

SAN DIEGO SOURCE

Black Riverside police officer wins \$1.6 million award

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RIVERSIDE, Calif. (AP) -- A jury awarded a black police officer more than \$1.6 million, finding that race played a role when the police department disciplined him in 1998.

Officer Roger Sutton, 45, had claimed that the Riverside Police Department booted him from the canine unit after his dog bit a colleague during a burglary investigation, but didn't mete out the same discipline to other canine officers involved in similar incidents.

"It was bittersweet," Sutton, a 23-year Riverside officer, said outside court. "Sweet because the jury found for us; bitter because it's against the Police Department, and I am still part of them."

An attorney representing the city said it would decide whether to appeal.

Sutton's attorney, Scott Silverman, presented evidence that his client was subjected to a yearlong investigation over the dog bite, that a supervisor allegedly turned a clock ahead to claim Sutton arrived late for work and that a "racially derogatory" poster was put up in the department's personnel and training office.

Silverman conceded that Sutton erred by not giving the dog commands when he tried to pull it off his colleague.

Jurors found that Sutton was discriminated against because of his race and punished for filing a grievance challenging the discipline. The panel concluded the department's conduct was "outrageous."

"The plaintiffs did a good job of showing how disparate the treatment was of other colleagues who were in the same kind of situation," said jury foreman Steve Kaefer, 32.

Information from: The Press-Enterprise, <http://www.pe.com>

<http://www.sddt.com/News/article.cfm?SourceCode=20051021cb#.V8ze34-cGUk>