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CALIFORNIA

Los Angeles Times

Man Shot by Officer Wins Jury Award

Police: The \$2-million verdict caps a three-week civil trial. The 68-year-old victim had sought \$10 million in the June 2000 incident.

By SCOTT GLOVER
TIMES STAFF WRITER

A Los Angeles Superior Court jury Friday awarded \$2.045 million to a 68-year-old man who was shot in the back by an LAPD officer two years ago after a dispute over a traffic ticket.

The civil court jurors determined that then-LAPD Officer Ronald Orosco violated Charles Beatty's civil rights when he fired four shots at the motorist after an argument between the two men. Beatty was hit once. The bullet remains lodged in his back.

Charged with the crime of firing into an occupied vehicle, Orosco pleaded no contest and is serving a five-year sentence in state prison.

Beatty's lawyers had asked jurors to award him \$10 million to pay for his medical bills, compensate him for continuing pain and suffering and to punish Orosco for shooting him.

Despite the lesser amount, attorney Carl E. Douglas said he was elated by the verdict.

"Hopefully, a very powerful message has been sent—and will be received by the city of Los Angeles and the LAPD—so that tragedies

of this type can be prevented in the future," said Douglas, who tried the case with attorney John E. Sweeney.

Beatty, a tall, gray-haired man dressed Friday in blue jeans and a corduroy sports coat, said he was pleased with the verdict.

"I feel that I've been compensated," he said. "I don't think the amount really matters."

The verdict in the case followed a three-week trial and three days of deliberations that several jurors described as highly emotional. Some jurors wanted to award Beatty \$4 million. Others felt the case was worth less than \$1 million.

"It wasn't fair. He should have gotten more," said jury forewoman Pearl Whitfield, 58. Whitfield said some jurors placed less value on Beatty's life because "he's not a doctor or lawyer or something like that."

Juror Angie Gillingham said she found it difficult to give Beatty as much money as the jury finally did because she believed he was "50% responsible" for getting shot in the first place.

Gillingham said she believed Beatty had been obnoxious and argumentative with Orosco and his partner, Officer Gorgonio Medina.

"I think he contributed to what he got," Gillingham said.

But juror Billy Kimball said some African American members of the panel argued persuasively that jurors who did not live in areas such as the one in the LAPD's 77th Division, where the shooting took

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place, could not understand the fear of being confronted by police.

"They said the next time this happens, it's going to be to me or my kid or my husband," Kimball said outside the courtroom. "That's hard to argue with. It creates a very emotional situation."

Jurors reported at midday that they could not render a verdict on allegations of false imprisonment and civil rights violations by Medina. At that point, Beatty's lawyers agreed to drop those charges from the complaint. Jurors reached their verdict with respect to ex-officer Orosco hours later.

Deputy City Atty. Richard Arias, who represented Medina and the city in the case, said simply, "Justice was done." He declined to elaborate.

The encounter between Beatty and the officers took place on June 14, 2000.

Orosco and Medina, who were in an unmarked police car and were not in uniform, were stopped at a traffic light talking to a transient when Beatty pulled up behind them.

Beatty said he waited as the traffic signal changed from red to green several times before he finally became impatient and pulled around the nondescript Chevrolet. He said he was unaware at the time that the two men inside the car were police officers. As Beatty



Former LAPD Officer Ronald Orosco pleaded no contest to charges in the shooting case and is serving a five-year prison sentence. pulled away, he made an illegal left turn.

The officers then decided to pull him over.

Beatty admits he became argumentative, insisting that the officers should not have been blocking traffic.

After he was ticketed, he and Orosco traded insults as Beatty walked toward his car.

At that point, Orosco said, he decided to arrest Beatty for allegedly challenging him to a fight. According to the officer, as he attempted to remove Beatty from the car, Beatty resisted and tried to drive away.

Fearful that he was going to be dragged into traffic, Orosco said he opened fire, hitting Beatty in the back as he drove off.

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Los Angeles Times

Officer Accepts Plea Bargain in Driver's Shooting

LAPD: He pleads no contest to firing at an occupied vehicle and faces prison time. The incident occurred during a dispute over a traffic ticket.

By ANNA GORMAN
and STEVE BERRY
TIMES STAFF WRITERS

An LAPD officer who shot an unarmed motorist in the back after a dispute over a traffic ticket pleaded no contest Wednesday to a felony charge of firing at an occupied motor vehicle.

Prosecutors said Ronald Oroasco, 31, will receive from six months to seven years behind bars when he is sentenced Oct. 29. Without the plea bargain, he could have received 25 years to life in prison if convicted.

The case is the second this year in which a Los Angeles police officer has been convicted in connection with an on-duty shooting. Officer Nino Durden, a key figure in the department's corruption scandal, confessed in federal court that he shot an unarmed man and planted a gun on him in 1996.

However, prosecutions of Los Angeles County law enforcement officers for on-duty shootings are rare and convictions even more infrequent.

Earlier this month, the L.A. County district attorney's office declined to prosecute LAPD Of-



LAPD Officer Ronald Oroasco contended he opened fire on a motorist in self-defense.

icer Edward Larrigan in the fatal 1999 shooting of a mentally ill homeless woman who was carrying a screwdriver. Before the new cases, the last local conviction of an on-duty officer occurred in 1982 when a Los Angeles County sheriff's deputy served eight months for shooting a pregnant woman who was carrying an unloaded rifle.

Oroasco, who had been indicted by the Los Angeles County Grand Jury, will lose his job at the 77th Street station, where he has been on unpaid leave since October, LAPD officials said Wednesday.

Oroasco wounded retired aerospace worker Charles Beatty, 66, in June 2000, after pulling him over at the corner of Central and Florence avenues for allegedly crossing the yellow line in the road.

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Prosecutors said Oroasco and Beatty got into a heated argument over the traffic ticket and that the officer lost his temper and fired when Beatty tried to drive away after receiving the ticket. Oroasco's partner, Gorgonio Medina, did not fire his weapon.

William J. Hadden, Oroasco's attorney, has disputed the account, saying his client shot Beatty because he feared for his life.

Beatty was treated at County-USC Medical Center for a bullet wound in the back.

In September, the grand jury indicted Oroasco on charges of assault with a deadly weapon and firing into an occupied vehicle. The grand jurors alleged that the officer "willfully, unlawfully and maliciously" fired at Beatty's vehicle. Oroasco, who had been an LAPD officer for five years at the time of the shooting, originally pleaded not guilty to the charges.

Oroasco changed his plea Wednesday morning before Los Angeles Superior Court Judge Williams Pounders. In exchange for the plea, prosecutors dropped the assault charge.

John Gilligan, head of the district attorney's Justice System Integrity Division, said the plea arrangement was a good deal

because a jury's reaction to an officer's testimony is too unpredictable.

"Juries give the benefit of the doubt to police officers," he said. "You just cannot underestimate their willingness not to second-guess an officer who testifies he was in fear for his life."

Defense attorney Hadden said he believed his client was overcharged and did not want to risk being convicted by a jury and receiving a lengthy prison sentence.

"It's a tough climate for police officers" to be tried," said the Santa Monica attorney. "If the jury found that one shot was out of line, he gets a ton of mandatory time. That makes going to trial on this kind of case absolutely frightening."

On June 14, 2000, Officers Oroasco and Medina, working in plain clothes and in an unmarked car, were stopped at a traffic light talking to a transient when Beatty pulled up behind them. After waiting through several light changes, Beatty, unaware that Oroasco and Medina were officers, became impatient, drove around them and made an illegal left turn, said Deputy Dist. Atty. Hector Guzman.

When the officers pulled him over and issued a ticket for the

maneuver, Beatty complained. He admittedly became belligerent, said Guzman, who prosecuted the case. But Beatty complied with the officers' orders and was given permission to leave after he accepted the ticket, Guzman said.

At that point, the prosecutor said, the pair continued to exchange remarks. Beatty said something that prompted Oroasco to decide to arrest him for disturbing the peace or challenging an officer to a fight, Guzman said.

Beatty told prosecutors that Medina grabbed Beatty's arm to pull him out of his car. Beatty, according to Guzman, saw Oroasco reach for his service pistol and fled in fear that he was about to be shot.

Guzman said Oroasco shot through the driver's rear side window from two feet away, striking Beatty in the back. He fired three more shots, the last from about 50 feet away as Beatty's car was turning a street corner.

"Mr. Oroasco lost his temper," Guzman said. "He was angry. Mr. Beatty left the scene, and that did not please Mr. Oroasco."

Hadden said Oroasco and Medina were holding onto Beatty when the motorist pressed the gas pedal, leading Oroasco to believe he was going to be dragged into

traffic. That's when he began shooting, he said.

"Officer Oroasco felt that at the time he fired rounds, his life was in danger and he was doing what was necessary to protect himself and his partner," Hadden said.

Dist. Atty. Steve Cooley said the case represents "a historic breakthrough in Los Angeles County law enforcement."

"It underscores the effectiveness of the . . . roll-out team," Cooley said.

The conviction is the first for the newly revived program in the district attorney's office, which sends prosecutors to the scene of every shooting involving a police officer.

The roll-out program was terminated in 1995 but restored five years later after allegations that LAPD officers had covered up unjustified shootings.

Guzman said it is critical for prosecutors to immediately report to the scene of officer-involved shootings and for the district attorney's office and the Police Department to work together to deal with possible police misconduct.

Cmdr. Jim McMurray, head of the LAPD Internal Affairs Division at the time, said Wednesday that successful prosecution of the Oroasco case should help restore public trust in the LAPD after the Rampart corruption scandal.

He called the case important because the department doesn't want citizens thinking "that if you have a dispute with an officer that the outcome will be that you will get shot."

Beatty had filed a civil suit in June against Oroasco and the city alleging violation of civil rights assault and battery, and emotional distress. His attorney, John Sweeney, is seeking a damage award of between \$5 million and \$10 million. The bullet in still in Beatty's back, Sweeney said.

"Now that Oroasco has pleaded no contest, the city is clear to settle this case . . . and to make Mr. Beatty whole again," the lawyer said.

Beatty declined comment but said through Sweeney that he is satisfied with the disposition of the case and is looking forward to putting this "ugly chapter" behind him.