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Los Angeles Times

## L.A. weighs payout to felon

Council can approve \$4.5 million for man paralyzed in police shooting or appeal.

By Joel Rubin

Following a jury's verdict that Los Angeles police officers were wrong to shoot a man they believed was armed, the City Council now must decide whether to approve a controversial \$4.5-million settlement payout to the paralyzed man.

The case stems from a night in September 2005, when several officers on patrol in South L.A. responded to a report of a nearby shooting. Witnesses pointed to a white van leaving the scene, saying people inside had unloaded a volley of gunfire while driving by. After a brief pursuit, the three men inside the van jumped out and scattered. Officers Julio Benevides and Mario Flores chased after the driver, 19-year-old Robert Contreras.

The officers, who told investigators they saw a gun in Contreras' hand as he bolted, shot him multiple times in the side and back when he allegedly turned toward them with an object in his hand. It turned out to be a cellphone and no gun was found.

Nonetheless, following an internal investigation, the officers were cleared of wrongdoing by an independent board that oversees the L.A. Police Department.

Contreras, who was left a near quadriplegic with some use of his arms, was convicted in 2009 for his role in the drive-by shooting and sentenced to seven years in state prison. Released on parole last year, he filed a federal lawsuit, accusing the officers of excessive force and violating his civil rights.

During the trial in February, U.S. District Judge Ste-

[See Settlement, AA4]



RICHARD BAILEY/LAKE MERRITT INQUEST

**SIXTH-GRADERS** from St. Paul's Episcopal School pose with their bounty from Lake Merritt. The items will be theirs if no one comes forward to claim them.

## From trash to treasure

Students cleaning up Oakland lagoon find some loot

By Maria L. La Ganga

**OAKLAND** — They weren't the strangest things ever dragged from Lake Merritt, a refuge for wildlife and city dwellers alike that is patrolled regularly by volunteers who scoop up this city's ample detritus. That honor probably would go to the dead gerbil in a tiny casket, which trumped the Uzi, sawed-off shotgun and bowling ball, combined.

But during their regularly scheduled community

service session last week, the sixth-graders in Susan Porter's science class pulled two canvas bags full of loot from the 140-acre tidal lagoon:

Rings and antique pocket watches, gold medallions and silver candlesticks. Booty, apparently stolen, and so heavy that it couldn't be fished out of the brackish water with a simple net.

The boys and girls of St. Paul's Episcopal School had hooked themselves a mystery.

Lake Merritt and its ring

of grassy parkland is playground and lunchroom, athletic field and science project to the middle-schoolers. For the last 15 years, it's also been the heart of their campus' service learning project.

In Porter's class, they studied its storm drains, investigated its hydrology and pondered its politics. As Porter put it: "Here's this great thing that the city uses to promote itself, but can't keep clean."

So every Thursday, the

[See Loot, AA4]

## DWP seeks rate hikes as pipes burst

Increases in power and water bills would speed upgrades of aging infrastructure.

By Thomas Curwen and Kate Linticum

As utility crews raced Tuesday to repair six water main breaks that stretched from the Hollywood Freeway on the east to La Cienega Boulevard on the west, the general manager of the Department of Water and Power stood before the agency's Board of Commissioners and requested a series of steep rate increases over the next two years.

Ron Nichols, who first argued for increases last summer, said a 5% water rate hike and a 10.5% electrical hike over two years were critical if the department hoped to comply with environmental mandates, renovate its coastal power plants and accelerate the replacement of water mains throughout the city.

"There's a fair amount

that we have not attended to, and it's catching up with us," Nichols said.

That was slim solace for residents of the city who experienced an interruption of water service when the system began falling about 1:30 a.m.

By the time morning commuters were getting on the road, the DWP reported breaks in six neighborhoods, all within 3 1/2 miles of each other. The disruption of service resulted in more inconvenience, however, than damage.

The breaks were attributed to an inspection of the Lower Franklin Canyon Reservoir. DWP spokesman Joseph Ramallo said the agency needed to close the valves leading into and coming out of the reservoir in order for divers to work in the water.

To compensate for the loss, the department switched to another water source, which caused a spike in water pressure throughout the region along the Hollywood Hills. The DWP, which expects to finish its inspection

[See DWP, AA4]



AL SEIB/LOS ANGELES TIMES

### SPOTLIGHTING INJUSTICE

Elizabeth Catlett was seen as one of the 20th century's most important African American artists.

ELIZABETH CATLETT, 1915 - 2012

## Sculptor melded art, social consciousness

By Mary Rourke and Valerij J. Nelson

Elizabeth Catlett, a sculptor and printmaker who was widely considered one of the most important African American artists of the 20th century despite having lived most of her life in Mexico, has died. She was 96.

Catlett, whose sculptures became symbols of the civil rights movement, died Monday at her home in Cuernavaca, Mexico, said her eldest son, Francisco.

Her imposing blend of art and social consciousness mirrored that of German painter Max Beckmann, Mexican muralist Diego Rivera and other artists of the mid-20th century who used art to critique power structures.

From the start of her career, Catlett "was part of a broad political milieu" that

[See Catlett, AA5]

## '85 murder conviction voided

Judge faults detectives for failing to turn over evidence pointing to a possible other suspect.

By Jack Leonard

A Los Angeles County judge has overturned a 1985 murder conviction in the fatal shooting of a maintenance man in South Pasadena, finding that sheriff's detectives failed to disclose records pointing to another possible suspect and may have improperly influenced witnesses.

Superior Court Judge Suzette Clover made the ruling after the prosecution's key witness recanted, telling the judge at a hearing that he never got a good look at the killer and felt pressured to make a positive identifica-



IRAPAN KHAN/LOS ANGELES TIMES

**FRANK O'CONNELL**, shown last year, was given 25 to life for the fatal shooting of a South Pasadena man.

tion after tentatively identifying Frank O'Connell as the gunman during a photo lineup.

O'Connell, whose conviction was based largely on eyewitness testimony, has maintained that he had nothing to do with the kill-

ing. "It's been a long time coming," said Verna Wefald, one of his attorneys. "Until you step into somebody else's shoes and live that nightmare, it's impossible to imagine how a person en-

[See Overturned, AA4]

### Marijuana activists rally

Hundreds call for federal respect of state and local laws, a day after Oakland raids. AA3

### Hotel wages

L.A. considers incentives for the industry to modernize and boost pay. AA2

### Court discipline

A state agency admonishes an L.A. County commissioner for misconduct. AA2

### Video evidence

Recording shows events preceding a Marine's shooting by an O.C. deputy. AA3

### Complete index.....AA2

### Lottery.....AA2

### California.....AA3

### Obituaries.....AA5

### Weather.....AA6

# '85 murder conviction voided

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IRFAN KHAN Los Angeles Times

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## Conviction in 1980s South Pasadena killing voided

[Overturned, from AA1] dures."

O'Connell, a former Glendora High School football star, was sentenced to 25 years to life for the murder of Jay French, who was gunned down Jan. 5, 1984, in a carport area of the State Street apartment complex where he lived and worked.

As he lay fatally wounded, French told two police officers that he didn't know the killer but that the gunman had been in a yellow Ford Pinto. The dying man also told his wife that the killer looked like someone who associated with his ex-wife, whom he had been fighting in court over custody of their young son.

Detectives linked O'Connell to the shooting after learning that he had recently had a romantic relationship with the victim's ex-wife. He also matched the description from witnesses of a tall, slender blond gunman.

A tenant in the apartment complex, Daniel Druecker, had seen the shooting and identified O'Connell as the gunman from a photo lineup. Druecker's testimony was the linchpin of the case against O'Connell, and he testified that he was sure O'Connell was the killer.

But last summer, Druecker returned to the same Pasadena courtroom where O'Connell had been convicted more than a quarter century ago. Facing him, on either side of the audience, were the families of French and O'Connell—just as they had been for the trial.

Druecker testified that he had barely caught a glimpse of the gunman's profile and had not been wearing his glasses. He felt pressured and intimidated by the investigators and the justice system, he said, so never admitted that he really didn't know whether O'Connell was the man he had seen.

"I felt that I couldn't back out," he told the court. "I ruined a man's life."

The district attorney's office argued that Druecker's recantation was unreliable and denied that investigators pressured him.

Prosecutors noted that Judge Sally Disco—who convicted O'Connell after he opted for a trial before a judge instead of a jury—found the case against him to be "overwhelming." Among the evidence she highlighted was a police sketch of the gunman based on Druecker's description that she said bore a "striking resemblance" to O'Connell.

But in her ruling last week, Clover described the sheriff's identification procedure with Druecker as "suggestive" and faulted detectives for not turning over notes from their investigation. Those notes showed that a neighbor of the ex-wife who testified that he had seen O'Connell driving a yellow Pinto station wagon had failed to positively identify O'Connell from a photo lineup.

The same sheriff's notes also revealed that another boyfriend of the victim's ex-wife was suspected of trying to kill French four years earlier. That man was described as tall with sandy or blond hair.

Clover ruled that the detectives' notes probably would have changed the outcome of O'Connell's trial had they been turned over to the defense. The judge also cited several sworn declarations presented by O'Connell's defense from people who said the victim's ex-wife confessed to being involved and said O'Connell was innocent.

Prosecutors could appeal the ruling or retry the case. A retrial appears unlikely given Druecker's recantation. A district attorney's spokeswoman said the office will announce its plans at a court hearing April 17. Until then, O'Connell remains in prison.

French's older sister, Jolene Cordova, said her family was disappointed with Clover's decision and believes that O'Connell was responsible for the killing. Cordova said that the case had been thrown out on a "technicality" and that the victim's family blames investigators for not ensuring that the case was airtight back in the 1980s.

"If they had done their job better in 1985, we wouldn't be here today," she said. "It's like reliving it all over again."

Kate Germond, the director of the nonprofit Centurion Ministries, which advocates for the release of inmates it contends were wrongfully convicted, said Clover's ruling struck at the heart of the prosecution's case. Germond, who investigated O'Connell's case for about 15 years, said her client learned about the ruling on Tuesday.

"He's in a complete and utter state of shock," she said. "We know Frank O'Connell is innocent."

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# Los Angeles Times

## Conviction in 1984 South Pasadena murder overturned

**A former Glendora High football star got 25 years to life in the slaying. A judge faults detectives for failing to turn over evidence pointing to a possible other suspect.**

April 04, 2012|By Jack Leonard, Los Angeles Times

A Los Angeles County judge has overturned a 1985 murder conviction in the fatal shooting of a maintenance man in South Pasadena, finding that sheriff's detectives failed to disclose records pointing to another possible suspect and may have improperly influenced witnesses.

Superior Court Judge Suzette Clover made the ruling after the prosecution's key witness recanted, telling the judge at a hearing that he never got a good look at the killer and felt pressured to make a positive identification after tentatively identifying Frank O'Connell as the gunman during a photo lineup.

O'Connell, whose conviction was based largely on eyewitness testimony, has maintained that he had nothing to do with the killing.

"It's been a long time coming," said Verna Wefald, one of his attorneys. "Until you step into somebody else's shoes and live that nightmare, it's impossible to imagine how a person endures."

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