

Corruption trial starts for Miami cops

11 officers in elite street team accused of planting guns and lying to investigators

Dana Canedy, New York Times

Wednesday, January 22, 2003

(01-22) 04:00 PDT Miami -- Eleven suspended or fired police officers whose trial on corruption and conspiracy charges began Tuesday in U.S. District Court are the worst kind of criminals, according to prosecutors -- or the worst kind of victims, according to their lawyers.

In opening arguments, the prosecution told a jury that the government would present "throw-down" guns planted at crime scenes by rogue officers who shot unarmed suspects. The prosecution said it would prove that the men lied to investigators to cover up their actions. Many of the **defendants** were members of an elite street team, "the Jump Out Boys," that operated in tough neighborhoods. It has been disbanded.

"The 11 **defendants** are cops who have crossed the line in four different shootings," the prosecutor, Curtis Miner, an assistant U.S. attorney, said. "For these officers, the code of loyalty is more important than the truth."

The government has said it expects to call to testify two former officers who pleaded guilty to conspiracy charges related to the shootings and agreed to break the so-called code of loyalty to testify against their former co-workers.

Lawyers for the **defendants** say they are scapegoats who simply practiced aggressive police work to protect citizens in some of the most crime-ridden neighborhoods.

The case centers on four prominent shootings and arrests in in the mid- to late 1990s. They include the case of Richard Brown, 73, who died when the police fired into his apartment in a drug investigation in 1996, and the case of a homeless man who was shot in 1997 while carrying a radio that the police later said was a gun, according to the authorities.

All the shootings were ruled justified by state prosecutors and an internal Police Department review headed by former Chief Raul Martinez, who resigned in November. Civil rights leaders and citizen advocates, however, were outraged by the shootings, in which three black suspects were killed and the homeless man, who is white, was wounded.

All the **defendants** are Latino. Defense lawyers said before the trial that their clients were victims of the racially charged pressure stemming from the shootings.

"It's an ugly picture that the government paints, a picture that is painted in hindsight and hypocrisy," said Richard Sharpstein, a lawyer for two officers, Arturo Beguiristain, 42, and Jorge Castello, 34.

"You will be asked to make your decision in hindsight of these police officers who made decisions on the road in a split moment," Sharpstein added. He said the case is "not about cops who cross the line. It's about cops who pursue criminals who cross the line."

Harry Solomon, a lawyer who represents another defendant, Eliezer Lopez, 35,

told the jury that the government was stretching the facts to suggest a conspiracy that never existed.

"Every one of these shootings was justified," Solomon said. "But every one of these incidents were lumped together."

The jury of six men and six woman has eight Latino jurors, three whites and one African American. Miner, the prosecutor, told them that the case was not about the officers' right to use deadly force in the line of legitimate police work.

"This is a case against the 11 **defendants** who saw themselves above the law," he said.

Manny Casabielle, a lawyer for a defendant, Rafael Fuentes, 35, said the charges would prove baseless.

The other **defendants** are Jose Acuna, 44; Jesus Agüero, 40; Jorge Garcia, 40;

Israel Gonzalez, 43; Alejandro Macias, 38; Jose Quintero, 39; and Oscar Ronda,

41.