

U.S. jury fines city \$1 million

Lax official discipline cited in brutality case of an off-duty cop

BY STEVE WARMBIR

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A federal jury on Friday socked the City of Chicago with a highly unusual \$1 million verdict after finding the city was so lax in disciplining off-duty police officers who beat up civilians that it created an environment that effectively encouraged it.

After less than six hours of deliberation, the jury found for George Garcia, 23, from the South Side, who said he was beaten by Officer Samir Oshana in February 2001 after Garcia tried to link Os-

hana to a gang.

The jury "spoke loud and clear," said Garcia's attorney, Jon Loevy, who had not asked for a specific amount. "They put a million bucks on that line."

"I'm just glad that justice was served," Garcia said.

Loevy argued throughout the trial that not only did the city fail miserably in investigating the allegations involving his client, but in dozens of other cases the city failed to properly look into excessive force complaints against off-duty officers.

One expert for Garcia, a former police chief who has worked around the country, reviewed more than 70 investigative files involving brutality complaints against off-duty Chicago officers, and found a myriad of problems.

U.S. District Judge James Holderman split apart the lawsuit against the city and the officer, whose case will be handled later.

With that ruling, the city, its policies and its investigations of its own officers, were put on trial.

Attorney G. Flint Taylor, a partner with the People's Law Office and a veteran of police brutality lawsuits, called the verdict significant and was unable to recall a larger one in such a case in Chicago.

"I think it's a very unusual verdict," Taylor said.

City Law Department spokesperson Jennifer Hoyle questioned the large size of the verdict, given the extent of injuries that Garcia suffered. Garcia suffered a broken nose, a fractured eye orbital and an injured hip, according to his at-

torneys.

Hoyle said the city would appeal and defended the city's investigations of brutality complaints against off-duty officers. Oshana eventually was charged in state court with aggravated battery and other crimes. Loevy argued that the internal investigation took off only once the federal lawsuit against the city was filed and contended that other allegations against Oshana were swept under the rug.

During the trial, outside the presence of the jury, Holderman repeatedly questioned the integrity and truthfulness of the city's attorneys after he quizzed them on various matters.

Hoyle defended the city's attorneys, saying they have "the highest ethical standards."