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City settles police brutality lawsuit

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A screen grab from a video, posted on YouTube on Jan. 6, 2013, showing three Bridgeport, Conn. police officers kicking a man in Beardsley Park on May 20, 2011. On Tuesday, May 27, 2014 city officials said they agreed to settle the man's civil rights lawsuit against the Police Department, paying him \$198,000. Photo: Contributed Photo



BRIDGEPORT -- It was all there on video -- a city man is shot twice with a stun gun after he runs from police in Beardsley Park and is then stomped by three officers as he lies on the ground.

The stark video of the cops kicking the prone man made national news and triggered protests from local activists and civil rights groups when

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it popped up last year on YouTube. It also launched an FBI investigation into the officers' conduct.

On Tuesday, after receiving a Freedom of Information request from Hearst Connecticut Media, city officials said they agreed to settle the man's civil rights lawsuit against the Police Department, paying him \$198,000. The federal lawsuit originally called for a \$10 million payout.

"Considering costs associated with proceeding to trial, a resolution was reached that is fair and reasonable for all parties in this case," said Police Department Spokesman [William Kaempffer](#).

On the video, recorded May 20, 2011, [Orlando Lopez-Soto](#), 28, is seen running from the right side of the frame when there is the electric sound of a stun gun. Lopez-Soto falls face down in the grass and officers [Joseph Lawlor](#) and [Elson Morales](#) run up to him and begin kicking and stomping on him. The video was shot by an unnamed passerby.

Officer [Clive Higgins](#) then pulls up in his patrol car, gets out, and leaning on Morales for support, also begins kicking Lopez-Soto.

Lopez-Soto is serving a 5-year prison term after being found guilty of criminal possession of a firearm, possession of narcotics with intent to sell and failure to appear in court for the crime that led to the chase by the officers.

"The agreement was reached after a number of settlement discussions with the city," said Lopez-Soto's lawyer, [Robert Berke](#). "It fairly compensates my client for the events that occurred at the park."

[Carolyn Vermont](#), immediate past president of the Greater Bridgeport [NAACP](#), said the video created an awareness of police brutality in the community that had not been there before.

"There have been so many people who have told their stories about police brutality, but that's all they were: stories," she said. "Now, we have this video in living color of Bridgeport police brutalizing a man. Now they (city officials) can't ignore it. There is a price to be paid when an individual's civil rights are violated."

State [NAACP President Scot X. Esdaile](#) said the case goes far beyond a monetary settlement.

"I want to know that the [Bridgeport Police Department](#) is putting out the message to its officers that these type of actions will not be tolerated," he said.

Esdaile said he is waiting for the investigation into the stomping incident to be completed.

"And only then can the police move to regain their trust from the minority community," he said.

Berke said the settlement will not affect the other pending brutality lawsuits he and other lawyers filed against the city regarding the same officers.

The settlement also does not affect the status of the three officers, all 10-year veterans, who were placed on paid administrative duty after city officials saw the video.

Law enforcement sources say the three are also the subject of an ongoing federal grand jury investigation, which could lead to their arrests.

Lopez-Soto was taken to the hospital after the incident, but only for being shot twice with the electric stun gun, according to the police report. There is no mention in the report of the kicking and stomping by the officers.

The lawsuit, filed in federal court here, says Lopez-Soto was deprived of his constitutional rights by the cops, who used excessive force against him.

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"While the plaintiff was lying face-down on the ground motionless, the defendants forcefully kicked the plaintiff over a dozen times, upon various parts of the body, including his head, and stomped on his back," the lawsuit states.

Lawlor and Morales had been riding in their patrol car shortly after 5 p.m. on May 20 when they saw a red van with tinted windows traveling eastbound on Shelton Street, the police report states.

They activated their lights in an attempt to pull over the van when it instead drove off at high speed.

They pursued the van through the city's East Side, where they said it nearly struck several cars and blew out two tires during the chase. The van then drove into Beardsley Park, where it eventually became stuck in high grass.

Lopez-Soto leaped from the driver's door of the van, jumped on the hood of the police car and ran, the report said.

"Myself and Officer Morales gave chase on foot and yelled to Lopez-Soto to stop or he would be Tased, but he continued running," Lawlor said in his report. "Fearing that he might have a gun, Officer Morales deployed his department-issued Taser and fired one shot at Lopez-Soto, striking him in the back. He immediately stopped running and fell face-first to the ground."

Lawlor said he grabbed Lopez-Soto's right arm and attempted to place it behind his back, but Lopez-Soto struggled with him, trying to get off the ground.

Morales then used a stun gun on Lopez-Soto again.

Lawlor states he then handcuffed Lopez-Soto, who had a gun holster on his belt. The officers said they then searched the van and found a loaded handgun on the floor, along with plastic bags containing suspected drugs.

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