

Dallas settling lawsuits

Fake-drug plaintiffs in 4 of 9 federal cases to be paid; more deals likely

By **MATT STILES**
Staff Writer

The city of Dallas has agreed to settle at least four of the nine federal civil-rights lawsuits stemming from the fake-drug scandal.

The monetary payouts to those plaintiffs — four Hispanic men falsely arrested in 2001 — were not disclosed Tuesday. All of the cases were scheduled for trials in the next several months.

The agreements are a signal that most, if not all, of the remaining lawsuits could soon be settled. That would close another chapter in the embarrassing 2001 scandal in which more than two-dozen innocent people went to jail based on bogus drug evidence.

Court records show that settlement talks continue in several of

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Dallas settles with 16 in fake drug frame-ups

Two dozen sued city over bogus 2001 arrests

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DALLAS, Texas (AP) — The city will pay about \$5.7 million to settle lawsuits brought by 16 people who were jailed after paid police informants planted bogus drugs on them, two attorneys said Friday.

The settlements, first reported by The Dallas Morning News, cover more than half of the 24 plaintiffs — mostly Mexican immigrants — who sued over the 2001 arrests.

Plaintiffs' attorney Don Tittle said 12 of his 19 clients reached settlements totaling about \$4.5 million. Another plaintiffs' attorney, Tony Wright, said his four clients settled for about \$1.2 million. The settlements ranged from \$120,000 for a client who spent one day in jail to \$480,000 for a client jailed for months, he said.

City Attorney Madeleine Johnson did not immediately return a call.

Informants planted packages of billiard chalk and other legal substances on people to frame them.

Three informants went to federal prison in the scheme. At least two former narcotics officers have been charged. They are accused of evidence tampering.

Man awarded \$406,500 from fake-drug arrest

Bulk of jury decision was for mental anguish in phony setup

By **ROBERT THARP**
Staff Writer

Federal jurors deliberated about four hours Friday before awarding \$406,500 to a 30-year-old man falsely arrested by Dallas police in the fake-drug scandal.

The bulk of the award was for mental anguish suffered by Abel

Santos after crooked police informants fabricated phony drugs and set him up for arrest in July 2001. He was jailed for nearly four months.

Mr. Santos' attorney, Don Tittle, said the judgment was "satisfying" because the two sides had failed to reach an acceptable monetary settlement that would have avoided a trial. He declined to discuss how much city officials had offered Mr. Santos to settle, but he said it was significantly lower than the amount the jury awarded.

Mr. Santos, who moved to the United States with his family when he was 10 and was deported to Mexico after his arrest, was one of a handful of victims of the police scandal who did not reach settlements with the city. His is the first of those cases to go before a jury.

The city has agreed to pay out \$6.75 million in settlements to 19 other people wrongly arrested during the scandal.

The city's price tag from the Santos judgment could increase

significantly in the coming weeks. As the loser in the court battle, the city will be required to pay Mr. Santos' legal fees, as well as those of co-defendants Mark Delapaz and Eddie Herrera, the police officers who arrested Mr. Santos.

City officials could not be reached for comment late Friday.

Evidence in the trial mirrored Mr. Delapaz's criminal trial earlier this year in which a jury convicted him of lying to a judge in order to obtain a search warrant. He was sentenced to five years in prison

but remains free while the case is under appeal.

During that criminal trial, Department of Public Safety investigators who conducted a probe into the scandal described how details of drug busts described in Mr. Delapaz's reports were improbable and that they believe Mr. Delapaz lied about key details in his arrest reports.

Mr. Delapaz and former narcotics division colleagues Mr. Herrera, David Larsen and Jeffrey Haywood refused to testify in the

trial, citing their Fifth Amendment right against self-incrimination. The officers' former supervisor, Sgt. Jack Gouge, also declined to testify.

Mr. Herrera, Mr. Larsen and Mr. Haywood face state charges for their roles in the bogus drug cases. No trial dates have been set in those cases. Six confidential informants are also facing criminal charges stemming from the scandal.