

Conflicting pictures of Butler emerge in suit against deputies

[2,3 Edition]

The San Diego Union - San Diego, Calif.

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Date: Jun 16, 1990

Start Page: II.2

Section: ZONES

Text Word Count: 551

Document Text

A former Marine captain told a Superior Court jury on Thursday that it is "ludicrous" to believe that Jim Butler would have assaulted a sheriff's deputy.

Clarence M. Nelson of Oceanside said he was Butler's commanding officer in Vietnam and had known the former Navy chaplain since 1968. Nelson said he has remained in constant contact with Butler during the past 22 years.

Butler, a Vista resident, is suing the county, five deputies and Sheriff John Duffy for injuries he says are related to a 1985 arrest. The trial, which began this week, was recessed after Thursday's testimony until June 25.

Nelson said his friend changed dramatically after he was arrested and held for 15 hours in the Vista Jail, where Butler contends he was beaten by deputies.

"Before the incident he had always tried to be the good guy," Nelson said. "He didn't offend anyone and he did anything he could to help.

"After he was arrested, well, he just couldn't do it. He felt like he'd been violated. At least that's how he told it to me."

Butler contends it was his helpful nature that got him into trouble. He said that during the 13 years prior to his arrest, he helped about 18 people who were involved in traffic accidents on a hairpin curve in front of his home on Foothill Drive.

After one accident, Butler was placed under arrest for allegedly slapping a deputy. He eventually was acquitted of that charge, but was found guilty by a jury of resisting arrest. That verdict was overturned by an appeal court and the charge was dismissed.

Butler's attorneys, Tom Adler and Michael Crowley, are seeking \$50,000 in medical damages and an unspecified amount in damages for pain and suffering. Butler contends that his arrest and alleged mistreatment at the Vista Jail resulted in physical ailments that led to depression and the loss of his construction business.

In several contentious exchanges Thursday, Nelson and the county's attorney, David Florance, argued over whether Nelson knew enough about Butler to give an informed opinion as to why Butler apparently changed.

Florance asked Nelson if he had read transcripts of testimony taken in earlier court appearances. Nelson said he had not, but added: "I still have an opinion about how overnight he became a basket case."

In his opening statement, Florance told the jury in San Diego that Butler is "not a credible person."

Florance, through his questions, implied that Butler was a busybody and a know-it-all, who tried to boss deputies around

when they responded to accidents on the road in front of his home.

Butler told the jury how he helped people involved in those accidents, including a deputy who was pinned under his car when it crashed into a ditch.

Florance asked Nelson if he knew Butler had experienced ringing in his ears and other medical ailments before the 1985 arrest.

Nelson said he did not know his friend's medical history, but said he doubted that medical problems caused the dramatic changes in Butler's character.

"One time I went to his home and found him just sitting in his chair weeping," Nelson said. "I was with him when he was with the lawyer (who sold Butler's business), and he just sat there and wept that time too."

Credit: Staff Writer

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Abstract (Document Summary)

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