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### **Introduction**

The LAPD Rampart Scandal is considered as one of the most notorious in police history where law enforcers' complicity in the scandal questioned the credibility of LAPD in enforcing the law. Most disturbing was the involvement of police officers in a melee of corruption, intimidation and abuse of power. Hollywood quickly picked up on incidents of corruption among the ranks. The closest that the films' approach to interpreting and mimicking the reality of abuse of authority was seen in blockbusters like L.A. Confidential and Training Day. Denzel Washington's character was akin to that of Raphael Perez of the LAPD Rampart division.

On November 2000, the Los Angeles City Council approved the settlement of \$15 million to Javier Ovando, a victim of two LAPD Rampart cops Raphael Perez and Nino Durden. The victim, was falsely accused of a crime and gunned down despite being unarmed by Perez's partner, Durden. The victim allegedly assaulted the two officers with a Tec-22 semiautomatic weapon. The victim, suffered serious injuries that left him paralyzed from waist down. Despite Ovando's insistence on his innocence and the culpability of the two officers, the court sided with the officers and found Ovando guilty on all seven counts and sentenced Ovando to twenty-three years in prison. Judge Czuleger was the presiding judge (Cannon, 2000). Ovando's public defender, Tamar Toister failed to get any latitude in the case. The judge did not allow her to cross-examine the two officers. With the main witness for the defense missing, the public defender realized she had a weak case (Cannon, 2000). Toister believed in her client and found the sentence too harsh for an individual with no criminal record.

The Rampart scandal opened a can of worms and it was a revelation on police corruption and abuse of power. Rampart was a notorious place located west of downtown Los Angeles. A

haven to every type deviant and criminal individuals, over 60 gangs mostly of Hispanic ethnicity held the community hostage (Cannon, 2000). In addition, the poorest section of the LA population and illegal immigrants lived in densely packed community with little or no amenities to speak of. The gangs lived a violent life of crime, murder and drugs that terrorized the community.

The Rampart Division is responsible for keeping the peace in the predominantly Latino quarter. Rampart covers 7.9 square miles with over 33,790 people per square mile and had the highest crime rates. The Rampart division was one of the busiest with 400 sworn and civilian personnel manning their respective posts. To respond to the growing menace of gangs, Rampart established an anti-gang unit CRASH or Community Resources Against Street Hoodlooms (Reese, 2003, p.88). Police officers assigned to the unit were given the liberty to do anything to improve the peace and security situation in the area. The unit was effective because gang-related crimes fell from 1171 in 1992 to 464 in 1999 (p.88). However, the success did not come without a price. By giving police officers flexibility to enforce the law, it gave rise to widespread corruption among the ranks (p.89).

### **Raphael Perez: A Real-life Alonzo Harris**

Raphael Perez came into the force in 1989. Beginning as a patrolman, Perez moved on to the narcotics unit before transferring to Rampart CRASH in 1995. A Puerto Rican immigrant and Spanish-speaking officer, his abilities and knowledge about gangs made him a valuable asset to Rampart CRASH (Cannon, 2000). Perez's abuses and his cohorts' abuses would have gone unnoticed if not for three events. The first was a robbery committed on Bank of America on the South Central on November 6, 1997. Nine months after Javier Ovado's conviction. The perpetrators carted away with \$722,000 after Errolyn Romero, customer service manager handed

the money to the robbers. However, upon deeper investigation, the case revealed the duplicity of the bank employee and named her boyfriend, LAPD police officer David Mack as the brains behind the caper. Mack formerly served in Rampart and was a good friend of Perez (Cannon, 2000). The second occurred on February 26, 1998 when two Rampart Crash officers detained a young suspect. Officer Brian Hewitt entered the interrogation room and severely beat the suspect. The two other officers failed to report the incident. Chief Parks ordered an investigation and Hewitt and one of the two officers were dismissed from the force. Finally, a month after the incident, LAPD's division discovered that six pounds of cocaine stored as evidence went missing. The officer who signed out the cocaine from the evidence room was Raphael Perez (Cannon, 2000).

This raised the suspicion of internal affairs on the activities of Perez. After gathering enough evidence to indict Perez, the internal affairs swooped down on Perez and arrested him on August 25, 1998 (Cannon, 2000). The investigation would later discover that the officer was living beyond his means. Perez was tried on December 1998 for the "possession of cocaine for sale, grand theft and forgery." (Cannon, 2000) The trial ended with the jury in disagreement 8-4 for conviction. While waiting for a retrial, Perez negotiated for a lighter sentence in exchange for an expose on the illegal activities in Rampart division.

Perez's confession indicted several officers in the Rampart division. In addition, over 100 cases were overturned and about 3,000 more believed to be questionable because the arresting officers were Perez and Durden (Reese, 2003, p.88). What Perez had confessed shook the foundations of LAPD. Perez gave an account on how officers flaunted the law and the power they wielded against purported suspects. With fabricated arrest charges, the hapless victims often pleaded guilty for a lesser sentence rather than insist on the truth. Most disturbing in Perez's

confession was the abuse of power was firmly entrenched within the ranks of the Rampart division. More shocking was the number of innocent people sent to jail because of false reports.

Since Perez's confession, twelve LAPD officers including four sergeants were "relieved of duty, suspended, fired or have quit in connection with the department's probe." (p.88) Seventy other officers were under investigation but were not convicted for lack of substantial evidence. In one of Perez's court testimonies, he narrated how the Rampart police officers acted like gangs and even had initiation rights to neophytes. The new members were inculcated with the illegal doctrine of "planting false evidence, beating, framing, shooting, and turning immigrants over to the INS for immediate deportation." (p.89)

Among Perez's confession was the Ovando shooting. He would later confess how he and his partner fabricated the case against Ovando. Ovando was shot in the hope of covering up their illegal activities. It backfired and the four bullets did not end Ovando's life. The law sided with the rogue cops and Ovando was sent to jail for twenty-three years. An outraged Police Chief Bernard Parks swiftly acted on the Ovando case and disbanded the CRASH division after hearing the stories spewing out of Perez's mouth (Cannon, 2000).

Cannon (2000) wrote that the implications of the Rampart scandal went beyond the walls of the Los Angeles Police Department. The justice system (judge, prosecutors) was equally culpable for the effects of Rampart scandal. In many cases, the judges believed that police officers testifying against the accused were above reproach. The law inadvertently protected corrupt officers through "ballot initiatives and court decisions that have tipped the scale against defendants." (Cannon, 2000). The system made it easy for officers to commit perjury and get away with it (Cannon, 2000). California's "three strikes law," one of the toughest in the country carried a 25-year sentence. To avoid the longer sentence, the accused would rather plead guilty

and suffer a lighter sentence. With more defendants pleading guilty, it also eliminated the chances for the court to cross-examine officers to weed out liars. Los Angeles County courts appeared to favor LAPD officers (Cannon, 2000).

Perez, taking the plea bargain was sentenced to five years in prison but would later be released after serving only three year. He was released from California Correctional Institution at Tehachapi. Perez was allowed out on parole for three years and could seek parole arrangements in another state for security reasons (Werner, 2001).

On March 1, 2000, the “Los Angeles Police Department’s Board of Inquiry issued a report titled, Rampart Area Corruption Incident.” (Chemerinsky, 2001, p.547). Chemerinsky (2001) found the report to be incomplete focusing more on proposals for reform rather the exploring the root of the problem (p.551). The report also failed to recognize the culture at LAPD to some extent, was responsible for the bad behavior of police officers. Structural reforms were not considered in the report. The department’s disciplinary system was reduced. The report was also unable to recognize the role of the prosecutor, judge and defense all had a share in the failure and proliferation of cases related to the Rampart scandal (Chemerinsky, 2001, p.551).

### **Conclusion**

It is all too disappointing for everyone to know that the trust people have on law enforcers had been tainted. No amount of legislation, reforms and other initiatives could curb the problem of corruption unless it was dealt at the roots. In many instances, the courts tend to consider police officers as individuals beyond reproach. The LAPD corruption is not limited to law enforcers. Judges, prosecutors and defense layers all play a part in shaping the judiciary system and procedures.

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