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## Exonerated Aide Still Bitter Over 'Strippergate'

By Tony Perry, Times Staff Writer

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SAN DIEGO — As this city settles in for the holiday season, David Cowan has no trouble counting his blessings.

"I have my freedom," he said. "I could be looking at a surrender date to start a prison sentence."

Cowan, 39, an aide to a City Council member, is the forgotten man in the city's long-running "strippergate" criminal case.

The same jury that on July 18 convicted a strip-club lobbyist and two City Council members of a bribery scheme acquitted Cowan of a charge of lying to the FBI.

The jury listened to secretly taped conversations between Cowan and the lobbyist and decided quickly that the evidence did not come close to supporting the U.S. attorney's allegation of wrongdoing.

Cowan's acquittal was given scant notice amid the media coverage of the guilty verdicts against Councilmen Ralph Inzunza and Michael Zucchet on charges of taking illegal campaign contributions in exchange for promising to try to lift the city's law against nude dancers touching patrons.

Declining interviews, Cowan returned to his job at City Hall dealing with residents' concerns about police protection, trash pickup and other services in the racially diverse, blue-collar 4th Council District.

Cowan's legal bills totaled \$136,000 and were paid by the City Council only after his acquittal. To celebrate, he took his attorney, **Michael Crowley**, to a Rolling Stones concert.

The story soon shifted to the forced resignations of Inzunza and Zucchet.

But on Nov. 10, U.S. District Judge Jeffrey Miller took the unusual step of throwing out most of the charges against Zucchet and saying the two remaining counts were barely worthy of a retrial. He upheld the charges against Inzunza but suggested that he might have grounds for a successful appeal.

In the context of Miller's decision and his scolding of federal prosecutors, Cowan's acquittal four months earlier could be seen as a sign that the U.S. attorney's case was weak and the conduct of the prosecutors questionable.

U.S. Atty. Carol Lam declined to comment on the case. The lead trial prosecutors, Assistant U.S. Attys. Michael Wheat and John Rice, also declined to speak.

Cowan, a 17-year city employee, said his faith in law enforcement has been shaken by his two-year ordeal.

"It's a good feeling to have it over for me, but I have my bitter moments when I'm very angry at the government," he said. "I guess I'm in the healing process."

Miller has given the government until a Dec. 12 hearing to indicate whether it will appeal his decision to toss out seven of nine charges against Zucchet and whether it will seek to retry him on two remaining counts.

The editorial page of the San Diego Union-Tribune has urged Lam to press forward and attempt to overturn Miller's decision.