of the jurors were trapped. But when it came to the last three yards, she was a sequestered bystander—safely removed from the final controversial verdict that acquitted three of the four LAPD officers outright. Then why has the experience so devastated her?

They were squeezed to the point of exhaustion and then thrown to the wolves.

This is Miller's story. But it could be yours or mine, as much of what she faced is faced by anyone who sits as a juror on a lengthy trial. Of course, Miller didn't sit on just any trial. In her case, the verdict reached by her fellow jurors—with which she agrees—has been blamed for precipitating four days of violent insanity not just in L.A. but nationwide.

And perhaps Miller was more vulnerable than most to the dreadful disillusionment that now overwhelms her. She feels she has been betrayed by a system on which she has based her entire life. "This has absolutely shattered my foundations. I don't think I'll ever be the same."

In an age of cynicism, Miller believed in the system, believed in it unequivocally. As a high school social-studies teacher, she told her students that the American system of justice was the finest in the world and the Constitution the greatest written document in the history of mankind. She also believed that our leaders—be they mayor, police chief, D.A. or President—supported the system they represent.

Now she believes that when citizens with a sense of duty put their life on hold for eight weeks, to be shut up with a bunch of strangers for $5 a day, they deserve not to be pilloried and second-guessed and have their lives and those of their families placed in jeopardy because somebody doesn't like the outcome. And she thinks she was set up.

It wasn't supposed to be this way back when Miller first turned up at her local Ventura courthouse, virtually a stone's throw from her comfortable neighborhood, to respond to a routine jury summons. It was her third, but she confidently expected to be excused. She was the mother of three school-age children, she reasoned, and her husband, a member of one of Ventura County's original ranching families, was an attorney. But after a day of hanging around, she was told: "The good news is you're not wanted for a jury here. The bad news is you're to report to the courthouse in Simi Valley on Thursday."

With that, she joined some 250 "finalists" in line to be part of the Rodney King jury. She was sent home with a 41-page questionnaire designed to ascertain her habits, attitudes, a little of her history and her moral and political philosophies. "I waited until everyone was in bed to fill it out, since they had stressed how confidential it was."

Back at the Simi Valley courthouse, she was questioned by the judge on behalf of both the prosecution and defense. The next thing she knew—to her utter amazement—she was asked to stand to be sworn in.

As one of six alternates, Miller would be in exactly the same situation as the acting members of the jury until deliberations. She would sit in the jury box with them all day, every day, listening to the testimony. She would eat meals with them and be sequestered with them. She knew that if a juror dropped out for any reason, she could be tapped to fill that spot.

From that day, her weekday routine never varied. She left the house at 7:30 for the 40-mile trip and returned in rush-hour traffic, arriving home exhausted. "Most nights, I was in bed by 7." She cut herself off, as instructed, from all outside sources of information, conscientiously running out of the room if she found the TV on at home, ignoring the newspapers for the first time in her life and keeping her car radio off. (To this day, months of newspapers are still neatly lined up along one wall of her dining room, awaiting a time when she feels able to read them.) She warned her family of what was to come. "I told them I had to dedicate myself to this 100 percent," she says. "For the first time, my children (ages 13, 12 and 7) became latchkey kids. They would tell me about things in their lives, and I couldn't listen to them. I have great guilt about that now."

Nor was she allowed to discuss the case with her husband—though as the weeks went on, there wasn't much else left for them to talk about. Even after 20 years of marriage, the artificial silence imposed a wedge between them that they are still struggling to

remove. "I don't think Paul and I ever sat down to talk during that whole time," she says sadly. "Our communication was unbalanced. The connection had been broken."

Being lumped together with a bunch of strangers from a wide variety of backgrounds was difficult at first. "Obviously, there were some people where the chemistry wasn't as good as with others," she says, "but even with them, as the weeks went on, a bond developed that just got stronger and stronger."

The only thing the chosen 18 had in common was what brought them together in the first place. And that was the one thing they were forbidden to discuss. "We'd walk out of the courtroom after hearing all this emotional testimony, and we'd discuss the weather. It was unreal. My shrink calls it cruel and unusual punishment."

She had not realized the kind of restrictions she would have to accept as the trial dragged on. Jurors were met at their cars by security guards every day and walked through the press into the courtroom. A bailiff accompanied her to the bathroom, and other than that, she couldn't leave the small jury assembly room, no matter how claustrophobic it became.

weeks in the making. Everyone—jurors and alternates alike—was sequestered in the Travelodge in Simi. But each day, upon returning to court, the alternates were separated from the deliberating jurors and shepherded into a tiny room, which they promptly christened the ARZ—the Alternate Reality Zone. They felt a powerful sense of frustration, described by one alternate as being "all dressed up with nowhere to go."

Watching helplessly as the jurors came out each day for meals, obviously distraught, both men and women often in tears, looking, says Miller, as if they'd been to hell and back, the alternates quickly assumed a new role. "It became our unprescribed job to take care of these people and protect them, to administer back rubs and hugs. You could read all the tension and frustration in their faces. We were waiting for someone to die in there of a heart attack or a stroke or for someone to lose their mind."

Many of the alternates began to display the same symptoms as the jurors: They couldn't sleep, they ate little, they were nervous, hypervigilant. "I'd finally fall asleep at 6 a.m, only to have the bailiff knock on my door to wake me at 6:15."

It's like Vietnam—they went to war, and when they came home, nobody liked them."

The group developed the sort of silly codes more suited to a fraternity than to a group expected to rule on one of the most publicized trials of the decade. They dubbed the taboo subject of the trial "It" and joked about "the K word." The jury room became the Southampton Beach Club. Bathroom visits were PRs—potty runs. They assumed nicknames: Princess, Jury Queen, Peaches, Muffin and Buff. The bailiffs were Mom and Dad.

Slowly, they became a team, a platoon, a machine performing as one. "From the very first day," says Miller, "we walked in and out in perfect order. Everybody had a back to follow." She likens it now to being in the service.

For someone who'd never been involved in a trial, the tedium was the worst. Day upon endless day of nit-picking over semantics—for example, three or four days to debate the meaning of the word *immediately*—the repetition, the god-awful "police-speak" designed to deaden the brain of even the most alert juror.

And through it all, the infamous video played endlessly in tiny fragments, frame by torturous frame—until the evidence of one's eyes was distorted and reality became a question of perception rather than fact.

Then came the time for decision. The judge instructed the jury, painstakingly reading for an hour and a half some 81 pages on difficult legal concepts like the nature of criminal intent, the necessary link between the act and the intention to commit it. The jurors were introduced to the portentous words *to a moral certainty*. It struck several of them, Miller included, as an almost impossible burden of proof.

The jury (among them one alternate who had replaced one of the original jurors the second week of the trial) began its deliberations. And, for the first time, the alternates would be segregated into a kind of a second-class citizenship. Suddenly, they were powerless to give voice to the opinions they held that were seven

Even their phone calls home had to be monitored by a bailiff. Once, to relieve tension, they staged a heavy-breathing conversation between a woman and her bemused husband, until the embarrassed bailiff on the other end of the line turned the call over to his female counterpart.

Halfway through the week, there was a noticeable increase in security, with more sheriff's deputies on duty and a more visible show of weaponry. "I knew something was going on," Miller says, "because before I left home to be sequestered, my mother had told me, 'I wish I could tell you what's going on.' And there was terror in her voice. She'd watched the trial every day, and I think she felt even then there'd be terrible repercussions to this thing."

At one point in the alternates' room, one of the bailiffs got up to close the blinds to prevent them from seeing any disturbances that might start up outside. It was then, says Miller, that she began to lose it. "I started to cry hysterically . . . and I couldn't understand it. I've never reacted that way. I didn't know myself anymore. I started pleading with the bailiff to leave the curtains open. I knew right then that something was wrong with me."

The verdicts came in at noon on April 29. There were no theatrics as they were read, no gasps of surprise or shock, no shouts of outrage. Miller wasn't surprised by the decision. It was what she had expected. So she was amazed when she looked at Judge Stanley Weisberg's face and saw what she perceived as a look of disgust. "Since I really liked and respected him, his expression betrayed me," she says.

The judge had told the panel at the beginning of the trial that he liked to meet with his juries afterward to get a sense of how each member was feeling and to get their impressions of how the trial was conducted. But after the verdict, no such meeting was arranged. Instead, the jury was hustled through a narrow corridor

"The system is set up to protect the police. If you discredit the police,

and down a back stairwell by bailiffs whose sense of urgency was palpable. "You could see the stress in their faces," Miller says. "Even *they* were shaking. One of them said, 'Now you know what Bonnie and Clyde felt like.'

"I had no idea what to expect, but coming out into the light to face the shouting and the anger and the placards was a shock. I remember wondering how they had gotten the signs prepared so quickly."

Weary, dazed and emotionally spent, Miller found herself confronted by KTTV reporter Barbara Schroeder, who stuck a microphone in her face and, as Miller recalls, snarled, "Are you too ashamed to look in our camera? Do you know that because of you the city will burn?" (Schroeder denies using those words, claiming: "I'm a very credible journalist, with plenty of Emmy Awards on my shelf. What I did say was 'Why will none of you talk to us? Are you ashamed?'—because one juror was covering his head. And I did ask one of them, 'Are you guys aware of what's going on downtown?' I'm very persistent, and I ask the questions the public wants to know. But in no way, shape or form would I say it like that.")

What followed, Miller says as she recalls the sheriff's bus taking off across an empty lot with the press in hot pursuit, was like a slow-motion scene from a nightmare. "I could see the mass of people running and the angry faces and hear the screaming and the turmoil, and I thought, These people are going to attack the bus. I'm going to die."

Back at the hotel, the jurors literally threw their belongings into suitcases. There was no time to pack, no time for farewells. "We hugged quickly like a college graduating class. Somebody hastily passed around a piece of paper for names and addresses, and that list became my most treasured possession. I had never spent so much concentrated time with anyone as I had with these people—not even my husband. I didn't care if I left my suitcase behind, but I kept that list on my body."

Before they left, a deputy said that "under the circumstances," the judge had decided to "temporarily" seal the record of the jurors' names. "That 'temporarily' turned out to be subject to interpretation. In this case, it lasted about 20 minutes," Miller says. Then they were told, "If you have any problem when you get home, just call 911."

At the sheriff's station in Thousand Oaks, where the jurors' cars had been parked throughout the week, Miller saw the TV cameramen carefully filming their license plates as they drove off.

She arrived home in Ventura that afternoon to find the TV from which she had so carefully insulated herself for weeks blaring with reports of the violence. "I looked at the anger and the hatred and the ignorance, and it made me physically sick."

Within 15 minutes, a reporter from the *Los Angeles Times* was on her doorstep. "He was very polite. He told me he'd found me through the DMV, and right then, I knew my privacy was at an end." Indeed, the next morning, the phone rang. It was an old friend from Kentucky. "Hadn't I, she demanded, seen where they pulled the guy out of the truck and beat him? I went to the bathroom and threw up."

The Ventura police came by the Miller house and advised the family to leave for a few days. Neighbors, most of whom had been unaware that Miller was even on the jury, came by to find out why the black-and-white was parked in their driveway. "Paul wanted to stay and defend the house," Miller recalls. "But I told him, 'This house doesn't mean anything to me.' I went back in and took the baby pictures off the wall and collected the dog."

That weekend she went with her husband to his law firm's annual retreat in the Santa Ynez Valley. Getting out of her car, the wife of one of her husband's colleagues asked, "Were the jurors that stupid?" Says Miller, "It was like a knife. I couldn't look at anyone for the rest of the time."

She stayed in her hotel room all weekend perfecting a letter to her local newspaper, the *Ventura Star-Free Press*, which had published the jurors' names and places of work. "How could you be so irresponsible?" her letter begged. "I hope the damage you have inflicted upon these brave people will someday heal. Why did you turn against them?"

The same paper had earlier published an angry reader's letter that proclaimed: "I feel ashamed to live in the same county as those jurors."

In the days that followed, Miller continued to react like someone in mourning. "I watched the fires and the funerals on television and thought, God, I was part of what triggered that. I couldn't go out—I couldn't even take the kids to school. I pleaded with Paul to move to Montana or Idaho or somewhere far away. I told him, 'You can be a bartender, and I'll wait tables.' He thought I was crazy."

Her children sat in chapel at St. Paul's Parish Day School and heard a young minister tell them the jury was wrong and stupid to do what they'd done. Her daughter burst into tears. Everywhere Miller went, she heard the jury condemned. "It was so easy just to blame the jury, because they can't fight back," she says with a trace of bitterness.

Paul Miller worried about his wife. The tall, red-haired lawyer recalls, "I said to her, 'Let's talk,' and she looked at me and said, 'How can I talk to you about this?' I suggested she call the other jurors."

And she did. In fact, spending six hours at a time on the phone became her lifeline. "My shrink says it's not healthy, but I feel they're the only other people in the world who know how I feel." She called her priest. "I've never called him before. I think he was expecting me to say I was having an affair, or that Paul was, because I was crying. When I told him I was on the King jury, there was absolute silence, and then he said, 'I'll pray for you.' He sent me a mass card." She called her doctor. "I told him I couldn't eat or sleep. He sent me over some Xanax, recommended a psychologist and suggested I get in quick."

Gradually, she started trying to resume her life. But things were different. "We took the kids to their Little League game, and Paul left for a few minutes while he went to get coffee. I had a doughnut in each hand, and when he came back, I noticed I'd been quite unconsciously taking little bites alternately from each of them."

She wrote to Judge Weisberg, telling him of the bombardment she and her fellow jurors were under—a letter written, she says, "by a desperate, crazy person who used to be normal."

"Why were we thrown to the sharks?" she asked. "Why can't I sleep or feel safe? How do I protect my children? . . . Please know that I am not personally blaming you or anyone else. I have written only because I trust and respect you . . . My life and the lives of the other jurors have been shattered."

Weisberg responded, reiterating "the public's right to know the names of those who decide a particular case" but adding, "Obviously, had I been able to anticipate the terrible events that occurred after the verdicts, additional effort would have been undertaken to protect the identity and security of the jurors. In the future, I'm sure that more will be done to ensure the well-being of jurors in cases such as this."

But that is little comfort to the dozen or so jurors and alternates who turned up on a recent Sunday afternoon at the home of one of their number for a reunion. Finally, Paul had a chance to watch and listen. "I was blown away," he says, "at how close the relationship between these people seems to be. They were squeezed to the point of mental exhaustion, and then they were thrown to the wolves. It's like Vietnam—they went to war together, and when they came home, nobody liked them. No wonder they're clinging to each other now."

One of the things Paul heard was that many of the jurors shared his wife's seemingly bizarre conclusion: The whole thing was a setup: the jurors were mere pawns in a predetermined game, the outcome of which was never in doubt. "At first," he says, "I thought it was ridiculous. Now, I'm not so sure."

They point to the extreme inappropriateness of this particular jury: three members of the National Rifle Association, an ex-military policeman, an ex-naval shore patrolman, a park ranger, a retired program manager for a company that receives military contracts and a man whose brother is a retired police sergeant. Yet the black prosecutor, Terry White—picked, according to D.A. Ira Reiner, entirely at random for the job—accepted these jurors without using up his peremptory challenges.

you discredit the system of which they are a part. They can't let that happen."

They point to the venue: Simi Valley, home of more LAPD members than any city in L.A. County. It was supposedly chosen so that the commute would not be too long for everyone involved and so the attorneys would not have to stay in hotels during the proceedings. But, in fact, many of the jurors had very long commutes, and the attorneys stayed in local hotels throughout the trial.

"The system is set up to protect the police," Miller says. "The district attorney and the judiciary are on the same side. If you discredit the police, you discredit the system of which they are a part. They can't let that happen." Bolstering that belief, she now says

Miller, postverdict, with fellow juror Steven Benefiel: "It's so easy just to blame the jury, because they can't fight back."

in hindsight, was King's own absence from the trial. For when the prosecution rested on March 17, after seven and a half days, it was virtually impossible, she says, not to be surprised. "My mouth just dropped open. It was like, Where's Rodney? My feeling was that the defense didn't need to come on at all—it had *reasonable doubt* all over it. Surely, we thought, he *had* to come and tell his version.

"The criminal assault charges were the most difficult of all to prove. I don't think the officers are

All of the regular jurors have received letters from Tom Metzger, telling them they have been made members of the Ku Klux Klan and that the Klan 'stands ready to defend you.'"

criminals. Why would anyone commit criminal assault when there are so many witnesses? You could see it on the video. There were cars passing—at one point, even a tour bus came by as Rodney was being beaten. They picked a jury that would do their dirty work. We were used."

And the dirty work had a price—one that many of the jurors continue to pay. One woman fears for her job, after a bomb threat at her workplace. One man took the "Simi Valley" frame off his license plate; another is sleeping with an ax by his bed. Yet another bought a gun. All of the regular jurors have received—to their horror, Miller adds—letters from Tom Metzger, telling them they have been made members of the Ku Klux Klan and that the Klan "stands ready to defend you at a moment's notice."

Ventura County psychologist Ronald Bale, who has closely followed the aftermath of the trial, says the jurors' reactions are understandable. "They're people who've played by the rules, and the rules have been pulled from under them. It leaves them with a horrible sense of vulnerability and betrayal. In those circumstances, a person can very quickly become radicalized."

Clearly, Miller has. This woman who used to hide in her kitchen rather than confront a salesperson is now out there fighting with missionary zeal. She's been firing off letters and phone calls to her local lawmakers. She's had long conversations with Senator Ed Davis' office in Sacramento, offering help in his fight to pass the amendment to SB 1299, which would make it a misdemeanor to publish information through which the "average person" could locate a juror. (The bill is opposed by the American Civil Liberties Union and the media.) "They keep telling us it's unconstitutional to stop the press from publishing jurors' names," Miller says. "It's against the First Amendment. Well, the First Amendment doesn't do anything to protect the jurors."

She's organized a jury-support group with the Ventura County Mental Health Services' chief psychologist, Dr. Richard Reinhart. The agenda for the first meeting included a discussion entitled "Why do we feel like the scapegoats for problems that have much deeper roots than any one set of verdicts?"

"I've never been an activist," says Miller. "This is so unlike me, but I have to know I did everything I could."

Meanwhile, she says her family life has changed irrevocably. "I know I will never deal with my children in quite the same way. I want to tell them they can't believe what they read in the papers or see on TV. I will tell them our system is not perfect. I won't be as protective or idealistic with them."

She didn't vote in last month's primary. "I conveniently had my eyes dilated, so I couldn't drive. When I heard that the press traced jurors through the voter-registration rolls, I thought I might never vote again. The system rapes me, and then it expects me to participate."

As a lawyer, Paul worries about the implications of this case. "It'll take years for the effects to pass," he says. "Will juries now hold their finger up to the wind before delivering a verdict? Will we start trying people by public sentiment?" But mostly he worries about his wife, his family and their future. "They took Lindy and turned her from a very nice person into a total cynic. I don't know where she's going to land."

One place she'll land, says Miller, if something is not done to protect future juries, is out in front of the Ventura County Courthouse. "I'm going to call the news media and go down there with a group of jurors and friends and picket." Her husband, she says, "thinks I'm mad. He asked me to tell him when I plan to do this, so he can be out of town."

The long-term effects on her marriage, she admits, have yet to be assessed. "It seems like everything domestic is on the back burner right now. I'm still so obsessed with this. I find that 90 percent of my time is focused on it. Whenever Paul comes home, I'm on the phone with the jurors."

"She used to be sociable and friendly," says Paul. "She always kept any unpleasant feelings to herself. Now there's a different awareness. Where this awareness will take her, I don't know. To tell you the truth, I'm not sure what I've got now." ■

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(Mount Clipping in Space Below)

Appeals Court Polls Defense, Prosecution in Powell Retrial

■ King beating: Attorneys are ordered to answer provocative questions regarding officer's petition for change of venue. A ruling is expected soon.

By LESLIE BERGER
TIMES STAFF WRITER

A state appeals court, indicating that it will rule quickly on Officer Laurence M. Powell's request for a retrial outside Los Angeles County, on Friday ordered attorneys to respond to a series of provocative questions, including whether the riots left "an atmosphere of fear and apprehension in potential jurors in Los Angeles."

Though the court has yet to issue a final decision, Powell's attorney and two legal experts said the order bodes well for the officer, the only one of four Los Angeles police officers not acquitted on all counts in the Rodney G. King beating. Had the court been inclined to reject Powell's request, it would have done so, defense attorney Michael P. Stone said.

"I'm never confident about this case," Stone said, "but this is what I was waiting to hear, rather than just to get to the denial.

"The only reason I can think of to leave the case in L.A. is if the Court of Appeal has somehow come to the conclusion that the atmosphere is more positive for Larry Powell than in 1991, and that's ridiculous," Stone said. "It's definitely more hostile now."

Sandi Gibbons, a spokeswoman for Dist. Atty. Ira Reiner, denied that the court's order signaled a setback for the prosecution, which wants the case to be heard in racially diverse Los Angeles.

The justices want "to see some legal briefs to aid them in making a decision," Gibbons said. "I don't think it means anything other than that."

During Powell's first trial in predominantly white Ventura County, he and three other Los Angeles police officers—Sgt. Stacey C. Koon and Officers Theodore J. Briseno and Timothy E. Wind—were acquitted on 10 of 11 counts in the March 3, 1991, beating of King, who is black. The jury of 10 whites, a Latina and an Asian-American deadlocked 8 to 4 in favor of acquittal on the remaining charge against Powell.

The 29-year-old Powell, who remains suspended from duty without pay, faces a single count of excessive force under the color of authority. His retrial is scheduled for Oct. 19.

Superior Court Judge Stanley M. Weisberg, who presided over the first trial, ruled in May that the retrial should occur in Los Angeles County. Siding with prosecutors, Weisberg found that the trial and subsequent riots received such widespread publicity that a change of venue would be meaningless.

In its order issued Friday, the appeals court questioned the effect that the riots, publicity and politics had on Powell's chances for a fair retrial.

The court ordered attorneys to address a series of 16 detailed questions in their written arguments. Prosecutors are supposed to submit their legal briefs no later than Aug. 10, and Powell's defense team is to submit its briefs by Aug. 20.

The questions include whether potential jurors in Los Angeles County might be affected by:

- The selection of a new police chief, voters' adoption of a police reform measure, and criticism of the Police Department's response to the riots.
- Discussion of the case during the campaign for the district attorney's office, which is on the November ballot, and preceding the Los Angeles mayoral election, to be held in April.
- Possible federal indictments of Powell and the other officers in the King case.

One expert in criminal appeals, Santa Monica attorney Dennis A. Fischer, called the list of questions extraordinary because of its length and detail. He agreed with Stone that the questions—many of which were raised in Powell's petition to the court—signaled the justices' inclination to move the retrial out of Los Angeles.

Mark Epstein, a Los Angeles attorney who clerked for the California and U.S. supreme courts, agreed, though more cautiously.

"It's always like reading tea leaves, but to the extent you can read anything into it, it probably bodes better for the defense than the prosecution," said Epstein, who also served on the Christopher Commission's legal staff. "It could also be the court just wants to resolve this very fast."

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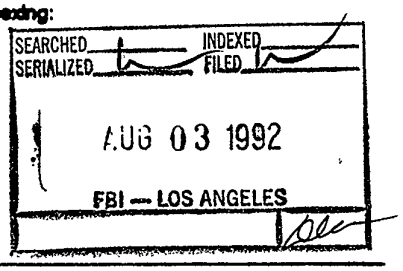

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^Indictment-React, 1st Ld-Writethru

'Justice,' 'Overkill': Reactions Vary on King Beating Indictments

Eds: INCLUDES materal from story slugged Indictment-ACLU; ADDS comments from Daryl Gates, Diane Watson, Brotherhood Crusade, African American Peace Officer Association. Not ``Officer'' is singular in latter organization's name.

LOS ANGELES (CNS) - Indictments handed down today against four LAPD officers in the Rodney King beating offer a ``hope for justice'' -- or are ``overkill'' -- spokesmen on both sides of the issue said.

``I think it's overkill,'' former Los Angeles Police Chief Daryl Gates told radio station KFI-AM. ``I think no other individuals would be put to this kind of test, but police officers are being put to it, and I think it's tragic.''

``The acquittal of the four officers on all but one of the original state charges raised the specter of the revival of justice reminiscent of the Deep South in the 1950s and 1960s in the Southern California of 1992,'' said a statement issued by the American Civil Liberties Union of Southern California.

``This responsible action by the office of U.S. Attorney Lourdes G. Baird restores the hope for justice in this tragic episode,'' the ACLU statement said.

Officers Laurence Powell, Timothy Wind, and Theodore Briseno and Sgt. Stacey Koon were named in indictments charging them with violating the civil rights of King, a black motorist who was pulled over and beaten March 3, 1991, following a high-speed chase on freeways and surface streets in the San Fernando Valley.

The four, all white men, were acquitted of assault and other charges in state court, although Powell will be re-tried on one assault count. The April verdicts touched off three days of rioting in Los Angeles County.

People ``should be encouraged by this to leave justice to the system and not take justice into their own hands,'' said state Sen. Diane Watson, D-Los Angeles, a candidate for county supervisor.

``Community leaders kept the pressure on to make the system look at the evidence,'' Watson said. ``These indictments are vindication for those of us who insisted justice would eventually be done.''

Danny Bakewell, leader of a black equal-rights group called Brotherhood Crusade, said the indictments were welcome, if ``slow in coming'' -- but not enough in themselves.

``We're hoping these indictments will result in convictions,'' Bakewell said. ``It's not enough to indict someone -- I hope we're not just participating in a dog-and-pony show.''

And, in a memo released today, the African American Peace Officer Association said the indictments ``symbolize a healing'' to victims of police brutality.

The association called on the U.S. Attorney's office to investigate other cases of alleged police excessive force to ``restore the American people's faith in their criminal justice system.''

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(Mount Clipping in Space Below)

4 officers indicted in King beating

By Linda Deutsch
THE ASSOCIATED PRESS

The four Los Angeles police officers who were acquitted on most state charges in the Rodney King beating were indicted by a federal grand jury on civil rights charges, the U.S. Attorney said today.

The grand jury indictment, which was returned Tuesday but unsealed today in Los Angeles, accused Sgt. Stacey Koon and officers Lawrence Powell, Timothy Wind and Theodore Briseno of depriving King of his civil rights while acting under the color of law.

U.S. Attorney Lourdes Baird said the investigation into the case was continuing, but declined to say whether additional indictments were expected. "The investigation is still open. I cannot comment on what charges we might be looking at or what witnesses we might be looking at."

The four defendants were invited to surrender to authorities on Thursday, she said.

In Washington, Associate Attorney General Wayne Budd said: "The Department of Justice has a responsibility to vindicate the violation of the fundamental rights protected by the United States Constitution. The indictment of the four police officers in Los Angeles whose conduct was captured on videotape last year is the first step toward fulfilling that responsibility."

Each defendant was charged under a civil rights statute that carries a maximum penalty of 10 years in prison and a $250,000 fine, said

The two-count indictment alleges that the defendants "willfully and intentionally used unreasonable force" during the arrest of King for a speeding violation on March 3, 1991.

The indictment charges Powell, Wind and Briseno with aiding and abetting each other in depriving King of his civil rights. It names Koon alone on a charge of failing to prevent the unlawful assault by officers in his supervision.

All except Powell were cleared of assault charges last April 29, a verdict which prompted one of the nation's worst riots in Los Angeles.

Powell, 29, still faces a state trial on one charge unresolved by the jury. The indictment of Briseno, 39, who turned on his fellow officers and testified against them at the state trial in Simi Valley came as a surprise since he maintained he tried to stop the beating.

Former police Chief Daryl Gates, in an interview with KFI radio, called the indictments "overkill."

"No other individual would be put to this kind of test and police officers are being put to it and I think it's tragic," Gates said.

"The officers were tried, the district attorney did his very best to convict them and he was not able to do that and now the federal government is stepping in to do what the state was not able to do."

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Feds indict 4 L.A. cops

By Haya El Nasser
and Jonathan T. Lovitt
USA TODAY

LOS ANGELES — The four police officers acquitted of beating Rodney King must surrender today to face federal civil rights charges.

The indictments, handed down late Tuesday and unsealed Wednesday, charge officers Laurence Powell, Timothy Wind and Theodore Briseno with aiding and abetting the kicking and baton beating of King, a black motorist.

The fourth officer, Sgt. Stacey Koon, faces charges of failing to prevent the assault by officers under his command. Arraignment is set for Monday.

"Civil rights cases are not easy cases," says U.S. Attorney Lourdes Baird. "But the government has a good record."

Federal prosecutors will not argue the beating by four white cops was racially motivated.

The four are charged with violating basic rights of all citizens to be free of unreasonable assault by police, Baird says.

"I think race played a big part," says State Sen. Diane Watson. "I'm just praying for justice this time. I fear if justice is not carried out, the situation will get worse."

The April 29 acquittal of the four on all but one state criminal charge triggered the USA's worst rioting. The furor was intensified because the trial had been moved to predominantly white Simi Valley.

"I don't believe a change of venue is supported at all" in this case, Baird says, because the federal district picks jurors from seven counties.

Baird says the three-month secret grand jury investigation is continuing and more indictments may be handed down.

Other reaction:

▶ Former L.A. police chief Daryl Gates, pressured into resigning because of the March 3, 1991 King beating, calls the indictments "overkill."

▶ "I'm extremely pleased that the federal government is pursuing the case," says King's lawyer Robert Neubauer.

▶ "I'm thrilled," says state NAACP head Jose De Sosa. "It's only the fair thing to do. King's rights were violated."

The four face up to 10 years in prison and a $250,000 fine.

(Indicate page, name of newspaper, city and state.)
USA TODAY

Date: THURS., 8-6-92
Edition: FRONT PAGE

Title: FEDS INDICT 4 L.A. COPS

Character: 80-33B
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Classification:
Submitting Office:
LOS ANGELES

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AUG 7 1992

FBI — LOS ANGELES

FBI/DOJ

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44A-LA-119954-D-320

SEARCHED INDEXED
SERIALIZED FILED
AUG 7 1992
FBI — LOS ANGELES

NEWS RELEASE

For Immediate Release

LOURDES G. BAIRD
United States Attorney
Central District of California

92-201
August 5, 1992

CONTACT:
Carole Levitsky, Public Affairs Officer (213) 894-6947

FOUR INDICTED BY FEDERAL GOVERNMENT FOR CIVIL RIGHTS LAW VIOLATIONS IN KING CASE

LOS ANGELES - United States Attorney Lourdes G. Baird announced today that a federal grand jury returned a two-count indictment charging Stacey C. Koon, 41, Lawrence M. Powell, 29, Timothy E. Wind, 32, and Theodore J. Briseno, 39, while acting under color of law with depriving Rodney Glen King of his federally protected civil rights.

According to Ms. Baird, the indictment, which was unsealed by the U.S. Magistrate today, alleges that three of the defendants, Powell, Wind and Briseno, who at the time of the incident were on-duty officers of the Los Angeles Police Department, willfully and intentionally used unreasonable force, during their arrest of Rodney King on March 3, 1991. The conduct as described in the indictment is a deprivation of a right provided by the United States Constitution. The fourth defendant, Koon, then an on-duty sergeant with the Los Angeles Police Department, is charged in the second count of the indictment with depriving King of a constitutionally protected right by willfully permitting and failing to take action to stop the unlawful assault by the other defendants, who were under Koon's supervision.

-MORE-

In Los Angeles, U.S Attorney Baird said, "This indictment, for violations of federal civil rights law, is the result of the federal investigation which started after the assault, was suspended during the state prosecution and resumed following the verdict in the state case against the same defendants. In accordance with United States Department of Justice policy and the United States Supreme Court legal authority, the federal government can and often does await the outcome of state proceedings before initiating its own prosecutions." Baird added, "Yesterday's indictment does not conclude the federal investigation of this matter. The investigation is continuing."

In Washington, D.C., Associate Attorney General Wayne Budd, who has personally directed the federal investigation, said, "The Department of Justice has a responsibility to vindicate the violation of the fundamental rights protected by the United States Constitution. The indictment of the four police officers in Los Angeles whose conduct was captured on video tape last year is the first step toward fulfilling that responsibility." Budd noted that an extensive federal grand jury investigation has been conducted over several months and was directed by attorneys from the Civil Rights Division of the Department of Justice and the United States Attorney's Office.

Each of the four defendants is charged under 18 United States Code § 242. Under that statute the maximum penalty for each defendant is ten years imprisonment and a $250,000 fine.

-MORE-

Baird commended the efforts of the Federal Bureau of Investigation and the agents who are working on the investigation, as well as the attorneys who are conducting the grand jury investigation, Assistant United States Attorneys Steven D. Clymer and Lawrence S. Middleton, and U.S. Department of Justice Civil Rights Division prosecutors from Washington, D.C., Barry Kowalski and Alan W. Tieger.

# # #

* An indictment is merely a formal charge that a defendant has committed a violation of federal criminal law and every defendant is presumed innocent, until and unless proven guilty.

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

February 1992 Grand Jury

UNITED STATES OF AMERICA, Plaintiff, v. STACEY C. KOON, LAURENCE M. POWELL, TIMOTHY E. WIND, and THEODORE J. BRISENO, Defendants.	CR 92- _____ I N D I C T M E N T [18 U.S.C. § 242: Deprivation of Rights Under Color of Law; 18 U.S.C. § 2; Aiding and Abetting]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. §§ 2 & 242]

On or about March 3, 1991, in Los Angeles, California, within the Central District of California, defendants LAURENCE M. POWELL, TIMOTHY E. WIND, and THEODORE J. BRISENO, then police officers with the Los Angeles Police Department, while acting under color of the laws of the state of California, aiding and abetting each other,

SDC:sdc
SPC

did willfully strike with batons, kick, and stomp Rodney Glen King, an inhabitant of the state of California, resulting in bodily injury to Rodney Glen King, and thereby did willfully deprive Rodney Glen King of the right preserved and protected by the Constitution of the United States not to be deprived of liberty without due process of law, including the right to be secure in his person and free from the intentional use of unreasonable force by one making an arrest under color of law, all in violation of Title 18, United States Code, Sections 2 and 242.

COUNT TWO

[18 U.S.C. § 242]

On or about March 3, 1991, in Los Angeles, California, within the Central District of California, defendant STACEY C. KOON, then a sergeant with the Los Angeles Police Department, while acting under color of the laws of the State of California, did willfully permit other Los Angeles Police Officers in his presence and under his supervision, namely Laurence M. Powell, Timothy E. Wind, and Theodore J. Briseno, unlawfully to strike with batons, kick, and stomp Rodney Glen King, an inhabitant of the State of California, while Rodney Glen King was in the custody of those officers, and did willfully fail to prevent this unlawful assault; resulting in bodily injury to Rodney Glen King, and thereby did willfully deprive Rodney Glen King of the right preserved and protected by the Constitution of the United States not to be deprived of liberty without due process of law, including the right to be kept free

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from harm while in official custody, all in violation of Title 18, United States Code, Section 242.

A TRUE BILL

Foreperson

LOURDES G. BAIRD
United States Attorney

JOHN R. DUNNE
Assistant Attorney General
Civil Rights Division

ROBERT L. BROSIO
Assistant United States Attorney
Chief, Criminal Division

BARRY F. KOWALSKI
Deputy Chief
Criminal Section
Civil Rights Division

(Mount Clipping in Space Below)

Second try in court

Federal indictments against four LAPD officers are welcome, though conviction is hardly a sure thing.

The announcement Wednesday that the four Los Angeles police officers most directly involved in the Rodney King beating have been indicted on federal civil-rights charges is sure to create expectations that may not be met. Anyone who looks forward to this case as a chance to make up for the failure of the state justice system to convict the four officers on excessive-force and other charges must remember that an indictment is not the same as a conviction, and the latter is never a sure thing.

Although the federal case will be tried before a jury that may be different in racial composition and attitude than the first one, a lot of complex human and legal factors will come into play. Among these are the competence of the prosecutors and the tendency of juries (no matter their background) to sympathize with police officers called to account for what happens in the line of duty.

Still another roadblock to conviction — one that may be the most difficult to sidestep — is the fact that trying police misconduct cases can be more difficult under federal law than state law. In the opinion of some legal experts, prosecutors in this case will have a greater burden of proof than local prosecutors did earlier this year.

At issue are two separate indictments: one against Officers Laurence Powell, Timothy Wind and Theodore Briseno, the other against Sgt. Stacey Koon.

Powell, Briseno and Wind (who has been fired from the force) are charged with willfully and intentionally using unreasonable force during the arrest of King. The indictment, in essence, claims a violation of King's Fourth Amendment right to be free of unreasonable searches and seizures.

But the key word in the indictment — "intentionally" — imposes a tougher standard on federal prosecutors, said Peter Arenella, a UCLA law school professor and a nationally recognized expert on legal issues, on Wednesday.

A federal jury, he noted, could conclude that excessive force was used but (because of the trauma of the moment or some similar argument by the defense) the officers had no actual *intent* to do so. That alone could lead to an acquittal, Arenella said.

Winning a conviction against Koon also may be tougher for federal prosecutors. Koon is charged with willfully permitting the assault against King and failing to take action to stop it.

But that means the prosecution will have to show more than the fact that Koon failed to stop his subordinates from using excessive force, Arenella said. It also will have to show that Koon intended for King to be punished without due process of law, a violation of the 14th Amendment.

In effect, prosecutors will have to convince a jury that the sergeant on the scene acted as judge and jury — something the defense could claim would have been too premeditated for Koon in the heat of the moment.

None of these difficulties, however, makes the case unprosecutable. There is certainly enough evidence of criminality under federal law to justify going to trial against Powell, Wind, Briseno and Koon. The officers' behavior in March 1991 remains an outrageous example of police misconduct — one that should be punished by all legal means. The federal grand jury was right to return this indictment, and the U.S. attorney should prosecute it vigorously. There is hope for justice here, though that hope must be tempered with realism.

(Indicate page, name of newspaper, city and state.)
DAILY NEWS
SAN FERNANDO, CA
Date: THURS., 8-6-92
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Title: SECOND TRY IN COURT

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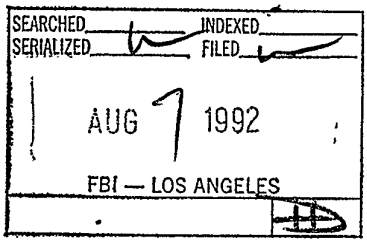

FBI/DOJ

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FD/350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

U.S. Files Civil Rights Charges Against 4 Officers in King Case

■ Indictments: Federal prosecutor says beating 'was an unreasonable use of force.' If convicted, each man faces up to 10 years in prison and fines.

By JIM NEWTON
and LESLIE BERGER
TIMES STAFF WRITERS

Federal prosecutors unsealed a two-count indictment against four Los Angeles police officers Wednesday, reigniting the explosive legal battle over the 1991 beating of Rodney G. King with new charges that the officers violated King's civil rights.

The indictment was handed up by a federal grand jury late Tuesday but was sealed until Wednesday morning so that prosecutors could notify local authorities, said Lourdes G. Baird, the U.S. attorney for the Central District of California. Charged in the indictment are the same four officers—Sgt. Stacey C. Koon and officers Timothy W. Wind, Laurence M. Powell and Theodore J. Briseno—who were tried in state court earlier this year and acquitted on all but one count.

"The defendants are charged with stomping, kicking and beating Mr. King," Baird said during a morning news conference called to announce the indictments. "It was an unreasonable use of force."

Baird's announcement capped an intense federal investigation, which began immediately after the beating but was suspended when the state filed charges against the LAPD officers. It was reopened after the not guilty verdicts were announced April 29 and rioting erupted in Los Angeles. Powell was the only officer not acquitted on all charges, and he faces a retrial in state court this fall on the one count for which the jury could not reach a verdict.

According to the first count of the federal indictment, Wind, Powell and Briseno "did willfully strike with batons, kick and stomp Rodney Glen King . . . resulting in bodily injury."

Koon, the senior officer at the scene, was the lone officer indicted on the second count. He will be tried on a charge that he allowed the beating to take place, depriving King of his right to be free from harm while in custody.

If convicted, each officer could face up to 10 years in prison and be fined as much as $250,000.

Even with the indictments announced Wednesday, the federal investigation is continuing and more charges could be brought against the four officers or others, Baird and other officials said.

The not guilty verdicts handed down by a Ventura County jury outraged many residents and touched off the worst American riots of the 20th Century. An array of local leaders and activists on Wednesday applauded the federal government's decision to indict the officers on new charges.

(Indicate page, name of newspaper, city and state.)
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LOS ANGELES, CA

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"I think that this action is going to help bring about a sense of confidence on the part of the people that this system is now working;" Mayor Tom Bradley said. "They want to see it pursued to the end."

But retired Police Chief Daryl F. Gates said the federal government's decision to indict the officers was a misuse of the civil rights law and risked making martyrs out of the four men.

"It's dumb, dumb, dumb," Gates said. "I can't tell you how dumb it is for the federal government to go forward with this."

Gates' successor, Police Chief Willie L. Williams, declined to comment.

Most of the officers and their lawyers could not be reached for comment. But Michael P. Stone, Powell's lawyer, held a morning news conference and said he expects that his client will be acquitted if jurors can be persuaded to focus on the evidence in the case. A pale and drawn Powell stood next to his attorney and reiterated that he did nothing wrong.

"What can I say? I'm not real happy about it, but I know I didn't do anything wrong so I can't believe they're doing this again to me," Powell said. "But I still stand by the fact that I didn't do anything wrong. I just did what I was supposed to do."

Prosecutors, however, said they have reviewed the evidence and believe they have a strong case.

"The federal grand jury evidence . . . has been evaluated by career prosecutors," Baird said. "The unanimous conclusion is that the evidence amply supports the charges that are reflected in the indictment."

FBI Special Agent in Charge Charlie J. Parsons, who heads the Los Angeles office of the FBI, said as many as 17 agents have worked full time on the investigation of the King beating since the not guilty verdicts were handed down in state court.

"This is not a normal case," Parsons said. "This case has had a profound effect on law enforcement. It's had a profound effect on the community. It caused a riot."

In the wake of that riot, many local leaders criticized Dist. Atty. Ira Reiner for failing to win convictions against the officers. Historically, federal civil rights laws often have been used to charge officers who escaped vigorous local prosecutions, most notably in the Deep South.

On Wednesday, however, Baird said the federal government's decision to seek indictments was not meant as a challenge to the district attorney.

"There has been and is a very significant federal interest from the time that this incident came up," Baird said. "The return of this indictment is no indictment against the efforts of the district attorney's office."

Prosecutors from the two offices were planning to meet this week to discuss the cases and to figure out how to proceed against Powell. A state trial date of Oct. 19 has been set for Powell's retrial on the remaining count of excessive force under color of authority, but might be delayed or even precluded by the federal case.

At a news conference Wednesday, King's attorney, Steven A. Lerman, said federal prosecutors would win convictions, but only if King is allowed to testify. In the state trial, neither side called King to the stand and many observers later said it had led to the not guilty verdicts.

"I don't think there's any question that for the prosecution to be successful this time, they will have to call Rodney King as a witness," Lerman said. "And he looks forward to it."

Federal prosecutors would not comment on whether they would call King, but they are reviewing the earlier case for ideas on how to conduct this one. Although that gives them an advantage, they also face a tougher burden this time.

State prosecutors needed only to show that excessive force was used against King, but their federal counterparts need to show that the officers not only deprived King of his civil rights but that they "willfully" did so.

They do not, however, need to prove that the beating was racially motivated.

That is because the indictments charge the officers with depriving King of his right to be safe while in police custody, secure in his person and free from intentional use of unreasonable force. Those rights extend to all citizens, regardless of

their race, and any government officer who violates them intentionally can be charged under the federal statute.

But while racial motivation does not need to be proved, it could be introduced to help demonstrate that the officers' actions were a willful attempt to deprive King of his rights.

Assistant U.S. Atty. Steven Clymer said he could not comment on the case or what approach prosecutors might adopt, but he said racial animus can be introduced in civil rights cases to show the state of mind of the defendants.

The federal investigation of the King beating has attracted attention at the highest levels of government. President Bush, for instance, announced in a nationally televised speech that he was stunned by the not guilty verdicts in state court. With Bush in a tight battle for reelection, some pundits speculated that the federal indictments were timed to help the President's campaign.

Asked whether he thought the indictments were politically motivated, Powell replied: "Sure. Bush is the one who asked for it."

Baird, whom Bush recently nominated for a federal judgeship, denied that politics played a role in the investigation or the indictments.

"Absolutely not," she said. "There has been no direction by anyone in the Department of Justice or the White House that we were to have indictments by any date. We were given full discretion and leash to be able to do what we felt was appropriate."

Attorneys for the officers were contacted Wednesday morning, and all four men will be asked to surrender to federal authorities, Baird said. They are expected to appear before a magistrate this morning and return on Monday for arraignment.

In the state case, lawyers for the officers successfully argued that pretrial publicity made it impossible to find an impartial jury in Los Angeles, and the case was moved to Simi Valley. But even in the wake of the riots and the extraordinary public scrutiny the unrest has focused on the federal case, it is less likely this trial will be moved, experts said. Changes of venue in federal court are much rarer than they are in state court.

The Central District of California includes seven counties and 16 million people, and Stone said he did not expect the change of venue issue to be a significant one because of the large jury pool. Baird agreed.

"I am very confident that we can find a fair and impartial jury," she said.

No date has been set for the federal trial, though some people close to the case said they hoped it would reach a judge before the end of the year.

Many issues could complicate the schedule, among them the question of who will represent the officers.

The Police Protective League spent about $500,000 for the officers' legal fees during the state trial. That expenditure, combined with its sponsorship of an unsuccessful campaign against Charter Amendment F, the police reform measure, have left its treasury depleted, a source said Wednesday. As a result, the union may not be able to spend as much on the legal defense for this case, and if new lawyers need to be appointed it could delay the trial for months.

Koon's attorney, Darryl Mounger, said Wednesday that he would not be representing the police sergeant. Mounger declined to comment on whether money was a factor, saying only that he has several other complicated cases pending and could not take on the federal trial.

Whenever the case is heard, there is agreement among officials and community leaders that it will be argued under a microscope, and many residents who were dismayed by the outcome of the state case said they will watch this one closely.

State Sen. Diane Watson (D-Los Angeles), who was at Baird's news conference, said she was thrilled about the indictments, but added that Wednesday's announcement only begins the new case.

"Now," she said, "I'm going to pray for justice."

Times staff writers Richard A. Serrano and Rich Simon contributed to this story.

(Mount Clipping in Space Below)

U.S. indicts 4 King officers

Civil-rights violations charged in '91 taped beating of motorist

By Philipp Gollner
Daily News Staff Writer

Four LAPD officers whose state-court acquittals in the Rodney King beating sparked the nation's worst contemporary urban riots were indicted Wednesday by a federal grand jury on charges they violated the African-American motorist's civil rights 17 months ago.

Seen by community leaders as a first step in restoring public confidence in the criminal justice system, the two-count indictment accuses Sgt. Stacey Koon and Officers Laurence Powell, Theodore Briseno and Timothy Wind of violating King's civil rights under the color of authority.

"The officers were charged with stomping, kicking and beating King," Lourdes G. Baird, the U.S. attorney in Los Angeles, told reporters at a downtown news conference. "It was an unreasonable use of force."

Attorneys for the four officers who for weeks had been expecting the filing of federal charges branded

(Indicate page, name of newspaper, city and state.)
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FBI — LOS ANGELES

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the indictment as "unconscionable and immoral," motivated by politics.

Baird insisted politics played no role in the indictments, saying the case is being handled by career prosecutors "who have absolutely no political stake in this whatsoever."

The indictment accuses Powell, Briseno and Wind of acting under color of authority to "willfully strike with batons, kick and stomp Rodney Glen King, . . . resulting in bodily injury" and depriving him of his civil rights.

A second count accuses Koon — the supervising officer at the scene of the March 3, 1991 beating — of permitting the other three officers to beat King and violate King's civil rights.

If convicted, each officer faces up to 10 years in prison and a $250,000 fine, prosecutors said.

Stage set for trial

The federal indictment sets the stage for a reprise of a Ventura County Superior Court trial that cleared the officers on 10 of 11 criminal charges and sparked three days of rioting that left 60 dead and caused more than $800 million in damage.

"There will be some optimism that some justice will be brought to bear in this case," said Joe Hicks, executive director for the Southern Christian Leadership Conference in Los Angeles.

Other civic and community leaders feared the indictments could spell new trouble for a city looking to heal.

"I'm going to be holding my breath and crossing my fingers, hoping that I don't wake up to the verdict we got April 29," said Danny Bakewell, of the Brotherhood Crusade.

But Baird, in announcing the indictment, sought to reassure the community: "I'm not thinking about an acquittal," she said.

Powell, 29, facing an October retrial in state court on a criminal charge of assault under color of authority, said Wednesday he is innocent of the charges.

"I didn't do anything wrong," Powell said. "I can't believe they're doing this again to me. I did what I was supposed to do in that situation."

Briseno said the indictment was unexpected.

"Very surprising," Briseno told reporters gathered outside the federal courthouse. "Definitely not ready for them."

Baird said the officers were invited to surrender to authorities today in Federal District Court in Los Angeles, and an arraignment has been scheduled for Monday.

The officers are expected to be released on personal recognizance guarantees.

Powell was seen entering the courthouse Wednesday to talk to a pretrial services representative. A pretrial services official declined to comment on the meeting, but Powell's lawyer, Michael P. Stone, said his client was hoping to arrange a release on his own recognizance.

Koon's attorney, Darryl E. Mounger, said his client would surrender today. Attorneys for Wind and Briseno could not be reached for comment.

Rodney King was at a friend's house when he heard the 9:30 a.m. announcement on television, according to his lawyer, Steven A. Lerman.

"I hope now they can see what those men did to me," Lerman quoted King as saying. "I want my chance to tell a jury what it was like being beaten and stomped. I've done nothing wrong. I hope they get justice.

"It's not just for me," Lerman said he was told by King. "It's for everybody else."

Issued late Tuesday, the indictment was sealed overnight so law-enforcement officials could prepare for any unrest following the announcement, said Baird, who notified Los Angeles Police Chief Willie L. Williams on Tuesday evening.

No violence related to the indictments was reported as of Wednesday afternoon, an LAPD spokesman said.

Investigation continues

Baird said the investigation was continuing and that other indictments were "very likely" but she declined to comment on specifics of the case or evidence.

Stone said Powell's defense would be the same.

"I don't see this case as any different from any other police use of force case," Stone said. "It's simply a question of use of force and whether or not it is reasonable."

Mounger also denounced the indictments.

"I understand the politics about it, but I don't think it's legally correct or morally correct," Mounger said. "This was a case of a police officer trying to arrest a suspect . . . and it was within the parameters of the law. For them to charge him twice — once in state court and again in federal court — is unconscionable and immoral."

Charlie Parsons, agent-in-charge of the FBI's Los Angeles office, said as many as 17 FBI agents have been working on the King case full time since it was revived after the not-guilty verdicts.

An earlier federal probe was suspended while the state case proceeded.

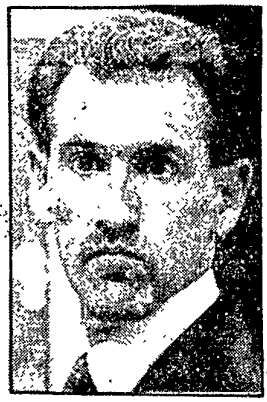
"This is not a normal case," Parsons said. "This case has had a profound effect on law enforcement and the community. It caused a riot."

Baird said Wednesday that she saw no problem in finding a fair and impartial jury because the court's jurisdiction extends over seven counties from San Luis Obispo to San Bernardino — an ethnically and racially diverse area of 16 million residents.

Many blamed the acquittals in the state trial on the largely white, pro-law enforcement jury drawn from heavily middle-class Ventura County.

FEDERAL CHARGES AGAINST DEFENDANTS

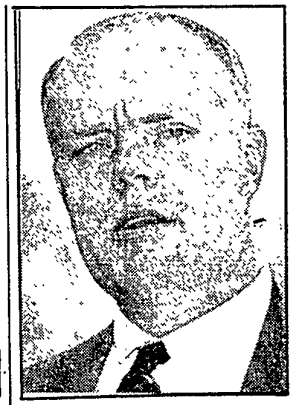
Following are the federal charges facing the four defendants in the Rodney King beating case:



OFFICER THEODORE BRISENO

Accused of acting under color of authority to beat King and deprive him of his civil rights.

Briseno is a 10-year LAPD veteran who worked in the Foothill Division from 1984 until his suspension without pay after the King beating. He is married and has two children.



SGT. STACEY KOON

Accused of failing to prevent an unlawful assault by the officers under his command.

Koon is a 15-year LAPD veteran. Koon is married with five children. He is currently suspended without pay pending an internal Board of Rights hearing.

OFFICER LAURENCE POWELL

Accused of acting under color of authority to beat King and deprive him of his civil rights.

Powell worked as a reserve officer for two years before becoming a full-time officer in June 1987. Unmarried, Powell is currently suspended without pay pending an internal Board of Rights hearing.

OFFICER TIMOTHY WIND

Accused of acting under color of authority to beat King and deprive him of his civil rights.

Wind joined the LAPD in May 1990 and was considered a probationary rookie at the time of the King beating. He was fired by then-Police Chief Daryl F. Gates. Wind is married and has one child.

Retta Kossow of Ojai and a juror in the Superior Court case, called the federal indictment appalling and politically motivated, saying the case should have been closed with their verdicts.

"The jurors did what we felt was right based on the judge's directions and thought that was the end of the process," Kossow said. "I just don't think another trial is justified, and I am totally appalled by this whole process."

The federal indictment was noteworthy for what it left out as much as for what it included, legal experts said. Contrary to early speculation, none of the officers — who are all white — were accused of racism in the beating of King, who is African-American.

An anticipated conspiracy charge also was not filed in the federal case.

"At this time, we do not have a conspiracy charge, but as I said, the investigation is continuing," Baird said. "We want to move forward expeditiously. We certainly don't have a deadline.

Factors in decision

Legal experts speculate the decision to leave racism out of the criminal charges cases the government's task because of the difficulty of proving racist motivation beyond a reasonable doubt — the standard required for a criminal conviction.

Still, prosecutors may need to show racism to prove the charge that the officers intended to deprive King of his civil rights, said Laurie Levenson, a former federal prosecutor in Los Angeles who now teaches at Loyola Law School.

"One important way of showing intent is to show a motive, and in this case the claim may be a racial motive." Levenson said.

Levenson and other experts said conspiracy is difficult to prove — especially in a case such as this where events transpired quickly with little time for planning.

"The notion that these officers as they were engaged in a high-speed chase were somehow agreeing with each other to beat King strains credulity," said UCLA Law School Professor Peter Arenella.

The federal grand jury has been meeting in secret since shortly after the riots, when President Bush publicly denounced the verdicts and called for a federal probe into the beating.

Preceded by a high-speed chase ending in Lake View Terrace on March 3, 1991, the beating was captured on videotape — a key piece of evidence relied upon by prosecutors in the first trial.

The grand jury has heard testimony from more than 80 Los Angeles police officers — some who stood by during the beating — as well as from scores of other witnesses including King himself. An additional 20 officers were interviewed by FBI agents.

Evidence handed over

"If you were in the same room with Powell, Wind, Koon or Briseno in the last six years, you were subpoenaed," said Diane Marchant, who represented many of the officers called to testify. "They have called people back from vacation and retired people from Bakersfield. It's a lot more thorough than the county grand jury."

A week ago, a Superior Court judge ordered evidence in the state trial — including the batons used against King and boots used to kick him — handed over to the grand jury.

Daily News Staff Writers Rene Lynch, Jaxon Van Derbeken, Stephanie Brommer and Carmen Ramos Chandler contributed to this report.

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THE OUTLOOK
SANTA MONICA, CA
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(Mount Clipping in Space Below)

King case shift not unprecedented

By Rene Lynch
LOS ANGELES DAILY NEWS

Prosecuting law enforcement officers under the federal civil rights statute cited in the indictment of four Los Angeles Police Department officers in the Rodney King beating case is unusual but not unprecedented, legal authorities said.

The federal laws under which Sgt. Stacey C. Koon, officers Laurence M. Powell and Theodore J. Briseno, and ex-officer Timothy E. Wind are charged were designed to take over when state prosecutions fail — as happened in the King beating case when jurors acquitted the officers on all but one count on which they could not reach a unanimous verdict.

The laws evolved out of a desire to make sure that African-Americans were able to find justice in the South at a time when local law enforcement officials — prosecutors, judges and even juries — often refused to treat minorities equally, said Kevin Reed, western regional counsel of the NAACP Legal Defense and Education Fund.

U.S. Attorney Lourdes Baird said Wednesday that the charges do not include allegations that there was a racial element to the beating of King, who is African-American, by white police officers. They allege a violation of civil rights that could be applied to anyone of any race, she said.

But many legal authorities and activists said that the officers' actions and words before and after the incident show that race played a role in the attack. Many also say race will become an issue as the prosecution tries to prove its case.

The unusual prosecution raises a series of other questions, including:

■ **Question:** How do the federal charges differ from state charges stemming from the March 3, 1991, beating in the Los Angeles area of Lake View Terrace?

■ **Answer:** The state case alleged the officers assaulted King and abused the authority granted them as police officers. The federal case asserts that King's civil rights were violated and is based on the Justice Department's authority to protect the constitutional rights of all citizens.

■ **Q:** Why can't the four officers be tried again on the state charges?

■ **A:** Under the "double jeopardy" rule, the government is prohibited by the U.S. Constitution from retrying defendants who have been acquitted. But defendants can be retried if a jury fails to reach a verdict against them — and Officer Laurence Powell faces a retrial in state court on the single assault charge that resulted in a deadlocked jury in the first trial.

Some critics contend that the federal prosecution of the officers violates that protection against double jeopardy, but federal officials say civil rights violations constitute a separate crime.

■ **Q:** What must federal prosecutors prove?

■ **A:** The burden in federal court is the same as in state court — proof of guilt beyond a reasonable doubt. Federal prosecutors must convince jurors that Powell, Wind and Briseno "willfully and intentionally" deprived King of his civil rights by beating him and Koon violated King's rights by failing to protect him from the officers under his supervision.

LA-LA-119954-D-324

■ Q:: Are such federal prosecutions difficult?

■ A: Opinions differ on this because of ambiguities over proving not just that civil rights violations occurred, but that the officers exhibited intent to deprive King of his rights. Some legal experts say that prosecutors have broad advantage in proving that if conduct occurred, there was intent. But evidence the beating occurred is not enough to convict — prosecutors must prove the officers specifically intended to violate King's civil rights.

■ Q: Have there been other cases in which federal prosecutions of officers have succeeded in Southern California after local prosecutions failed?

■ A: Former California Highway Patrol officer Michael Gwaltney of Barstow was convicted in federal court nearly a decade ago on charges that he violated the civil rights of a woman slain in January 1982. Two state court murder trials of Gwaltney earlier had ended in mistrials. After his conviction in federal court, Gwaltney was sentenced to 90 years in prison.

■ Q: What is the expected timetable of the proceedings in this case?

■ A: The defendants are scheduled to be arraigned Monday, at which time a pre-trial hearing will be set. U.S. Attorney Baird has not announced a preferred trial date, but federal prosecutions generally move quicker than state prosecutions, officials said. The King case took about one year to get to trial in Simi Valley after the defense won a change of venue.

(Mount Clipping in Space Below)

4 LA officers face federal charges now

▶ U.S. Attorney Lourdes G. Baird said politics played no role in the King beating indictments, while LA's chief FBI agent said: "This is not a normal case."

By Philipp Gollner
Los Angeles Daily News

LOS ANGELES

Four Los Angeles Police Department officers whose state-court acquittals in the Rodney King beating sparked intense rioting have been indicted by a federal grand jury on charges that they violated the black motorist's civil rights.

Seen by community leaders as a first step in restoring public confidence in the criminal justice system, the two-count indictment — unsealed yesterday — accuses Sgt. Stacey Koon and Officers Laurence Powell, Theodore Briseno and Timothy Wind of violating King's civil rights under the color of authority.

"The officers were charged with stomping, kicking and beating King," Lourdes G. Baird, the U.S. attorney in Los Angeles, told reporters at a downtown Los Angeles news conference.

"It was an unreasonable use of force."

Attorneys for the four officers who for weeks had been expecting the filing of federal charges branded the indictment as "unconscionable and immoral," motivated by politics.

Baird insisted politics played no role in the indictments, saying the case is being handled by career prosecutors "who have absolutely no political stake in this whatsoever."

The indictment accuses Powell, Briseno and Wind of acting under color of authority to "willfully strike with batons, kick and stomp Rodney Glen King . . . resulting in bodily injury" and depriving him of his civil rights.

A second count accuses Koon — the supervising officer at the scene of the March 3, 1991 beating — of permitting the other three officers to beat King and violate King's civil rights.

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If convicted, each officer faces up to 10 years in prison and a $250,000 fine, prosecutors said.

The federal indictment sets the stage for a reprise of a Ventura County Superior Court trial that cleared the officers on 10 of 11 criminal charges and sparked three days of rioting that left 60 dead and caused more than $800 million in damage.

"There will be some optimism that some justice will be brought to bear in this case," said Joe Hicks, executive director for the Southern Christian Leadership Conference in Los Angeles.

Other civic and community leaders feared the indictments could spell new trouble for a city looking to heal.

"I'm going to be holding my breath and crossing my fingers, hoping that I don't wake up to the verdict we got April 29," said Danny Bakewell of the Brotherhood Crusade, a civil rights group.

But Baird, in announcing the indictment, sought to reassure the community: "I'm not thinking about an acquittal," she said.

Powell, 29, facing an October retrial in state court on a criminal charge of assault under color of authority, said yesterday he is innocent of the charges.

"I didn't do anything wrong," Powell said. "I can't believe they're doing this again to me. I did what I was supposed to do in that situation."

Baird said the officers were invited to surrender to authorities today in U.S. District Court in Los Angeles, and an arraignment has been scheduled for Monday.

The officers are expected to be released on personal recognizance guarantees.

Rodney King was at a friend's house when he heard the 9:30 a.m. announcement on television, according to his lawyer, Steven A. Lerman.

"I hope now they can see what those men did to me," Lerman quoted King as saying. "I want my chance to tell a jury what it was like being beaten and stomped. I've done nothing wrong. I hope they get justice.

Baird said the investigation was continuing and that other indictments were "very likely" but she declined to comment on specifics of the case or evidence.

Stone said that Powell's defense would be the same.

"I don't see this case is any different from any other police use-of-force case," Stone said. "It's simply a question of use of force and whether or not it is reasonable."

Mounger also denounced the indictments.

"I understand the politics about it, but I don't think it's legally correct or morally correct," Mounger said.

Charlie Parsons, agent-in-charge of the FBI's Los Angeles office, said that as many as 17 FBI agents have been working on the King case full-time since it was revived after the not-guilty verdicts.

An earlier federal probe was suspended while the state case proceeded.

"This is not a normal case," Parsons said. "This case has had a profound effect on law enforcement and the community. It caused a riot."

Baird said yesterday that she saw no problem in finding a fair and impartial jury because the court's jurisdiction extends over seven counties from San Luis Obispo to Riverside and San Bernardino — an ethnically and racially diverse area of 16 million residents.

Many blamed the acquittals in the state trial on the largely white, pro-law enforcement jury drawn from heavily middle-class Ventura County.

The federal indictment was noteworthy for what it left out as much as for what it included, legal experts said. Contrary to early speculation, none of the officers — who are all white — was accused of racism in the beating of King, who is African-American.

An anticipated conspiracy charge also was not filed in the federal case.

Legal experts speculate the decision to leave racism out of the criminal charges eases the government's task because of the difficulty of proving racist motivation beyond a reasonable doubt — the standard required for a criminal conviction.

Still, prosecutors may need to show racism to prove the charge that the officers intended to deprive King of his civil rights, said Laurie Levenson, a former federal prosecutor in Los Angeles who now teaches at Loyola Law School.

"One important way of showing intent is to show a motive, and in this case the claim may be a racial motive," Levenson said.

Levenson and other experts said conspiracy is difficult to prove — especially in a case such as this where events transpired quickly with little time for planning.

"The notion that these officers as they were engaged in a high-speed chase were somehow agreeing with each other to beat King strains credulity," said University of California, Los Angeles, Law School Professor Peter Arenella.

The federal grand jury has been meeting in secret since shortly after the riots, when President Bush publicly denounced the verdicts and called for a federal probe into the beating.

Preceded by a high-speed chase ending in the Los Angeles area of Lake View Terrace on March 3, 1991, the beating was captured on videotape — a key piece of evidence relied on by prosecutors in the first trial.

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Officers' Indictment Called Political

■ King case: Prosecutors deny defense attorneys' charge that they were under pressure from Washington.

By JIM NEWTON
TIMES STAFF WRITER

Four Los Angeles police officers accused of violating Rodney G. King's civil rights made their first appearance in federal court Thursday, and afterward several of their lawyers accused prosecutors of filing the new charges for political reasons.

"This is a political case, not a legal case," said Harland W. Braun, who has been retained to represent Officer Theodore J. Briseno in the federal case. "The legal system is very political. This is a political year."

Braun's comments were echoed by Paul DePasquale, who represents former LAPD Officer Timothy E. Wind.

"Sure, it's a political action," DePasquale said. "We've been hearing that ever since" a Ventura County jury acquitted the officers on all but one count in state court.

Briseno, Wind, Laurence M. Powell and Sgt. Stacey C. Koon were indicted by a federal grand jury Tuesday, and the indictments were announced the next day. Briseno, Wind and Powell are charged with beating King and in the process violating his rights to be secure and free from unreasonable force. Koon, who is charged in a separate count of the indictment, is accused of failing to prevent the assault, and therefore violating King's right to be free from harm while in custody.

Defense lawyers say they believe the White House pressured local prosecutors to indict all four of the officers to demonstrate the federal government's commitment to prosecuting civil rights charges. Lourdes G. Baird, U.S. attorney for the Central District, vehemently denies that Washington put any pressure on her or her office.

As the officers left court Thursday, Briseno and Powell fielded questions.

"I didn't commit any criminal act," said Powell. "I did what I was taught to do."

On April 29, a Ventura County jury found the four officers not guilty on all counts except one against Powell, who faces a retrial in October on a charge of using excessive force under color of authority. Those verdicts touched off looting and rioting in Los Angeles and in cities across the country.

Briseno, who testified in the state case that he tried to stop the beating, told reporters that he was stunned to be included in the federal indictments. Braun, his lawyer, said he suspected prosecutors wanted Briseno under indictment to pressure him to testify again against the other officers.

"I'm upset and I'm angry," Briseno said of the new charges. "I don't understand why they're

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putting me through this again."

While Powell spoke to reporters, Koon stood a few feet away, but would say only one sentence, which he repeated regardless of what he was asked. "Everything's in the book, and the book comes out in October," Koon said, referring to a manuscript he has written on the King case and his years in the LAPD.

As the case enters the federal arena for the first time, lawyers said they hope it can come to trial by this fall, although it could take longer because the federal charges may require them to interview new witnesses and review additional evidence.

The most notable difference in this trial may be that King is likely to be called to testify. In fact, lawyer Michael P. Stone, who represents Powell, said that he intends to call King even if prosecutors decide not to.

"The community needs to see that guy for what he is," Stone said. "He is a felon who was trying to escape custody."

All four officers surrendered voluntarily Thursday. They appeared in a hushed and overflowing federal courtroom, where they answered a few routine questions from a magistrate judge before he ordered them to post unsecured bonds of $5,000 each.

That is roughly what each posted during their state trial. Although the $5,000 bond was recommended by the federal court's pretrial services office and was accepted as fair by prosecutors, some critics immediately assailed it as too low.

Three defendants in the beating of truck driver Reginald O. Denny—an attack that some have cast as a mirror-image reprise of the King incident—are being held on bonds ranging from $500,000 to $580,000. Although they are charged with more than just the Denny attack and all have criminal records, some of their supporters contend that the discrepancy in bail amounts reflects an unequal system of justice.

"What it shows to the country is that there are two levels of justice—one white and one black," said Celes King, a bail bondsman and chairman of the Congress of Racial Equality. "The setting of $5,000 bail is tantamount to no bail at all."

Earl Broady, a lawyer representing one of the defendants in the Denny attack, agreed. "That's just terribly unfair," he said.

Lawyers for the officers, however, noted that all four have made every court appearance since their case began more than a year ago, that none have criminal records and that all have strong ties to the community.

"They're all going to show up," Braun said. "There's no reason to punish them with high bail."

Before the federal trial of the officers begins, lawyers said that at least two issues will have to be settled: whether there will be a change of venue and whether the federal charges represent double jeopardy, since the officers already have been tried in state court.

Because the federal judicial district that includes Los Angeles spans seven counties, defense lawyers agreed that a change of venue is unlikely because the jury pool is so large. Still, DePasquale said he planned to investigate the issue.

Several legal experts also agreed that there is little likelihood of successfully arguing the double-jeopardy issue, since the state and federal government are different sovereign entities.

Moreover, Kevin Reed, an attorney with the NAACP Legal Defense and Educational Fund, said the federal counts are markedly different than those filed in state court. This time the officers are charged with intentionally depriving King of federally protected rights, as opposed to merely being charged with beating him.

Nevertheless, DePasquale and Braun said they expect to research the question and determine whether there are legal reasons for dismissing the federal charges on those grounds.

(Mount Clipping in Space Below)

2 veterans to try King beating case

Pair is dedicated, capable, peers say

By Philipp Gollner
Daily News Staff Writer

The federal prosecutors assigned to try four Los Angeles police officers indicted in the Rodney King beating kept largely to themselves last week, but they're no strangers to the spotlight.

Barry Kowalski and Steven D. Clymer may maintain the low profile preferred by many Justice Department prosecutors, but both have won convictions in high-profile cases.

Assisted by up to 17 FBI agents and other prosecutors, both men have been working full-time on the King case since a federal grand jury began investigating the beating, in the wake of rioting that followed the acquittals of the officers on state charges.

Officers Laurence Powell, Timothy Wind, Theodore J. Briseno and Sgt. Stacey Koon were indicted on federal charges of violating King's civil rights during the March 3, 1991, videotaped beating in Lake View Terrace that followed a high-speed chase.

Kowalski and Clymer bring to the case a combined total of more than 17 years' experience as federal prosecutors.

Kowalski, 47, has prosecuted some of the most prominent racial violence cases in the last decade.

He helped secure the convictions of two neo-Nazis in the machine-gun killing of Denver talk-show host Alan Berg, who was slain as he stepped from his car in front of his house in June, 1984. Berg, who was Jewish, was an outspoken critic of white supremacist groups.

The trial provided insights into the workings of the white supremacist group known as The Order, which was among several "Aryan Nations" groups that had declared war against what it termed the "Zionist Occupation Government" in the United States.

Kowalski, who is deputy chief of the criminal section of the Justice Department's Civil Rights Division in Washington D.C., also led the federal grand jury investigation of the Ku Klux Klan members who lynched Michael Donald, a young African-American man, in Mobile, Ala., in 1981.

The investigation resulted in one defendant, James T. Knowles, pleading guilty to civil rights charges and accepting a life sentence, Kowalski said. Knowles agreed to testify against a second defendant, who was convicted and is awaiting execution on Alabama's death row, Kowalski said.

In 1988, Kowalski won the convictions of six skinheads on charges of conspiring to run African-Americans and Latinos out of a Dallas park. Eleven others pleaded guilty in the case, he said.

Those who know him describe Kowalski as a hard-driving, dedicated career prosecutor.

'He's very meticulous with the facts," said Morris Dees, chief trial counsel for the Southern Poverty Law Center in Montgomery, Ala. "They are going to have the facts together better than even the public thinks exists" in the King case.

"I personally think the first trial

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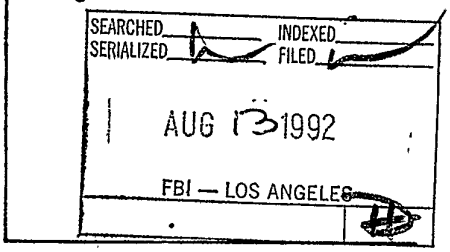

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was botched by the prosecution," said Dees, whose center relied on evidence from Kowalski's criminal prosecution to obtain a $7 million civil judgment against the Ku Klux Klan in the slaying of Donald.

"I think they had to show the tape over and over, which made Rodney King an inanimate object," Dees said. "You will see with Barry a very professional prosecutor who has a lot of experience trying police officers on violating civil rights."

Prosecutors have declined to discuss the case in detail, but it is widely expected that King will be asked to testify. The prosecution's decision not to call him to the stand in the state case was seen by some as leading to the acquittals.

Dees also said Kowalski knows how to score points with the jury with his straightforward manner and sense of humor.

"Kowalski's one of the best. That's for sure," Dees said.

Clymer, 34, is seen as one of the rising stars of the U.S. Attorney's Office in Los Angeles, having won numerous convictions including those of two men charged with first-degree murder in the killings of two federal drug agents in an undercover heroin deal in Pasadena in 1988.

One of the killers is serving life in prison without possibility of parole. The other received a 61-year sentence, Clymer said.

"He's one of the most outstanding trial attorneys in our office," said Terree A. Bowers, chief assistant U.S. attorney in Los Angeles.

Clymer is no newcomer to police prosecutions. As an assistant district attorney in Philadelphia from 1983 to 1987, he headed the indictments of 27 officers and civilians in a wide-ranging corruption scandal.

The probe uncovered evidence of police accepting bribes from illegal lotteries and gambling organizations for helping shut down competitors, Clymer said.

"You pay a guy 500 bucks a month to park a black-and-white in front of the competition, and nobody goes to the competition," Clymer said.

Clymer is also the lead prosecutor in the last "Operation Polar Cap" case involving money laundering in the downtown jewelry district.

Clymer, a graduate of Cornell University and Cornell Law School, joined the U.S. Attorney's Office in Los Angeles in 1987. He has headed the office's major crimes, training and narcotics sections.

Clymer said he likes the freedom of being a prosecutor.

"I like being in court," Clymer said. "Prosecuting provides more opportunity to be in court. You call your own shots. I can make my own cases and make my own decisions."

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Eds: ADDS background on Davies, in grafs eight-11.
By JAKE DOHERTY
City News Service
LOS ANGELES (CNS) - Three Los Angeles police officers and one former officer accused of violating Rodney King's civil rights pleaded not guilty to the federal charges today.
The four were named in a federal grand jury indictment filed in connection with the videotaped beating of King that followed a car chase on March 3, 1991.
Officers Laurence M. Powell and Theodore J. Briseno and ex-officer Timothy E. Wind are charged with intentional use of unreasonable force for allegedly beating, kicking and stomping the Altadena motorist.
Sgt. Stacey Koon is charged with failing to stop the unlawful assault by officers under his supervision.
The men faced similar criminal charges in a state case. But, under federal law, they are accused of violating King's right to be secure from unreasonable force and free from harm while in custody.
During the arraignment, the defendants answered a series of questions from U.S. Magistrate Judge Robert Stone, then stepped to the microphone to plead not guilty.
Stone, who set a tentative Sept. 29 trial date, drew the name of U.S. District Judge John G. Davies to preside in the case. But Davies, who was out of town today, already is assigned to King's civil case against the city of Los Angeles.
Davies may decide to take the criminal case as well, or ask that it be assigned to another judge, Stone said.
Davies, born in Australia in 1929, emigrated to the United States as a young man. He has a law degree from UCLA and was a gold medalist swimmer at the 1952 Olympic Games in Helsinki.
Although much of his background is in civil law, attorneys regard Davies as an even-handed jurist in both criminal and civil proceedings. President Ronald Reagan appointed Davies to the federal bench in 1986.
The federal investigation into the King beating began shortly after the March 3 incident, but it was put on hold until the conclusion of the state case against the four defendants.
The men surrendered voluntarily last week and were allowed to remain free, after agreeing to post unsecured appearance bonds of $5,000 each.
The men will have to pay the $5,000 if they fail to make their scheduled court appearances. They also must telephone court officers once a week and visit the courthouse monthly until their trial begins.
On April 29, a Simi Valley jury acquitted all the officers but Powell of all of the state charges against them. The panel was unable to reach a verdict on whether Powell used excessive force against King.
District Attorney Ira Reiner sought a retrial on the single count against Powell, and an Oct. 19 trial date has been set.
But on Friday, Van Nuys Superior Court Judge Stanley Weisberg put Powell's state retrial on hold, pending resolution of the federal case.
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Civil suit begins against King beating defendant

By The Associated Press

Police Sgt. Stacey Koon, a defendant in the Rodney King videotaped beating case, is accused in a separate civil suit of helping to cover up officer misconduct in a 1989 shooting case.

Attorney John Burton said in opening statements in Los Angeles on Tuesday that his client, John Shelton Jr., was mistaken for a robbery suspect and shot in the chest by police.

Koon is accused in the suit of telling officers how to cover up the incident in department reports of the July 22, 1989 incident. Koon is one of four officers indicted last week on federal charges of civil rights violations in the 1991 King beating.

Shelton's suit seeks an unspecified amount in damages for violations of his civil rights.

The man, who was on parole at the time of the incident, spent nearly a year in prison despite charges being dropped when the alleged victim refused to testify.

Shelton was jailed for 11 months after officers told a parole board hearing that he had committed the robbery, Shelton's attorney claimed.

Koon's lawyer, Thomas Feeley, said his client did not supervise the Police Department's investigation of the officer-involved shooting and should not be included in the list of defendants that also names former Police Chief Daryl Gates, the City of Los Angeles and 15 other officers.

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King won't be prosecuted for DUI

By The Associated Press

Orange County authorities declined to file charges against Rodney King stemming from his arrest last month in a restaurant parking lot for investigation of drunken driving, a prosecutor said Wednesday.

"Based on a review of the evidence we didn't feel there was a reasonable likelihood that a jury would convict Mr. King," said Deputy Orange County District Attorney Marc Kelly.

"Our standard of proof is beyond a reasonable doubt and is highly different from a police officer's standard of probable cause to arrest somebody," Kelly said.

King, the man whose 1991 beating by Los Angeles police shocked the nation, was arrested at 2 a.m. July 16 after two California Highway Patrol officers saw him driving erratically in a Denny's restaurant parking lot in Orange.

At the jail, King, 27, refused to take blood, breath or urine tests and his license was taken, in accordance with California law. He was issued a 45-day license. Kelly said King still faces a Department of Motor Vehicles hearing Aug. 28.

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^Powell Retrial, 1st Ld
By KURT PITZER
City News Service
VAN NUYS (CNS) - A judge today indicated he will dismiss the remaining count against the only defendant not completely exonerated of state charges in the Rodney King beating case, because the police officer faces similar federal allegations.
``It is obvious ... that the federal charge against Mr. (Laurence) Powell and his co-defendants involves the same general subject matter as the state case,'' said Superior Court Judge Stanley Weisberg. ``It really should not matter whether (a) retrial occurs in federal court or state court, as long as it occurs.''
Prosecutor Terry White agreed.
Outside the courtroom, White told reporters: ``If we wait until they have a verdict (in the federal case), we're going to be in a situation where, if it's a hung jury, we can retry Powell or (federal prosecutors) can retry him again.''
And, he said: ``There needs to be a second trial in this matter. I don't think justice was done in the first trial. So I'm not disappointed. It doesn't matter to me, whether it's done in the state court or the federal court.''
White led the prosecution effort in Simi Valley, which ended April 29 with acquittals of two Los Angeles police officers, and one former LAPD officer. Powell was found innocent of all but one of the charges against him.
Jurors were unable to reach a verdict on that assault under color of authority count, and the prosecution later asked for and got permission to retry Powell on that matter, which was the subject of discussion in court today.
Weisberg, who presided in the Simi Valley trial that sparked the worst urban rioting this centu^y, schedulmd a Dec. 4 hearing on the Powell matter, assuming the federal trial would have been resolved by then.
It is set for trial on Sept. 29, but is expected to start some time after that.
Attorney Michael Stone, who represents Powell, was pleased by today's action. Stone said he was a bit surprised.
``I thought the position of the district attorney would be that `we'll keep this on hold until we finish the federal case,''' Stone said. ``It is good for Mr. Powell not to have to worry about two different trials.''
It is ``the only decision that could have been made,'' Stone.%9 ``I wanted the case to be dismissed today, but this is,Q%91emuch better than keeping it around languishing, while we go forward in federal court.''
Last week, White had indicated heW9Qthe state's retrial of Powell to go ahead of the federal prosecution, but he deferred to Weisberg, who saw it the other way.
``As the court stated, and we agreed, the retrial on basically the samu situation and the same facts would occur in federal court'' anyway, White said today.
In his petition to the court, Stone had written that ``a federal grand jury has handed up an indictment alleging Powell ... acted to deprive Rodney Glen King of his civil rights.
``It now appears virtually certain that the federal prosecution is going forward, and it should, in the interest of justice, be the final prosecution of Powell.''
Stone had noted that Powell could face up to 10 years in prison if he is convicted of the federal charges -- a term ``significantly greater than the potential penalty in this (state) matter.''
A federal grand jury indictment unsealed Aug. 5 charges Powell, Sgt. Stacey Koon, Officer Ted Briseno and fired probationary officer Timothy Wind -- the same four defendants in the state case -- with violating King's civil rights in the March 3, 1991, beating that followed a high-speed chase.
An amateur cameraman in Lake View Terrace captured the incident on videotape, which was later shown on television around the world.
City News Service 11:04 8/14/1992

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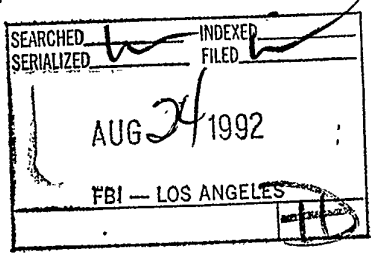

NBC ●

8-22

----- FOR IMMEDIATE RELEASE -----

NBC NEWS LEGAL CORRESPONDENT STAR JONES INTERVIEWS L.A.P.D. OFFICER TED BRISENO, ONE OF THE FOUR POLICEMEN INVOLVED IN THE RODNEY KING INCIDENT, ON THE SATURDAY EDITION OF "TODAY" ON AUG. 22.

FOLLOWING ARE EXCERPTS FROM THE INTERVIEW:

(A PORTION OF THE INTERVIEW WAS CONDUCTED A FEW HUNDRED YARDS FROM THE SITE OF THE BEATING.)

JONES: AS YOU STAND HERE IN THIS AREA WHAT KIND OF FEELINGS DO YOU HAVE ABOUT BEING HERE?

BRISENO: I HAVE MIXED FEELINGS YOU KNOW. I HAVE A LOT OF ANGER....NOT DIRECTED TOWARDS MR. KING. IT'S ANGER I'VE BUILT UP DIRECTED TOWARDS THE OFFICERS. I FEEL THAT THEY'RE THE ONES THAT PUT ME WHERE I AM. THEY PUT ME IN THIS POSITION. YOU KNOW, THIS COULD HAPPEN TOMORROW...WHAT I'VE SEEN, AND WHAT I'M HEARING IS THERE'S BEEN NO CHANGES. THERE'S BEEN NOTHING TO CHANGE THIS AS FAR AS THE TRAINING'S CONCERNED.

JONES: WE'RE STANDING IN THE SAME AREA WHERE CLOSE TO A YEAR AND A HALF AGO AN INCIDENT THAT HAS CHANGED THE COURSE OF THIS COUNTRY OCCURRED. MY QUESTION TO YOU IS, COULD THIS HAPPEN AGAIN?

BRISENO: I THINK SO. I'M AFRAID SO.

JONES: THERE CAME A TIME WHEN YOU YOURSELF MADE UP IN YOUR MIND, THIS IS NOT NECESSARY. WHAT HAPPENED TO MAKE YOU CHANGE YOUR MIND OR MAKE YOU MOVE ACROSS THAT LINE?

BRISENO: I WAS AFRAID WATCHING THIS AND WATCHING THIS ON MY FILM....I DON'T KNOW WHAT POWELL SAW OR ANYBODY ELSE OUT THERE. ALL I CAN SIT HERE AND TELL YOU IS WHAT I SAW AND I DIDN'T SEE ANYTHING BUT HIM LYING THERE, AND I'M THINKING, MY GOD, WHAT'S HE DOING, HE'S OUT OF CONTROL, HE'S GOT TO BE STOPPED. SO MY INTENTION NOW IS I GOT TO STOP POWELL. AS I'M WALKING I'M YELLING AT HIM, GET OFF.

JONES: SO WHAT DID YOU SAY?

BRISENO: GET OFF. THAT'S ABOUT THE NICEST I THINK I CAN SAY. I'M TELLING HIM TO GET THE "F" OFF, BACK OFF. AS I APPROACH HIM, AND IT'S ON THE VIDEO, I GRAB THE BATON AND I SAY, GET THE HELL OFF THIS MAN, GET OFF HIM.....I DON'T THINK THERE'S AN OFFICER ON THE STREETS OF LOS ANGELESE THAT HAS EVER WITNESSED ANYTHING, I HOPE TO GOD THERE'S NOT, THAT HAS EVER SEEN SOMETHING LIKE THIS.

BRISENO: ...HAD THAT SUPERVISOR (SGT STACEY KOON) MAYBE SAID STOP THERE'S NO DOUBT IN MY MIND THEY WOULD HAVE STOPPED, ABSOLUTELY NO DOUBT IN MY MIND THEY WOULD HAVE STOPPED. YOU DO WHAT A SUPERVISOR TELLS YOU. AND I THINK IT WOULD HAVE ENDED, NO QUESTION ABOUT IT.

JONES: OFFICER, IT'S NOW BEEN ABOUT FIFTEEN/SIXTEEN MONTHS SINCE THE NIGHT OF THE INCIDENT. HOW HAS YOUR LIFE CHANGED?

BRISENO: I'VE NEVER DISCUSSED IT FROM THE BEGINNING OF THE TRIAL EVEN UP TIL AS WE SPEAK NOW. THS IS THE FIRST TIME I'M REALLY DISCUSSING IT. THE KIDS DON'T SLEEP. IT'S THE LITTLE NIGHTMARES THAT THEY HAVE WANTING TO KNOW, WELL IS SOMEBODY COMING TODAY TO GET DADDY AND WHAT FOR. WHAT'S GOING TO HAPPEN? IT'S HARD TO EXPLAIN THAT TO A NINE YEAR OLD AND AN ELEVEN YEAR OLD WHO USED TO LOOK UP TO THEIR FATHER. IT'S KIND OF A REVERSED ROLE. THEY'S LIKE, WELL, YOU KNOW, DADDY'S A POLICEMAN. DADDY'S ALWAYS BEEN ON THE GOOD SIDE AND NOW IT'S LIKE THEY DON'T UNDERSTAND IT. AND WHAT IS REALLY HARD IS BECAUSE YOU GOT SOMEBODY LIKE MYSELF WHO I CAN'T, YOU KNOW, EXPLAIN THIS AND I DON'T UNDERSTAND IT. SO HOW AM I SUPPOSED TO...HOW AM I TO EXPLAIN THIS TO THE CHILDREN?.....THEN IT GETS DEEPER....WITH THE WIFE. THERE'S BEEN THIS CONSTANT PULLING APART. AND THERE'S PART OF US SAYING, OH WE GOTTA HANG ON; THE OTHER PART IS I CAN'T TAKE IT ANYMORE. I DONT'T SLEEP. SHE CAN'T SLEEP. THE FACT OF NO INCOME. I HAVE BILLS. I'VE HEARD A FEW COMMENTS THAT HAVE BEEN MADE PUBLICLY THAT CERTAIN PEOPLE WITHIN THE DEPARTMENT WERE TAKING CARE OF THE OFFICERS AND THEIR FAMILIES. WELL, IM HERE TO SAY THAT IT'S NOT SO. AND IF IT IS SO, I HAVEN'T RECEIVED A DIME.

JONES: YOU SAID YOU'RE ANGRY THAT IT'S ALWAYS BEEN "FOUR WHITE OFFICERS."

BRISENO: ALL YOU HAVE TO DO IS PICK UP ANY NEWS ARTICLE, ANYTHING FROM THE MEDIA, I DON'T CARE WHAT MAGAZINE AND WHAT PAPER, IT'S ALWAYS THE SAME THING: 'FOUR WHITE OFFICERS BEAT POOR BLACK MOTORIST.' AND I'M HISPANIC AND NOT WHITE AND I'M PROUD OF BEING HISPANIC. I DIDN'T BEAT MR. KING. SO I'M TIRED OF BEING LABELED AND PUSED IN THERE AS FOUR OFFICERS BEAT. THE WORD BEAT - THAT IRRITATES ME. AND THE MEDIA'S HAD TIME TO CORRECT ALL THESE THINGS, BUT THEY DIDN'T. I DID NOT TAKE PART IN A BEATING OF ANYONE. AND I THINK THE VIDEO CLEARLY SHOWS MY PART AND MY ROLE IN IT. AND THAT'S WHAT I THINK IS UPSETTING ME. I'VE LIVED WITH IT TOO LONG. IT'S GONNA BE WITH ME THE REST OF MY LIFE. I'VE BEEN ABSOLUTELY NUMBED BY IT. MY LIFE, MY WIFE, MY CHILDREN, OUR LIVES HAVE BEEN ALTERED. THEY'RE NEVER EVER GONNA BE THE SAME. IT'S WORSE THAN A DEATH IN THE FAMILY. WE'VE SUFFERED LOSSES IN OUR FAMILIES AND YOU CAN OVERCOME THAT. THIS IS SOMETHING THAT EVERY DAY I WAKE UP DAMN IT, WHATS THE FIRST THING ON MY MIND? THIS TRIAL. WHEN I GO TO BED AT NIGHT, WHAT'S THE LAST THING ON MY MIND? THIS TRIAL. THIS WHOLE THING. IT NEVER GOES AWAY.

PRESS CONTACT: TORY BEILINSON, NEWS INFORMATION, 212-664-6151

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Briseno Breaks Silence About King Beating

■ LAPD: Officer is defensive, bitter and angry as he describes his ordeal since that infamous night. He lashes out at politicians, the department and a co-defendant.

By JIM NEWTON
TIMES STAFF WRITER

Sitting in his lawyer's office, Theodore J. Briseno fidgeted in his chair, stared out the 18th-story window and took a deep breath.

After months of self-imposed silence, Briseno—facing federal civil rights charges in the March 3, 1991, videotaped beating of Rodney G. King—said he was eager to tell his version of the events that transformed him from an unknown street cop into one of the four most infamous police officers in the United States.

But the case has so overwhelmed Briseno's life that his feelings come out in bursts. Sometimes he is defensive and bitter, other times anguished.

"I have so much anger," Briseno, 40, said during a 2½-hour interview with The Times on Friday. "I don't know what to do with it all."

Once a supporter of President Bush, Briseno is furious with him for his comments about the case. He is mad at Mayor Tom Bradley for condemning the verdicts, at the Police Department for abandoning him, at one of his co-defendants for comments he made in a manuscript, at the media for the way they have covered the case and at the federal government for new charges it has filed.

All of that leaves Briseno tightly wound. He has gone for more than a year without a paycheck, and bills are piling up. He worries about his wife, Kathy, and his two daughters—one is 11, the other 9. He has trouble sleeping and eating, and says he has lost 22 pounds: the stiff-collared shirt he wore Friday hung loose around his thin neck.

He sees a therapist twice a week, and joked bleakly about suicide. Smiling thinly, he said that if he wanted to kill himself, he would have done it long before now.

"There are days where you think everything is going OK," Briseno said, nervously tugging at a rubber band wound around his left hand. "But then you sort of drift around, and you wake out of it and find yourself in your back yard, and you don't know how you got there or how long you've been there. It's overwhelming."

It has been 17 months since Briseno used his foot to push King to the pavement in Lake View Terrace, a blow that prosecutors say was intended to hurt King and deprive him of his civil rights.

During the state trial in Simi Valley, Briseno testified that he was King's defender, and was trying to protect the motorist from getting up and being struck by other police officers.

That testimony, during which Briseno said the beating had gone "out of control," broke the "code of silence" among police officers. Because of that—and because many familiar with the case believe that Briseno lied on the stand—he has been ostracized by some officers and isolated from his co-defendants, with whom he says he has never spoken at length.

Last week, however, he emerged from his long silence. His new lawyer, Harland Braun, wants to remold the public's view of Briseno.

With that encouragement, Briseno is launching an ambitious media schedule. He began last week by giving interviews to the "Today" show and the London Daily Mail. This week, he will appear on CNN's "Larry King Live."

(Indicate page, name of newspaper, city and state.)
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LOS ANGELES, CA

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In addition to spreading Briseno's version of the events on the night of the beating, the exposure helps communicate some subtler points. Among other things, Braun hopes viewers will notice Briseno's size. He stands 5 feet, 9 inches and weighs less than 130 pounds these days, making him by far the smallest of the four officers charged in the beating.

At the same time, the new approach exposes Briseno to a torrent of questions, some of them hostile. Braun, one of the best known criminal defense attorneys in Los Angeles, has put no limits on what his client can be asked.

"I figure, you either trust your client to give interviews or you don't," Braun said later. "I trust him, and he doesn't need me watching over him."

On April 29, a Ventura County jury acquitted Briseno of assault and excessive force in the King beating. Also acquitted on all counts were co-defendants Sgt. Stacey C. Koon and former Officer Timothy E. Wind. Officer Laurence M. Powell, who delivered the majority of the blows to King, was acquitted on all counts except for one in which the jury could not reach a verdict.

There was an instant of relief, Briseno said, but it quickly passed. The federal government reopened its investigation of the beating soon after the verdicts and three weeks ago filed civil rights charges against the four officers.

Briseno blames that on Bush and the pressures of an election year. In particular, Briseno faults the President for saying he and his family were "stunned" by the not guilty verdicts.

"I want to ask the President: 'Why did you say those things? You don't know me. You don't know my family. You don't know about my performance on the job,' " Briseno said. "Bush wants to push this case because he wants to get elected."

During the interview, Briseno stressed several times that he is not a violent person, that he has never raised his voice to his wife. There are those who disagree, including his ex-wife, who has said that he beat her on several occasions. Briseno was suspended in 1987 for 66 days after allegedly beating and stomping a suspect in custody.

Briseno denies both allegations. His ex-wife is bitter and out to sell her story, he said. Although he acknowledges the suspension, he says he was not guilty but accepted the punishment to put the incident behind him.

Briseno politely fielded hours of questions during the interview, but bristled when asked whether his colleagues will ever forgive him for testifying against other officers.

"These policemen who feel I broke the code, that's fine," Briseno said, his voice rising. "They're

not in my shoes. They don't have the slightest idea—not the slightest—about what me and my family are going through."

As in his testimony last spring, Briseno said he believes that the beating was excessive, and he was particularly critical of Powell.

On the videotape, Briseno is seen with his foot on what appears to be the back of King's head or neck. Briseno pushes King down hard to the pavement, but he says he was trying to get King to stay down so that he would not be hit again. In another section of the tape, Briseno reaches for Powell's baton, and he testified that he was pleading with Powell to stop the beating.

As he was leaving the federal courthouse recently, Powell said: "Nobody buys that story."

Powell's lawyer, Michael P. Stone, agreed: "There are so many reasons to disbelieve Ted. He doesn't just want to be innocent. He wants to be a hero."

Briseno responds by saying he told the truth about Powell's actions, but he concedes that there may be other interpretations of the same exchange.

"We all saw it different ways," Briseno said. "It's my view that the force was excessive, but I can see how some people would see it differently."

Braun stresses that point and said he has asked the other defense lawyers to consider a unified strategy. Still, there are other issues that could pit the defendants against each other. In particular, Briseno said he is concerned about statements made by Koon in an unpublished manuscript.

In that document, Koon referred to King as *Mandingo*, a reference to a West African people that is sometimes used as a derogatory term for black male slaves.

"I was totally shocked by that," Briseno said. "It was a total embarrassment. . . . That hurts me, too. It hurts me because everyone talks about the 'four white police officers.' They lump us together. . . . I'm not racist."

Although Briseno said he expected that at least Powell would be convicted in state court, he added that he believes all four are innocent of the charges brought by the federal government. To be guilty of violating King's civil rights, the officers would need to have intentionally sought to deprive King of those rights, and Briseno said the moment was too charged, too chaotic, for the officers to have acted willfully and in concert.

A federal grand jury meeting in Los Angeles disagreed.

To Briseno, the new charges feel more like persecution than prosecution.

"It's like we were the Cinderella team," Briseno said. "We came from nowhere and we won. Now the federal government comes in and says: 'Time out. We're going to play the game again, and this time we're going to bring in our home run hitters.' "

The coming months loom ominously for Briseno. It could be months before the new trial begins, and Briseno cannot go anywhere without being recognized. At lunch in a busy mall, several people stared hard and whispered to each other as he passed.

He ignored the long looks, but says the notoriety can be oppressive. Most of all, he worries about where this case will end because none of the options look inviting.

If he is convicted, he faces up to 10 years in prison and a $250,000 fine. If he is acquitted, he looks toward an uncertain future, knowing he will never return to police work and the life he enjoyed before March 3, 1991.

"We were just at that stage where everything was going right," Briseno said. "We have a great family, and we're happy in our community. Everything was wonderful. And then everything changed."

USA TODAY

DATE: 8/18/92
PAGE: 2A

NEWSMAKERS

BEHIND THE SCENES WITH PEOPLE IN THE HEADLINES

L.A. officer hopes PR blitz will help cause

By Haya El Nasser
USA TODAY

LOS ANGELES — Police officer Theodore Briseno broke ranks with fellow officers in the first Rodney King trial.

Now, he's doing it again.

Briseno, with the help of high-profile criminal lawyer Harland Braun, has begun a public relations blitz before the federal trial on civil rights charges against himself and three other Los Angeles officers begins later this year.

"He was indicted for political reasons," Braun says. "We want everyone to know Ted is different from the others."

Braun is used to headline-grabbing cases. He worked on the *Twilight Zone* case: Actor Vic Morrow and two children were killed in a helicopter crash during the filming. Director John Landis and four others were accused of involuntary manslaughter.

Braun plans to have Briseno give a series of "in-depth" interviews as early as this week. And already, Braun himself has hit the radio talk-show circuit.

"Welcome to the dog-and-pony show," says lawyer and commentator Wayne Satz, who interviewed Braun on a recent KABC radio talk show. Braun, he says, is "very effective, an unrelenting advocate ... an artful dodger."

Briseno made waves in the state trial by testifying the others accused of beating King were "out of control." He says he tried to stop the beating, and he was acquitted.

But so were the others, except officer Laurence Powell, who was found innocent of all but one charge. The verdicts sparked the deadliest rioting in U.S. history on April 29.

A judge ruled Friday that the state case against Powell, facing a retrial on one count of excessive force, will be dismissed if the federal trial goes forward.

"Ted feels the others used excessive force," Braun says. "I wouldn't say he turned on the other guys, but he took a different position at the trial. ... He also feels they were tried and acquitted and shouldn't be tried again."

Braun is trying to showcase the public sympathy toward Briseno early. That could be a good move considering that the federal trial — unlike the first state trial — will not be televised.

On the KABC show, Braun says blacks often come up to Briseno to thank him for trying to save King during the March 3, 1991, incident.

Callers to the show seemed to support Braun's claims.

"Briseno is perceived as having interceded on Rodney King's behalf to halt the misbehavior of his 'out of control' colleagues," Satz says. "I heard people saying that Briseno was dragged in to the second case so he can do what he did in Rodney King No. 1 — be a de facto prosecution witness."

But Dennis Lebman, a Powell friend, says: "The jury didn't believe Briseno's story the first time. Larry wouldn't expect him to change his story now ... but he's not worried about it. I don't think they'll buy it this time either."

At least one other lawyer in the case is used to Braun's tactics. "He's sort of an insightful creative fellow," says Paul DePasquale, who still represents former officer Timothy Wind. "It's not for me to be upset by Harland's strategy."

DePasquale says he's spending hours in the law library preparing for the federal case and working on various motions that could be filed before an Aug. 27 status conference in front of the judge.

"I'm very interested in the political environment that resulted in a trial," he says. "Is it fair to retry these guys? Is the Central District of California a proper venue?"

The federal trial, scheduled to start Sept. 29, is likely to be delayed not only by the slew of motions expected to be filed by four lawyers, but also because two of the lawyers — Braun and Ira Salzman, who now represents Sgt. Stacey Koon — are new to the case.

"It isn't over yet," Lebman says. "But Larry wants this whole thing to be over with so he can get on with his life."

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THE KING COPS AND DOUBLE JEOPARDY

Rule of Law

By Charlotte Allen

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The acquittal of the four police officers accused of using excessive force against Rodney King is proving to be just the beginning of the case against them. On Friday, California Superior Court Judge Stanley M. Weisberg required one of the four officers, Laurence Powell, to undergo retrial. And the day after the officers were acquitted on April 29, the Justice Department, under the prodding of President Bush, convened a federal grand jury to consider whether to indict all four officers on federal charges.

The Rodney King case is turning into a series of dubious prosecutions in the name of what is supposed to be a worthy cause. Officer Powell, for example, was acquitted on all but one of the counts against him; on that final count, the jury deadlocked, with an 8-4 vote in favor of acquittal. Under these circumstances, many judges would decide that a retrial on that single charge alone would not be worth the time and effort unless the prosecutor claimed to have some new evidence. Indeed, a California statute designed to cover cases in which a jury virtually exonerates the defendant permits such dismissals "in the interest of justice." But in the King case, Judge Weisberg declined to order the dismissal.

The most dubious aspect of the King case, though, is the prospect of federal charges against the four officers. The California state jury acquitted the other three officers tried along with Mr. Powell on all of the charges arising from the videotaped beating, which included assault with a deadly weapon and assault under color of official authority, both of them serious felonies. Bringing a second round of criminal charges over the same acts after the first round has resulted in acquittal seems unfair. Were the federal government not involved, it would be not just unfair but unconstitutional, because the Fifth Amendment says that no one "shall be subject for the same offense to be twice put in jeopardy of life or limb."

Despite the Fifth Amendment's flat-out ban on second prosecutions, a ban that has its origins in English common law, the Supreme Court has long recognized an exception to the double jeopardy clause when two different governments are involved, such as two states or a state and the federal government. This is called the "dual sovereignty doctrine," and it has come under much criticism from civil libertarians as a mere ruse: switching prosecuting authorities in order to get a second shot at someone who has managed to elude the first.

When the Supreme Court gets a dual-sovereignty case, its conservative justices typically vote for a broad reading of the doctrine, while its liberals cast their ballots in favor of restrictions. This has led to a twisted line of court rulings that Chief Justice William Rehnquist once called "a veritable Sargasso Sea which could not fail to challenge the most intrepid judicial navigator."

The leader of the liberals for decades on double jeopardy was Justice William Brennan. In the majority opinion in the 1990 case of *Grady vs. Corbin,* which Mr. Brennan wrote shortly before he retired from the bench, the justice interpreted the clause to bar a second prosecution for all cases involving proof of the same conduct, even when the crime charged the second time around contained additional elements. (The *Grady* case involved dual prosecutions by the same state — a defendant who originally pleaded guilty to drunk driving was later charged with vehicular manslaughter — and has no bearing on the federal-state dual sovereignty doctrine.)

Civil libertarians' criticism of dual sovereignty has persuaded a majority of states to decide that, under the double jeopardy clauses in their own state constitutions, they would decline to press charges where federal prosecutors had moved first. Furthermore, the Justice Department in 1960 issued guidelines that bar federal prosecutors from pursuing anyone who has already been the subject of state charges except in rare cases where a "compelling federal interest" would be served. Permission for such prosecutions must be obtained from Washington.

The guidelines still do not satisfy the American Civil Liberties Union, which regards dual sovereignty as a legal fiction. "It's not the case that you can trade a person's constitutional rights for a compelling reason," says Susan Herman, a professor at Brooklyn Law School and a board member of the national ACLU.

Or rather, the ACLU regards dual sovereignty as a legal fiction when the accused are not policemen. In the King case, however, it seems to be swinging around to a more Rehnquist-like point of view. The ACLU's Southern California chapter has already broken ranks with the organization's national office and joined the call for a federal prosecution. Even Ms. Herman says that, while she does not agree with the Southern California office's stance, she finds it understandable, because there ought to be some way for federal prosecutors to get involved in the King case. The national ACLU is pushing for an amendment to the civil rights laws that would allow the Justice Department to sue police departments for violating the rights of racial and other minorities.

The federal government's most famous use of dual sovereignty came in the case of the three civil rights workers, James Earl Cheney, Andrew Goodman and Michael Schwerner, slain in Mississippi in 1964. After a state court jury apparently ignored overwhelming evidence and acquitted the killers on murder charges, the Justice Department leaped into action with a successful civil rights prosecution. The action seemed satisfying at the time — a triumph over local bigotry — but it was in fact a dangerous experiment in assuming guilt first, holding the trial later. It set a precedent for assuming that the federal government ought to step in if an unpopular white manages to secure an acquittal in a highly publicized state criminal case involving a black victim. While this may not be legal double jeopardy, it is certainly functional double jeopardy.

There is little risk of the four accused officers going unpunished. They face a ruinous civil damage suit by Mr. King and disciplinary charges by the Los Angeles Police Department. Mr. King, on the other hand, is at little risk of being punished for his offenses: normally, a robbery parolee arrested for drunk driving and speeding who violently resisted arrest would likely face reincarceration.

Over the years, and in the name of justice, we have grown increasingly willing to devise vague and murky federal offenses — RICO, conspiracy, wire fraud and mail fraud are a few examples — to put bad people behind bars without actually having to convict them in the old-fashioned way. These extensions of federal authority over local life and local problems are symptomatic of a growing inclination to bend legality in order to hunt down perceived wrongdoers. The ends may be lofty, but the means verge on the totalitarian.

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Mrs. Allen is an associate editor of the Washington City Paper.

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Memorandum

To : DIRECTOR, FBI
Attn: SSA [redacted], PRESS OFFICE

Date 9/2/92

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b7C

From : SAC, Los Angeles (44A-LA-119954) (P)

Subject: STACEY C. KOON, ET AL., OFFICERS,
LOS ANGELES (CA) POLICE DEPARTMENT;
RODNEY GLEN KING, AKA - VICTIM;
CIVIL RIGHTS;
OO: LOS ANGELES

Telcalls between SSA [redacted], FBIHQ & SA [redacted] Los Angeles Field Office dated 8/25 & 31/92.

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b7C

It has recently come to our attention that co-subject TED BRISENO was interviewed on the Saturday edition of the "Today" show on 8/22/92.

In addition to the previous telephonic request to obtain from the Video Monitoring Service of America, Inc., any defendant/attorney press conferences on 8/5,6, or 10/92, it's requested that the aforementioned broadcast be obtained as well.

ADMINISTRATIVE NOTE: This communication faxed to FBIHQ Press Office on 9/2/92.

1-Bureau
1-Los Angeles
DLH:dlh
(2)

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FBI — LOS ANGELES

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The following investigation was conducted by SA [redacted] in Los Angeles, California, on 9/8/92:

SA [redacted] contacted [redacted], a client services representative for VIDEO MONITORING SERVICES (VMS), 3434 W. Sixth Street, Los Angeles, California, telephone 213-380-5011, regarding the type of services that his company can provide.

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[redacted] stated that VMS records radio and television broadcasts, seven days a week/twenty-four hours a day. The service monitors the radio broadcasts from 6:00 a.m. to 9:00 a.m., as well as all television network news programming. VMS retains the broadcasts for thirty-one days from the time the program airs, after which time, the recordings are erased (the actual stations maintain their own respective archives). [redacted] further noted, that VMS has an agreement with the stations that VMS can sell the broadcasts only if the recordings are used for research purposes. However, the broadcasts can be used in court if obtained by subpoena.

b6
b7C

The following is the complete list of radio stations that VMS records daily:

KABC	KCRW	KFI	KFWB	KGIL	KIEV
KISS	KKBT	KLAC	KLOS	KSLX	KMPC
KNX	KPWR	KROC	KUSC		

The following is the complete list of television stations which are recorded daily. VMS records all network news programs and talk shows (ie., Today, Good Morning America, Donahue, Oprah, Sally Jesse Rafael.):

KCBS	KNBC	KABC	KCAL	KTTV	KTLA
KCOP	KCET				

FEES FOR RADIO BROADCASTS

Audio Tapes: 0-5 min ($35), 5-10 min ($45), 10-30 min ($60), 30-60 min ($85).

Transcripts: First 100 lines ($38), 38 cents for each additional line. The average 30 minute program takes up 600 lines of transcript.

FEES FOR TELEVISION BROADCASTS

VHS Tapes (1/2 or 3/4 inch): 0-5 min ($90), 5-10 min (100), 10-30 min ($130), 30-60 min ($180).

Transcripts: Same price as radio broadcasts.

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Note: [redacted] will notify us whenever one of the four defendants and/or their attorneys appear on a monitored broadcast.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)
LA TIMES
LOS ANGELES, CA
Date: THURS., 9-10-92
Edition: METRO
PG. B1

Title: POWELL, RAPPER SQUARE OFF ON AIR

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Powell, Rapper Square Off on Air

■ Radio: The two disagree on the King beating and the riots. The suspended officer's appearance seems to be part of a strategy by the accused policemen to take their views to the public.

By MICHAEL CONNELLY
TIMES STAFF WRITER

During an unusual half-hour on Los Angeles' airwaves Wednesday, one of the officers facing federal civil rights charges in the beating of Rodney G. King squared off with rap-music star Sir Mix-A-Lot.

The verbal sparring match on KABC's "Ken and Barkley Company" radio show occurred when the rap star joined an in-progress interview with suspended Los Angeles Police Officer Laurence M. Powell.

Powell, scheduled to be tried early next year with three other officers in the Lake View Terrace beating, proclaimed his innocence to the radio audience and said he was setting the record straight about media misinformation.

The Seattle-based Sir Mix-A-Lot, on his way to the MTV awards show where he is up for best rap video, appeared mostly to promote his latest recording, and rap music in general. He admitted that he is not an expert on law enforcement policy or on the King incident.

Nevertheless, the two agreed on little.

About the riots, sparked by the not-guilty verdicts in the officers' Simi Valley trial, Powell said: "I'm not going to get into whether it was a revolution. This was nothing but a bunch of criminals burning down the buildings in their own neighborhoods."

Sir Mix-A-Lot, whose real name is Anthony Ray, had another opinion: "The majority of people that initially took to the streets were not criminals. It was frustration. . . . I think they should have gone right to Beverly

44A-LA-119954-D-338 FBI/DOJ

Hills."

The rap performer said he did not condone the violence, particularly the beating of truck driver Reginald Denny at one of the flash points of the unrest.

"I think what they did to the truck driver was insane," he said. "But I thought what happened to Rodney King was insane."

Powell talked about his fear during the encounter with King. Sir Mix-A-Lot, who admits to owning a home arsenal and opposing gun control because it would leave weapons in the hands of criminals *and* cops, talked about the fear of police among young blacks.

"The thing we fear most is the police—understand?" he said to Powell. "It's almost like you see a strong black man . . . you had to beat him down."

Aside from such exchanges, Powell's appearance with hosts Ken Minyard and Roger Barkley appeared to be part of a recent strategy among King-case defendants to take their views to the public. Officer Theodore J. Briseno recently granted a wide range of interviews, and a book by Sgt. Stacey C. Koon is scheduled for publication next month.

"I think it's important to tell my side of the story," Powell said. "I am not adding to the publicity. This case is going to get publicity whether I speak or not."

Powell said he believes the beating that King received was within the LAPD's use-of-force policy. "We are taught to use our batons in that manner, and that's what we did that night," he said.

Reiterating a defense theme in the earlier trial, Powell said the beating was sparked by King's bizarre behavior and his refusal to cooperate.

"What we did was in reaction to what Rodney King did," Powell said. "He was in control out there. . . . I never hit him when he wasn't resisting."

In answer to a caller's question, Powell said he, Briseno and former Officer Timothy E. Wind were forced to hit King more than 50 times because they were forbidden by departmental policy from using a chokehold to subdue suspects.

A chokehold would have ended the King encounter in seconds, Powell said, to which Sir Mix-A-Lot interjected: "With a chokehold, I think he'd be dead."

Powell said the King-case defendants have been made scapegoats for the ills of the nation's police departments.

"I agree there are people out there who have had bad experiences with police," he said. "But it's not my case. But it has polluted my case."

After Powell left the studio, Sir Mix-A-Lot stayed with the subject.

"A guy like that is so out of touch with the streets, it's pitiful," he said of Powell.

(Rev. 5-8-81)

(Mount Clipping in Space Below)

King Rejects City Offer of $1.75 Million

■ **Police:** Council makes bid after turning down a settlement of $5.9 million sought by beating victim. King's lawyer says he will take case to trial.

By GREG KRIKORIAN
and RICHARD A. SERRANO
TIMES STAFF WRITERS

In its first public offer to settle the police brutality lawsuit brought by Rodney G. King, the Los Angeles City Council voted Tuesday to guarantee him at least $1.75 million, but King's attorney blasted the proposal and vowed to take the civil case to trial.

After meeting in closed-door session for nearly an hour, the council rejected an earlier $5.9-million settlement sought by King. Instead, council members offered to award him a lump sum of $250,000 and establish an investment fund that would pay him $75,000 annually for the rest of his life.

Should he die early, the heirs of 27-year-old King would be assured payment for 20 years, amounting to $1.75 million.

"Some people might think that was not enough and others might think it was too much," said Councilman Zev Yaroslavsky. "We think it's a generous and fair offer—generous to Mr. King and fair to the taxpayers."

However, King's lawyer, Steven A. Lerman, accused the City Council of showing disregard for his client and countless other police abuse victims who seek compensation for their injuries. He said he was particularly angry that the council rejected the proposed $5.9-million settlement to his federal civil rights lawsuit, which he said was agreed to by his office and the city attorney after long days of negotiations beginning soon after the spring riots.

"It now appears that the City Council had no intention all along to honor the result of our negotiations," Lerman said, "but instead to deceptively waste everyone's time and energy, and now seize upon a self-inspired moment of political opportunity to act tough.

"It's a political gesture by those on the council who would seek to ignore the good faith that was supposed to be underlying the negotiations," he added, "and it certainly is indicative of a gross insensitivity of those members of the council to Mr. King."

Lerman himself would have received no money under the City Council's settlement offer. Rather, he would have had to petition the court for his fees.

The strained negotiations come as the city is deeply mired in its struggle to rebuild from the upheaval that followed the not guilty verdicts in the trial of the four Los Angeles police officers accused of beating King. It also comes in a time of severe fiscal crisis, with city funds recently slashed by more than $180 million and officials bracing for even more cuts.

There is clearly a sense among council members that it is to the city's advantage—in terms of its

(Indicate page, name of newspaper, city and state.)
LA TIMES
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FBI/DOJ

emotional recovery and financial health—to settle the case rather than endure a long and expensive trial. But what constitutes a fair settlement remains a subject of debate.

Tuesday's offer was approved by a 9-3 vote, sources said, with three council members absent. The council spent about an hour behind closed doors calmly discussing the implications of the racially charged case and comparing other costly liability judgments against the city.

During the meeting, the city attorney's office said a survey of private attorneys suggested that a brutality case ending in injuries such as King's normally would bring a jury award of $500,000 to $750,000. But given the attention surrounding the King beating, the council thought it would be appropriate to essentially triple that amount.

"I defy anybody to tell me that, given the circumstances, that's not a generous offer," said Yaroslavsky, who voted with the majority. "We're trying to do what's right."

Council President John Ferraro went one step further, saying that King's case probably would have resulted in a lower amount, "but because of the prominence of the case, we felt we should offer more."

Ferraro added that since reports surfaced in June that King was seeking a settlement of $5 million to $8 million, "I've had a number of people say we should go to trial and that he shouldn't be paid anything."

But Councilwoman Rita Walters, who joined Councilmen Mark Ridley-Thomas and Mike Hernandez in opposing the offer, described the proposed settlement as an affront.

"I don't feel it adequately compensated Mr. King for the horror he has experienced, for the pain and the suffering," Walters said. "I am personally disappointed."

Ridley-Thomas said he was less troubled by the amount of the offer than the haste with which he believed it was reached. He said attorneys first unveiled the payment plan in a verbal presentation to the council during Tuesday's closed-door session.

"This matter is too significant to make a decision of this sort without at least giving it more thought," Ridley-Thomas said. "My concern is to be quite thoughtful about the message we are sending."

Lerman said he will not attempt to further negotiate a settlement with the city. Rather, he said, he plans to take his civil rights lawsuit to trial in U.S. District Court after the conclusion of the federal criminal trial against the four officers accused in the March, 1991, King beating. The criminal trial is scheduled to begin next February.

As for his client, Lerman and his associates said King reacted with "disbelief and disappointment" at the city's proposal. Lerman explained the city's offer in a meeting with King in his Beverly Hills law office Tuesday afternoon, and they decided to reject it after little discussion.

"He thought the City Council had really wanted to settle his case," Lerman said of King. "So he is surprised and somewhat disappointed. But he remains resolved to make the legal system work."

Although such negotiations are usually kept secret, Tuesday's offer was made public under a federal rule that requires settlement proposals to be filed in U.S. District Court if the case is pending there. Shortly after the beating, King filed a lawsuit against the city, and his attorney suggested that he should be awarded $1 million for each of the 56 baton swings leveled at the Altadena motorist.

Under the city's offer, $250,000 would have been paid directly to King and $1 million would have gone into an investment fund expected to yield about $75,000 a year, said Deputy City Atty. Don Vincent, supervisor of the police litigation unit.

The payments would have been guaranteed for 20 years, assuring King or his estate of at least $1.75 million, regardless of how long he lives, Vincent said. But the beating victim could have collected as much as $3.3 million if he reaches 68—the age to which city officials say he is statistically expected to live.

Times staff writer Jesse Katz contributed to this story.

FD- (Rev. 5-8-81)

(Mount Clipping in Space Below)

King Case Stands Alone, Experts Say

Litigation: So many factors enter the equation that the standard method of assessing how large a settlement the city should pay becomes almost irrelevant, lawyers say.

By JESSE KATZ
TIMES STAFF WRITER

If the beating of Rodney G. King had not been videotaped and if the not guilty verdicts in the trial of four Los Angeles police officers accused of striking him had not sparked a riot, his civil suit against the city might have been settled long ago.

But there is nothing else like the King case, legal experts said Wednesday, no comparable incident and no apparent precedent for easily determining how much money, if any, would be appropriate to compensate him for that March night in 1991.

So many extraneous factors enter into the equation of the racially charged case—King's subsequent brushes with the law, the pending federal trial of the accused officers, the prospect of further unrest—that many lawyers say the standard method for assessing the severity of his injuries has become almost irrelevant.

"I think just about any trial lawyer in the country, whether on the plaintiff's or defendant's side, would agree on what the case is worth if the name [was] *blank* instead of King," said Thomas J. Feeley, a private attorney who is defending Sgt. Stacy Koon in the civil lawsuit. "But in this case, it's hard to say what is reasonable for any of the parties in the negotiations to expect. This is truly one of a kind."

Even though many of those other factors have no bearing on the merits of the lawsuit, experts say, they are all part of the process of deciding the right thing to do.

"This is not just a case of compensating him for physical injuries and emotional distress," said Michael H. Shapiro, a USC professor of law. "Cases like this are designed to deter, denounce, educate and teach."

King's attorney played the first card months ago, suggesting that the Altadena motorist should be awarded $1 million for each of the 56 baton blows he suffered. After the violence that erupted this spring, King and the city attorney began negotiations that resulted in a $5.9-million deal. But that collapsed on Tuesday when the City Council rejected the settlement, instead offering to guarantee King $1.75 million over the next 20 years—a proposal he promptly rejected.

Council members said they made their latest offer after numerous attorneys and judges told them that a brutality case ending in injuries such as King's normally would bring a jury award of between $500,000 and $750,000. Given the notoriety and ramifications of the beating, the council decided it was appropriate to nearly triple that amount.

"This is not a trip-and-fall case in Hollywood—this is the Rodney King case," said Councilman Zev Yaroslavsky. "That's why we offered 2½ times what every lawyer in this town said it was worth."

However, King's attorney, Steven A. Lerman, contended that the council had failed to take into account all of the circumstances of his client's beating and accused officials of "gross insensitivity" in making what he described as a paltry offer.

John C. Burton, an attorney representing one of the passengers in King's car, accused the city of negotiating in bad faith and withdrawing support for the $5.9-million agreement as part of a ploy to embarrass King and his lawyer.

"This is really the second beating of Rodney King," Burton said. "They have publicly humiliated him. It's a very ominous development."

The largest personal-injury award ever paid by the city involved a former Coliseum groundskeeper who was shot by an off-du-

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ty police officer in 1987 and left a paraplegic. Adelaido Altamirano was awarded $8.75 million by a jury, but accepted a $5.5-million settlement last year rather than risk losing the judgment on appeal.

Most of the other liability cases in which the city has agreed to multimillion-dollar settlements have involved plaintiffs who died, suffered brain damage or were left confined to a wheelchair. In many of those incidents, the injuries were sustained during traffic accidents in which the city was accused of negligence.

Attorney Stephen Yagman, who has won numerous brutality judgments against the city, said any injuries suffered in the incident should not be the predominant factor in determining a settlement. Rather, he said, the dollar amount should be based on the signal that the city wants to send.

"There is no other case like this and there never will be," said Yagman, who believes the King case could draw as much as $10 million from a jury. "It is an opportunity for the city of Los Angeles to say: This is really terrible, it never should have happened and we're really sorry."

King's case is further complicated, experts say, by the fact that his injuries were suffered at the hands of police officers accused of acting criminally. Some attorneys believe the prospects for King's civil lawsuit were hurt when the officers were found not guilty in April by a Simi Valley jury. But there is still another criminal case pending against them in U.S. District Court that must be completed before the lawsuit can go to trial.

Meanwhile, King has had four other scrapes with the law since the beating, none of which resulted in the filing of charges. Two of the incidents—a drunk driving arrest and an altercation with his wife—occurred this summer, after the City Council had already begun debating the proposed settlement.

Although negotiations in civil lawsuits are often largely about posturing and rhetoric, with neither side eager to be pinned down to a specific dollar figure, efforts to find a compromise in the King case seem to have hit an impasse.

King's lawyer said he was especially frustrated because he believed that a deal had been struck with the city attorney to settle the case for $5.9 million—an amount that the city attorney had endorsed to avoid a long and costly trial.

The city attorney's office confirmed that officials had agreed to a proposed settlement with King. But they said all such agreements are subject to approval by the City Council, which has responsibility for authorizing the payment of any municipal funds exceeding $15,000.

"There was an agreement reached and it was recommended to the City Council," said Deputy City Atty. Don Vincent, supervisor of the police litigation unit. "Everything was done in good faith . . . but they have the final say."

After learning of the proposed settlement in late June, the council asked for additional details on the extent of King's injuries, which some officials contended were not as severe as originally believed. By the time council members met again Tuesday to consider the agreement, "it was pretty evident that it was dead on arrival," Yaroslavsky said.

During the hourlong meeting, Yaroslavsky proposed giving King a lump sum of $250,000 and putting $1 million in an investment fund that would pay him about $75,000 annually for the rest of his life. Should the 27-year-old King die early, his heirs would be guaranteed payments for 20 years, amounting to $1.75 million. The proposal was approved 9 to 3.

"I don't fault the city attorney for recommending" the $5.9-million settlement, Yaroslavsky said. "We wanted him to come back with a what-would-it-take-to-settle-the-case. That was the best he could do. It's not his fault. It's a very sensitive case."

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(Indicate page, name of newspaper, city and state.)
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U.S. Targets Prior Acts of 3 Officers

■ King case:
Prosecutors hope to bolster position by using examples of misconduct by Koon, Powell and Briseno.

By MICHAEL CONNELLY
TIMES STAFF WRITER

Federal prosecutors said in court documents Monday that they will seek to use prior acts of misconduct by three of the four defendants in the Rodney G. King case as evidence to bolster government claims that the officers deprived King of his civil rights.

More than 20 motions were filed in the case by prosecutors and attorneys for Sgt. Stacey C. Koon, Theodore J. Briseno, Laurence M. Powell and Timothy E. Wind. The four officers face trial Feb. 3 in U.S. District Court.

The gulf between Briseno and his co-defendants that was apparent in the state trial in Simi Valley seemed to widen with the filing of the new motions, many of which involved requests that Briseno be tried separately and one in which Briseno accused Powell's attorney of conflict of interest.

In the government's motions to include prior acts of misconduct as evidence, prosecutors outlined three incidents, one each involving Powell, Koon and Briseno, that they claim were similar to the March 3, 1991, beating of King and are crucial to proving the officers' intent to deprive King of his rights.

Powell's attorney said that he will file a motion today seeking to prevent prior acts of the officers from being introduced at trial.

In the Powell incident, prosecutors said that on Oct. 20, 1990—less than five months before the King beating—Powell repeatedly punched a handcuffed juvenile he had arrested for jaywalking, then lied about the incident.

According to court records, the juvenile had become combative and had spit on Powell's partner.

FBI/DOJ

44A-LA-119954-D-341

MOTIONS: Officers' Prior Acts Targeted

Continued from B1

while the officers were driving him in a patrol car.

"Powell stopped the car, opened the rear passenger door and began punching the still-handcuffed juvenile with his fist, cursing him as he did so," the document says.

After the juvenile's face was bloodied, Powell's partner pulled him away, according to the court document. On the way to the station, Powell said the boy deserved the beating and falsely reported to superiors that the injuries resulted from the juvenile's resistance while being handcuffed.

Powell's attorney, Michael P. Stone, said he had never heard of the incident, and he would seek to have it disallowed.

In the Koon incident, the documents described a Sept. 28, 1986, arrest after a police pursuit of a stolen car. A juvenile occupant, who fled after the car crashed, was captured at gunpoint by Koon.

"During the arrest one of the officers pushed the juvenile against a wall and punched him in the head," the court document says. "While that officer was holding the juvenile, defendant Koon kicked the juvenile two times in the chest."

The court document alleges that Koon then reported to supervisors that no use of force occurred. However, after an investigation prompted by the juvenile's complaint, Koon was suspended for five days.

The Briseno incident involves a previously reported June 14, 1987, arrest of a man during a child abuse investigation.

After the man was handcuffed, Briseno stomped him on the back and was suspended for 66 days, the court document says.

The document adds that the stomping showed a pattern by Briseno that belies his defense in the current case that he put his foot on King in an effort to protect him from further beating by Powell and Wind.

The court documents refer to an unnamed police officer who witnessed the 1987 incident. Because of that incident, the officer was able to recognize Briseno four years later when watching television news and seeing the amateur videotape taken of the King beating.

"The officer was able instantly to recognize defendant Briseno because, as he remarked, he would know that kick anywhere," the government's motion reads.

Attorneys for Briseno, Koon and Wind could not be reached after the government motions were made available to the media. Asst. U.S. Atty. Steven D. Clymer declined to comment.

In other motions filed Monday, Briseno accused Powell's attorney, Stone, of conflict of interest and asked for a hearing before Judge John G. Davies to ask for Stone's removal from the case.

Briseno said that at the time of the King beating, Stone was serving as general counsel for the Los Angeles Police Protective League, meaning that, in effect, he represented Briseno, who was a member of the league.

But Stone, according to Briseno, attempted to "eviscerate" Briseno's defense during the state trial that resulted in not guilty verdicts.

During the trial, Briseno broke from the three other defendants, testifying that he had tried to stop their use of excessive force. Briseno said Stone introduced several police officers as witnesses in the trial who testified against him.

Briseno said Stone "attempted to put together, as part of the trial in Simi Valley, a false defense to silence me as part of the police 'code of silence.'" Briseno's attorney, Harland W. Braun, who did not represent him during the state trial, said the conflict of interest will prevent Briseno from getting a fair trial unless Stone is removed.

Stone denied that there was any conflict, saying that he never met Briseno until he became Powell's attorney.

A hearing on Briseno's request has not been set. If Stone is removed from the case, the trial could be delayed months while a new attorney becomes acquainted with the case, Braun said.

All four officers challenged the federal indictment in motions saying that the officers' prosecution is double jeopardy because they had been tried in state court. The first trial resulted in not guilty verdicts except for Powell, who was acquitted on all but one charge for which a jury could not agree on a verdict.

Powell and Koon each filed motions seeking to have Briseno's trial severed from their own. Wind filed a motion seeking to have his case severed from the other three.

Koon and the government also filed motions asking that jurors in the case be sequestered and that their identities be kept secret.

Davies has scheduled a Nov. 12 hearing for discussion of the motions filed.

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

King Switches Attorneys in Bid to Settle Lawsuit

■ **Beating:** New lawyer says he hopes to reopen negotiations with the city to resolve victim's civil rights complaint.

By RICHARD A. SERRANO
and ERIC LICHTBLAU
TIMES STAFF WRITERS

Steven A. Lerman, the Beverly Hills attorney who has represented Rodney G. King since his beating last year by Los Angeles police officers, was dropped from the case and replaced Monday by a prominent Orange County criminal defense lawyer.

Milton C. Grimes, a Santa Ana Heights lawyer who has represented several high-profile murder defendants in Orange County, said he hopes to reopen settlement negotiations with the city over King's federal lawsuit that alleges civil rights violations.

Last month, King let pass a deadline for accepting a $1.75-million settlement offer from the city. Lerman had blasted the offer as insufficient and vowed to take the case to trial next year. He had sought a settlement of nearly $5.9 million for King.

Grimes said it is too early to discuss how much it would take to settle the case, or to say why King was trading lawyers at this juncture.

"It's just that the young man decided to change attorneys," he said. "I absolutely won't get into criticizing Lerman. I guess [King] just finally decided to retain me—what his dissatisfaction was or is with Lerman, I'm not prepared to get into."

Sources close to the case said that Grimes had been in contact with King's wife's aunt about intervening in the lawsuit, and that King had been under family pressure for some time to hire Grimes in Lerman's place.

Grimes would only say that King and family members have kept in touch with him after Lerman was hired to sue the city.

He said King came to his Orange County office Friday and agreed to hire him on a contingency basis, and that Grimes notified Lerman of the change Monday. Grimes said he never solicited King as a client. "I am not poaching on this case."

Lerman said he talked to King on Sunday, but that the client did not mention Grimes. Lerman said he learned that he was out as King's lawyer when Grimes called him Monday.

Lerman would discuss the situation only in general terms.

"Given the state of Mr. King's ability to perceive events and understand the actions of those around him taken in his defense," Lerman said, "this move may be a manifestation of his medical condition. But I don't believe he harbors any ill-will toward me."

Lerman also noted that from the instant the videotaped beating hit the airwaves, King was besieged by attorneys seeking to handle his lawsuit. "Almost every attorney in town has made a run at Mr. King as a client," he said.

Lerman said he expects to be fully compensated for the time and effort he has put into the case. He estimated he has spent about $125,000 in "out-of-pocket costs," and that he is due another $1 million for "thousands and thousands of hours" spent by himself and his staff.

"I have a substantial investment here," he said. "My efforts have been monumental."

Lerman also said he will miss working closely with King.

"I've had Rodney King in my home, sitting and having dinner with my family," Lerman said. "I tried to be there for him on many, many occasions."

Like Lerman, Grimes said he is concerned about the alleged racial overtones in the case, and that he has already met with several black politicians and academicians in Orange County to discuss the matter.

"Race was certainly a question here," Grimes said. "I am from the South and I have seen police brutality toward black men especially. . . . It's something that white society says doesn't happen, but here you have it for once captured on videotape."

The federal lawsuit remains on hold in U.S. District Court, pending the criminal trial of four Los Angeles police officers charged with violating King's civil rights in the beating.

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^Bystander Misconduct
Eds: Shry is correct.

LOS ANGELES (CNS) - A Los Angeles police officer present during the beating of Rodney King by fellow officers and accused of failing to report their misconduct was cleared of wrongdoing in an internal administrative hearing, it was reported today.

Four-year police veteran Danny Shry, 37, was found not guilty Wednesday after a three-day Board of Rights hearing. If found guilty on the two counts of failing to intervene and failing to report the beating, he could have received a recommendation that he be suspended or fired.

The Los Angeles Times reported that Shry is the third LAPD officer who was a bystander at the scene of the beating to face administrative discipline. One officer was also cleared, and the third received a reprimand. Five other officers still face similar proceedings.

According to Internal Affairs Division records, Shry arrived at the scene well after the beating incident had begun in Lake View Terrace. The records say Shry only saw a small number of baton blows from the four officers now facing federal charges for the beating.

Shry was a defense witness in the Simi Valley trial where the four were found not guilty -- setting off three days of rioting last spring.

Officials said the board's ruling means Shry will be allowed to return to active patrol duty at the Devonshire Division. He has been on restricted duty since the King beating incident nearly 18 months ago.

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Rodney King Gets Driver's License Back After Ruling by DMV Official

SANTA ANA (CNS) - Rodney King regained his driver's license after an official ruled there was insufficient proof that he refused to take a blood test upon his arrest for alleged drunken driving, it was reported today.

``I am happy, very happy. It will be a thrill for me to drive again,'' King told the Los Angeles Times, adding that he plans to take his wife and two sons to Disneyland later this week.

King, whose videotaped beating by Los Angeles police officers was seen worldwide, was arrested in the early hours of July 16 in a Denny's parking lot in Orange by California Highway Patrol officers.

He got his license back yesterday evening at the Santa Ana office of his attorney, Milton Grimes, several hours after Department of Motor Vehicles hearing officer Kathleen Anderson issued her ruling.

The 27-year-old Altadena resident testified a week ago before Anderson that he was upset and confused by a CHP officer, who he said challenged him about the truth of his version of his March 1991 beating in Lake View Terrace.

King said he therefore did not understand the warning from the other officer who told him that under California law, a suspected drunken driver automatically has his license suspended if he refuses to take a blood, urine or breath test, the Times reported.

According to published reports, the officers said King was driving erratically in the parking lot, and that they smelled alcohol as they approached his Chevrolet Blazer. But witnesses challenged the CHP account.

During a three-day DMV hearing that ended Oct. 26, King argued he took a field sobriety test and would have undergone chemical tests if he had understood that they were being requested.

King testified he'd had one beer and part of a second earlier that day and denied driving while under the influence. County prosecutors declined to file charges, saying there was insufficient evidence. But King's license was suspended because he did not take the chemical tests, a ruling he appealed.

City News Service 10:18 11/3/1992

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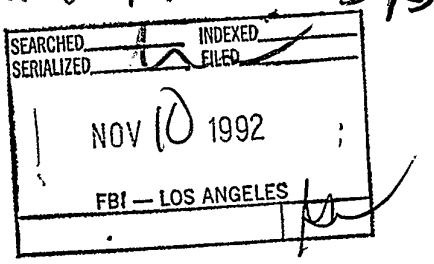

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Probationary LAPD Officers Not Entitled to Board of Rights Hearings
Eds: ADDS details throughout.
By HOLLY J. WAGNER
City News Service

LOS ANGELES (CNS) - A judge ruled today that Los Angeles police Officer Timothy Wind, relieved of duty for his role in the Rodney King beating, is not entitled to the same departmental hearing that long-term officers would receive.

But Wind's attorney, Patrick Thistle, said he probably will appeal the ruling.

Los Angeles Superior Court Judge Stephen O'Neil ruled that the administrative hearing -- begun by Wind before he sued the city -- affords probationary officers ample constitutional protection.

``Officer Wind, in this court's view, was provided with constitionally adequate due process protections with respect to the city's termination (of him),'' O'Neil said.

Wind was one of four Los Angeles police officers relieved of duty because of their involvement in the March 3, 1991, beating of King.

A jury in Simi Valley acquitted him of criminal charges stemming from the incident. But he still faces federal civil rights charges, along with the rest of his administrative appeal, if he wants to hang onto his job.

Because Wind was a probationary officer at the time of the beating, he was relieved of duty without the usual LAPD Board of Rights hearing afforded longer-term officers. Today, Thistle argued his client should have had such a hearing.

The City Charter provides that probationary employees may be fired without the same level of hearing that long-term employees must receive before they are let go.

But in another section the charter states that police officers are entitled to a Board of Rights hearing, similar to a military court martial, by three command-level officers.

``Unless the charter has changed, some unilateral action taken by the city or the police chief cannot act to subvert the charter,'' Thistle argued.

At issue was which section applies to probationary police officers.

Probationary officers receive an administrative hearing before a single hearing officer. The hearing is to give the officer a chance to clear his name, Deputy City Attorney David Hotchkiss said.

In both types of hearing, the officials review testimony and evidence about the alleged misconduct, and the officer facing charges is allowed to call witnesses and present evidence in his defense, he said.

Wind began that process but stopped in the middle, Hotchkiss said, then sued the city for reinstatement, a Board of Rights hearing and back pay for the period he is relieved of duty.

He agreed to give up his claim to back pay in exchange for postponing the adminsitrative procedures, Hotchkiss said.

Thistle said the administrative hearing process for probationary officers is ``one-sided'' and deprives the officers of their right to due process under the law.

``They bring in a stack of paperwork and the hearing officer says, `I'vd decided you're guilty, change my mind,''' he said.

Thistle said he will wait for direction from Wind on whether to appeal, but he thinks a higher court should decide the matter.

``I think it's important that it's appealed,'' he said. ``I'd very much like to keep the issue alive. These charges are stigmatizing, and they'll follow (Wind) for the rest of his life.''

When the administrative hearing process resumes somé time after the federal case is tried, Wind must show he is factually innocent of the alleged misconduct -- excessive force -- to be reinstated, Hotchkiss said.

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r n bc-Ex-Officer 11-4 0204
^Ex-Officer

LOS ANGELES (CNS) - A judge ruled today that ex-Los Angeles police Officer Timothy Wind, fired for his role in the Rodney King beating, is not entitled to another departmental hearing that might have restored his job.

But Wind's attorney, Patrick Thistle, said he probably will appeal the ruling.

Wind was relieved of duty by the LAPD because of his involvement in the March 3, 1991, beating of King.

A jury in Simi Valley acquitted him of criminal charges stemming from the incident, but he still faces federal civil rights charges.

Because Wind was a probationary officer, he was fired without a hearing by an LAPD Board of Rights -- which Thistle argued today that he should have had.

But Los Angeles Superior Court Judge Stephen O'Neil ruled that the type of hearing Wind received instead of a Board of Rights hearing afforded him adequate constitutional protection.

Thistle said he will wait for direction from Wind on whether to appeal, but he thinks a higher court should decide the matter.

``I think it's important that it's appealed,'' he said. ``I'd very much like to keep the issue alive. These charges are stigmatizing, and they'll follow (Wind) for the rest of his life.''
City News Service 10:30 11/4/1992

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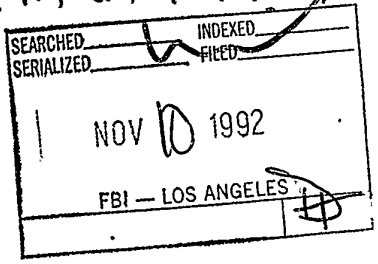
r n bc-Wilson-Election 11-4 0379
^Wilson-Election

Wilson Warns Democrats California's `a Handful to Represent'
By CALVIN MILAM

44A-LA-119954-D-5116



FD-350 (Rev 5-8-81)

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(Indicate page, name of newspaper, city and state.)
LOS ANGELES DAILY JOURNAL
LOS ANGELES, CA

Date: THURS., 11-5-92
Edition: SOUTHERN CALIFORNIA
PG., 2

Title: WIND RUNNING OUT OF STEAM

SEARCHED INDEXED
SERIALIZED FILED
NOV 03 1992
FBI — LOS ANGELES
LOS ANGELES

Character or Classification:
Submitting Office:

Wind Running Out of Steam

Judge Won't Give Job Back to Officer in King Case

By Lauren Blau
Daily Journal Staff Writer

The administrative procedure used by the Los Angeles Police Department to discipline a rookie officer charged in the beating of black motorist Rodney G. King is constitutional, a judge ruled Wednesday.

The decision by Los Angeles Superior Court Judge Stephen E. O'Neil upholding the policy effectively means that Officer Timothy E. Wind has lost his battle in a trial court to regain his job, his attorney Patrick J. Thistle said. *Wind v. City of Los Angeles*, BC011288.

Wind, Sgt. Stacey C. Koon, Officer Laurence M. Powell and Officer Theodore J. Briseno are scheduled to go to trial Feb. 2 on charges of federal civil rights violations. The officers were acquitted last April by a Superior Court jury in Simi Valley of excessive force charges. Wind has been relieved of duty without pay and is still involved in the administrative appeal process, Deputy City Attorney S. David Hotchkiss said.

Thistle said he plans to appeal O'Neil's ruling.

Hotchkiss, who represents the police department in the case, said the city is pleased with the ruling, especially because it has been litigating the issue with the Los Angeles Police Protective League involving individual officers since 1981.

"This [ruling] affects all sworn probationary employees of the police department," Hotchkiss said.

O'Neil ruled that the city's procedures are constitutional and were adopted following compliance with the state's requirement of negotiating with union employees. The judge also ruled the department's policy complies with the Public Safety Officers' Procedural Bill of Rights Act, which requires that all peace officers be afforded the opportunity for an administrative appeal.

Disagreement on Issue

Thistle said he disagreed with O'Neil's reasoning that the issue is whether the police department's policy is constitutional.

The attorney contended the appropriate issue to be considered is whether provisions of the City Charter dealing with disciplining police officers are applicable to a situation such as Wind's.

"Even if the new policy meets minimum due process standards, it still doesn't serve to change the charter," Thistle contended.

The charter allows probationary officers to have a procedural hearing, such as the department's Board of Rights hearings, Thistle said.

Wind sought a Board of Rights hearing, but his request was denied.

Discharge Rescinded

After the videotape of King's March 3, 1991, beating was broadcast, the police took internal action to investigate and discipline officers.

Wind, a probationary employee, was given notice that he was going to be fired and advised he had the right to appeal, Hotchkiss said. A hearing officer subsequently recommended termination and Wind was fired.

After then-Police Chief Daryl F. Gates reviewed Wind's firing, he rescinded the discharge order and reopened the appeal process, Hotchkiss said. Wind's administrative appeal is still pending.

Hotchkiss said it would be possible for Wind to be reinstated if he can convince Police Chief Willie Williams he did not use excessive force in helping arrest King and did not author or submit a false police report.

44A-LA-119954-D-347
FBI/DOJ

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

Removal Sought of Lawyer in King Case

■ **Courts:** Attorney for Koon will try to have counsel for Powell removed in the federal trial of four LAPD officers.

By JIM NEWTON
TIMES STAFF WRITER

A feud among lawyers representing the four Los Angeles police officers charged with violating Rodney G. King's civil rights widened Thursday, as the attorney for Sgt. Stacey C. Koon filed documents suggesting that he will try to have one of the other defense attorneys removed from the case.

The move by lawyer Ira Salzman threatens to jeopardize the position of Michael P. Stone, who represented Officer Laurence M. Powell during the officer's trial on state charges and continues to represent him as they face federal civil rights charges. Salzman said in his motion that he believes Stone may have a conflict of interest that would force him to step aside.

"This basically knocks Stone out," said attorney Harland W. Braun, who represents Theodore J. Briseno and who has openly clashed with Stone for weeks. "The government has conceded that there's a conflict, and now Koon is saying he won't waive it."

If Salzman's effort is successful, it could result in the case being split, or it could force Powell to find a new lawyer. Either way, it would likely delay the proceedings, and if Stone is removed, it could postpone the trial—now set to begin on Feb. 2—for months.

Salzman does not spell out his reasons for believing that Stone has a conflict of interest, but Stone's law firm also represents Koon in a civil suit. That could mean that Stone has access to privileged material regarding Koon, and if Koon's interests and Powell's diverge during the trial, it could create a conflict.

Already, one issue appears to separate Powell and Koon. Stone filed a motion last month seeking to limit expert testimony on the use of force by police officers. Koon's defense is largely based on the premise that the effort to subdue King was a proper use of force, so if Stone's motion is granted, it could hurt Koon.

Neither Salzman nor Stone was available for comment Thursday.

Salzman's motion makes him the second lawyer in the case to question Stone's right to represent Powell. Braun launched a blistering attack on Stone last month, accusing him of orchestrating a police code of silence used to thwart Briseno during the state case. Stone angrily denied those charges and asked U.S. District Judge John W. Davies to schedule a hearing so that Stone could clear his name.

After Braun filed his allegations, prosecutors took the unusual step of siding with Stone, but they also suggested that while Briseno's claims were not supportable, the other co-defendants might have the right to challenge Stone. Prosecutors suggested that each of the other defendants should be asked to provide written waivers saying that they do not believe Stone has a conflict of interest.

Each of the other officers supplied those waivers in the state case, but this time, Koon has refused.

"Defendant Stacey C. Koon hereby expressly revokes the waiver of conflict that was executed and filed with the Los Angeles Superior Court on Jan. 13, 1992, and shall waive no conflicts of interest," Salzman said in his motion.

Salzman added that he does not endorse Braun's claims that Stone acted improperly during the state trial. Salzman said he would inform the judge of his reasons for believing that Stone has a conflict in this case but would do so in closed session because those reasons are covered by the confidential relationship between a lawyer and his client.

For his part, Powell seemed mystified and disturbed by the legal maneuvering to oust his attorney.

"I don't know anything about it," he said. "As far as I'm concerned, I intend to keep Mike Stone as my attorney, and I'll fight for that to the end."

(Indicate page, name of newspaper, city and state.)
LA TIMES
LOS ANGELES, CA

Date: 11-6-92
Edition: METRO
PG. B3

Title: REMOVAL SOUGHT OF LAWYER ON KING CASE

Character:
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Classification:
Submitting Office:
LOS ANGELES

Indexing:

SEARCHED INDEXED
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NOV 06 1992
FBI — LOS ANGELES

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LA-LA-119954-D-348

FD-350 (Rev. 5-8-81)

(Mount Clipping in Space Below)

3 officers charged in King beating take their cases to public

By Philipp Gollner
Daily News Staff Writer

From curbside press conferences to live, raucous television call-in debates, three of four officers charged in the Rodney King beating are taking their case to the public before their federal civil-rights trial next year.

The publicity blitz — including talk-radio debates with African-American callers, appearances on CNN's Larry King Live and a book on the beating — is a marked departure from the low-key approach that the three LAPD officers and a former officer took before their first trial on criminal charges in Simi Valley.

But the stakes are different this time, attorneys in the case say.

With most of the facts laid out in the first trial — which ended in the officers' acquittals on all but one count — the officers are less concerned that their statements will be used as prosecutorial ammunition, defense attorneys said.

"What are they going to say?" said attorney Harland W. Braun, who is representing Officer Theodore Briseno. "If you are innocent, you don't worry about what you are going to say."

Their attorneys also say the officers are taking to the airwaves to show that they are political scapegoats in an election year.

But legal experts say the officers may be trying to influence potential jurors who will decide the officers' fates when the case goes to trial next year.

"At least they get the defense story out to the potential jury pool before jury selection," said Laurie Levenson, a Loyola Law School professor and a former prosecutor with the U.S. Attorney's Office in Los Angeles.

"The problem is that all the mechanisms in jury selection are designed to weed out those people, so that if the system works right, all this pretrial propaganda shouldn't make a difference," she said.

"But those experienced in the area know that jurors are not always as candid as they can be"

(Indicate page, name of newspaper, city and state.)
DAILY NEWS
SAN FERNANDO, CA

Date: MON., 11-9-92
Edition: FRONT PAGE

Title: 3 OFFICERS CHARGED IN KING BEATING TAKE THEIR CASES TO PUBLIC

Character:
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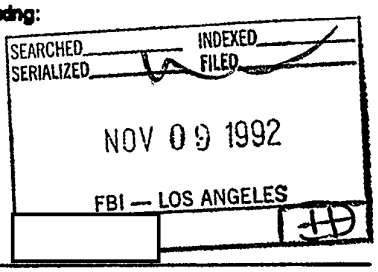
Classification:
Submitting Office:
LOS ANGELES

Indexing:



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when asked if they have any biases, she added. "Even though jurors say, 'I can filter out their viewpoint,' the truth is they will have heard the defense story at least once before trial."

Sgt. Stacey Koon, Officers Briseno and Laurence Powell and ex-officer Timothy Wind have pleaded not guilty to charges that carry 10 years in prison and $500,000 in fines. They are accused of violating Rodney King's civil rights in the March 3, 1991, videotaped beating in Lake View Terrace after a high-speed chase.

Defense attorneys deny that they are trying to sway a jury.

"I really am angry when I hear lawyers and legal experts say that I'm trying to get to a jury," said Powell's attorney, Michael P. Stone. "It's public information. Most people still think the Simi Valley verdict was a travesty of justice. That's just wrong, wrong, wrong.

"Any time somebody puts a microphone in front of me and says, 'Talk,' I will talk. I see it as education," he said.

Attorneys say speaking out also has a cathartic effect, allowing the officers to tell their side of the story and preparing them psychologically for trial.

But the officers also take the risk that the public — and potential jurors — may be turned off by what they hear, critics say.

"I don't believe they come off well," said attorney Steven A. Lerman, who until recently represented King in his civil suit against the city. "I think they are insincere. I think anyone who is a student of psychology will look at these characters and see them for what they are.

"It's inspired by defense counsel to predispose potential jurors to think these are just family guys caught up in the excitement of the moment, that it was all King's fault."

Defense lawyers said they are merely trying to counter the tide of negative publicity against their clients that climaxed with President Bush's nationally televised denunciation of the not-guilty verdicts, during the rioting that killed 53 people and caused $800 million in damage.

"We've just done a year and a half of bad publicity," Braun said. "All Ted has done is answer questions. For them to equate me with the (publicity by the) government or the state and the mayor and the president of the United States is ludicrous."

With the exception of Wind — who has remained silent since the beginning — the officers have decided to tell all, even though they know their public comments could be used as evidence against them, their attorneys say.

The federal prosecutors on the case, Barry F. Kowalksi and Steven D. Clymer, have declined to comment beyond their public filings. But federal officials said in May they were reviewing a manuscript Koon wrote about the beating, in which he made remarks that African-American leaders termed racist.

Among other controversial statements, Koon said the reaction of a female Highway Patrol officer to King's behavior moments before the beating was "the fear of a Mandingo sexual encounter" — a term used by some Westerners to denigrate African-American male slaves.

But most of the statements that were seen as offensive were edited out of the final text, which was published under the title "Presumed Guilty: The Tragedy of the Rodney King Affair."

According to Braun, prosecutors have also asked for tapes of Briseno's recent radio and television appearances.

That scrutiny worries Wind's lawyer, Paul R. DePasquale, who has counseled against publicity.

Wind was the only defendant not to take the witness stand during the state trial, although DePasquale said he is expected to testify in the federal trial.

"As far as his not going out on the talk-show circuit, frankly that's a matter of intelligence. Only in the most extreme of circumstances would I want to have my clients talk about issues of guilt or innocence," DePasquale said.

"It would be a cold day in purgatory before you decide to put a book out on the circumstances" of the beating.

Levenson agreed that trying the case in the press could backfire.

"There are some real dangers to doing this," she said. "Every time a defendant makes a statement, it has the potential of being used against them, whether or not they testify. It gives the prosecution a preview of what the defendant is going to say."

Indeed, the fact that prosecutors have not asked for a gag order in the case can be seen as a sign they are all ears when it comes to the officers' public statements, Levenson said.

But the government has cited the intense pretrial news coverage in its request for an anonymous jury, which it wants sequestered during the trial and deliberations.

"The media reports — which could reach an unsequestered jury — have included potentially prejudicial statements by defense counsel," prosecutors said in court filings. "Defense lawyers have been reported as saying that the White House pressured local prosecutors to indict the case."

Braun said the government can listen all it wants — Briseno has nothing to hide.

What's more, Briseno needs to tell his side of the story to keep his peace of mind during the legal ordeal, the lawyer said.

"I think it's just healthy psychologically for Ted to answer his critics," Braun said. "Every time you talk and articulate and have to answer questions, it's healthy."

Of the four, Briseno — who testified in Simi Valley that he thought his fellow officers were out of control — has been among the most outspoken about the case.

Since the indictments were handed up Aug. 4, he has fielded questions on NBC's "Today" show, "Larry King Live," local radio station KFI-AM and local newspapers and television news programs, Braun said.

He also took on a sometimes hostile audience on KJLH, a radio station that primarily serves the city's African-American communities.

"We got an insight into how people are thinking about the case," Braun said. "More people in the black community have a more open mind than I thought" about the King beating.

Powell, too, has made numerous media appearances.

It was his lawyer, Stone, who held daily press briefings in the early stages of the Simi Valley trial before the judge in the case asked attorneys to keep quiet.

Last month, Powell faced off with rap-music star Sir Mix-A-Lot on KABC's "Ken and Barkley Company," defending his conduct on the night of the beating and calling the riots "nothing but a bunch of criminals burning down the buildings in their own neighborhoods."

Along the way, the officers' public appearances have produced some surprises, such as when Briseno's ex-wife called him live on KJLH and accused him of falling behind in his child-support payments.

The episode was shown on the tabloid television program "Inside Edition," which recently broadcast an interview with the wife. Braun denied her charges.

"Maybe it's self-defeating," Braun said of the publicity. "But maybe it means we will be able to get a fair trial. I hope so."

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^King Motions, 2nd Ld

Judge Rules Trial of Officers Does Not Represent Double Jeopardy

By DAN WHITCOMB

City News Service

LOS ANGELES (CNS) - A judge today ruled that an upcoming federal trial does not put three current and one former police officer in danger of double jeopardy, even though they were acquitted of similar state charges.

``In this case you've got exclusively a federal question,'' U.S. District Judge John Davies said, referring to the civil rights violation case brought against the men implicated in the Rodney King beating case.

``The core of this case is that the officers were allegedly subjecting Mr. King to the deprivation of his civil rights,'' Davies said.

He said the U.S. Supreme Court has already determined that the state and federal governments are ``separate sovereigns.'' Accordingly, he said, each can bring charges against a defendant for essentially the same offense.

While there are ``good and equitable reasons'' for the case not to be tried, Davies said, it is beyond the scope of his judicial power to prevent prosecutors from bringing the charges.

Even if he were to dismiss the charges on double jeopardy grounds, Davies said, ``the case would soon be returned (to him) by the appellate court.''

Davies also ruled today that the jury in the trial scheduled to start next February must be sequestered, and their names and addresses must be kept secret. That information will be given to lawyers in the case, however, he ruled.

``The confidentiality and protection of the jury in this case is paramount,'' Davies said.

He said the federal government has little money to pay for the private housing of the jury over a lengthy period of time, but that the funds must be found somewhere, by somebody.

Davies said he will rule later on whether defense attorney Michael Stone has a conflict of interest in representing defendant Laurence Powell.

Davies ruled that a ``Gorillas in the Mist'' message Powell sent via his patrol car's computer terminal minutes before the King beating is inadmissible as evidence. He said it did not apply to the use of force issue involved in the federal trial, but that it ``clearly'' was a racist statement.

He said he would allow another Mobile Digital Terminal message Powell sent a short time after the March 3, 1991, King incident, in which the suspended Los Angeles police officer said he had not beaten anyone so severely in a long time.

Davies also ruled that prior acts committed by Powell, Officer Ted Briseno and Sgt. Stacey Koon will not be admitted because they do not really show intent, and would unfairly prejudice the jury.

The judge also ruled that the defendants should not be tried separately. He rejected the argument that Briseno would be taking a different position than the other three.

At the state trial, Briseno testified that Powell was ``out of control'' during the beating.

Davies said he would allow the jury to see excerpts of Briseno's videotaped testimony from the state trial, a proceeding that resulted in acquittals and led to the worst rioting in this country this century.

Today's pretrial hearing could last through tomorrow. The trial of Powell, Briseno, former Officer Timothy Wind and Koon is scheduled to begin Feb. 2.

City News Service 12:52 11/12/1992

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^King Motions, 1st Ld

LOS ANGELES (CNS) - A federal judge today ruled that the jury in the civil rights violation trial of four men accused in connection with the Rodney King beating should be sequestered.

U.S. District Judge John Davies also said the jurors' names and addresses should be kept secret from the public. The names and other information will be given to lawyers.

``The confidentiality and protection of the jury in this case is paramount,'' Davies said during a hearing on pretrial motions.

He said the federal government has little money to pay for the sequestering of jurors, but that the funds would have to be found somewhere, by somebody.

Davies said he will rule at another time on whether defense attorney Michael Stone has a conflict of interest in representing defendant Laurence Powell.

Davies ruled that a transcript of a patrol car computer terminal message Powell sent about ``Gorillas in the Mist'' is inadmissible as evidence because it did not apply to the use of force issue involved in the trial. But Davies said it ``clearly'' was a racist statement.

He said he would allow another Mobile Digital Terminal message sent by Powell after the March 3, 1991, King incident, in which the suspended Los Angeles police officer said he had not beaten anyone so severely in a long time.

Davies also ruled that prior acts committed by Powell, Officer Ted Briseno and Sgt. Stacey Koon will not be admitted because they do not really show intent, and would unfairly prejudice the jury.

Davies said he would allow the jury to see excerpts of Briseno's videotaped testimony from the state trial, a proceeding that resulted in acquittals and led to the worst rioting in this country this century.

Today's pretrial hearing could last through tomorrow. The trial of Powell, Briseno, former Officer Timothy Wind and Koon is scheduled to begin Feb. 2.

Davies also must grapple with whether the federal case violates the constitutional guarantee against double jeopardy and whether each officer should be tried separately.

Before today's hearing, Briseno's attorney told the Daily News that the most serious dispute, by far, is over the one concerning double jeopardy.

``The average person would say this is double jeopardy,'' said Harland Braun. ``In the absence of a showing of a fraud or a scam (in the Simi Valley state trial), there is no interest in prosecuting federally.''

City News Service 11:53 11/12/1992

44A-LA-119954-D35

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FBI — LOS ANGELES

FD-350 (Rev. 5-8-81)

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(Indicate page, name of newspaper, city and state.)
DAILY NEWS
SAN FERNANDO, CA

Date: THURS., 11-12-92
Edition: SOUTHERN CALIFORNIA
PG. 4

Title: JUDGE TO HEAR MOTIONS IN KING TRIAL

Character:
or
Classification:
Submitting Office:
LOS ANGELES

Indexing:

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NOV 12 1992
FBI — LOS ANGELES

Judge to hear motions in King trial

Double jeopardy, officers' prior misconduct among filings in civil-rights case

By Philipp Gollner
Daily News Staff Writer

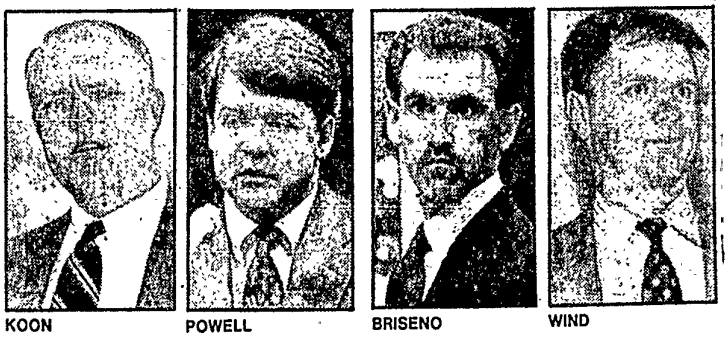
A judge is set to begin ruling today on a flurry of legal motions likely to shape the trial of four LAPD officers charged with federal civil-rights crimes in the beating of Rodney King.

More than 60 filings submitted in the last six weeks await U.S. District Judge John G. Davies when he takes the bench this morning. Attorneys said they expect the hearing to take all day and possibly longer.

The papers provide the broad outlines of what is expected to be one of the most widely followed trials in recent history. The acquittals of the officers on state charges in Simi Valley sparked the worst domestic urban unrest this century.

Los Angeles Police Department Sgt. Stacey Koon, Officers Laurence Powell and Theodore Briseno and ex-Officer Timothy Wind are scheduled to stand trial Feb. 2 on charges that carry up to 10 years in prison and $500,000 in fines.

Davies will be asked to determine whether the federal case violates the Constitution's guarantee against double jeopardy; whether the government may introduce evidence of prior misconduct against the officers; and whether the officers should be tried separately because of divergent defenses.



KOON POWELL BRISENO WIND

Davies also must decide if jurors should be sequestered during trial and whether the defense may seek testimony of expert witnesses on police procedures.

Briseno's lawyer, Harland W. Braun, said the double jeopardy dispute should be at the top of Davies' agenda.

"The average person would say this is double jeopardy. I think it's double jeopardy," Braun said.

"In the absence of a showing of fraud or a scam (in the Simi Valley trial), there is no interest in prosecuting federally," he said.

Another contentious matter concerns the widening rift between defense attorneys.

The judge is expected to hear arguments whether to hold a hearing on conflict-of-interest and misconduct accusations by Briseno against Powell's lawyer, Michael P. Stone.

Braun said none of the other matters can be resolved until Davies determines if Stone, who represented Powell in the state case, may remain on the federal case as well.

In a scathing attack on Stone, Briseno said in a sworn statement last month that Stone should be thrown off the case because he knowingly put on perjured testimony during the state trial in an effort to discredit Briseno.

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FBI/DOJ

Briseno broke ranks with his fellow officers in the Simi Valley trial by testifying that the others were "out of control," that he tried to stop the beating and that Koon could have handled the situation better. In response, Stone called witnesses to show that Briseno may have been lying.

In his statement, Briseno said, "Insofar as Mr. Stone became the embodiment and instrumentality of the 'code of silence' at the Simi trial, I, if such witnesses are called again, intend to assert that Mr. Stone was part of a conspiracy to defame and quiet me."

Stone has denied the charges and wants a hearing to air the accusations and clear his name.

Last week, Koon joined the fray with a motion to disqualify Stone on conflict-of-interest grounds.

Meanwhile, three defendants have asked to be tried separately from Briseno because of his testimony against them in the last trial.

Heading the government's list of requests is the admission into evidence of prior acts of misconduct by Powell, Koon and Briseno. The government said such evidence will bolster their claim that the officers acted with intent — rather than out of fear or by accident — when they repeatedly struck King after a high-speed chase on March 3, 1991.

Unlike the Simi Valley trial, prosecutors in the federal trial must prove that the officers intended to harm King to convict them of civil-rights charges.

Prosecutors want to introduce previously undisclosed evidence that Powell beat a handcuffed juvenile in his custody just months before the King beating.

Prosecutors also want jurors to hear evidence of a 1987 incident in which Briseno is accused of stomping on the head of a handcuffed suspect and striking him with baton blows, then trying to cover up the incident. Briseno received a 66-day suspension for the beating.

Finally, the government intends to tell jurors of what it describes as Koon's failure to promptly file a use-of-force report for the 1986 police beating of a juvenile.

Lawyers for all three officers said the prior-act evidence should be excluded because it has no direct bearing on the King beating.

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Leak of Memo in King Case Spurs U.S. Probe

By RICHARD A. SERRANO and JIM NEWTON
TIMES STAFF WRITERS

A confidential government memo that questions the credibility of Rodney G. King as a witness and lists other potential weaknesses in the case against officers accused in his beating was disclosed to a defense attorney, prompting a Justice Department inquiry, sources said Thursday.

Although the exact ramifications of the leak remain unclear, it is seen at the very least as an embarrassment to prosecutors who have experienced setbacks in pursuing a case that legal experts consider extremely challenging.

According to sources on both sides of the case, the memo, known as an "order of proof," lays out the government's strategy and notes which witnesses are likely to be called, what they are likely to be asked, and how a jury might weigh their credibility.

■ **APPEARANCE SPARKS ANGER**
Tustin parents and school officials are angry over an appearance by Rodney G. King. A3

With the issue of the memo clouding the case, U.S. District Judge John G. Davies has met twice in closed sessions, once in August and once last week, with attorneys for the government and for the four accused Los Angeles police officers.

Lawyers and government officials have steadfastly refused to comment on those sessions, or acknowledge the memo's existence.

But in Washington late Thursday, a Justice Department official said: "We do not believe that [the release of the memo] presents a serious problem for the case." The official indicated that prosecutors have had a chance to adjust their strategy to compensate for any shortcomings outlined in the memo since the document was drafted several months ago.

One source who has read the Justice Department memo told The Times on Thursday that it discusses specific problems with several key witnesses—including King; his passenger the night of the beating, Bryant Allen, and California Highway Patrol Officer Melanie Singer.

"It said they would have problems with some of the witnesses," the source said. "It just pointed out the weaknesses in the case."

He said the memo was merely meant as an internal update and that it drew no conclusions about whether the case could be won.

The officers' trial in state court ended in acquittals on all but one count, sparking last spring's riots. The federal civil rights case is widely seen as a more difficult prosecution than the initial trial, in part because prosecutors need to prove that the officers intended to deprive King of his civil rights during the March 3, 1991, beating. The case is being carefully watched because of concerns that acquittals could result in more civil unrest.

King, who was not called to testify in the state case, is expected to play a key role in the federal trial, set to begin in February.

"About Rodney King," the source said, "[the memo] said that there could be a problem because of his prior inconsistent statements." King originally contended that the beating was not racially motivated but later told state prosecutors that the officers repeatedly taunted him with racial slurs during the incident.

The memo also discussed Allen's credibility, and noted that "they [the U.S. attorney's office] didn't believe he was a very good witness," the source said.

In the state trial, Allen appeared nervous and confused, and defense attorneys attempted to portray him as a gang member with a criminal record.

The source said the memo also questioned the credibility of CHP Officer Singer, who testified in the state trial that Officer Laurence M. Powell struck King in the head with his police baton—a contention disputed by a series of other witnesses.

The observations in the memo were intended as private communication among Justice Department officials. But after it fell into the hands of a defense attorney, the Justice Department's Public Integrity Section took an interest in the case. That office prosecutes criminal misconduct and corruption by elected and appointed officials at all levels of government.

The investigation apparently was being conducted by Thomas N. Burrows, a public integrity section lawyer, who filed court documents under seal in connection with the case Aug. 21.

Although details of Burrows' investigation have not been disclosed, others close to the case say that the section's interest appears to be focused on the question of how the memo got out.

Two sources close to the case said Michael P. Stone, the attorney for Powell, was mailed a copy of the memo, apparently by mistake. Stone read the memo, realized that it should not have been sent to him, notified the court and prosecutors, and returned the document, one source said.

Stone has repeatedly declined to answer any questions about the memo.

National Public Radio, in a report scheduled to air this morning, says "it appears unlikely that the memo was given to the defense by mistake." A transcript of the radio report does not offer any support for that contention, however.

Powell, along with Officers Theodore J. Briseno and Timothy E. Wind, and Sgt. Stacey C. Koon, were indicted in August by the federal government.

Since then, "we've had two secret hearings, and there's been a number of documents filed under seal," said Harland W. Braun, the lawyer for Briseno. "That's been disturbing to me. Any time there's secrecy in such a major case it's disturbing."

Braun said he could not comment on the contents—or the existence—of the memo.

Terree A. Bowers, the U.S. torney for the Central Distr declined to comment on the mer Sources said that after he spc with a reporter from The Times, warned others close to the case to discuss the issue.

Steven D. Clymer, another le prosecutor in the case, did r return phone calls seeking co ment.

Times staff writer Ronald J. Ostr contributed to this story

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Action Urged on Leaked King Memo

By JIM NEWTON and RONALD J. OSTROW
TIMES STAFF WRITERS

As Justice Department officials scrambled Friday to control damage from the improper release of a confidential prosecution memo in the Rodney G. King beating case, members of Congress called for a swift inquiry and sources said investigators are studying several theories, including whether the document was released by a government "mole."

In addition, The Times learned that one of the lead prosecutors in the case has suggested that the document may have been purloined by a burglar.

Sen. Joseph R. Biden Jr. (D-Del.) said he was "deeply disturbed" by reports that the memorandum—which lays out the prosecution's case, including questions about the credibility of King and other witnesses—had been given to one of the defense lawyers. Biden, who chairs the Senate Judiciary Committee, urged Atty. Gen. William P. Barr to quickly resolve the matter with disciplinary or criminal action against anyone found responsible.

Rep. John Conyers (D-Mich.), who chairs the House Government Operations Committee and is a senior member on the Judiciary Committee, called for a court-appointed independent counsel to examine the leak.

"Whoever leaked the memo may have effectively sabotaged the federal prosecution against the four LAPD officers and may be guilty of obstruction of justice," Conyers said. He called the leak "a possible conspiracy by officials in the Justice Department to acquit the LAPD, whose brutal acts of violence were seen around the world on videotape. . . . We have a major crisis of confidence inside the Justice Department."

Justice Department officials had no comment.

The Times reported Friday prosecutors had allowed a copy of the sensitive memorandum to fall into the hands of one of the defense lawyers in the highly charged case against four Los Angeles police officers accused of violating King's civil rights. The document's release—whether by mistake or by design—has embarrassed the government, raised questions about the potential effects on the case and fueled concerns about security within the Justice Department.

In a statement released by his office, Biden said: "Disclosure of this memorandum would constitute an inexcusable breach of security in a highly sensitive case of national importance."

Biden also asked the Justice Department to report "as soon as possible" on the progress of its internal investigation.

Biden and Conyers are key members of congressional committees that oversee criminal justice issues.

Even as pressure increased on the Justice Department to locate the source of the leak, officials insisted that the document's contents do not threaten the government's prosecution of the police officers.

One source who has read the document told The Times that in addition to laying out the government's prosecution strategy, the memo details credibility problems with King and other witnesses. Of King, the source said the memo calls attention to his conflicting statements about whether the beating was racially motivated.

The source said it also questions the credibility of California Highway Patrol Officer Melanie Singer and that of Bryant Allen, who was a passenger in King's car the night of the March 3, 1991, beating.

Though potentially damaging to the government's case, those issues were widely known, and sources said the memo was written well before the officers were indicted in August. As a result, prosecutors have had time to adjust their strategy, according to observers inside and outside the Justice Department.

"Assuming that the document says what it reportedly does, I don't think it's all that damaging," said Laurie Levenson, a Loyola Law School professor and former federal prosecutor. "Also, I would be much more concerned if you had a leak [of prosecution strategy] at this stage, rather than a few months ago."

From the prosecution's standpoint, however, the case already is considered a difficult one, as government lawyers will be required to prove that the officers intentionally sought to deprive King of his

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Most officials agreed and expressed confidence that the case could go forward despite the memo's release. Meanwhile, sources say the Justice Department's Public Integrity Section is investigating several theories of how it fell into the hands of Michael P. Stone, the lawyer for Officer Laurence M. Powell.

While some sources suggest that the release may have been a mistake, most Justice Department officials appear to believe it was intentional—either the result of a mole inside the prosecution team or even of a break-in at the U.S. attorney's office in Los Angeles.

The possibility of a break-in was suggested by Assistant U.S. Atty. Steven D. Clymer, one of the lead prosecutors in the case, during a closed-door session with U.S. District Judge John G. Davies, according to two sources who asked anonymity.

Clymer and Terree A. Bowers, the U.S. attorney for the Central District of California, declined to comment Friday, as did others who attended the session before Davies.

Others close to the case were not inclined to accept the break-in theory, but gave more credence to the idea that a mole inside the Justice Department may have mailed the document to Stone in order to help him prepare his client's defense.

"It's no secret that there is some sympathy for these officers in law enforcement circles," said one source who asked not to be identified. "It's possible that there is someone in the Justice Department who wanted to help them."

With his claims of a possible "conspiracy" to acquit the officers, Conyers appeared to back that theory. "Such a conspiracy would undermine the integrity of the entire criminal justice system as it relates to African-Americans," Conyers said.

The officers accused in the beating of King, who is black, were acquitted on all but one count during a state trial last spring. The verdicts touched off the Los Angeles riots, and the federal case is being closely watched in part because of concerns that acquittals could spark more violence.

After reports of the memo surfaced Friday in The Times and on National Public Radio, anxiety ran high in the prosecution camp, but there also were signs the incident has helped to deepen a rift on the defense side.

Lawyers for Officer Theodore J. Briseno and Sgt. Stacey C. Koon said they were disturbed by reports that Stone had received the memo but returned it to prosecutors before sharing it with the other defendants or their lawyers.

"It's not clear in my mind that he would have to return it if it was sent to him," said Harland W. Braun, who represents Briseno.

Ira Salzman, who represents Koon, declined to comment in detail, but said: "That account, if true, raises issues that need to be resolved."

None of the defense lawyers or prosecutors will talk about the contents of the memo, and sources say that all the parties are under a gag order imposed by Davies. One result of that order is that defense lawyers apparently cannot talk about the memo even among themselves, frustrating their efforts to join forces in advance of next year's trial.

Even before the leak of the memo became public, Salzman and Braun each filed motions in federal court challenging Stone's right to continue representing Powell. Although Braun's motion has been dismissed, Salzman continues to argue that Stone has a conflict of interest in the case, and should be removed.

Stone could not be reached for comment. He has repeatedly declined to discuss the memo or to acknowledge its existence.

Newton reported from Los Angeles; Ostrow from Washington. Times staff writer Richard A. Serrano also contributed to this story.

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(Mount Clipping in Space Below)

Blacks Not Surprised by Leak in King Case

■ **Judiciary:** Community leaders have been suspicious of the system's treatment of African-Americans. Still, they are incensed that a strategy memo on the trial ended up in a defense attorney's hands.

By MARC LACEY
TIMES STAFF WRITER

Nothing is surprising anymore, say those in the black community who have followed the Rodney G. King beating case through the not guilty verdicts, the worst civil unrest in modern U.S. history and reports last week that a confidential Justice Department memo was leaked to the defense.

"The worst thing about the leak, the thing that makes it so sad, is that it didn't really surprise me," said Ralph Sutton, a member of the Brotherhood Crusade. "The justice system continuously seems to be taking black people for granted."

Celes King, state chairman of the Congress of Racial Equality, said: "It's almost as if this whole affair has become a sitcom. What could possibly happen next?"

When the federal government announced the indictments of the four Los Angeles police officers on civil rights charges in August, many who had been jaded by the not guilty verdicts in the state trial were elated.

"I think that this action," Mayor Tom Bradley said at the time, "is going to help bring about a sense of confidence on the part of the people that this system is now working."

But the leak of the secret strategy document has only reinforced widespread suspicions among many about the fairness of the judiciary. Although the ramifications of the unauthorized release remain unclear, the credibility of the government's effort took a major blow.

"There was already little comfort in the justice system," said Councilman Mark Ridley-Thomas. "Anything that further diminishes the integrity of the judiciary . . . foments cynicism, despair and ultimately lawlessness and anarchy."

It was outrage over the verdicts, Ridley-Thomas said, that led to the outbreak of rioting on April 29 amid cries of "No Justice, No Peace." Also fresh in everyone's mind, he said, was the controversial case in which Korean-born grocer Soon Ja Du was given probation for fatally shooting black teen-ager Latasha Harlins.

The internal Justice Department memo, which outlined the prosecution's case and questioned the credibility of King and others as witnesses, was apparently mailed to Michael P. Stone, the attorney for officer Laurence M. Powell. After word of the leak got out last week, angry members of Congress called for a swift inquiry into who was responsible.

Danny Bakewell, president of the Brotherhood Crusade, said he is convinced that race is a factor in all the twists and turns of the case.

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"This just reinforces the African-American community's paranoia that justice is always twisted when it comes to African-Americans," Bakewell said. In fact, the injustices have become so pervasive that the concerns are no longer paranoia, he said.

Rep. Maxine Waters (D-Los Angeles) puts the leaked memo in the same league as the bizarre new developments in the racially charged case of truck driver Reginald O. Denny.

Dennis Palmeiri, a former attorney for one of the men accused of beating Denny on the first night of the riots, testified last week that he had been ordered not to vigorously defend his client, Damian Monroe Williams, by superiors at the defunct Center for Constitutional Law and Justice.

The former deputy director of the center, Frederick George Celani, has said in a taped statement that he was hired by the federal government to sabotage Williams' case. The judge, John W. Ouderkirk, is considering a motion by Williams' new attorney to throw out the charges.

"These are unheard of problems," Waters said. "Why are they happening all of a sudden with this case? We're at a point in time where we are increasingly suspicious of the criminal justice system. [These developments] don't help us any."

A former gang member who has spent time behind bars agreed.

"You can't trust the justice system a bit," said Smokey, who wore a T-shirt that showed the Bill of Rights in flames over the slogan "Can't Trust This." "We know it ain't fair. There ain't a brother in the neighborhood that thinks he's gonna get a fair trial."

Councilman Michael Woo, one in a large field of mayoral candidates vying to replace Bradley, said skepticism of the justice system extends to all of the city's ethnic communities, although it is most pronounced among African-Americans.

"I'm extremely alarmed," Woo said. "There were millions of people all over the country that thought justice was denied in the first trial. It's very disturbing to think that justice in [the] second trial may have been jeopardized."

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