

## Bell Gardens Police Dept. Hit With \$4.5 Million Dollar Jury Verdict For Police Brutality And Corruption



Mon Apr 14, 3:01 AM ET

Today in the United States District Court, Central District California, Los Angeles, the Honorable Judge Valerie Baker Fairbank, presiding, the jury in *Cazares v. Bell Gardens Police Department*, Case No. CV -06-5985(VBF), after a three-week civil rights trial, issued a verdict in favor of plaintiffs for nearly 4.5 million dollars (\$4,458,444.00): \$3,183,000.00 in general damages, and \$1,275,200 in punitive damages.

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The jury found all five individual defendant police officers liable for malicious prosecution and awarded punitive damages against each individual officer. The defendant officers are Michael Cox, Sergio Tiscareno, Ricky McCraner, Rigoberto Barrios and Rene Ruiz. In addition the jury found liability for other causes of action including excessive force, assault and battery.

The case stems from the arrest of the plaintiffs Gerardo Cazares and Manuel Moreno on October 30, 2005, at approximately 12:30 a.m. The plaintiffs had a Halloween Costume Party in the front yard. The police arrived because of a loud music complaint. In shutting down the party, plaintiff Gerardo Cazares and Manuel Moreno were punched, kicked, beaten with batons and shot with a less lethal bean bag shot gun, causing permanent scarring due to a burn stemming from the close range shooting. Both men were then arrested and subsequently charged with Obstructing a Police Officer, and Manuel Moreno faced the additional charge of Assault with a Deadly Weapon on a Peace Officer. Both men were found "not guilty" and acquitted at the criminal trial in a jury verdict issued April 13, 2006 (VA092126 Norwalk Branch of the Los Angeles Superior Court).

After the jury verdict of "not guilty," Mr. Cazares and Mr. Moreno sued the Bell Gardens Police Department and the individual officers for deprivation of civil rights, including excessive force and malicious prosecution. The defendants made no offer to settle the matter.

During trial, the plaintiffs argued to the jury that the individual defendant police officers wrote false police reports, submitted them to the District Attorney and then lied in court under oath in an effort to send the plaintiffs to prison for crimes they did not commit. The jury in its verdict agreed, finding the individual police officers liable for malicious prosecution and additional causes of action.

Lead trial counsel in the civil rights action was Glen T. Jonas and Christopher Driscoll (from the law firm of Jonas & Driscoll). R. J. Manuelian was the attorney who successfully defended the plaintiffs in the original criminal matter, enabling the firm of Jonas & Driscoll to follow up the victory with a civil rights action against the defendant police officers.