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Jury to start deliberations in murder trial

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PASADENA — The jury in the third trial for two men charged with murdering a rival gang member and trying to murder another starts its first full day of deliberations today.

"Lowdown" Larry Scott, 31, and his cousin, Charles Bell, 27, allegedly fired semiautomatic weapons from behind a sign at the Messiah Lutheran Church as their rivals walked across Orange Grove Boulevard at Madison Avenue.

The shooting occurred on the afternoon of Sept. 19, 1997, as schoolchildren walked nearby. Damion Keith Thomas was shot three times in the back and died quickly. Ronald Hopkins was shot



Staff photos by JAMES KU

JURY DELIBERATIONS start today in third murder trial of Larry Scott, 31, left, and Charles Bell, 27.

once and survived.

Attorneys expect this jury also will fail to convict the men because of the quality of the witnesses' testimony. Unlike most regular murder cases, most of these prosecution witnesses have a bias against the defendants, have served time in prison for an assault- or drug-related felony, have told different stories at different times, have refused on the stand to say anything about the

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defendants, or all of the above.

The root of the problem, said Deputy District Attorney Thomas O'Brien, is the witnesses fear they will be killed for snitching on two powerful gangland figures. Gang members can be so vengeful and resourceful against witnesses, it's a wonder anyone ever steps forward to say anything, he said.

"These people are petrified," O'Brien said.

Scott's defense attorney said he thinks the defendants are innocent of the crimes they are charged with, and he thinks the police pressured witnesses to make up stories so they could get a key gang leader off the street.

Scott was allegedly a "shot caller," meaning he was a high-ranking gang leader who made decisions about which gang enemies should be assaulted or executed. O'Brien told the jury that Thomas, the shot caller for a rival Pasadena gang, enraged Scott days before the shooting by showing up alone at a party attended by members of Scott's gang.

Both gangs were feuding factions of the Bloods gang.

"I truly believe Scott and Bell were not the shooters, and the police are building this case on their gang affiliation," attorney John E. Sweeney said last week as he revisited the shooting scene during a break in closing arguments.

As the gunmen fired, Sweeney said, the victims were shot in the back. Hopkins ran west on Orange Grove. Thomas ran north on Madison and collapsed only three houses up the street.

As Sweeney talked, a witness in the case happened to walk by. The man had issued a jailhouse statement that he saw Scott in the getaway car, but now says he didn't see a thing. O'Brien says the man was threatened by the defendants.

At the heart of Sweeney's conspiracy theory is Pasadena police Lt. Dana Orent, who has had several defense attorneys

accuse him of intimidating and manipulating witnesses to even the odds of winning difficult-to-prosecute gang trials. Sweeney said Orent assembled a phony case to put two gang members in prison.

"He will do what it takes to make sure a shot caller is taken off the streets," Sweeney told the jury in his closing remarks.

A day earlier, Sweeney tried to tell the jury about the unrelated case of Kevin Tillet, a three-strikes felon also pursued by Orent, but Pasadena Superior Court Judge Teri Schwartz deemed the matter irrelevant.

After a witness in the Tillet case testified in December that Orent told him who to point to in a photo lineup, a judge declared a mistrial. Tillet, who was facing 50 years to life on a gun charge, was given a plea deal and set free three months later.

In another Orent-related murder trial next door to Schwartz's court, Pasadena Superior Court Judge Terry Smerling recently allowed a defense attorney several months to review her case because of the Tillet case.

O'Brien said Sweeney, a former Johnnie Cochran associate, is simply doing what any good defense attorney does: "Their job is to attack every single witness and beat up on the police officer."

He added that Orent has no motivation to unduly pursue Scott, who did Orent a favor by killing Thomas because Thomas had ordered a hit on Orent.

Sweeney said he is suspicious because of a new witness brought forward by Orent in the current trial. The new witness's testimony is extremely damaging but also full of holes, he said.

"It seems very strange, given the allegations in the Tillet case, that he's the same investigating officer that interviewed Shannon Brown in this case," Sweeney said.

Brown had told police very little about the shooting in several interviews after the crime.

But she testified May 15 that she visited the shooting scene moments after the attack, saw Thomas' dead body, returned home and chatted on the phone with Scott's girlfriend as the defendants walked in.

"She was like, 'I got to go.

They need to use the phone,'" Brown testified. "And she was whispering, 'They got guns, girl.'"

Brown also testified she knew Scott because he shot her husband. Schwartz informed the jury Scott was never arrested for such a crime.

Brown said she avoided coming to court previously because associates of the defendants had threatened her life.

Sweeney told the jury that Brown's testimony "was contrived and is endemic of the problems with this case."

Brown testified she lived on Mountain Street, several blocks from the murder scene, and that when the shots rang out she knew they were coming from the direction of the home of Hopkins, her brother-in-law.

Sweeney said it seems highly unusual that Brown could pinpoint the source of the shots from her home.

Brown also testified she saw the homicide victim close enough to know it was Thomas.

"Where was the body?" Sweeney asked her after directing her to an enlarged map of the intersection and explaining it to her.

"I can't say where the body is," Brown said. "I still don't understand the diagram."

"You can't place the body there because you weren't there," Sweeney told her.

One man who says he knows the defendants and the victims in the case said Scott and Bell are innocent men brought into court by Orent.

"This is a small Rampart here," said the man, who would only identify himself as Dwight.

O'Brien said Brown could tell where the shots were coming from because she was on a porch above the intersection.

He told the nine women and three men on the jury that witnesses in the case have changed their stories several times because they have been threatened by the defendants or their associates.

He urged the jury to "see through the fear" and convict the two men.

But he later remarked that the odds are against it. The first jury hung 8-4 in favor of conviction, and the second split 6-6.

The third jury began its deliberations at 3 p.m. Friday and continues this morning at 9 a.m.