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Ex-Miami Officer Testifies in Police Corruption Case

By DANA CANEDY

MIAMI, Jan. 28 — A retired Miami police officer testifying as a prosecution witness in the federal corruption trial of 11 former Miami officers said today that he never saw them plant guns at crime scenes, as they are accused of doing, but that it was a commonly known practice.

"It was like it was a common-knowledge thing," the retired officer, William Hames, testified. "It was joked about. It was something you heard."

Mr. Hames also testified that he had firsthand knowledge that some of the officers had conspired to lie about their actions in a deadly shooting in 1995.

The officers are accused of planting "throw-down" guns at crime scenes, shooting unarmed suspects and giving false statements to investigators to cover up their actions. Many defendants were on an elite team of officers, the Jump Out Boys, that operated in tough neighborhoods. Lawyers for the defendants have said they are scapegoats who practiced aggressive police work to protect citizens in crime-ridden neighborhoods. Defense lawyers today attacked Mr. Hames's credibility, characterizing him as a drunk who had turned on his fellow officers to protect himself and his pension.

"It's your hope that based upon this that you won't go to jail?" a defense lawyer, Richard Sharpstein, asked Mr. Hames.

"Of course," said Mr. Hames, 55, who was an officer for 25 years.

Defense lawyers said Mr. Hames had a history of disciplinary problems on the force, including drawing a gun in a dispute with a bus driver in 1998.

Mr. Hames said he was intoxicated at the time and did not recall the incident.

He said he retired shortly after that, because "I didn't feel I should be a police officer anymore." Mr. Hames admitted that he drank on the job twice and suffered occasional blackouts.

Mr. Hames, who will return to the stand on Wednesday, is one of two former officers that the prosecution has said it expects to call to testify.

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The two pleaded guilty to conspiracy charges last year related to one of the questionable shootings in which the 11 men are on trial. They agreed to a plea deal in hopes of receiving a reduced sentence.

The case centers on four prominent shootings and arrests in the mid- to late 1990's. One was the case of Richard Brown, 73, who died when the police fired into his apartment in 1996 in a drug investigation.

Another shooting occurred in 1997, when a homeless man was shot while carrying a radio that the police later said was a gun, according to the authorities.

Mr. Hames was one of five officers who fired at two robbery suspects who were fatally shot in the back in 1995 when they ran from the police. Officers said at the time that the suspects had guns. Investigators later found out that the weapons had not been fired and had no fingerprints.

Mr. Hames testified that the day after the shooting he met the other officers at a barbecue restaurant to discuss what to tell investigators. He told the jury that the officers "sat there and looked at each other for a bit."

One, Jorge Garcia, 40, asked, "What are we going to say?" Mr. Hames testified.

Mr. Hames added that he told the group that he intended to tell investigators that he had seen both suspects with guns. He admitted on the stand today that the statement was a lie.

Mr. Hames also testified that after he said what he intended to tell investigators, another officer, Jesus Aguero, 40, said later to the group: "That's why we call him Bill Shakespeare. He writes good A-forms," a reference to arrest affidavits.

All the shootings were ruled justified by state prosecutors and an internal police department review led by Police Chief Raul Martinez, who resigned in November.

Civil rights leaders and citizens' advocates were outraged by the shootings, in which three black suspects were killed and a white homeless man was wounded.

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

In addition to Mr. Aguero and Mr. Garcia, the defendants are Jose Acuna, 44; Arturo Beguiristain, 42; Jorge Castello, 34; Rafael Fuentes, 35; Israel Gonzalez, 43; Eliezer Lopez, 35; Alejandro Macias, 38; Jose Quintero, 39; and Oscar Ronda, 41. All the officers are charged with conspiracy to obstruct justice, which carries a penalty of five years in prison and a \$250,000 fine.

Mr. Aguero, Mr. Garcia, Mr. Quintero, Mr. Gonzalez, Mr. Ronda and Mr. Castello are also charged with one or more counts of obstruction of justice, which is punishable by 10 years in prison and a \$250,000 fine.

In addition, Mr. Garcia and Mr. Gonzalez are charged with committing



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perjury before a grand jury. That carries a penalty of 10 years in prison and a \$250,000 fine.

All the defendants have resigned or have been suspended or dismissed.

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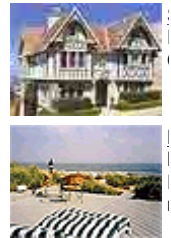
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