

Victim offers to fund start of board to monitor sheriff

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A Vista man who was awarded \$1.1 million by a jury that decided he had been brutalized by sheriff's deputies has offered to reduce his award by \$320,000, the cost of starting a civilian review board to monitor the Sheriff's Department.

A Superior Court jury decided Friday that the plaintiff, James Butler, 60, a former Navy chaplain, should be awarded \$1.1 million in damages for his 1985 arrest and jailing by sheriff's deputies. The jury concluded that the officers who dealt with Butler were acting under an unwritten Sheriff's Department policy of violating individuals' constitutional rights.

Butler's attorneys, Tom Adler and Michael Crowley, said in a press release yesterday that Butler made the \$320,000 offer because he wants to see a citizens' review panel established to act as a watchdog over the Sheriff's Department.

"It is our hope that with this offer, a meaningful review process will be established which will greatly assist in eliminating any other incidents such as that which happened to Jim Butler," the lawyers said.

Testimony was to have begun today on the amount of punitive damages Deputies Robert Bishop and Bolitha Laws should be responsible for individually paying to Butler. However, Butler's attorneys agreed yesterday to settle that part of the lawsuit for \$1 per deputy.

The lawyers cited health problems involving the deputies. Bishop recently suffered a heart attack, and Laws' wife is scheduled to go into a hospital soon for a major operation, Deputy County Counsel David Florance said.

Florance said no decision will be made on whether to accept the settlement until rulings are made on a motion for a new trial and on other motions he will file.

"Any discussion of settlement is very premature," he said.

Butler was arrested Jan. 19, 1985, in front of his home on Foothill Drive in Vista. He had long complained that the road was dangerous and testified that he frequently helped motorists who became involved in traffic accidents there.

Deputies had complained that Butler had interfered with their work. Bishop said that on the night of Butler's arrest he threw Butler to the ground after Butler slapped him.

Another deputy said he saw Butler's hand go up and saw Bishop's glasses fly off but did not see Butler slap Bishop.

Butler was taken to the Vista jail, where he refused to give his name. He said Laws took him into a "rubber room" at the jail, kicked his legs out from under him and twisted his arm.

In a trial, Butler was acquitted of charges of battery on a police officer and resisting arrest. He said the arrest caused

him to go into a severe depression, requiring him to be hospitalized for eight days.

Jury foreman William S. O'Brien of Poway said yesterday of the evidence against the deputies: "It's a shame, because there are so many good officers."

He declined to comment further.

Credit: Tribune Staff Writer

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Abstract (Document Summary)

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